



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL

APRIL 9, 2013

0. **Special Closed Session Meeting starts at 5:00 p.m.**

The Special Meeting of the Dixon City Council was called to order at 5:00 p.m. in the City Council Chambers by Mayor Jack Batchelor to meet in Closed Session to discuss the following:

0.1 Pursuant to Government Code Section 54957 relating to Public Employee:
Performance Evaluation: City Attorney

0.2 **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, Steve Bird, Mayor Jack Batchelor

Absent: Councilmember Jerry Castañon, Sr.*
Vice Mayor Dane Besneatte

*Councilmember Castañon arrived at 5:05 p.m.

The Closed Session adjourned at 6:37 p.m.

Mayor Batchelor reported the City Council had evaluated the City Attorney's performance as acceptable and fully adequate for the position and there was no reportable action from the conference with labor negotiators.

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was called to order in the Dixon 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**

Mayor Batchelor called for a moment of silence in memory of Planning Commissioner Leonard Schilling.

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

Absent: Vice Mayor Dane Besneatte**

** Vice Mayor Besneatte arrived at 7:18 p.m.

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

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

5.1 Drew Graska referred to comments made by the Mayor at the last meeting which appeared to be speaking on Mr. Graska's behalf and asked that the Mayor first know the facts and not speak on his behalf as to what he would do. Mr. Graska presented Council with a photo of flooding on his street during rain the week before and asked that something be done about the problem.

5.2 Mary Savage read a letter written by Byron Chapman discussing at least one Councilmember's recommendation of a raise for the City Manager, the City Manager's accomplishments, recommended he be rewarded in the form of a bonus rather than a raise, and urged the Council to show restraint with citizen's dollars.

Mary Savage then read her own letter into the record which discussed the need to fix the flooding problem in Drew Graska's neighborhood, deplorable sidewalks that need repair, cronyism in what the Council chooses to address, recommended the City Treasurer read the Government Code regarding his duties, and discussed her reasons for opposing a raise for the City Manager.

6. **ITEMS FROM THE CITY COUNCIL**

7. **ITEMS FROM THE CITY TREASURER**

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

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

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

9. **CONSENT CALENDAR**

Councilmember Bogue requested that Item 9.3 be heard separately.

A motion was made by Councilmember Bogue, seconded by Councilmember Castañon, to approve the Consent Calendar, except Item 9.3. Roll call was taken as follows:

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

9.1 Approved the Minutes of the March 26, 2013 Regular City Council Meeting.
(Contact: Suellen Johnston, Deputy City Clerk)

9.2 Adopted Resolution No. 13-039 approving the Enumeration of Claims.
(Contact: Joan Michaels Aguilar, Finance & Technology Director)

9.3 Adopt Resolution relating to the 2013 Slurry Seal Project Bid Award:
1. Accepting the \$234,366.00 bid by Intermountain Slurry Seal of Sparks, Nevada, as the lowest responsible bidder for the 2013 Slurry Seal Project 2013-01; and
2. Authorizing the City Manager to execute a construction agreement with Intermountain Slurry Seal; and
3. Establishing a total project construction budget of \$280,302.60.
(Contact: Christina Castro, Associate Civil Engineer)

See Minutes after 9.4.

9.4 Adopted Resolution No. 13-041 approving the closing of certain streets for the Fourth Annual Grill-in & Chill-in Rib and Chili Cook-off on July 20, 2013. (Contact: Jon Cox, Chief of Police)

9.3 TAKEN OUT OF ORDER

Adopt Resolution relating to the 2013 Slurry Seal Project Bid Award:

1. **Accepting the \$234,366.00 bid by Intermountain Slurry Seal of Sparks, Nevada, as the lowest responsible bidder for the 2013 Slurry Seal Project 2013-01; and**
2. **Authorizing the City Manager to execute a construction agreement with Intermountain Slurry Seal; and**
3. **Establishing a total project construction budget of \$280,302.60.**

Jason Riley responded to Councilmember Bogue's question regarding the procedure for soliciting bids.

A motion was made by Councilmember Bogue, seconded by Councilmember Castañon, to adopt Resolution No. 13-040 accepting the \$234,366.00 bid by Intermountain Slurry Seal of Sparks, Nevada, as the lowest responsible bidder for the 2013 Slurry Seal Project 2013-01; authorizing the City Manager to execute a construction agreement with Intermountain Slurry Seal (AG 13-006); and establishing a total project construction budget of \$280,302.60. Roll call was taken as follows:

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

Vice Mayor Besneatte arrived at this point in the meeting.

10. PUBLIC HEARINGS

- 10.1 **Hold public hearing, waive reading, read by title only and introduce an Ordinance confirming the Planning Commission's recommendation to make amendments to the City of Dixon Official Zoning Map rezoning a number of parcels from Multiple Family Residential (RM2) to Three Family Residential (RM3) and from Multiple Family Residential (RM2) to Multiple Family Residential (RM4) and directing that the Official Zoning Map of the City be amended accordingly. (Presenter: Dave Dowswell, Interim Community Development Director)**

Mayor Batchelor opened the public hearing.

Mike Dean, City Attorney, noted that when the General Plan is inconsistent with the Zoning Ordinance, State Code mandates correcting the Zoning Ordinance to match the General Plan and the City is obligated to make the correction.

Public comments were received from Mary Savage and Ginger Emerson opposing the amendments, and an unidentified citizen.

Mayor Batchelor closed the public hearing.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Castañon, to waive reading, read by title only, and introduce an ordinance confirming the Planning Commission's recommendation to make amendments to the City of Dixon Official Zoning Map rezoning a number of parcels from Multiple Family Residential (RM2) to Three Family Residential (RM3) and from Multiple Family Residential (RM2) to Multiple Family Residential (RM4) and directing that the Official Zoning Map of the City be amended accordingly.

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

11. UNFINISHED BUSINESS

- 11.1 Receive information regarding the Request for Proposals to qualified firms to administer, operate and maintain, and provide engineering and billing services for the water system within the Dixon Solano Water Authority boundaries.** (Presenter: Joe Leach, City Engineer and Public Works Director)

Direction was provided for staff to proceed and requesting a change from the word "Consultant" to something more specific to water service providers, including a request for breakout of billing options for City versus the service provider, and recommendation that the staff screen respondents down to five for review and/or interview by the City Council.

- 11.2 Matters relating to electronic message center signs:**
- 1. Provide staff direction regarding proposed terms for an electronic message center (EMC) sign on city-owned property located on the west side of North Lincoln Street across from DuPratt Ford; and**
 - 2. Direct the City Manager to execute a lease agreement with Veale Investment Properties.** (Presenter: Dave Dowswell, Interim Community Development Director)

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, directing the City Manager to execute a lease agreement with Veale Investment Properties (AG 13-007). Roll call was taken as follows:

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

12. NEW BUSINESS

- 12.1 Matters relating to weed abatement:**
- 1. Adopt Resolution declaring all weeds, refuse and rubbish on specified parcels of property as a public nuisance; and**

2. Establish May 14, 2013 as the Public Hearing date to hear any objections to the proposed removal of weeds, rubbish and refuse.

(Presenter: Christina Gastelum, Community Services Officer II – Code Compliance)

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to adopt Resolution No. 13-042 declaring all weeds, refuse and rubbish on specified parcels of property as a public nuisance; and establishing May 14, 2013 as the Public Hearing date to hear any objections to the proposed removal of weeds, rubbish and refuse. Roll call was taken as follows:

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

12.2 Adopt a Resolution relating to the Core Area Drainage Project #2013-02:

- 1. Accepting the \$566,700.00 bid by Sanco Pipelines, Inc. of Los Gatos, CA as the lowest responsive and responsible bidder for the Core Area Drainage Rehabilitation Project 2013-02; and**
- 2. Authorizing the City Manager to execute a construction agreement with Sanco Pipelines, Inc.; and**
- 3. Approving a budget amendment in the amount of \$150,000 and establishing a total project construction budget of \$711,000.00.**

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to adopt Resolution No. 13-043 accepting the \$566,700.00 bid by Sanco Pipelines, Inc. of Los Gatos, CA as the lowest responsive and responsible bidder for the Core Area Drainage Rehabilitation Project 2013-02; authorizing the City Manager to execute a construction agreement with Sanco Pipelines, Inc.; and approving a budget amendment in the amount of \$150,000 and establishing a total project construction budget of \$711,000.00. Roll call was taken as follows:

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

12.3 Adopt Resolution accepting an award from the Federal Emergency Management Agency (FEMA) Staffing for Fire and Emergency Response (SAFER) grant program for enhancements to the Dixon Fire Department Volunteer Firefighter Program in the amount of \$194,500 and amending the FY 2012-2013 budget in the amount of \$12,000. (Aaron McAlister, Fire Chief)

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Castañon, to adopt Resolution No. 13-044 accepting an award from the Federal Emergency Management Agency (FEMA) Staffing for Fire and Emergency Response (SAFER) grant program for enhancements to the Dixon Fire

Department Volunteer Firefighter Program in the amount of \$194,500 and amending the FY 2012-2013 budget in the amount of \$12,000. Roll call was taken as follows:

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

12.4 Adopt Resolution supporting Senate Bill 7 (Steinberg/Cannella) which would restrict use of state funding for charter cities that exempt prevailing wages on construction projects. (Presenter: Jim Lindley, City Manager)

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to adopt Resolution No. 13-045 supporting Senate Bill 7 (Steinberg/Cannella) which would restrict use of state funding for charter cities that exempt prevailing wages on construction projects.

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

12.5 Adopt Resolution approving the formation of a Council Ad Hoc Committee to review the City Manager's Employment Contract and offer suggested changes to the Council for consideration. (Presenter: Jim Lindley, City Manager)

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to adopt Resolution No. 13-046 approving the formation of a Council Ad Hoc Committee to review the City Manager's Employment Contract and offer suggested changes to the Council for consideration. Roll call was taken as follows:

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

13. OTHER AGENCY BUSINESS

14. ITEMS FROM THE CITY ATTORNEY

Mike Dean, City Attorney, reported that he will be out of town the rest of the week and Kate Cook, Associate Attorney, will be available for City business.

15. ITEMS FROM THE CITY MANAGER

16. CLOSED SESSION

RECONVENE TO OPEN SESSION

17. ADJOURNMENT

The Regular Meeting of the Dixon City Council adjourned at 10:15 p.m. in memory of Leonard Schilling.



Suellen Johnston
Deputy City Clerk



Jack Batchelor
Mayor