



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON REDEVELOPMENT AGENCY

JANUARY 25, 2011

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was called to order at 7:00 p.m. in the Dixon City Council Chambers 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 Dane Besneatte, Thom Bogue, Rick Fuller, Vice Mayor Michael Ceremello, Mayor Jack Batchelor, Jr.

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None.

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

5.1 Drew Graska thanked the Police Department for their efforts in graffiti abatement, the City for repair of his neighborhood streets, encouraged the City and citizens to be proactive in repair and upkeep, and presented a 1986 picture that displayed flooding.

5.2 Larry Simmons noted faded white lines on streets around town, particularly in the area of Denny's.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Vice Mayor Ceremello appreciated that two of the items he requested at the last meeting are on the agenda, but requested no further labor negotiation sessions be conducted until resolutions and Personnel Rules establishing the City Manager's position as lead negotiator are reviewed and resolved by a majority vote of the Council.

Vice Mayor Ceremello requested a proclamation be prepared honoring Phirehouse Philharmonic and a request be submitted to Senators Wolk and Yamada to recognize the group on a State level.

Vice Mayor Ceremello requested that the Dixon Recology contract be brought back for review, rate reductions, an opt out clause, and allocation of costs not adequately addressed for recycling.

- 6.2 Councilmember Fuller noted Travis Air Force Base is one of the two best bases in the world, is competing for a \$1 million award, and we should be proud of the Air Base.

Councilmember Fuller reported on attending the Welcome Home Warriors event at Travis Air Force Base, and the sensational Spaghetti Feed at the new Dixon Teen Center. He encouraged the community to volunteer at the Teen Center.

- 6.3 Councilmember Bogue attended the Dixon Teen Center Spaghetti Feed, noted the number of teens present indicate the center should be a success, and reported on his attendance at the League of California Cities New Mayor and Council Conference.

- 6.4 Councilmember Besneatte requested that the copper wires which were stolen from the lights on the road leading to the high school be replaced.

Councilmember Besneatte asked Drew Graska to elaborate on the areas in the City needing repair, encouraged the citizens to report, but stressed that the City has a deficit budget, workers are already working hard, and asked for suggestions on how to pay for repairs. He asked that a budget discussion be placed on one of the next two Council agendas.

He noted upcoming crab feeds for St. Vincent De Paul and Dixon Rotary.

- 6.5 Mayor Batchelor reported about attending the League of California Cities New Mayor and Council Conference and noted that he and the City Manager are making plans for a Council Workshop.

Mayor Batchelor noted the success of the Dixon Teen Center opening represents what people can do working collegially toward a solution to a problem.

Mayor Batchelor noted interviews are scheduled for January 31, 2011 to fill the vacancy on the Planning Commission and invited Councilmember Bogue to join the interview panel.

7. **ITEMS FROM THE CITY TREASURER**

None.

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**

Vice Mayor Ceremello requested that Item 9.4 be discussed separately. Councilmember Bogue requested that Item 9.2 be discussed separately. Councilmember Besneatte requested that Item 9.3 be discussed separately.

A motion was made by Councilmember Fuller, seconded by Councilmember Besneatte, to approve the Consent Calendar, except Items, 9.2, 9.3 and 9.4. Roll call was taken as follows:

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

9.1 Approved the City Council Minutes for the January 11, 2011, Regular meeting.

9.2 Adopt Resolution approving the Enumeration of Claims.

See Minutes on Page 4.

9.3 Adopt Resolution authorizing the City Manager to execute a Consultant Services Agreement with K. C. Engineering Company to evaluate floor, foundation, and building movement in the existing fire station for an amount not to exceed \$14,970.

See Minutes on Page 4.

9.4 Adopt Resolution authorizing a budget amendment in the amount of \$5,000 to pay the City's proportional cost for the County to hire Design, Community, and Environment to attend Association of Bay Area Government (ABAG) Housing Methodology Committee meetings regarding the Regional Housing Needs Allocation (RHNA) process.

See Minutes on Page 5.

9.2 TAKEN OUT OF ORDER

Adopt Resolution approving the Enumeration of Claims.

Councilmember Bogue asked for details about payments made to 49er Communications, PFM Asset Management, the purchase of clear underbody lights, and a legal publication advertised in the Vacaville Reporter.

Councilmember Bogue asked if someone in the City, or a staff member, could be trained to perform 45-day inspections currently done by Bus West. Nancy Huston, City Manager, responded that it was unlikely a City employee could perform this type of mechanical inspection work.

A motion was made by Councilmember Fuller, seconded by Councilmember Besneatte, to adopt Resolution No. 11-007 approving the Enumeration of Claims, as submitted. Roll call was taken as follows:

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

9.3 TAKEN OUT OF ORDER

Adopt Resolution authorizing the City Manager to execute a Consultant Services Agreement with K. C. Engineering Company to evaluate floor, foundation, and building movement in the existing fire station for an amount not to exceed \$14,970.

Councilmember Besneatte noted he was not inclined to approve an additional payment for something not designed and fixed properly the first time and felt the expense should be borne by the design engineer.

Aaron McAlister, Fire Chief, displayed slides showing the extent of the building movement and repairs done ten years ago and noted the problem must be diagnosed.

Royce Cunningham, City Engineer, reported on history of repairs, redesigns that were incorporated, the ten-year statute of limitations, and problems that exist under the floor that need to be diagnosed by a geotechnical engineer.

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

A motion was made by Councilmember Besneatte, seconded by Councilmember Fuller, to adopt Resolution No. 11-008 authorizing the City Manager to execute a Consultant Services Agreement with K. C. Engineering Company. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor

NOES: None
ABSTAIN: None
ABSENT: None

9.4 **TAKEN OUT OF ORDER**

Adopt Resolution authorizing a budget amendment in the amount of \$5,000 to pay the City's proportional cost for the County to hire Design, Community, and Environment to attend Association of Bay Area Government (ABAG) Housing Methodology Committee meetings regarding the Regional Housing Needs Allocation (RHNA) process.

Vice Mayor Ceremello noted there is no growth happening, no need for the State to be looking at this, no involvement by City Councils, the scope of services provides no benefit to the City and it sounds like another bureaucracy.

Dave Dowswell, Community Development Director, reported there is concern that our county may be shortchanged by metropolitan areas without an established transportation network, may lose transportation funds if we don't participate, and noted it was valuable in the past.

Michael Dean, City Attorney, noted larger cities have staff who can attend ABAG meetings, but smaller cities need help in competing.

Mayor Batchelor reported many things have been accomplished by bringing cities together to get concessions for the County and \$5,000 is a small price to pay.

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

Councilmember Ceremello felt doing what is best for the county may not be in the City's best interest, but conceded support since benefit was gained before.

A motion was made by Councilmember Fuller, seconded by Mayor Batchelor, to adopt Resolution No. 11-009 authorizing a budget amendment in the amount of \$5,000. 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 Brine Discharging Water Softening and Conditioning Appliances:**

1. **Waived reading, read by title only, and introduced an ordinance amending Section 17.14.7 of Part XIV of Chapter 17 of Article I of the Dixon City Code relating to brine discharging water softening and conditioning appliances.**

2. Resolution approving a budget amendment in the amount of \$120,000 to increase funding for the Water Softening/Conditioning Appliance Exchange Program.

Royce Cunningham, City Engineer, discussed proposed revisions to the Water Softener Incentive Program that reduce the payout by 50%, the number of water softeners on the wait list, the additional \$120,000 funding, the most recent results of sodium and chloride tests, and responded to questions from Council.

Mayor Batchelor opened the public hearing.

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

Councilmember Besneatte supported the incentive program because the government should not take personal property without just compensation, debated whether changing the terms was appropriate, and wished more of the public were present to express their opinions.

Councilmember Fuller supported the program to reduce the number of softeners, but noted the City could not keep spending money, and felt State policy was forcing decisions.

Vice Mayor Ceremello considered the incentive a gift of public funds but noted it was the only option currently available and supported the program changes and funding.

Councilmember Bogue motioned to eliminate the 200-day period from the approval and continue the program until funds are exhausted.

Mike Dean, City Attorney, confirmed the appropriate deletions and wording for the motion.

A motion was made by Councilmember Bogue, seconded by Councilmember Besneatte, to introduce the ordinance, read by title only, and amend Section 17.14.7 B by deleting "Until June 1, 2011", eliminating Subsections C & D, re-lettering the ensuing subsections, and adopting the resolution. Roll call was taken as follows:

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

11. UNFINISHED BUSINESS

11.1 Matters relating to City fees:

1. Resolution rescinding a portion of Resolution 09-83 to rescind the user fee increase which took effect January 2, 1011.

2. Review information provided regarding development streamlining efforts and provide direction to staff as necessary.

Councilmember Besneatte requested that discussion be postponed until the next Council meeting to allow him time for further research.

Councilmember Fuller requested that a separate meeting be held to discuss fees after the budget is known.

Mayor Batchelor recommended the Council take action to suspend the January 2011 fee increases pending a study session on fees.

Vice Mayor Ceremello supported a study session and requested a report be included comparing revenue before and after fee increases.

Mayor Batchelor asked for public comments.

Larry Simmons congratulated the Council on how they were functioning at this meeting.

A motion was made by Mayor Batchelor, seconded by Councilmember Fuller, to adopt Resolution No. 11-011 rescinding a portion of Resolution 09-83 to rescind the User Fee increase which took effect January 2, 2011 and continue discussion of user fees increases to a date uncertain. Roll call was taken as follows:

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

11.2 Provide background information for discussion and await any Council direction on the City's Travel and Business Expense Reimbursement Policy.

