



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL

FEBRUARY 12, 2013

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

The Special Closed Session Meeting of the Dixon City Council was called to order in the Council Chamber at 6:00 p.m. by Mayor Jack Batchelor to discuss the following:

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Government Code section 54956.9(b)(1): One case (Relating to refunds of property tax administrative fees owing to the City of Dixon by Solano County).
2. **CONFERENCE WITH LEGAL COUNSEL—INITIATION OF LITIGATION**
The Council is meeting to determine whether or not to initiate litigation pursuant to Government Code section 54956.9(c): One case. (Relating to refunds of property tax administrative fees owing to the City of Dixon by Solano County).”

Present: Councilmembers Thom Bogue, Steve Bird, Jerry Castañon, Sr.,
Mayor Jack Batchelor

Absent: Vice Mayor Dane Besneatte*

*Vice Mayor Besneatte arrived at 6:05 p.m.

The Closed Session adjourned at 6:21 p.m.

Kate Cook, Associate City Attorney, reported the City Council voted unanimously in Closed Session to accept a settlement offer of \$130,000 from Solano County for disputed property tax administrative fees.

1. CALL TO ORDER

The Regular Meeting of the Dixon City Council was convened in the City Council Chambers at 7:00 p.m. by Mayor Jack Batchelor.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Jack Batchelor.

3. **ROLL CALL**

Present: Councilmembers Steve Bird, Thom Bogue, Jerry Castañon, Sr.
Mayor Jack Batchelor, Jr.

Absent: Vice Mayor Dane Besneatte was absent for the start of the meeting and returned back to the meeting at 6:07 p.m.

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **Adopt Resolution honoring Tony Welch for his years of service to the City of Dixon upon his retirement.**

Mayor Batchelor read the resolution outlining Tony Welch's career accomplishments, Councilmember Steve Bird presented Mr. Welch with his retirement plaque, and Mr. Welch thanked the residents and employees of Dixon for supporting him during his Dixon career.

A motion was made by Councilmember Bogue, seconded by Councilmember Bird, to adopt Resolution No. 13-018 honoring Tony Welch for his years of service to the City of Dixon upon his retirement. Roll call was taken as follows:

AYES: Bird, Bogue, Castañon, Batchelor
NOES: None
ABSTAIN: None
ABSENT: Besneatte

Mayor Batchelor requested that Item 4.3 be heard out of order before Item 4.2. The change was made by Council consensus.

4.3 **TAKEN OUT OF ORDER**

Presentation by SoFit Magazine.

Jessica Adele, Editor of Solano Fit Magazine, discussed the multi-City event held by the magazine in September 2012 which enabled \$10,000 to be donated to the Solano Library Foundation, thanked Alicia Stewart who was an excellent Team Leader for Dixon, and encouraged participation in future events. Although the Dixon Library is not part of the Foundation, in acknowledgment of the Library contributions, the Foundation President, Jim Dunbar, and Vice President, Constance Boulware, presented a certificate and \$500 check to the Dixon Library, and Vice Mayor Besneatte accepted a plaque from SoFit Magazine on behalf of the City.

4.2 Presentation on air quality by the Yolo-Solano Air Quality Management District. (continued from 1/22/13)

Matt Earhart and Tom Hall from the Yolo-Solano Air Quality Management District presented the First Annual Report, provided background on the Agency, displayed current air quality data and programs in place, and responded to questions from City Council.

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

5.1 Herb Cross noted the President's State of the Union address stressed a need for improved education, there is a \$1.6 million grant for the STEM (Science, Technology, Engineering and Math) Program for Davis and Dixon, the community must support STEM to be successful and he encouraged the City Council to become advocates of the program.

5.2 Mary Savage noted the State of the City Address should not be a paid event and should be held and broadcast at City Hall.

Mayor Batchelor noted the cost for the State of the City Address is for the breakfast, citizens could come and listen to the presentation without eating, suggestions for improvement should be addressed to the Chamber of Commerce who sponsors the event, and various City representatives are just requested to speak.

5.3 Larry Simmons noted the State of the City event should at least be video-taped. He also noted that someone is going around town putting a dark substance on cars.

5.4 Dave Scholl thought it was a great idea to tape the State of the City Address and place it on the City website.

5.5 Kevin Johnson, a member of the Chamber of Commerce Board, was unaware that people had to pay to attend the State of the City Address, felt it was a good suggestion to video tape the event, and invited members of the public to attend the Chamber of Commerce Board meetings that are held on the second Tuesday of each month to make their suggestions.

6. ITEMS FROM THE CITY COUNCIL

6.1 Councilmember Bird asked everyone to remember those enforcement officers working on the dangerous events occurring in Southern California.

6.2 Councilmember Castañon asked that a Request for Proposal for City Attorney Services be placed on a future agenda for discussion and possible action.

- 6.3 Vice Mayor Besneatte reported on attending the recent Finance Committee Meeting and asked the City Treasurer to provide the details.

Vice Mayor Besneatte asked that an item be placed on an upcoming agenda regarding completion of the railroad tracks at North First Street, that \$350,000 is needed, and he suggested that Phase I be completed as soon as possible.

Vice Mayor Besneatte expressed support for the Morning View Project but noted that it will probably impact the Housing Element or the General Plan, and felt consideration may need to be given to changing some densities in other areas of town to compensate for areas taken away by Morning View.

He noted that an appraisal was supposed to be obtained as a start to acquiring the property at Porter and Pitt School Road and felt progress should continue before it ends up costing more.

He noted tickets are still available for the Rotary Crab Feed on February 23rd and that the 50th Annual Dixon Citizen of the Year event will be held on March 9th.

He noted some comments regarding the Chamber of Commerce's State of the City event are not accurate and he would not want to see people turned away if they didn't pay for breakfast.

- 6.4 Mayor Batchelor noted that Recology Dixon is improving the community by refurbishing the recycling center and restoring it to be as attractive as when it was an Oldsmobile dealership.

Mayor Batchelor attended a meeting on graffiti abatement where he noted the Kiwanis Key Club, Rotary Interact Club, and Public Service Academy will be putting forth a joint effort to abate graffiti and he thanked Chief Cox and the City Manager for their support.

Mayor Batchelor thanked Vice Mayor Besneatte for chairing the last City Council meeting in his absence.

7. ITEMS FROM THE CITY TREASURER

Scott Pederson, City Treasurer, reported on the February 6, 2013 Investment Committee Meeting with PFM Asset Management, noted the City made .97% on investments, the next meeting will be held in April, and the public is welcome to attend.

8. APPROVAL OF AGENDA

There was no discussion on this item.

A motion was made by Councilmember Castañon, seconded by Vice Mayor Besneatte, to approve the Agenda, as submitted. Roll call was taken as follows:

AYES: Besneatte, Bird, Bogue, Castañon, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

9. CONSENT CALENDAR

Councilmember Bogue asked that Item 9.4 be heard separately.

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to approve the Consent Calendar, except Item 9.4. Roll call was taken as follows:

AYES: Besneatte, Bird, Bogue, Castañon, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

- 9.1 **Approved the Minutes of the January 22, 2013 Regular City Council Meeting.** (Contact: Suellen Johnston, Deputy City Clerk)
- 9.2 **Adopted Resolution No. 13-019 approving the Enumeration of Claims.**
(Contact: Joan Michaels Aguilar, Finance Director)
- 9.3 **Waived the second reading and read by title only, and adopted two ordinances amending the following:**
1. **Ordinance No. OR13-002 amending Chapter 13.05 of the Dixon Municipal Code titled "Street Trees"; and**
 2. **Ordinance No. OR13-003 amending Section 14.01.1160 of Part 11 of Title 14 of the Dixon Municipal Code titled "Water Softening/Conditioning Appliance Exchange Program".**
(Presenter: Dave Dowswell, Interim Community Development Director)
- 9.4 **Quarterly Treasurer's Report for December 31, 2012.**
(Contact: Joan Michaels Aguilar, Finance & Technology Director)
- See Minutes following Item 9.6.*
- 9.5 **Confirmed the Mayor's recommended appointments of Kevin Johnson and Leonard Schilling to the Dixon Planning Commission.**
(Contact: Steve Johnson, Human Resources Director/Acting City Clerk)
- 9.6 **Adopted Resolution No. 13-020 authorizing federal funding under Section 5310, 5311, 5311(f), 5316, and 5317 (49 U.S.C. SECTION 5311, 5311(F), 5316, 5317) WITH THE California Department of Transportation.**
(Contact: Janet Koster, Public Works Administrator)

9.4 TAKEN OUT OF ORDER

Quarterly Treasurer's Report for December 31, 2012.

(Contact: Joan Michaels Aguilar, Finance & Technology Director)

Councilmember Bogue noted the report shows a lot of money that could go toward projects such as the Core Area Drainage and he requested that staff report back to him about utilizing investment funds for projects.

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to approve the Quarterly Treasurer's Report for December 31, 2012 with the expectation that staff will report back to him about the possibility of utilizing Investment Funds for projects.

10. **PUBLIC HEARINGS**

11. **UNFINISHED BUSINESS**

- 11.1 **Resolution authorizing the City Manager to execute Amendment No. 7 to the existing Master Facilities Consultant Services Agreement with Stantec Consulting Engineers to perform Task 9, California Environmental Quality Act consulting services related to the future improvements at the Wastewater Treatment Facility, on a time-and-materials basis with a not to exceed budget of \$44,000.** (Presenter: Chris Gioia, Associate Civil Engineer)

Public comments were received from Dave Scholl and Michael Ceremello.

A motion was made by Councilmember Bogue to refer this item to the Wastewater Committee. The motion died for lack of a second.

A motion was made by Mayor Batchelor, seconded by Councilmember Castañon, to adopt Resolution No. 13-021 authorizing the City Manager to execute Amendment No. 7 to the existing Master Facilities Consultant Services Agreement with Stantec Consulting Engineers to perform Task 9, California Environmental Quality Act consulting services related to the future improvements at the Wastewater Treatment Facility, on a time-and-materials basis with a not to exceed budget of \$44,000. Roll call was taken as follows:

AYES: Bird, Castañon, Batchelor
NOES: Besneatte, Bogue
ABSTAIN: None
ABSENT: None

- 11.2 **Resolution instructing the City Manager and Interim Community Development Director to conduct a public hearing on February 25, 2013 at 6:00 p.m. in the Dixon City Hall Chambers for the purposes of obtaining public input on potential Community Development Block Grant applications.** (Presenter: Jim Lindley, City Manager)

Jim Lindley, City Manager, explained the need to reschedule this public hearing due to a noticing issue.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to adopt Resolution No. 13-022 instructing the City Manager and Interim Community Development Director to conduct a public hearing on February 25, 2013 at 6:00 p.m. in the Dixon City Hall Chambers for the purposes of obtaining public input on potential Community Development Block Grant applications. Roll call was taken as follows:

AYES: Besneatte, Bird, Bogue, Castañon, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

12. **NEW BUSINESS**

- 12.1 **Approve an authorization amending the City of Dixon Fiscal Year 2012/13 Budget to appropriate \$75,000 from General Fund Balance, to account 100-000-522400-0000, General Fund Non-Department Consultants-Professional for the Water Systems Operations and Maintenance Analysis.**
(Contact: Chris Gioia, Associate Civil Engineer)

Public comments were received from Ryan Beatty, Mike Hamilton, Dave Scholl and Larry Simmons.

Direction was provided for staff to revise the Request for Proposal for actual water service providers, instead of a consultant.

13. **OTHER AGENCY BUSINESS**

14. **ITEMS FROM THE CITY ATTORNEY**

15. **ITEMS FROM THE CITY MANAGER**

16. **CLOSED SESSION**

RECONVENE TO OPEN SESSION

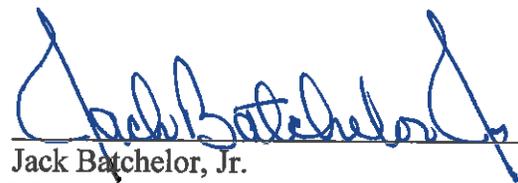
17. **ADJOURNMENT**

Mayor Batchelor adjourned the meeting in memory of Arnold Collier, Flint Sailors, Karl Spangler and Everett Whiting.

The Regular Meeting of the Dixon City Council was adjourned at 9:38 p.m.



Suellen Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor