



**MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL**

MAY 8, 2012

0. **Special Closed Session at 6:00 p.m.**

0.1 **Call to Order**

The Special Meeting of the Dixon City Council was convened at 6:05 p.m. by Mayor Jack Batchelor, Jr. to meet in Closed Session.

0.2 **Roll Call**

Present: Councilmembers Thom Bogue, Rick Fuller,
Vice Mayor Dane Besneatte, Mayor Jack Batchelor, Jr.

Absent: Councilmember Michael Ceremello *

Mayor Batchelor announced the purpose of the Closed Session Meeting was to discuss the following two items:

0.3 **CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

City Negotiators: Jim Lindley, Steve Johnson, Joan Michaels Aguilar,
Michael Dean

Employee Organization: Dixon Professional Firefighters Association
Dixon Police Officers Association
Dixon Senior Management Association
Public Employees Union, Local One
Non-Represented Management Unit
Non-Represented Non-Management Unit

0.4 **CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED
LITIGATION**

Pursuant to Government Code section 54956.9(c), and based on existing facts and circumstances, the legislative body is deciding whether to initiate litigation:
One case.

There were no public comments.

The Council convened into Closed Session at 6:06 p.m.

*Councilmember Ceremello arrived at 6:08 p.m.

The Council recessed from Closed Session at 7:09 p.m.

0.5 Mayor Batchelor announced there was no reportable action from the Closed Session.

0.6 Mayor Batchelor adjourned the Closed Session at 7:14 p.m.

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was convened in the City Council Chambers at 7:15 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, Michael Ceremello,
Vice Mayor Dane Besneatte, Mayor Jack Batchelor, Jr.

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

5. **AUDIENCE/PUBLIC COMMENT (NON-AGENDA ITEMS)**

5.1 Carol Pruett, Dixon Chamber of Commerce, announced the Sponsorship Luncheon for the Dixon May Fair Parade, presented a plaque of appreciation to the City, and invited all of the City Council members to ride on the fire truck during the parade.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Councilmember Ceremello thanked City staff for taking rapid action on mowing Northwest Park.

Councilmember Ceremello inquired about responsibility for repairing potholes in the alley that runs between South First Street and Jackson Street. He received a complaint, was unsure of who owns the alley and where responsibility lies, and requested staff to research.

Councilmember Ceremello asked for a report from Councilmember Rick Fuller, President of the Dixon Solano Water Authority (DSWA), on the meeting he attended with the new district manager of Solano Irrigation District (SID).

Councilmember Ceremello expressed concern about the upcoming afterparty planned at the Buckhorn Bar & Grill following the Snoop Dogg concert and asked the Police Chief what proactive plans are being made to avoid problems.

Jon Cox, Police Chief, responded that Police staff have met with the owner of the Buckhorn Bar & Grill who has agreed to reduce capacity and increase security, additional police patrols have been added, and he felt there was not a high level of concern.

6.2 Councilmember Fuller reported that the meeting with the new SID District Manager, Cary Keaten, was simply a get-to-know each other meeting with nothing discussed in detail. He noted Mr. Keaton is from the Central Valley, has an impressive technical background as well as financial background, has worked for the City of San Jose Public Works Department, and was very affable and friendly. They discussed the trials and tribulations of the District and the importance of finding some resolution to those problems.

6.3 Councilmember Bogue reported that the notes he originally made on his I-pad for this meeting were deleted due to a program glitch, asked whether those notes are considered public record, and asked that staff conduct I-pad research to resolve this type of problem. He asked for understanding during the meeting given his lack of notes.

6.4 Vice Mayor Besneatte noted that he also lost some notes due to the same glitch, was concerned his notes may be tied to the internet, and if others are able to read his notes he was unsure if he wanted to continue using the I-page. He also requested staff to review the problem.

Vice Mayor Besneatte discussed attending dedication of a memorial for abused children in Fairfield, attended a tree-planting event at Northwest Park, thanked Janet Koster, City Senior Management Analyst and certified tree arborist for her assistance, discussed his planned participation at the sheep herding event at the May Fair, invited everyone to attend, and expressed a lack of concern about the Snoop Dogg concert.

He noted there are new owners of the Solano Lighthouse facility who desire to be part of the Dixon community and have offered their facility for use to Dixon groups.

6.5 Mayor Batchelor acknowledged a new children's store on First Street in Dixon, Nana and Company, where book reading sessions are regularly offered, noted he had the privilege of reading to children during one session, and felt reading is very important in the development of children.

Mayor Batchelor discussed Corrections Realignment that releases inmates back into the community and his attendance at a recent event sponsored by the Lilly Corporation focused on mental health issues of inmates.

Mayor Batchelor noted he was looking forward to participating in the sheep-herding event at the May Fair along with Vice Mayor Besneatte and Councilmember Fuller.

7. **ITEMS FROM THE CITY TREASURER**

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to approve the Agenda, as submitted. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

9. **CONSENT CALENDAR**

Councilmember Ceremello asked that Item 9.4 be heard separately.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to approve the Consent Calendar with the exception of Item 9.4. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

9.1 Approved the Minutes of the April 10, 2012 Regular City Council Meeting.

9.2 Adopted Resolution No. 12-053 approving the Enumeration of Claims.

9.3 **Approved minute action setting the July 10, 2012 City Council meeting as the time and place for a public hearing regarding past due City of Dixon sewer service accounts.**

9.4 **Adopt Resolution awarding the bid for City fuel services to Ramos Oil Company for the period commencing July 1, 2012 through June 30, 2013.**

See Minutes on Page 4.

9.5 **Approved Minute Action requesting approval to issue a Request for Proposal for City of Dixon off-site document storage.**

9.4 **TAKEN OUT OF ORDER**

Adopt Resolution awarding the bid for City fuel services to Ramos Oil Company for the period commencing July 1, 2012 through June 30, 2013.

Councilmember Ceremello asked about the OPIS price and how it relates to the at-the-pump price.

Aaron McAlister, Fire Chief, reported the OPIS is the daily figure traded on the Commodities Market that fluctuates daily, is technically the wholesale price which is below the market pump price, but was unsure exactly how it correlates to the pump price.

Mayor Batchelor asked for public comments. There were no public comments.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to adopt Resolution No. 12-054 awarding the bid for City fuel services to Ramos Oil Company for the period commencing July 1, 2012 through June 30, 2013 (AG 12-012). Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

10. **PUBLIC HEARINGS**

10.1 **Matters relating to Weed Abatement:**

1. **Public hearing to consider any objections to the declaration of public nuisances and issuance of administrative citations for the failure to remove refuse, weeds and rubbish from vacant parcels by property owners.**

2. **Resolution overruling any objections to the declaration of public nuisance and issuance of administrative citations on parcels or exclude any such**

parcels from citations, and ordering the Police Chief to issue citations and/or conduct abatement utilizing an independent contractor on certain vacant lots and parcels.

Christina Gastelum, Code Compliance Officer, discussed the weed abatement process, deadlines for property-owner compliance, and options to either adopt the resolution and authorize the abatement process or continue the hearing to address any issues expressed by the public. She noted that properties not abated by May 20, 2012 would be subject to City abatement with the cost billed to the property owner. Ms. Gastelum responded to Council questions.

Councilmember Ceremello noted the empty lot at 220 S. First Street with the memorial dedicated to the child who died of e-coli was not included on the list and should be included on the second list this year. He noted the May 20th deadline may be a little early considering the weather this year and asked the Council to consider extending it to the first week in June.

Ms. Gastelum was unfamiliar with the property and confirmed she would check it, and noted she is already receiving some complaints, so did not recommend extending the deadline.

Stephen Muzio, Associate City Attorney, confirmed that extending the date would require mailing of new notices, a new public hearing and new resolution which would significantly delay the process.

Councilmember Fuller did not support extending the deadline, noted the weeds are already high, they are fire hazards, and the date was already agreed on.

Councilmember Besneatte initially supported extending the deadline, but given the noticing required, felt extending to a new date was not practical.

Mayor Batchelor noted City staff is not immediately going to take severe action and will first work with owners.

Mayor Batchelor opened the public hearing and asked if there were any present to voice opposition.

Seeing no one present to speak, Mayor Batchelor closed the public hearing.

Ms. Gastelum responded to questions from Councilmembers Ceremello and Bogue regarding the citation process and number of citations issued last year.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Fuller, to adopt Resolution No. 12-055 overruling any objections to the declaration of public nuisance and issuance of administrative citations on parcels or exclude any such parcels from citations, and ordering the Police Chief to issue

citations and/or conduct abatement utilizing an independent contractor on certain vacant lots and parcels. Roll call was taken as follows:

AYES: Besneatte, Fuller, Batchelor
NOES: Bogue, Ceremello
ABSTAIN: None
ABSENT: None

11. **UNFINISHED BUSINESS**

11.1 Resolution approving the request from the Lambtown USA Committee to host the Third Annual Grill-In & Chill-In event in Downtown Dixon and establishing specific use conditions for the event.

Jon Cox, Police Chief, noted a revised staff report had been distributed making two changes that included a corrected reference to the Municipal Code rather than the City Code and changing the total cost from \$3,388 to \$5,271. He provided the agreement related to the event over the last three years, costs and City services provided, and requested the Council to approve the resolution as is or make amendments as deemed necessary. The terms remain essentially the same as last year with the possible exception of changes to staffing and the use of volunteers.

Councilmember Bogue questioned why costs are being raised from \$4,865. to \$5,271 since last year the costs actually went down.

Jim Lindley, City Manager, provided that staff would work with the organizers to reduce the costs as much as possible.

Chief Cox confirmed that personnel has not changed, the actual hard costs will likely be lower due to a reduction in wages, the event will be billed for only the actual costs, and staff and organizers will strive to minimize where possible

Mayor Batchelor noted the figure in the resolution is actually a not-to-exceed amount.

Mike Hamilton, Grillin' and Chillin' event organizer, reported the event never went over 10 people with ninety hours of service, he and volunteers helped the City block the street, and flag certification can be obtained by cadet volunteers over the internet and CalTrans training is not required. He noted they want to strive to be self-sufficient and do give money back to the community.

Councilmember Ceremello noted Mr. Hamilton and his sons performed the clean-up, Dixon Recology volunteered to do the street cleaning, and City staff had little clean-up to perform.

Mayor Batchelor asked for public comments.

Jill Orr asked about the cost to do the event and noted it takes people to do the signage to shut the highway down, and questioned the necessity to hire an outside security service.

Councilmember Ceremello asked that Condition 12 be changed to read “not-to-exceed” \$5,271, and in the event it is exceeded, the City will be pay the extra cost.

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-056, as amended, approving the request from the Lambtown USA Committee to host the Third Annual Grill-In & Chill-In event in Downtown Dixon and establishing specific use conditions for the event. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

11.2 Waive first reading, read by title only and introduce an Ordinance amending Section 2.09.040(C) of Chapter 2.09 of Title 2 of the Dixon Municipal Code relating to the City Manager authority to retain department heads. (Continued from April 24, 2012.)

Steve Johnson, Human Resources Director, noted this item was discussed at the April 24, 2012 meeting and was continued to allow Vice Mayor Besneatte additional time to consider.

Mayor Batchelor asked for public comments.

An unidentified citizen noted that while the City Manager wants to be in compliance with the International City Managers Association, the City Code operates with the City Council at the helm, Dixon’s population does not even come close to other cities who have adopted such a change, the change is not warranted, the City Council should be responsible to the citizens, and a change may be warranted as the City grows but should remain as-is now.

Vice Mayor Besneatte reported that after his review, he could not support the change.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to introduce an Ordinance amending Section 2.09.040(C) of Chapter 2.09 of Title 2 of the Dixon Municipal Code relating to the City Manager authority to retain department heads. Roll call was taken as follows:

AYES: Fuller, Batchelor
NOES: Besneatte, Bogue, Ceremello

ABSTAIN: None

ABSENT: None

The motion to adopt the ordinance failed.

12. **NEW BUSINESS**

12.1 Presentation by Aragon Solutions, Inc. regarding Wastewater Plant financing and implementation strategies.

All Councilmembers disclosed individual conversations with Aragon Associates prior to the meeting, with the exception of Councilmember Ceremello who preferred to first hear the details at the meeting as presented.

Rob Aragon, of Aragon Solutions, Inc., and Bob Nespeca, Vice President of Infrastructure Concessions for PERC Water presented an overview of their approach to wastewater compliance, their partnership strategy to meet Dixon's Regional Water Quality Control Board compliance obligations, discussed previous projects in the California cities of Santa Paula, Mountain House, and Adelanto, their design of 60 water recycling facilities.

Mr. Aragon discussed the two options of building a new water recycling facility or upgrading an existing facility, the benefits of each, and the project delivery options they offer that include Design-Build, Design-Build-Operate, and Design-Build-Operate-Finance. He noted their costs are extremely competitive with an up-front guarantee and no change orders, but providing certainty requires a 90-day process to develop. The cost of the CDR process would be \$100,000 and he recommended shared financing of 50% by the City of Dixon, 25% by PERC water, and 25% by Cal Water.

Mayor Batchelor noted the CDR would need to include the costs for ratepayers.

Mr. Aragon confirmed those costs could be included.

Councilmember Bogue asked who is responsible if the original costs are exceeded and whether the City would be in control of the developed plans if it is determined the facility is not needed.

Mr. Aragon assured Mr. Bogue the additional costs would be paid by Aragon, the plans would be proprietary to Aragon but could carry over for three years.

Councilmember Fuller asked how costs could be justified to the ratepayers.

Mr. Aragon recommended public workshops as the best option and offered to provide successful examples of how it was accomplished.

Mr. Nespeca noted the Council can stop the process after thirty days at a 25% cost of \$25,000 after they review the preliminary plans.

Vice Mayor Besneatte asked if rates increased in Santa Paula as a result of the project.

Mr. Aragon confirmed rates did increase, but Santa Paul was a more extensive and expensive project.

Councilmember Ceremello noted the CDR process eliminates the RFP process, the City would be committing to the Aragon design for a fee, and he considered it an unfair process.

Mr. Aragon responded they are competing during this presentation, risk transfer is being removed and they are giving certainty for only \$25,000 before the decision to proceed.

Mayor Batchelor asked for public comments.

Larry Simmons noted more clarity is needed and the City shouldn't jump into anything prematurely.

Ryan Beatty asked if the water recycling plant would be used as a potential water supply and noted design-build is a topical issue, the website for the Professional Engineers in California Government provides information on design-build projects that were not so successful, the project give responsibility to one party and the CalTrans Union website opposes design-build.

Mayor Batchelor noted the project relates to salinity compliance rather than water recycling.

Seeing no one else present to speak, Mayor Batchelor thanked Mr. Aragon and Mr. Nespeca for their proposal and noted other options will be presented by Stantec in Item 12.2.

The Council recessed for break at 9:38 p.m.

The Council reconvened at 9:48 p.m.

12.2 Resolution approving an Activated Sludge wastewater treatment system at the City of Dixon Wastewater Treatment Plant in order to best comply with Cease and Desist Order No. R5-2008-0136 salinity requirements and foreseeable future water quality requirements.

Morrie Barr, Interim City Engineer and Public Works Director, reported that the City has completed within the required timeframe, the initial eight tasks required by the California Regional Water Quality Control Board's (Cease and Desist

Order (CDO) related to the capacity and effluent water quality of the City's Wastewater Treatment Plant (WWTP). He noted the item before the Council is to approve the recommendation of staff and the City's consultant, Stantec, to proceed with an Activated Sludge Wastewater Treatment Facility. He noted at the April 12, 2012 Wastewater Committee meeting, the Committee, while supportive of the sludge facility, preferred to postpone the decision until after receiving feedback on the Source Control Effectiveness Report and Groundwater Evaluation Report submitted in January 2012, but recommended proceeding with the WWTP pre-design work that is common to both alternatives and the subject of the next City Council agenda item.

Mr. Barr noted the sludge facility could be constructed by mid-July 2013, which misses the deadline by six months, but the Control Board would be willing to cooperate with the City on such a delay. He responded to questions from Council.

Joe DiGeorgio, Stantec, distributed a PowerPoint and discussed his recommendations and findings, the levels of salt and quality of water in various areas of the City, a Facilities Plan to mitigate and plan for the future, the \$60 million cost of a well-head treatment facility, and the success of the water softener removal program which enables a sludge facility to be a viable option.

Mr. DiGeorgio provided the proposed construction, design, and CEQA schedule and noted site surveys need to begin within the next two weeks for certain species to avoid having to wait until next year.

Mayor Batchelor noted the CEQA study can be done without approval of the sludge removal facility, NEPA also needs to be completed before going out for bid, and the longer the City waits the harder it will be and they need to make a decision.

Mr. Barr confirmed that CEQA is the critical task to approve.

Mr. DiGeorgio reported there is a rate consultant ready to proceed and with approval of Item 12.3, the task could be accomplished by August 1, 2012. He noted the facility would be a good investment regardless of what the Water Quality Control Board finds, it will be the backbone of whatever is decided, contractors are hungry now and the project would be at a sale price.

Councilmember Ceremello felt activated sludge is a good solution if the limits are changed, but otherwise, he preferred not to spend the money right now.

Councilmember Fuller supported approval of the environmental study, but felt the decision on the plant options should be delayed for at least a month.

Mayor Batchelor noted CEQA and NEPA need to be based on installation of activated sludge.

Mayor Batchelor asked for public comments.

Herb Cross, speaking as an individual citizen rather than as a member of the Wastewater Committee, felt the activated sludge option is a longer term solution, satisfies the greatest need, and moves the City in the appropriate direction without a lot of wasted money.

An unidentified Wastewater Committee member noted the Wastewater Committee voted down the activated sludge option and that is why Mr. Cross could not speak as a Committee member, apparently the Committee is no longer a player in this and has little credibility with the Council, and they wait until there is a crisis and then push it through.

Mr. Cross assured the Council that the Committee has made a lot of progress since 2007 and has narrowed the options down to two scenarios in the process and has done its work effectively.

Ryan Beatty noted his attendance at more than thirty meetings of the Wastewater Committee, sludge sounds like it may be the direction for the City, a decision cannot be made without knowing the limits, and the Board will come back with a decision in two months when a better decision can be made.

Councilmember Bogue noted it was most prudent to wait for the Board's decision on the limits prior to making a decision.

Mayor Batchelor confirmed with Mr. DiGeorgio that sludge will be the basis of whatever the limits are determined.

Vice Mayor Besneatte felt Item 12.3 should have been presented first, the May deadline for extension has been there for a while and the Council should have heard about it weeks ago, the Water Board is arbitrary and out-of-control, and he disagreed about delaying a decision until hearing from the Board.

Mr. Barr confirmed the CEQA study is the key item to move forward.

Mayor Batchelor asked which part of Item 12.3 needs to be approved to move forward with CEQA only and what is the point of proceeding with CEQA if a project has not been decided.

Chris Gioia, Associate Civil Engineer, reported Item 12.3 is worded to move forward with both options.

Councilmember Ceremello asked how much of the \$400,000 is allocated to CEQA and NEPA.

Mr. DiGeorgio reported it would take approximately \$60,000 to keep the CEQA process moving.

Vice Mayor Besneatte noted Aragon proposed doing the pre-design work for \$100,000 and Stantec would be charging \$400,00. He tentatively supported activated sludge as the option.

Mr. Gioia responded that Stantec would be doing a much broader scope of work.

Mayor Batchelor asked the City Manager if it would be beneficial for him to contact the Regional Water Quality Control Board, based on his experience, tell them the City's dilemma, and ask them to move up their decision.

Mr. Lindley confirmed that he would contact them and try to explain the situation.

Councilmember Ceremello asked to include a motion to at least fund \$60,000 for CEQA and continue a decision on the sludge project.

Councilmember Fuller supported moving forward with CEQA but did not want to be pressured to make a decision on on activated sludge.

Mr. Lindley noted it was his decision to bring this item forward to give the Council additional information they had not heard in the past to help move the project forward.

Mayor Batchelor noted, regardless of the company selected, activated sludge is the recommendation and it is not good governance to wait. He recommended continuing Items 12.1 and 12.2 (possibly to a special meeting) and take specific action to proceed with CEQA and NEPA based on the likelihood that activated sludge will be the solution (Item 12.3),

Mayor Batchelor asked for public comments.

Jill Orr recommended finding out how much Stantec has been paid, she is not a fan of the time and material basis, and would like to see other companies come forward.

Rob Aragon offered to come up with a formal proposal with staff to present that can be done fairly quickly.

Councilmember Ceremello noted they should give other companies an opportunity to provide options.

Councilmember Ceremello made a motion to continue the decision on activated sludge to the first meeting in August after a decision has been received from the Water Control Board and then retracted that motion.

Mr. DiGeorgio noted that coordinating CEQA with other designers would cost more.

Mayor Batchelor confirmed direction for staff to meet with Aragon Associates, Stantec, Mr. Lindley, and Mr. Barr to obtain additional information on the two proposals, determine whether to move forward with third party CEQA consultant, and continue to the May 22, 2012 meeting.

A motion was made by Councilmember Ceremello, seconded by Councilmember Fuller, to continue this item to May 22, 2012, and set aside \$60,000 to complete the work needed for CEQA. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

12.3 Adopt Resolution relating to Wastewater Treatment Plant improvements:

- 1. Authorizing the City Manager to execute Amendment No. 6 to the existing Master Facilities Consultant Services Agreement with Stantec Consulting Engineers to perform Task 8, Pre-Design and Project Facilitation Tasks of the City of Dixon Wastewater Treatment Plant Improvements, on a time-and-materials basis with a not to exceed budget of \$400,000; and**
- 2. Amending the City of Dixon Fiscal Year 2012 Budget to transfer \$224,000 from Fund 305, Wastewater Operations and Maintenance, and \$56,000 from Fund 310, Wastewater Capital Improvements, to Fund 316-111-522400, Design WWTP and 27" Improvements, resulting in a total budget of \$400,000.**

This item was continued to May 22, 2012.

12.4 Minute Action authorizing the City Clerk to advertise for bids for publication of legal notices in local newspapers of general circulation.

This item was continued to June 12, 2012.

12.5 Resolution approving the request from the Downtown Dixon Business Association (DDBA) to host the May 19, 2012 Wine Stroll, October 20, 2012 Halloween Festival, and the December 6, 2012 Christmas Tree Lighting Festivals in Downtown Dixon and establishing specific use conditions for the events.

Mark Heckey, Economic Development Director, described the proposed activities related to six separate events, in-kind staff costs, and standard equipment included

in the package. He noted the Tree-Lighting Ceremony is the most intensive event requiring services.

Mayor Batchelor asked about the intention to serve wine, and confirmed with the Stephen Muzio, Associate City Attorney, that licensing requires ABC approval by the vendors, the City is not liable for minors, and there is no additional insurance requirement.

Mr. Muzio noted the assumption is that wine consumption does not occur on City property.

Councilmember Bogue asked about providing security through a contract agency.

Jill Orr, Downtown Dixon Business Association, reported there are two security guards required for each event and Grillin' and Chillin' hired seventeen last year.

Mayor Batchelor asked for public comments. There were no public comments.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Ceremello, to adopt Resolution No. 12-057 approving the request from the Downtown Dixon Business Association (DDBA) to host the May 19, 2012 Wine Stroll, October 20, 2012 Halloween Festival, and the December 6, 2012 Christmas Tree Lighting Festivals in Downtown Dixon and establishing specific use conditions for the events. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

12.6 Minute Action providing direction to staff regarding the prohibition of trucks on First Street (State Route 113) in the Downtown area.

This item was continued to June 12, 2012.

12.7 Minute Action providing direction to staff regarding the repair of lighted crosswalks and the placement of LED flashing beacons for the marked school crosswalk at the intersection of West A Street and Almond Street.

This item was continued to June 12, 2012.

12.8 Resolution authorizing the City Manager to execute a consultant services agreement with DKS Associates for the amount not to exceed \$69,412 for services related to the preparation of a street master plan.

Jason Riley, Associate Civil Engineer, reported that four proposals to prepare a street master plan were reviewed and ranked by City staff, the top-ranked

proposal was from DKS Associates in the amount of \$69,412. He noted staff was impressed with the company's prior projects, resumes of key personnel, the distribution of labor hours, staff had worked with them previously on the Solano County regional transportation model, and therefore DKS Associates is recommended for approval.

Mayor Batchelor noted there was a significant difference in the bids, with one being \$20,000 less than the recommended company.

Mr. Riley responded they felt the low bidder had significantly underbid the hours needed, references were not as strong, and DKS Associates will be able to better mesh with the County and Solano Transportation Authority (STA) plans.

Councilmember Bogue noted there was already an existing draft plan that could be used as a base.

Councilmember Ceremello felt using a firm costing \$20,000 more may not be a wise idea, they all have to look at the same information, and paying \$21,387 more does not make sense.

Mr. Riley confirmed staff would be happy to work with any of the firms.

Vice Mayor Besneatte also supported the lower cost.

Stephen Muzio, Associate City Attorney, confirmed approval could include changing the resolution to include the preferred contractor and dollar amount, and deleting the last two recitals.

Jim Lindley, City Manager, noted such a change might be circumventing the public purchasing process and may not be a good idea, the ordinance reads the "lowest responsible bidder", and it may be preferable to reject and rebid.

Councilmember Ceremello noted there was no reason to rebid and the Council can choose their preference.

Morrie Barr, Interim City Engineer and Public Works Director, commented that he rated the companies without knowing the prices and the lowest bidder doesn't have the same experience.

A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to adopt Resolution No. 12-058, as amended, authorizing the City Manager to execute a consultant services agreement with Pacific Transportation Consultants for the amount not to exceed \$48,025.00 for services related to the preparation of a street master plan. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller,
NOES: Batchelor

ABSTAIN: None
ABSENT: None

- 12.9 Waive first reading, read by title only, and introduce an Ordinance amending the City Code to increase the City Manager's contract signing authority to \$25,000.

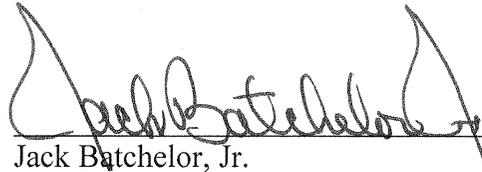
This item was continued to June 12, 2012.

13. **OTHER AGENCY BUSINESS**
14. **ITEMS FROM THE CITY ATTORNEY**
- None.
15. **ITEMS FROM THE CITY MANAGER**
- None.
16. **CLOSED SESSION**
- RECONVENE TO OPEN SESSION**
17. **ADJOURNMENT**

The Regular Meeting of the Dixon City Council was adjourned at 12:27 a.m.



Suellen Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor