



MINUTES
SPECIAL MEETING OF THE
DIXON CITY COUNCIL

NOVEMBER 14, 2011

1. **CALL TO ORDER**

The Special Meeting of the Dixon City Council was called to order in the Council Chambers at 6:04 p.m. by Mayor Jack Batchelor, Jr.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Jack Batchelor, Jr.

3. **ROLL CALL**

Present: Councilmembers Thom Bogue, Rick Fuller,
Vice Mayor Michael Ceremello, Mayor Jack Batchelor, Jr.

Absent: Councilmember Dane Besneatte *

*Councilmember Dane Besneatte arrived at 6:07 p.m.

4. **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

An audience member noted his ongoing research of government operations and felt five Councilmembers representing 18,000 people was insufficient, citizens are supposed to be in control, and they should expect detailed discussions with their representatives.

5. **REVIEW AND DISCUSSION BY THE CITY COUNCIL OF THE DRAFT "SUNSHINE ORDINANCE"**

Mayor Batchelor set a two-hour time limit for the meeting.

Ourania Riddle reported she had reviewed the City Attorney's comments on her original draft in detail, removed most of the areas of objection, eliminated nine sections and reduced the document by 50%. She apologized for not distributing the revised version to Council prior to the meeting but had just finished the document the afternoon of the meeting. She distributed copies of the revised ordinance to the Council.

Ms. Riddle noted the purpose of the ordinance is to take transparency beyond the requirements of the Brown Act and acknowledged the current Council has made good effort to be transparent so the ordinance is not necessarily directed at them, but future Councils may not continue in the same way without the ordinance in place to ensure transparency. She acknowledged similar language to the San Francisco ordinance because it has been tested in legality by time and utilized by other cities as a guideline, but modified the revised version with more original language.

Mayor Batchelor commented that he was not prepared to discuss the revised version until he has time to review the content, recommended continuing the meeting to a date in the near future, and placing the revised version on the City website in the interim for public review in the interest of transparency.

Councilmembers Besneatte and Fuller supported the Mayor's recommendation.

Mayor Batchelor asked for public comments.

Mayor Batchelor read an e-mail received from Drew Graska expressing support of the Sunshine Ordinance.

Vice Mayor Ceremello agreed the Council was unprepared to discuss the revised ordinance, but felt the style of the next meeting should be changed to allow more informal give and take, such as a roundtable format held at the Senior Center, and the Mayor should function as a moderator rather than directing the meeting.

Councilmembers Fuller, Bogue and Besneatte expressed support for a less formal meeting format.

Mayor Batchelor noted his intention to act more as a moderator, but was hesitant to hold the meeting in a location other than the Council Chambers because it could not be broadcast to the general population and only those people present could participate at the Senior Center, hindering transparency and open discussion. He noted he typically has given everyone an opportunity to speak without the use of buzzers, gavels, or timers.

Vice Mayor Ceremello and the other Councilmembers agreed that the Council Chambers would be the best location for maximum transparency.

Bill Paul read his prepared comments that noted a lack of transparency when the City agreed not to disclose the nature of an agreement with a company that turned out to be Genentech regarding a Use Permit. He recommended including a provision in the ordinance excluding non-disclosure agreements and making permits available for review because the citizens have a right to know.

George Guywn noted most meetings he attends are not open, the citizens should appreciate Ourania Riddle's efforts and discussed a Daily Republic article about a Solano County employee who spoke up about a supervisor working from home who was terminated as an example of open government and he recommended the ordinance be adopted in some form.

Ginger Emerson took exception to a comment made by the Mayor about some audience members being part of a specific group, she is not a member of any group but only represents the Old Town Neighborhood, and did not appreciate the appearance of being labeled.

Shirley Humphrey also objected to the appearance of audience labeling. She suggested a series of questions regarding the ordinance be given to the public in advance so they can be prepared to discuss and provide more specific direction and more advertisement of meetings, and noted there were no comments from the City Attorney or staff about the strengths of the proposed ordinance.

Mayor Batchelor responded to comments about labeling by saying he is very familiar with the people in the community and listens to their opinions.

Steve Alexander noted he is present independently because he saw the meeting notice.

Councilmember Bogue noted the revised ordinance appeared to be much cleaner and more concise and recommended the Council review it first and ask the City Attorney for input only on items of specific concern or legality.

Byron Chapman thought it would be helpful to have a brief comment from each Councilmember regarding their position on the pros and cons of the ordinance.

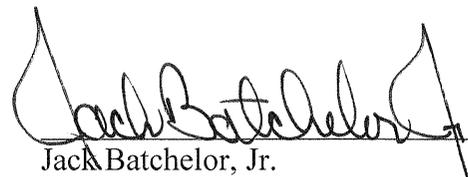
Mayor Batchelor noted the Council provided their positions at the last meeting and need to review the new document to know whether their opinions have changed. Due to a heavy December schedule, the next meeting may need to be scheduled for January, at the latest. He confirmed to Stephen Muzio that any concerns which arise regarding the revised ordinance will be relayed to the City Attorney's office after the workshop.

6. **ADJOURNMENT**

The Special Meeting of the City Council was adjourned at the hour of 6:50 p.m.



Suellen Johnston
Acting Deputy City Clerk



Jack Batchelor, Jr.
Mayor