



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

**MARCH 8, 2011**

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was called to order at the hour of 7:00 p.m. in the Council Chambers on March 8, 2011, 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 Besneatte arrived at 7:05 p.m.

4. **CLOSED SESSION**

Mayor Batchelor announced that the City Council will meet in Closed Session to discuss two items, following comments by a speaker regarding Item 4.1.

Jack Diepenbrock, representing Harold and Jolene Wiegand, discussed a six-point outline of their position as discussed with Janet Koster, Senior Management Analyst, and Michael Dean, City Attorney. The main points included a proposed alternate alignment, removal of a drainage line, increased property value, and waiving of appraisal and drainage/hook-up fees.

Seeing no one else present to speak, the City Council adjourned into Closed Session at 7:10 p.m.

4.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S)  
(Pursuant to Government Section 54956.8)

Property: Storm Drainage Easement, APN 0113-082-160

City Negotiators: Nancy Huston, City Manager  
Michael Dean, City Attorney  
Janet Koster, Senior Management Analyst  
Negotiating Party: Harold D. Wiegand and Rolyne Wiegand, as  
trustees of the Harold D. Wiegand and Rolyne E.  
Wiegand Revocable Trust  
Under Negotiation: Price and terms of payment

4.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Govt. Code Section 54956.9)

Name of Case: Louie v. City of Dixon, et. al.  
Solano Superior Court Case No. FCSO 29906

**RECONVENE TO OPEN SESSION**

Mayor Batchelor reconvened the Regular City Council Meeting at 8:01 p.m. and announced the City Council met in Closed Session on two items and there was no reportable action.

5. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None.

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

- 6.1 Taide Shaw, owner of Shaw's Family Restaurant, submitted a letter expressing her disappointing experience with last year's Grillin' and Chillin' event. She did not support holding the event again this year given the various problems.
- 6.2 Warren Salmons thanked Councilmembers Bogue, Fuller and Mayor Batchelor for voting against medical marijuana dispensaries, noted Vice Mayor Ceremello's comments regarding fireworks inaccurately portrayed Mr. Salmons in his story, noted his opinion that the paper Mr. Ceremello writes for is litter and asked that it no longer be delivered to his home, and felt that Councilmember participation in labor negotiations is a bad idea.
- 6.3 Byron Chapman asked about the status of the water softener rebate program. Mayor Batchelor responded that approval is on the agenda.
- 6.4 Mike Hamilton, Executive Director of the Grillin' and Chillin' event, responded to Ms. Shaw's concerns about last year's event.
- 6.5 Ginger Emerson read and submitted a letter expressing concern about the new records retention policy relating to video recordings of past City meetings.

7. **ITEMS FROM THE CITY COUNCIL**

- 7.1 Councilmember Rick Fuller attended the Downtown Dixon Business Association Executive Board Meeting, discussed the strength of the Grillin' and Chillin' event and the problems being addressed, road closures, the continuing issue of the truck route, the Wine Stroll, and the Farmers' Market.
- 7.2 Councilmember Bogue, as an option to councilmembers in negotiations, provided direction that staff conduct a Request for Proposals for a labor negotiator and look at restructuring all City Departments.
- Mayor Batchelor noted that agreement by the majority of the Council is necessary for such direction and restructuring of departments will be considered during upcoming budget discussions.
- 7.3 Councilmember Besneatte recommended that groups interested in sponsoring fireworks booths attend the public forum being conducted by the Fire Department and that those selling and buying fireworks take the words "safe and sane" to heart. He was sorry Ms. Shaw had a negative experience with the Grillin' and Chillin' event, noted how much he enjoyed the Dixon Citizen of the Year event.
- 7.4 Vice Mayor Ceremello thanked staff for responding to his request for an additional trash receptacle on the linear pathway in Regency Park.
- 7.5 Mayor Batchelor discussed the Federal contract awarded to Boeing that will benefit Travis Air Force Base and reported on his trip to the State Capitol with other mayors to stress the importance of transportation funding for several local projects.

8. **ITEMS FROM THE CITY TREASURER**

None.

9. **APPROVAL OF AGENDA**

Mayor Batchelor announced that approval of Item 10.4 would be re-agendized for the March 22, 2011, meeting.

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

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

10. **CONSENT CALENDAR**

Vice Mayor Ceremello requested that Item 10.7 be heard separately. Councilmember Bogue requested that Item 10.3 be heard separately. Councilmember Besneatte requested that item 10.1 be heard separately.

A motion was made by Councilmember Besneatte, seconded by Councilmember Fuller, to approve the Consent Calendar except Items 10.1, 10.3 and 10.7. Roll call was taken as follows:

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

**10.1 Approved City Council Minutes for the February 22, 2011, Regular Meeting.**

*See Minutes on Page 5.*

**10.2 Adopted Resolution No. 11-026 approving the Enumeration of Claims.**

**10.3 Resolution waiving the formal bid process in accordance with the City's Purchasing Policy, Dixon City Code Article 1, Section 26.3.21(c) and authorizing the purchase of a portable laboratory building for the City of Dixon Wastewater Treatment Facility from Mobile Modular for an amount not to exceed \$16,500.**

*See Minutes on Page 5.*

**10.4 Waived reading, read by title only, and adopted Ordinance No. 11-004 amending Part XIV of Chapter 17 of Article I of the Dixon City Code relating to brine discharging water softening and conditioning appliances.**

**10.5 By Minute Action, approved the Mayor's appointment of a representative to the Solano County Mosquito Abatement District Board.**

This item was continued to March 22, 2011.

**10.6 Adopted Resolution No. 11-028 authorizing the City Manager to execute all required documents of the Public Transportation Modernization, Improvement, and Service Enhancement Account (PMISEA) Program and any amendments thereto with the California Department of Transportation (AG 11-007).**

**10.7 Resolution authorizing the execution of Amendment No. 2 to the professional services agreement with Mann, Urrutia, Nelson CPA's and Associates LLP to extend the terms for two additional years.**

*See Minutes on Page 6.*

## 10.1 TAKEN OUT OF ORDER

### **Approved City Council Minutes for the February 22, 2011, Regular Meeting.**

Councilmember Besneatte noted a correction was needed to the minutes on Page 8. In Line 2 of Paragraph 5, the word “included” should be changed to “excluded”.

Councilmember Besneatte noted a correction was needed to the minutes on Page 9. In Paragraph 9, Line 2, the phrase “it may be” should be changed to read “it may not be”.

A motion was made by Councilmember Besneatte, seconded by Councilmember Bogue to approve the minutes, as amended. Roll call was taken as follows:

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

## 10.3 TAKEN OUT OF ORDER

**Resolution waiving the formal bid process in accordance with the City’s Purchasing Policy, Dixon City Code Article 1, Section 26.3.21(c) and authorizing the purchase of a portable laboratory building for the City of Dixon Wastewater Treatment Facility from Mobile Modular for an amount not to exceed \$16,500.**

Councilmember Bogue asked why a portable building is being purchased if there are plans to build a new facility in the near future.

Chris Gioia, Associate Civil Engineer, and Royce Cunningham, City Engineer responded to questions from Council and noted the new facility may take longer than anticipated depending on fund availability, the portable building is needed now, the cost is significantly lower than the \$45,000 budgeted for a new portable unit, and construction by staff could be done mainly during normal hours.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to adopt Resolution No. 11-027 waiving the formal bid process and authorizing the purchase of a portable laboratory building for the City of Dixon Wastewater Treatment Facility from Mobile Modular for an amount not to exceed \$16,500 (AG 11-006). Roll call was taken as follows:

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

## 10.7 TAKEN OUT OF ORDER

**Resolution authorizing the execution of Amendment No. 2 to the professional services agreement with Mann, Urrutia, Nelson CPA's and Associates LLP to extend the terms for two additional years.**

Vice Mayor Ceremello noted a previous recommendation that auditors be changed every three to five years and asked why this contract is being extended without another proposal process.

Jeremy Craig, Finance and Technology Director, noted the option provides continuity and stability with a firm knowledgeable in City operations.

A motion was made by Vice Mayor Ceremello, seconded by Councilmember Fuller, to adopt Resolution No. 11-029 authorizing the execution of Amendment No. 2 to the professional services agreement with Mann, Urrutia, Nelson CPA's and Associates LLP to extend the terms for two additional years, and then initiate a Request for Proposals. Roll call was taken as follows:

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

## 11. PUBLIC HEARINGS

**11.1 Matters relating to Altec facilities, located at 1450 North First Street in a Service Commercial (CS) Zone: (APN 111-090-600) (PA 11-05) (ENV 11-03) (GPA 11-01) (ZON 11-01):**

- 1. Negative Declaration.**
- 2. General Plan Amendment to change the land use designation from Commercial Services (SC) to Planned Business/Industrial (PI).**
- 3. Rezone to change the zoning from Service Commercial (CS) to Light Industrial (ML).**

This item was continued to a date uncertain at the request of the applicant.

**11.2 Matters relating to the Core Area Drainage Project:**

- 1. Resolution approving a Mitigated Negative Declaration and Mitigation and Monitoring Program for the Core Area Drainage Project; and**
- 2. Minute Action authorizing the City Clerk to advertise for construction bids for the Core Area Drainage Project, Project #2010-06.**

Jason Riley, Associate Engineer, displayed a map showing the areas included for rehabilitation, discussed the benefits and two phases of the project, the three segments included in Phase I, noted the bid process will include Phase I, Segment A, and responded to questions from Council.

Mayor Batchelor asked for public comments.

Ginger Emerson asked about plans for redevelopment in that area after rehabilitation. Michael Dean, City Attorney, responded any plans are held by private entities and have not yet been submitted to the City.

Councilmember Besneatte asked why the resolution covers the whole project given that Segment A is the only portion included in the bid process.

Mr. Riley responded the resolution is for ratification of the environmental portion of the entire project and the minute action addresses the current advertisement for bids.

A motion was made by Councilmember Fuller, seconded by Councilmember Besneatte, to adopt Resolution No. 11-030 approving a Mitigated Negative Declaration and Mitigation and Monitoring Program for the Core Area Drainage Project, and approve a Minute Action authorizing the City Clerk to advertise for construction bids for the Core Area Drainage Project, Project #2010-06 (Phase I, Segment A). Roll call was taken as follows:

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

## 12. UNFINISHED BUSINESS

### 12.1 **Resolution of the City Council of the City of Dixon approving a request for a grant agreement with the Chamber of Commerce for the 2011 May Fair Parade.**

Mark Heckey, Economic Development Director, reported that updated budget documents for the May Fair Parade were submitted by the Chamber of Commerce, their grant fund request has been reduced from \$7,000 to \$3,700 through drastic budget cuts, no contingency is included, and approval of a General Fund allocation is being requested. Mr. Heckey responded to questions from Council.

Carol Pruett, Chamber of Commerce, discussed cost-cutting measures and noted any unused funds will be returned to the City.

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

Councilmember Besneatte proposed the allocation be increased to \$4,000.

A motion was made by Vice Mayor Ceremello, seconded by Councilmember Fuller, to adopt Resolution No. 11-031 approving a request for a grant agreement

with the Chamber of Commerce for the 2011 May Fair Parade in the amount of \$4,000. Roll call was taken as follows:

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

**12.2 At the request of Vice Mayor Michael Ceremello, Council discussion of the Franchise Agreement between the City of Dixon and Recology Dixon (formerly Dixon Sanitary Service) specifically relating to rate application and the neutral impact on current rates.**

Mayor Batchelor noted that since so much documentation was provided in the packet, a staff presentation would not be necessary.

Vice Mayor Ceremello noted two of his requests addressed in the packet were collection rates and recycling and street sweeping was not addressed. He noted a lot of increases are unexplained, thought Recology should work with the City on a contract that reflects true costs rather than a built-in escalator, supported a two-year unlimited opt-out period for recycling, felt it was not in the City's best interest to pay \$30,000 more than in the past, and suggested a Request for Proposal process be revisited to get the best rate possible.

Councilmember Bogue noted that Recology does provide many services, however, everyone else is cutting back, and suggested reinstating services such as free dump days to give the residents "more bang for their buck".

Councilmember Besneatte noted many requests for smaller toters.

Scott Pardini, Recology Dixon General Manager, discussed the purchase of new versus used vehicles, amortization to lower rates, increases in the cost of fuel, low contamination rates, and noted those who opt-out of recycling are not charged the \$2.00 rate, the base rate could go up for non-participants due to increased waste and less recycling, and an in-town location would not be convenient for servicing of vehicles.

Mayor Batchelor noted little dissatisfaction expressed with the contract, it is traditionally reviewed in September or October which should be satisfactory, more pressing issues should be addressed, and recommended the City Manager work with Recology to review the recycling opt-out program.

Vice Mayor Ceremello noted it would be better to address it earlier between July and September 2011.

Mayor Batchelor asked for public comments.

Jill Orr noted experience has shown that cheaper does not always mean better, there are no problems with Recology, and they actively participate in the community.

Byron Chapman asked about set-aside funds for vehicle purchases and noted larger toters do not need to be put out every time.

Councilmember Bogue commended Recology for giving back to the community and requested ideas from them to reduce City costs in the future.

This item will be brought back to Council for review between July and September 2011.

13. **NEW BUSINESS**

**13.1 Discussion of the UC Davis Request for Concepts regarding an off-campus Innovation Hub (I-Hub) and authorization for staff to submit concepts for review by the University by the March 31, 2011, deadline.**

Mark Heckey, Economic Development Director, reported UC Davis is conducting a request for brief conceptual ideas for an educational development center, known as an Innovation Hub (I-Hub), to transfer ideas into the marketplace through company startups. He noted more than one idea can be submitted, financial incentives are not yet known, and explained proposed techniques.

Mayor Batchelor noted the City needs to keep moving forward.

Councilmember Besneatte saw it as a beneficial connection to the university and encouraged submittal of a variety of ideas.

Direction was provided authorizing staff to submit concepts for review by the University by the March 31, 2011, deadline.

14. **OTHER AGENCY BUSINESS**

**Redevelopment Agency:**

**14.1 Agency Board Resolution authorizing transfer of all Agency rights in two properties to the City of Dixon pursuant to Quitclaim Deeds and adopt City Council Resolution authorizing the transfer and Certificates of Acceptance.**

Michael Dean, City Attorney, discussed terms of the purchases related to the Police Station and the Engineering Offices, liens issued a few weeks ago for other Redevelopment Agency properties, and the recommendation to quit claim these two properties to the City of Dixon. He noted there is a small risk in doing so, however, the actions are not likely to be challenged by the State since City offices occupy the sites.

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

A motion was made by Councilmember Fuller, seconded by Councilmember Besneatte, to adopt Redevelopment Agency Resolution No. RDA 11-005 authorizing transfer of all Agency rights in two properties to the City of Dixon pursuant to Quitclaim Deeds and City Council Resolution No. 11-032 authorizing the transfer and Certificates of Acceptance. Roll call was taken as follows:

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

15. **ITEMS FROM THE CITY ATTORNEY**

15.1 Michael Dean, City Attorney, noted he would not be attending the March 12, 2011, Council Workshop unless Council preferred him to attend, and Stephen Muzio would be attending the March 22, 2011 City Council Meeting.

15.2 Mr. Dean announced the arrival of Stephen Muzio's first son, Peter Muzio, and noted Mr. Muzio would be out of the office for a few weeks.

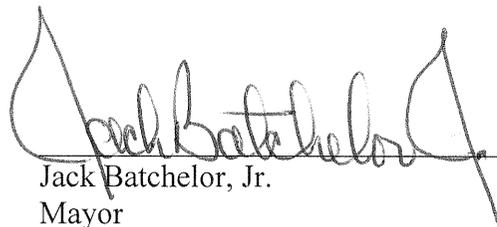
16. **ITEMS FROM THE CITY MANAGER**

Nancy Huston, City Manager, announced that the new 2010 Census data shows Dixon's population increased 14% over the last ten years to 18,351. She noted additional demographics will be obtained and thanked Dixon Patch for providing the information so quickly.

17. **ADJOURNMENT**

The Regular Meeting of the Dixon City Council was adjourned at the hour of 10:18 p.m.

  
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Suellen Johnston  
Deputy City Clerk

  
\_\_\_\_\_  
Jack Batchelor, Jr.  
Mayor