Jeremy Craig, Finance and Technology Director, noted this policy review was requested by Vice Mayor Ceremello, and staff is requesting Council input

Vice Mayor Ceremello noted his concern was prompted by his request to be reimbursed for a crab feed ticket after a request to attend an event as Vice Mayor. He provided history of the policy's approval, cited several sections of concern in the policy, quoted an opinion by Bill Lockyer and sections of the government code, and requested the City Council agendaize discussion of a new policy since the current one is flawed and a public hearing was not held.

Michael Dean, City Attorney, noted AB1234 requires a policy be adopted at a public meeting, this policy was adopted by resolution at a meeting of the City Council, a public hearing is not required, and the policy does not include City Manager approval.

Mayor Batchelor noted he and other Councilmembers do not request reimbursement for most event tickets, such requests may be self-serving, all Councilmembers can request reimbursement but must bear the consequences of their requests, and the policy applies to a wide variety of people.

Vice Mayor Ceremello noted his problem was with the City Manager's approval, he has paid for things himself, thought there needs to be more direction on what funds are available, and Council should be able to attend events without approval.

Mayor Batchelor noted the budget is \$3,000, which can be divided by five, giving a \$600.00 budget for each Councilmember to use at their discretion.

Councilmember Fuller noted the policy provides basic guidelines for all City employees, expense requests should be submitted when necessary, and if an event costs more that allocated it can be brought before Council for a decision.

Councilmember Besneatte supported the idea of dividing the budget equally, felt the policy works and has not been abused, the City does not have a lot of money, and he frequently pays his own expenses.

Councilmember Bogue supported an equal split of the \$3,000 budget and noted that some training is mandatory.

Mayor Batchelor asked for public comments.

Steve Alexander noted Councilmembers should not be reimbursed for crab feeds or items related to their special interests, however their discretion to attend events should be better defined.

Drew Graska noted Councilmembers should be held to a higher level, and larger expenditures should be approved in a public meeting.

Vice Mayor Ceremello noted the budget is actually \$5,000 and \$1,000 per Councilmember should be enough, they need flexibility to do their jobs, and he preferred a casual arrangement in lieu of dividing the money.

Nancy Huston, City Manager, noted she has never seen reimbursements paid to Councilmembers for fundraisers since she has been City Manager, the City Council approves its own budget, and made clear that she has never denied a reimbursement for a Councilmember.

Mayor Batchelor concluded the consensus as being that money is available and Councilmembers should submit reimbursement requests as they deem necessary, keeping their fellow Councilmembers in mind.

This item was filed.

The City Council recessed for break at 9:25 p.m.

The City Council reconvened at 9:35 p.m.

12. **NEW BUSINESS**

12.1 Receive informational report on the City's budget at mid-year.

Jeremy Craig, Director of Finance and Technology, reviewed financial data, noted over the past three years revenues declined 21%, expenditures decreased 17%, and 21.5 staff positions were eliminated. He provided a breakdown of property tax revenue, noted that while the mid-year budget was still negative it is better than projected, provided three five-year budget scenarios, and responded to questions from Council.

This item was filed.

13. **OTHER AGENCY BUSINESS**

Redevelopment Agency

13.1 Resolution approving a recordation of a deed of trust in favor of the City of Dixon against all Agency-owned property, including the Pardi site, Ace Hardware site, and Railroad Strip Property, as security for loans and advances of funds made by the City to the Agency and approving execution of a note for repayment of such loans and advances.

Michael Dean, City Attorney, discussed the need to protect Redevelopment Agency assets under plans to eliminate Redevelopment, noted the Agency owns significantly less than originally thought, and only three properties contained in the resolution are Agency-owned.

Mr. Dean provided history of funding from the City to the Redevelopment Agency for the purchase of the Senior Center, noted the deed of trust is to secure the City's interest, and must be a true interest-bearing note to be acceptable to the State. He responded to Council questions.

Mayor Batchelor asked for public comments.

Larry Simmons noted Dixon railroad rights-of-way are wider than in most towns, and asked about maps showing actual ownership lines.

Gary Irwin noted that the Pardi Market site should be the last property to be sacrificed.

A motion was made by Vice Mayor Ceremello, seconded by Councilmember Fuller, to adopt Resolution No. RDA 11-003 approving recordation of a deed of trust in favor of the City of Dixon against all Agency-owned property as security for loans and advances of funds made by the City to the Agency, and approving execution of a note for repayment of such loans and advances. Roll call was taken as follows:

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

14. **ITEMS FROM THE CITY ATTORNEY**

None.

15. **ITEMS FROM THE CITY MANAGER**

None.

16. **CLOSED SESSION**

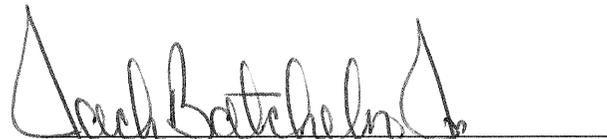
RECONVENE TO OPEN SESSION

17. **ADJOURNMENT**

The Regular Meeting of the City Council was adjourned at the hour of 10:20 p.m.



Sue Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor