



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON PUBLIC FINANCING AUTHORITY
DIXON PUBLIC IMPROVEMENT CORPORATION
THE SUCCESSOR AGENCY OF THE CITY OF
DIXON

JUNE 12, 2012

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

The Special Meeting of the Dixon City Council was called to order at 6:02 p.m. in the Council Chambers by Mayor Jack Batchelor, Jr. to meet in Closed Session to discuss the following:

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

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

Absent: * Vice Mayor Dane Besneatte

*Vice Mayor Besneatte arrived at 6:10 p.m.

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

The City Council convened into Closed Session at 6:02 p.m.

Closed Session adjourned at 7:07 p.m.

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

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was called to order at 7:10 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: Besneatte, Bogue, Ceremello, Fuller, Batchelor
Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **ATOD Presentation** (Presenter: Janet Glide, Recreation Coordinator)

Presentation received and filed.

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

There were no public comments on non-agenda items

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Councilmember Bogue discussed the Relay for Life and a fundraiser being held on June 23, 2012, at the Harley Davidson Store in Vacaville to benefit Christina Isabel. He apologized for harsh comments he made at the last Council meeting regarding overtime for firefighters.

6.2 Councilmember Ceremello noted he had requested an agenda item related to the City furlough program and asked when it would be agendaized, discussed violations of Roberts Rules of Order regarding the right to comment, and that he will be challenging all future violations.

6.3 Councilmember Fuller noted he had not violated any laws and felt he had no apologies to make for his tenure on this Council.

6.4 Vice Mayor Besneatte discussed his participation in the Relay for Life.

6.5 Mayor Batchelor discussed his participation in Relay for Life and commended Dixon firefighters for their cancer fundraising efforts and the admirable job done in fighting the El Verduzco Restaurant fire.

7. **ITEMS FROM THE CITY TREASURER**

None.

8. **APPROVAL OF AGENDA**

Jim Lindley, City Manager, asked that Item 11.6 be added to the Agenda.

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

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

9. **CONSENT CALENDAR**

Councilmember Bogue asked that Item 9.3 be heard separately. Councilmember Ceremello asked that Items 9.4 and 9.5 be heard separately.

A motion was made by Councilmember Fuller to approve the Consent Calendar, except for Items 9.3, 9.4, and 9.5. Roll call was taken as follows:

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

9.1 Matters relating to City Council Minutes:

9.1.1 Approved the Minutes of the April 24, 2012 Special City Council Meeting.

9.1.2 Approved the Minutes of the May 8, 2012 Regular City Council Meeting.

(Contact: Suellen Johnston, Deputy City Clerk)

9.2 Adopted Resolution No. 12-064 approving the Enumeration of Claims.

(Contact: Joan Michaels Aguilar, Finance Director)

9.3 Matters relating to the 2012 Street Rehabilitation Project No. 2012-01:

1. Adopt Resolution finding the 2012 Street Rehabilitation Project #2012-01 as Class 1 categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301(c) of the CEQA Guidelines; and

2. By Minute Action, authorize the City Clerk to advertise for construction bids for the 2012 Street Rehabilitation Project No. 2012-01. (Contact: Christina Castro, Junior Engineer)

See Minutes on Page 4.

- 9.4 Matters relating to the Municipal Code:**
- 1. Waive first reading, read by title only, and introduce an Ordinance adding Chapter 9.06 to the Dixon Municipal Code relating to garbage and refuse; and**
 - 2. Waive first reading, read by title only, and introduce an Ordinance repealing Chapter 10 of Article I of the Dixon City Code relating to garbage, refuse, and weeds. (Contact: Stephen Muzio – Associate City Attorney)**

See Minutes on Page 4.

- 9.5 Adopt Resolution approving the Five-Year Capital Improvement Program (CIP) for Fiscal Years 2012/13 through 2016/17. (Contact: Janet Koster, Senior Management Analyst)**

See Minutes on Page 4.

- 9.6 Adopted Resolution No. 12-067 approving the Fund Balance Policy for the City of Dixon. (Contact: Joan Michaels Aguilar, Finance and Information Technology Director)**

- 9.7 Adopted Resolution No. 12-068 approving the factors and the Appropriations Limit for Fiscal Year (FY) 2012-13. (Contact: Joan Michaels Aguilar, Finance and Information Technology Director)**

9.3 TAKEN OUT OF ORDER

Matters relating to the 2012 Street Rehabilitation Project No. 2012-01:

- 1. Resolution finding the 2012 Street Rehabilitation Project #2012-01 as Class 1 categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301(c) of the CEQA Guidelines; and**
- 2. Minute Action, authorizing the City Clerk to advertise for construction bids for the 2012 Street Rehabilitation Project No. 2012-01. (Contact: Christina Castro, Junior Engineer)**

There were no public comments.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Ceremello, to adopt Resolution No. 12-065 finding the 2012 Street Rehabilitation Project #2012-01 as Class 1 categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301(c) of the CEQA Guidelines; and approving the Minute Action, authorizing the City Clerk to advertise for construction bids for the 2012 Street Rehabilitation Project No. 2012-01. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor

NOES: None
ABSTAIN: None
ABSENT: None

9.4 TAKEN OUT OF ORDER

Matters relating to the Municipal Code:

1. **Waive first reading, read by title only, and introduce an Ordinance adding Chapter 9.06 to the Dixon Municipal Code relating to garbage and refuse; and**
2. **Waive first reading, read by title only, and introduce an Ordinance repealing Chapter 10 of Article I of the Dixon City Code relating to garbage, refuse, and weeds. (Contact: Stephen Muzio – Associate City Attorney)**

There were no public comments.

A motion was made by Councilmember Fuller, seconded by Vice Mayor Besneatte, to:

1. Waive first reading, read by title only, and introduce an Ordinance adding Chapter 9.06 to the Dixon Municipal Code relating to garbage and refuse; and
2. Waive first reading, read by title only, and introduce an Ordinance repealing Chapter 10 of Article I of the Dixon City Code relating to garbage, refuse, and weeds. Roll call was taken as follows:

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

9.5 TAKEN OUT OF ORDER

Resolution approving the Five-Year Capital Improvement Program (CIP) for Fiscal Years 2012/13 through 2016/17. (Contact: Janet Koster, Senior Management Analyst)

There were no public comments.

A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to adopt Resolution No. 12-066 approving the Five-Year Capital Improvement Program (CIP) for Fiscal Years 2012/13 through 2016/17. Roll call was taken as follows:

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

10. **PUBLIC HEARINGS**

- 10.1 Joint Resolution approving and adopting the Annual Budget for Fiscal Year (FY) 2012-13 for the City of Dixon, the Successor Agency of the City of Dixon, the Dixon Public Financing Authority (DPFA), and the Dixon Public Improvement Corporation (DPIC).** (Presenter: Joan Michaels Aguilar, Finance and Information Technology Director)

Mayor Batchelor opened the public hearing, public comments were received, and Mayor Batchelor closed the public hearing.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to adopt a Joint Resolution approving and adopting the Annual Budget for Fiscal Year (FY) 2012-13 for the City of Dixon, Resolution No. 12-069, the Successor Agency of the City of Dixon, Resolution No. 2012-007, the Dixon Public Financing Authority (DPFA), Resolution No. 12-001, and the Dixon Public Improvement Corporation (DPIC). Roll call was taken as follows:

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

10.2 Matters relating to Omnibus V(a) Amendments:

- 1. Resolution approving a Negative Declaration relating to Omnibus V(a) Zoning Ordinance amendments (Project) in compliance with the California Environmental Quality Act (CEQA);**
- 2. Hold public hearing, waive reading, read by title only, and introduce an ordinance confirming the Planning Commission's recommendation to amend Sections 12.01 through 12.03, Sections 12.08 through 12.11, and Sections 12.13 through 12.15, and Sections 12.18 and 12.20.**
(Presenter: Dave Dowswell, Interim Community Development Director)

Mayor Batchelor opened the public hearing, public comments were received, and Mayor Batchelor closed the public hearing.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to adopt Resolution No. 12-070 approving a Negative Declaration relating to Omnibus V(a) Zoning Ordinance amendments (Project) in compliance with the California Environmental Quality Act (CEQA), and introducing an ordinance confirming the Planning Commission's recommendation to amend Sections 12.01 through 12.03, Sections 12.08 through 12.11, and Sections 12.13 through 12.15, and Sections 12.18 and 12.20. Roll call was taken as follows:

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

ABSENT: None

Mayor Batchelor asked that Item 11.4 be heard out of order before Item 11.1. The agenda amendment was approved by consensus of the City Council.

The City Council recessed for break at 9:06 p.m.

The City Council reconvened at 9:16 p.m.

11. **UNFINISHED BUSINESS**

11.4 TAKEN OUT OF ORDER

Receive update on the Northeast Quadrant Project financing. (Presenter: Joan Michaels Aguilar, Finance and Information Technology Director)

There were no public comments.

Mayor Batchelor confirmed City Council direction to proceed with negotiations, and that the July 10, 2012 Council Meeting will be the final deadline.

11.1 Request for Council direction regarding a request from Grillin' and Chillin' to provide City staff needed to support the Third Annual Grillin' and Chillin' event at no cost. (Presenter: Jon Cox, Police Chief)

Public comments were received.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Ceremello, to provide in-kind services to support the Third Annual Grillin' and Chillin' event at no cost.

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

11.2 Minute Action authorizing the City Clerk to advertise for bids for publication of legal notices in local newspapers of general circulation. (Presenter: Steve Johnson, Acting City Clerk)

Public comments were received.

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to approve the Minute Action authorizing the City Clerk to advertise for bids for publication of legal notices in local newspapers of general circulation. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor

NOES: None
ABSTAIN: None
ABSENT: None

- 11.3 Waive reading, read by title only, and adopt an Ordinance of the Council of the City of Dixon amending Sections 26.3.6, 26.3.7, 26.3.10, 26.4.2 and 26.4.3 of Chapter 26 of Article I of the Dixon City Code relating to the City Manager's purchasing authority.** (Presenter: Joan Michaels Aguilar, Finance and Information Technology Director)

Public comments were received.

A motion was made Councilmember Fuller, seconded by Vice Mayor Besneatte, to adopt Ordinance No. OR12-006 of the Council of the City of Dixon amending Sections 26.3.6, 26.3.7, 26.3.10, 26.4.2 and 26.4.3 of Chapter 26 of Article I of the Dixon City Code relating to the City Manager's purchasing authority. Roll call was taken as follows:

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

- 11.5 Resolution establishing multi-way stop traffic controls at the intersection of Pitt School Road and Rehrmann Drive.** (Presenter: Jason Riley, Associate Civil Engineer)

Public comments were received.

A motion was made by Mayor Batchelor, seconded by Councilmember Bogue, to adopt Resolution No. 12-071 establishing multi-way stop traffic controls at the intersection of Pitt School Road and Rehrmann Drive. Roll call was taken as follows:

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

- 11.6 THIS ITEM WAS ADDED TO THE AGENDA AT THE MEETING.**

Matters relating to the Dixon Professional Firefighters Association:

- 1. Receive report identifying the actuarial impact upon future City annual savings relating to the proposed adoption of a 3% @ 55 retirement formula for Dixon Professional Firefighter Association members and direct staff to present the Council with the associated required certifications for adoption by the City Council on July 10, 2012;**

2. **Resolution of Intention Approving an Amendment to the Contract Between the Board of Administration, California Public Employees' Retirement System and the City of Dixon relating to a 3% @ 55 retirement formula for DPFA members; and**
3. **Waive first reading, read by title only, and introduce an Ordinance approving the amendment of the CalPERS contract between the City of Dixon and the Board of Administration of the California Public Employees' Retirement System for DPFA employees to allow implementation of the 3% @ 55 benefit formula for new DPFA employees. (Presenter: Steve Johnson, Human Resources Director)**

There were no public comments.

A motion was made by Councilmember Fuller, seconded by Councilmember Ceremello, to:

1. Adopt Resolution No. 12-072 approving an Amendment to the Contract Between the Board of Administration, California Public Employees' Retirement System and the City of Dixon relating to a 3% @ 55 retirement formula for DPFA members; and
2. Introduce an Ordinance approving the amendment of the CalPERS contract between the City of Dixon and the Board of Administration of the California Public Employees' Retirement System for DPFA employees to allow implementation of the 3% @ 55 benefit formula for new DPFA employees. Roll call was taken as follow:

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

12. **NEW BUSINESS**

- 12.1 **Receive the Acting City Clerk's Certification as to the sufficiency of an Initiative entitled the "Dixon Open Governance Act" and obtain direction from City Council on options regarding the Initiative that include 1) set the initiative for a vote of the registered voters of the City of Dixon on the General Election ballot of November 6, 2012; 2) adopt the Initiative as an Ordinance of the City of Dixon, or 3) initiate a 30-day review of the impacts of the Initiative. (Presenter: Steve Johnson, Acting City Clerk)**

Public comments were received.

A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to adopt the Initiative, as submitted, as an ordinance of the City of Dixon. Roll call was taken as follows:

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

ABSTAIN: None

ABSENT: None

The motion failed.

A motion was made by Mayor Batchelor, seconded by Councilmember Fuller, to designate staff and the City Attorney to conduct a study of the ordinance to determine the administrative costs of implementing the ordinance and report back to the City Council for determination to adopt the ordinance or send to vote for the election.

Mayor Batchelor modified his motion prior to roll call vote as follows:

A motion was made by Mayor Batchelor, seconded by Vice Mayor Besneatte, to order the initiative to the November ballot, designate staff and the City Attorney to conduct a study of the ordinance to determine the administrative costs of implementing the ordinance, and report back to the City Council. Roll call was taken as follows:

AYES: Besneatte, Fuller, Batchelor

NOES: Bogue, Ceremello

ABSTAIN: None

ABSENT: None

13. **OTHER AGENCY BUSINESS**

14. **ITEMS FROM THE CITY ATTORNEY**

Michael Dean, City Attorney, noted the City Council may no longer expend funds or use City staff in support of, or opposition to, the initiative ordinance, and he will prepare the impartial ballot description.

15. **ITEMS FROM THE CITY MANAGER**

Jim Lindley, City Manager, confirmed Council direction to agendize the furlough program, a reprioritization of the street program, and removal of the pine trees along Pitt School Road.

16. **CLOSED SESSION**

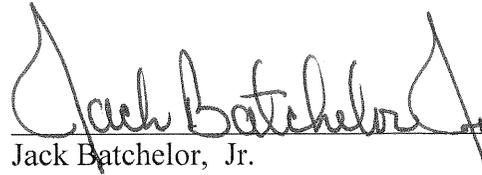
17. **RECONVENE TO OPEN SESSION**

18. **ADJOURNMENT**

The Regular Meeting of the Dixon City Council was adjourned at 11:52 p.m.



Suellen Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor