



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

NOVEMBER 10, 2009

1. **CALL TO ORDER**

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 10, 2009, Mayor Batchelor.

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

Absent: *Councilmember Michael Ceremello, Jr.

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

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Pursuant to Subdivision(a) of Government Code Section 54956.9)

Name of Case: Joy Williamson v. City of Dixon
WCAB Case Nos. ADJ1876381, ADJ3136753, and ADJ2128251

2. **CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

City Negotiators: Nancy Huston, Michael Dean, and Steve Johnson

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

Mayor Batchelor noted there was no public comment because there was no one from the public present.

The City Council recessed into Closed Session at 6:03 p.m.

*Councilmember Ceremello arrived at 6:08 p.m.

The City Council reconvened into Open Session at 7:00 p.m.

The Regular Meeting of the Dixon City Council was convened at the hour of 7:00 p.m.

Mayor Batchelor reported that the City Council had met in Closed Session starting at 6:00 p.m. on the subjects listed above and there was no reportable action on either item.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Batchelor.

3. **ROLL CALL**

Present: Besneatte, Cayler, Ceremello, Fuller, Batchelor

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None

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

5.1 Devon Minnema, Young Americans for Liberty of Dixon High School, invited the Council to a Liberty Forum on November 13th.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Councilmember Besneatte reported about attending the Solano Economic Development Corporation (EDC) Breakfast, the Epicurean Fete, and the Spooktacular at Ramtown Karate. He recognized the servicemen away from home and those who have given their lives for their country.

6.2 Councilmember Cayler reported about attending the Solano EDC Breakfast, Senior and Disabled Summit, Solano Transportation Authority Awards Dinner, the Epicurean Fete, and Chamber of Commerce Board meeting. Also, she announced the upcoming Veterans Dinner on November 14th and the Dixon Family Services' anniversary celebration on November 20th.

- 6.3 Councilmember Ceremello noted the Parks and Recreation Commission approved having their meetings bi-monthly until July 2010. He congratulated those winning their election to the Solano Irrigation Board and Dixon Unified School District Board. He discussed an English Bulldog incident which may lead to non-rental of a City facility, a letter received from Ginger Emerson regarding that incident and Councilmembers not attending a gang awareness meeting, and concern about gangs in Dixon.
- 6.4 Vice Mayor Fuller acknowledged Veteran's Day for all veterans and those serving in the armed forces.
- 6.5 Mayor Batchelor reported that the Yolo-Solano Air Quality Board and Solano Transportation Authority did not meet this month. He reported attending the Senior and Disabled Summit and thanked staff who organized the Summit. Also, he attended the ribbon cutting for the High Occupancy Vehicle (HOV) lane opening. He noted the gang awareness meeting was organized by the Dixon Ministerial Association and felt that at times it is better for elected officials to not attend this type of meeting because it may stifle dialogue. He felt there will be future meetings and will do what is necessary for the safety of Dixon.

7. **ITEMS FROM THE CITY TREASURER**

The City Treasurer was not present.

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

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

Ayes: Besneatte, Cayler, Ceremello, Fuller, Batchelor
Noes: None
Abstain: None
Absent: None

9. **CONSENT CALENDAR**

Relating to Item 9.5, Councilmember Ceremello asked why funds were not being taken from the Equipment Replacement Fund. Fire Chief Frank Moore replied funding would be reimbursed from the Office of Emergency Services.

Relating to Item 9.4, Councilmember Besneatte noted a fee increase is due in January 2010 and that a new matrix has not been received.

A motion was made by Councilmember Cayler, seconded by Vice Mayor Fuller, to adopt 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 September 22, 2009, meeting.**
- 9.2 **Adopted Resolution No. 09-177 approving the Enumeration of Claims.**
- 9.3 **Adopted Resolution No. 09-178 approving the Local Appointment List for 2010.**
- 9.4 **Waive reading, read by title only, and adopted Ordinance No. 09-023 confirming the Planning Commission's recommendation to amend Chapter 12, Article II, of the Dixon City Code relating to permitted and conditional uses, Design Review Commission, off-street parking space requirements, and adding a Community Commercial Zoning District. (Omnibus IV) (ZON 09-06) (Introduced 10-27-09 #11.1)**
- 9.5 **Adopted Resolution No. 09-179 authorizing the Fire Department to acquire equipment from the Solano County Office of Education's former Regional Occupational Program (ROP), amending the Fiscal Year (FY) 2009-10 General Fund budget in the amount of \$8,962, and authorizing expenditure. (Budget Adjustment No. 2009-10-10-02)**
- 9.6 **Adopted Resolution No. 09-180 authorizing a budget amendment and an agreement amendment with Central Valley Environmental, Inc., for pre-remediation testing at the Municipal Service Center located at 285 East Chestnut Street, cost not to exceed \$41,000. (Budget Adjustment No. 2009-10-05-01)**

10. **PUBLIC HEARINGS**

- 10.1 **Matters relating to Chapter 12 of the Dixon City Code relating to Telecommunication Facilities: (PA 09-08) (ZON 09-05) (Zoning Ordinance)**
 1. **Resolution approving a Negative Declaration.**
 2. **Ordinance amending Section 12.16 relating to General Provisions and Exceptions of antennas and transmission towers and adding Section 12.34 relating to telecommunication facilities.**

Dave Dowswell, Community Development Director, presented the background of the report. He reported that Bill Paul, a local HAM operator, spoke at the Planning Commission hearing and expressed concern about how the ordinance might affect operators and suggested a number of minor changes that the Commission supported. He distributed the revised ordinance, reviewed the changes, and responded to Council questions.

Mayor Batchelor opened the public hearing.

Bill Paul supported HAM radio operators being exempt or to approve the language proposed in the amendment and responded to Council questions.

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

Councilmember Ceremello favored HAM radio operators being exempt from the ordinance.

Vice Mayor Fuller requested a definition of HAM radio operator/operation.

A motion was made by Councilmember Ceremello, seconded by Councilmember Besneatte, to amend the ordinance to exempt amateur HAM radio operators and return the ordinance for a first reading. Roll call was taken as follows:

Ayes:	Besneatte, Ceremello, Fuller
Noes:	Cayler, Batchelor
Abstain:	None
Absent:	None

11. **UNFINISHED BUSINESS**

None

12. **NEW BUSINESS**

12.1 **Matters relating to Dixon-Solano Municipal Water Service (DSMWS):**

1. **Resolution approving the final draft Financial Plan and Water Rate Study, dated October 6, 2009, prepared by the Reed Group, Inc., identifying programs, projects, and a financial plan for water system operations, maintenance, and financial planning.**
2. **Resolution setting Monday, January 11, 2010, for a public hearing on proposed increases to DSMWS water rates and authorizing the City Clerk to begin the notice process for the hearing.**

Royce Cunningham, City Engineer, showed the DSMWS service area and discussed the cash flow of rates through its operating funds, the decrease in funds, and changes of each fund. He discussed the funds spent on the 2006 Rehabilitation Fund for Watson Ranch and noted the net assets for each fund. Mr. Cunningham expressed concern because providing good water to citizens is a public health issue and not having adequate funding if something goes wrong with the system.

Bob Reed, The Reed Group, Inc., discussed the development of the financial plan and rate study and assumptions used. He noted the last study was completed ten years ago and the rates were decreased 25%. He discussed correcting the deficit and providing funding for rehabilitation projects that would be identified by Solano Irrigation District (SID). Mr. Reed discussed the recommendation of gradually increasing water rates by 9% per year for five years and the proposed rate schedule. He noted that SID supported the study and one SID Director expressed concern that the rate increase may be too low.

Mr. Cunningham noted that staff recommendation is to gradually increase water rates for three years and then review before going forward, but this recommendation would reduce the amount for the rehabilitation fund.

Mr. Reed and Mr. Cunningham responded to Council questions.

Mayor Batchelor asked for public comment.

Ourania Riddle asked which restaurant(s) are going out of business in DSMWS and noted a couple of restaurants closed and less water being used.

Mike Floyd, Dixon Taxpayers Association President, discussed their financial interest, the current economic climate, water rate increases during this time, advised about exercising transparency with management of costs, using cost control, not shifting expenses to ratepayers, knowing costs to budget and projects, why management expenses are included, and felt the budget and accounting should be "squeaky clean".

Larry Simmons did not understand the information relating to depreciation.

Drew Graska felt there are flaws in the analysis, there should be reductions in operating costs, discussed the comparison to surrounding cities, mis-management, the lack of a plan, and felt operating costs should be reviewed.

Councilmembers held a lengthy deliberation.

Nancy Huston, City Manager, reported this is critical and a health and safety issue. If a pipe breaks, there is no money to fix it. The hearing information must include the rate amount and timeframe. She noted that both agencies are looking at ways to reduce costs by line item. She recommended the Council accept the Reed study and set the hearing.

Councilmember Ceremello had problems with the Reed study and suggested a review of cost reductions and balancing the budget. Mr. Ceremello noted he needs to have answers to his questions.

Robert Anders suggested creating a subcommittee.

Mr. Simmons asked if DSMWS is operating in the "red". Ms. Huston replied yes.

Mayor Batchelor recommended this item be continued to December 1, 2009, and recommended the SID Chief Executive Officer attend the meeting.

A motion was made by Councilmember Cayler, seconded by Councilmember Besneatte, to continue this item to December 1, 2009. Roll call was taken as follows:

Ayes:	Besneatte, Cayler, Ceremello, Fuller, Batchelor
Noes:	None
Abstain:	None
Absent:	None

The City Council recessed for a break at 9:55 p.m.

The City Council reconvened the meeting at 10:04 p.m.

12.2 Matters relating to subdivision regulations:

- 1. Ordinance repealing Chapter 10 of Article II of the Dixon City Code relating to subdivision regulations.**
- 2. Ordinance adding Title 17 to the Dixon Municipal Code relating to subdivision regulations.**

Janet Koster, Senior Management Analyst, presented the background of the project and discussed the reasons for the changes to the subdivision regulations. She reviewed typical development sequences, proposed changes for Lot Line adjustments, tentative/final maps, and tentative/parcel maps. She discussed passive heating/cooling, next steps, and responded to Council questions.

Mayor Batchelor asked for public comment.

Larry Simmons felt the public will have less opportunity to become aware of projects and was uneasy with that.

Ginger Emerson discussed public input regarding old town, the Community Development Director approving duplexes, and the appeal process.

Councilmember Ceremello expressed concern about the tentative map process.

Mr. Dowswell noted that if there are concerns with large projects, the process can be left the same.

Mr. Simmons felt leaving the process would allow public comment.

Michael Dean, City Attorney, recommended the changes be returned for the first reading of the ordinance.

Ms. Emerson noted the older neighborhood has concerns with the subdivision ordinance relating to lots being subdivided.

By consensus of the Council, this item was continued to December 8, 2009.

12.3 Matters relating to amendments to the City of Dixon Engineering Standards and Specifications:

- 1. Resolution approving a Negative Declaration of environmental impact for the Engineering Standards and Specification amendments.**
- 2. Resolution amending the Engineering Design Standards and Construction Specifications.**

This item was continued to November 24, 2009.

12.4 Resolution authorizing execution of a purchase agreement with Granicus, Inc., for on-line streaming and archiving of City Council meetings, ATT Calnet II Internet service, installation costs of \$11,736.34, ongoing monthly service costs, and implementation of the purchase. (AG 09-040A)

Jeremy Craig, Finance and Technology Director, noted to increase transparency and access, Internet streaming is recommended. He discussed using the State contract process and that the Council and Commission meetings would be video streamed. Mr. Craig responded to Council questions.

Mayor Batchelor asked for public comment.

Tom Bogue discussed the cost and suggested tracking the number of people who watch the meetings.

Ginger Emerson confirmed that DVD of meetings would still be available.

Jim Antis, Video Technician, noted he is familiar with the program and know they provide support.

A motion was made by Councilmember Besneatte, seconded by Councilmember Cayler, to adopt Resolution No. 09-182 authorizing execution of a purchase agreement with Granicus. 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, noted City offices will be closed for Veterans' Day and announced there will be a neighborhood cleanup in the Newgate area on November 14th.

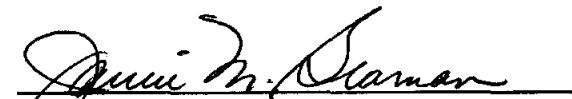
16. **CLOSED SESSION**

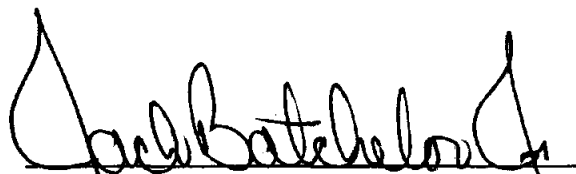
None

17. **ADJOURNMENT**

The City Council meeting adjourned at the hour of 11:25 p.m.

ATTEST:


Janice Beaman, CMC
City Clerk


Jack Batchelor, Jr.
Mayor