



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

**NOVEMBER 23, 2010**

**Closed Session at 6:00 p.m.**

The Special Meeting of the Dixon City Council was called to order at the hour of 6:00 p.m. to meet in Closed Session in the Council Chambers Conference Room on November 23, 2010, by Mayor Jack Batchelor, Jr.

Present: Councilmembers Dane Besneatte, Kay Fulfs Cayler, Michael Ceremello,  
Vice Mayor Rick Fuller, Mayor Jack Batchelor, Jr.

Absent: None

Mayor Batchelor announced that the City Council will meet in Closed Session to discuss the following:

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
2. CONFERENCE WITH LABOR NEGOTIATORS  
(Pursuant to Government Code Section 54957.6)  
City Negotiators: Nancy Huston, Steve Johnson, and 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

The City Council recessed into Closed Session at 6:01 p.m.

Closed Session recessed at 7:04 p.m.

1. **CALL TO ORDER**

Mayor Batchelor reconvened the Regular Meeting at 7:07 p.m. and announced the City Council had met in Closed Session for a conference with real property negotiators regarding a storm drainage easement, and a conference with labor negotiators, and there was no reportable action.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Jack Batchelor, Jr.

3. **ROLL CALL**

Present: Councilmembers Dane Besneatte, Kay Fulfs Cayler, Michael Ceremello, Vice Mayor Rick Fuller, and Mayor Jack Batchelor, Jr.

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

**4.1 Presentation on Downtown Dixon Business Association by Debra Minnema-Dingman.**

Debra Minnema-Dingman distributed an Economic Impact Report and Income & Expense Statements for the Downtown Dixon Business Association's (DDBA) Grillin' & Chillin' and Wine & Art Stroll events in 2010, discussed DDBA accomplishments and a survey of local businesses, and presented a video depicting the DDBA's local activities. She felt the DDBA was singled-out to compile time-consuming reports that were not requested of other organizations to justify funding requests, noted many community benefits that are not only financial, and hoped the Council would be generous for future events.

Councilmember Ceremello noted the surveys provide no quantitative information to show the \$6,500 was a good investment.

Councilmember Besneatte felt the funding taken away from the DDBA should be given back, the City has an obligation to help local groups, and success should not be quantified only in tax dollars and revenue.

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

5.1 Jill Orr noted that a lot of the money from the Grillin' & Chillin' went back into non-profit organizations.

- 5.2 Byron Chapman noted residents should prepare themselves for very low temperatures during the holiday week. He asked about progress on the ADA parking at the Pardi Market Lot during the last three weeks, and asked about the water softener removal program.
- 5.3 Elsie Meade noted the walkway through the rose bushes to City Hall's front parking lot is poorly lit and asked that it be corrected.

Nancy Huston, City Manager, noted staff is aware of the lighting issue and are looking at alternatives.

6. **ITEMS FROM THE CITY COUNCIL**

- 6.1 Councilmember Cayler reported about attending the Holiday Open House and the Solano Transportation Authority (STA) Awards Dinner where Jeff Matheson, former Director of Public Works and Community Services, was honored for his assistance to the community and Fisk's Bike shop was nominated for an award. She also noted the Community Chaplain will soon begin going out on calls and her holiday turkey designations went to Dixon Family Services.
- 6.2 Councilmember Besneatte appreciated Cal Water providing him the opportunity to designate holiday turkeys to the Dixon High School, and the Grace Fellowship Family Reunification Program, and wished everyone a happy and safe Thanksgiving.
- 6.3 Councilmember Ceremello thought Cal Water was entitled to gratitude for providing turkeys, and preferred not to receive appreciation for giving away their turkeys. He noted the government is not obligated to give away funds to local entities such as the DDBA. He wished everyone Happy Holidays and looked forward to the new year with a new Council and new direction.
- 6.4 Vice Mayor Fuller appreciated the opportunity to allocate beneficiaries of the holiday turkeys, noted the government serves a purpose and is responsible to help fellow men, and recommended prayers for those serving during the holiday season, veterans, and those who have lost their jobs.
- 6.5 Mayor Batchelor wished everyone a Happy Thanksgiving and noted that sometimes they help out fellow citizens when they are in need and are not doing so for accolades.

7. **ITEMS FROM THE CITY TREASURER**

None.

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to approve the agenda, as submitted.

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

9. **CONSENT CALENDAR**

Councilmember Cayler noted two corrections to the November 9, 2010, Minutes. On Page 10, the spelling of Steven Lorente's last name should be corrected and, in the last paragraph on Page 10, Councilmember Besneatte supported Options 2 and 3, rather than 2 and 2.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to approve the Consent Calendar. Roll call was taken as follows:

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

- 9.1 **Approved the City Council Minutes for the November 9, 2010 meeting, as amended.**
- 9.2 **Adopted Resolution No. 10-180 approving the Enumeration of Claims.**
- 9.3 **Adopt Resolution No. 10-181 of the City Council of the City of Dixon approving updates to the City's Conflict of Interest Code.**
- 9.4 **Adopted Resolution No. 10-182 approving an application for grant funding from the Sacramento Metropolitan Air Management District for purchase of a new tractor for the City of Dixon Wastewater Division and the execution of a grant agreement and any amendments, if necessary.**
- 9.5 **Adopted Resolution No. 10-183 declaring found, abandoned and lost bicycles as surplus property and authorizing the property to be redistributed.**

**Dixon Redevelopment Agency**

- 9.6 **Approved the Dixon Redevelopment Agency Minutes for the October 26, 2010 Meeting.**

**Dixon Public Improvement Corporation (DPIC)**

- 9.7 **Approved the Dixon Public Improvement Corporation Minutes for the October 26, 2010 Regular Meeting.**

**Dixon Public Financing Authority (DPFA)**

- 9.8 **Approved the Dixon Public Financing Authority Minutes for the October 26, 2010 Regular Meeting.**

10. **PUBLIC HEARINGS**

10.1 **Matters relating to the 1993 General Plan:**

1. **Resolution approving a Notice of Exemption from the California Environmental Quality Act for the General Plan Amendment.**
2. **Resolution approving a focused update of the statistical data, maps, goals and policies in 1993 General Plan in order to comply with Government Code Section 65302 (reducing risk of flooding), and other minor wording edits.**

Janet Koster, Senior Management Analyst, reported that changes included an update of 1993 statistics, new maps depicting earthquake faults and dam inundation, deletion of a few sections, corrections of typographical errors, establishment of greenbelts for re-annexation of land and elimination of duplications.

Mayor Batchelor opened the public hearing.

Dave Scholl, Independent Voice, asked if the house at 193 East G Street would have been included in the list of historical structures if it had not been burned down.

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

Councilmember Ceremello noted Page AQ-2 regarding global warming is not factual. He noted his disagreement with the concept warranted a vote against the resolution.

Ms. Koster noted Councilmember Ceremello was referring to the Air Quality/Energy Element.

Mayor Batchelor noted disagreement with one element does not warrant “throwing the baby out with the bathwater”.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to approve Resolution No. 10-184 finding the General Plan Amendment #10-5 exempt from the California Environmental Quality Act (CEQA) and to approve

Resolution No. 10-185 adopting General Plan Amendment #10-5. Roll call was taken as follows:

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

11. **UNFINISHED BUSINESS**

**11.1 Waived reading, read by title only, and adopted an ordinance approving the First Amendment to the Development Agreement between the City of Dixon and Brookfield Dixon, LLC.**

Dave Dowswell, Community Development Director, noted this is the second reading of an ordinance that received a 4 to 1 approval vote at the last meeting, elimination of the Enhancement Fee was the main issue of discussion, and the First Amendment to the Development Agreement with Brookfield Dixon, LLC is now submitted for final approval.

Mayor Batchelor asked for public comments.

Councilmember Besneatte noted he would not have been in favor of the original vote to impose the Enhancement Fee, saw it as a bribe paid by developers, and supported undoing an action that was improper to begin with.

Councilmember Ceremello felt eliminating the Enhancement Fee would be letting the developer “off the hook” on something that was agreed to, the economy is the breaks of the real estate game, and the developer did receive benefit.

Vice Mayor Fuller noted nothing is being developed at this point, the Enhancement Fee was an extraordinary charge and not a bribe, and elimination of the fee enables the developer to proceed.

Mayor Batchelor noted changes can be made to development agreements, other fees and taxes will be realized, and this is an opportunity for development.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to adopt Ordinance No. 10-015 approving the First Amendment to the Development Agreement between the City of Dixon and Brookfield, LLC. Roll call was taken as follows:

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

**11.2 Waived reading, read by title only, and adopted an ordinance amending Appendix B of Chapter 6 of Article II of the Dixon City Code relating to Sewer Capital Facilities Fees to reflect changes in construction costs (2.9%).**

Royce Cunningham, City Engineer, noted this as the second reading of an ordinance heard at the last meeting, and offered to answer Council questions.

There were no questions from Council.

Mayor Batchelor asked for public comments.

There were no public comments.

There was no Council discussion.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Ordinance No. 10-016 amending Appendix B of Chapter 6 of Article II of the Dixon City Code relating to sewer capital facilities fees to reflect changes in construction costs. Roll call was taken as follows:

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

12. **NEW BUSINESS**

**12.1 Resolution accepting the Fiscal Year (FY) 2009-10 Annual Financial Report for the City of Dixon which includes the Independent Auditor's Report and the related reports, the Management Letter, and the Staff's Management Letter Response.**

Jeremy Craig, Finance and Technology Director, reviewed highlights of the Fiscal Year (FY) 2009-10 Annual Financial Report, noted the auditors stated that the financial records fairly represent the financial activities of the City and related agencies, issued an unqualified opinion on the financial statements, and discussed two Management Comments regarding update of the Purchasing Policy and use of the sole source form. Mr. Craig responded to Council questions.

Erica Pastor, supervising auditor for the last three years, noted the audit went very well this year, displayed a significant number of improvements and no significant deficiencies, and she complimented the Finance staff on a great job.

Mayor Batchelor asked for public comments.

Dave Scholl, Independent Voice, noted the figures confirm a 27% decrease in sales tax revenue and a decrease in retail sales that could eliminate profits for

many businesses and recommended the Council consider that when making future decisions.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 10-186 accepting the Fiscal Year 2009-10 Annual Financial Report of the City of Dixon with independent auditor's report and related reports. Roll call was taken as follows:

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

**12.2 Resolution authorizing the City Manager to execute a contract for website design and content management software with CivicPlus, Inc.**

Jeremy Craig, Finance and Technology Director, reported that the lowest bidder, CivicPlus, met all the City's needs in responding to the Request for Proposal, has more than a decade of experience with government entities, and is recommended for award of the contract for the City's website design. He noted the bid was significantly less than budgeted, discussed the pros and cons of traveling to the vendor's site in Kansas for training versus on-site training, and responded to Council questions.

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

Councilmember Besneatte complimented Mr. Craig on the \$20,000 savings and recommended staff travel to the vendor site for training to become familiar with the people making the product.

Councilmember Cayler also supported the option for travel to the vendor site.

Councilmember Ceremello felt networking with staff may be better on-site, but could support either option.

A motion was made by Councilmember Besneatte, seconded by Councilmember Cayler, to adopt Resolution No. 10-187 authorizing the City Manager to execute a contract for website design and content management software with CivicPlus, Inc. and authorizing staff to travel for training to the vendor site. Roll call was taken as follows:

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

The Council recessed for break at 8:58 p.m.

The Council reconvened at 9:04 p.m.

**12.3 Resolution relating to Downtown parking:**

- 1. Finding the modification of on-street and off-street parking to be categorically exempt from environmental review per Section 15301 of the California Environmental Quality Act (CEQA); and**
- 2. Establishing a “10-Minute Passenger Loading Zone” on the north side of West B Street immediately west of North First Street; and**
- 3. Removing the existing “2-Hour Parking” time limits for the diagonal parking on the west side of North Jackson Street between West A Street and West B Street.**

Jason Riley, Associate Engineer, displayed a site map of the parking areas reviewed by the Transportation Advisory Commission at their September and October 2010 meetings, discussed recommendations they supported that included a passenger loading zone, parking time limit changes, and a reduction of long-term parking by six spaces in the municipal lot, and their lack of recommendation for one-way traffic on West B Street at North Jackson Street. He responded to Council questions.

Councilmember Cayler noted Vicki Azevedo, Cindy’s Beauty Shop, was unable to attend and relayed her message that parking is needed for employees and business owners on the near side of the railroad tracks, and recommended four-hour parking on side streets.

Mayor Batchelor asked for public comments.

Dave Scholl, Independent Voice, suggested changing two or three patient-only parking spaces to diagonal spaces.

Byron Chapman suggested incorporating the city-owned lumber lot directly across from the tea room for parking instead of removing two-hour parking.

Larry Simmons noted that whatever development is done with the dirt lot across from the buildings, one more row of parking needs to be incorporated.

Councilmember Ceremello did not support the ten-minute loading zone because it removes one longer-term parking space.

Motions were made to adopt Resolution No. 10-188 as follows:

A motion was made by Councilmember Ceremello, seconded by Councilmember Cayler, finding the modification of on-street and off-street parking to be categorically exempt from environmental review per Section 15301 of the California Environmental Quality Act (CEQA). Roll call was taken as follows:

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

A motion was made by Councilmember Besneatte, seconded by Mayor Batchelor, establishing a “10-Minute Passenger Loading Zone” on the north side of West B Street immediately west of North First Street. Roll call was taken as follows:

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

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to remove the existing “2-Hour Parking” time limits for the diagonal parking on the west side of North Jackson Street between West A Street and West B Street. Roll call was taken as follows:

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

**12.4 Waived reading, read by title only, and introduced an Ordinance adding Section 9.01.020.CC to Section 9.01.020 of Chapter 9.01 of Title 9 of the Dixon Municipal Code and adding Part 7 to Chapter 9.01 of Title 9 of the Dixon Municipal Code relating to the registration and maintenance of abandoned residential properties.**

Steve Bird, Police Captain, provided background of problems relating to maintenance of abandoned residential properties, enforcement difficulties with institutions holding deeds, types of violations addressed, and introduced the ordinance that is intended to coincide with the City’s overall enforcement program for eliminating blight. He responded to Council questions.

Councilmember Besneatte noted the ordinance was patently outrageous, unfair to people already losing their homes, and he saw no need to address situations already governed by State law.

Councilmember Ceremello noted the weed abatement ordinance covers such situations, the ordinance does nothing to help locate owners, and there is a problem with equal enforcement.

Jon Cox, Chief of Police, noted delays can cause blight and safety issues that should be the bank’s responsibility to fix.

Michael Dean, City Attorney, noted the ordinance enables action against banks as an additional responsible party when notices of default are filed and notices must be specific to a known owner.

Nancy Huston, City Manager, noted the ordinance puts the banks on notice that the City is actively involved and results in a better response, and we are one of the few cities who don't have an ordinance in place.

Mayor Batchelor noted that he trusts staff judgment as to need for the ordinance.

Councilmember Cayler noted banks are large institutions that can be tracked easier than individuals.

Mayor Batchelor asked for public comments.

Thom Bogue asked if the County can be requested to send notice of default.

Larry Simmons asked about the percentage of institutions that are difficult to locate and noted fines should be issued rapidly.

Byron Chapman noted abandoned properties are the issue that need to be incorporated for ordinances already in place.

Councilmember Besneatte objected to the ordinance on fundamental grounds and asked if his ability to bring back for repeal would be restricted if he votes against it and the ordinance is adopted.

Mr. Dean confirmed that Councilmember Besneatte would have the ability to request to repeal.

Vice Mayor Fuller noted the ordinance applies to institutions, not former property owners, and has merits as a tool for Police enforcement in certain safety situations.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to approve an ordinance adding Section 9.01.020.CC to Section 9.01.020 of Chapter 9.01 of Title 9 of the Dixon Municipal Code and adding Part 7 to Chapter 9.01 of Title 9 of the Dixon Municipal Code relating to the registration and maintenance of abandoned residential properties. Roll call was taken as follows:

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

**12.5 Resolutions approving Memorandums of Understanding and Compensation Plans:**

1. **A Memorandum of Understanding (MOU) with the Public Employees Union, Local One, for the period of July 1, 2010, through June 30, 2012.**
2. **A Memorandum of Understanding (MOU) with the Dixon Senior Management Association for the period of July 1, 2010, through June 30, 2011.**
3. **An Updated Compensation Plan for the Confidential Senior Management Classifications through June 30, 2011.**
4. **An Updated Compensation Plan for the Non-Management Confidential Employees through June 30, 2012.**
5. **An Updated Compensation Plan for Temporary/Seasonal Employees.**

Steve Johnson, Human Resources Director, reported that the proposed Memorandums of Understanding and Compensation Plans are not perfect agreements, labor negotiators worked hard to incorporate reasonableness and economic considerations, and actions will not end with approval but will continue to evolve many years into the future.

Councilmember Ceremello noted the net savings in two years is only \$40,000, that Senior Management in Vacaville recently took pay decreases of \$200,000, it is unfair to ask Police and Fire to take pay cuts when others are not, and Council is being asked to approve agreements that will tie their hands in negotiating for two years. He noted Councilmembers will be changing, the Council that is going to be in place for two years should make the decision, and he would vote to approve for the sole purpose of bringing the decision back for reconsideration after the Council changes at the next meeting.

Vice Mayor Fuller and Councilmember Cayler noted negotiations had been done in good faith for a year and serious concessions were made.

Councilmember Besneatte found the fact that a decision is being requested before the new Councilmember is sworn outrageous, ethically objectionable, and an effort to tie the Council's hands, and noted he would vote in favor in order to immediately ask for reconsideration at the next meeting.

Mayor Batchelor noted no complaints were received about furlough days or reductions in City services, items included in negotiations were at the behest of every member of the Council, and acknowledged Councilmember Besneatte's intention to reconsider at the next Council meeting.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to adopt Resolution No. 10-189 approving a Memorandum of Understanding with the Public Employees Union, Local One, for the period of July 1, 2010, through June 30, 2012. Roll call was taken as follows:

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

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to adopt Resolution No. 10-190 approving a Memorandum of Understanding (MOU) with the Dixon Senior Management Association for the period of July 1, 2010, through June 30, 2011. Roll call was taken as follows:

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

A motion was made by Mayor Batchelor, seconded by Vice Mayor Fuller, to adopt Resolution No. 10-191 approving an updated Compensation Plan for the Confidential Senior Management Classifications through June 30, 2011 and an updated Compensation Plan for the Non-Management Confidential Employees through June 30, 2012. Roll call was taken as follows:

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

A motion was made by Mayor Batchelor, seconded by Vice Mayor Fuller, to adopt Resolution No. 10-192 approving an updated Compensation Plan for the Temporary/Seasonal Employees. Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

None.

14. **ITEMS FROM THE CITY ATTORNEY**

None.

15. **ITEMS FROM THE CITY MANAGER**

15.1 Nancy Huston, City Manager, reported that she will be scheduling the first Dixon/Solano Water Authority Meeting and suggested December 20<sup>th</sup> as a possible date.

Councilmember Ceremello commented that December is not the best month for the meeting due to the holidays.

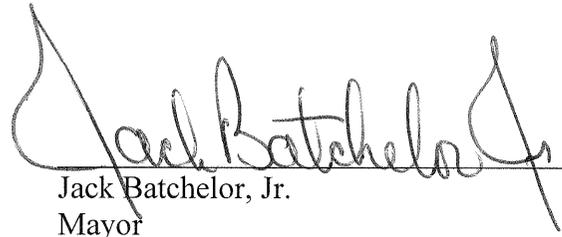
15.2 Ms. Huston announced that receptions will be held for outgoing and incoming councilmembers at 6:00 p.m. before the December 13<sup>th</sup> and 14<sup>th</sup> meetings.

16. **CLOSED SESSION**

17. **ADJOURNMENT**

The Regular Meeting of the City Council adjourned at the hour of 11:00 p.m.

  
\_\_\_\_\_  
Sue Johnston  
Deputy Clerk

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