



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON REDEVELOPMENT AGENCY

AUGUST 25, 2009

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was convened at the hour of 7:00 p.m. in the Council Chambers on August 25, 2009, by Mayor Batchelor.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Batchelor.

3. **ROLL CALL**

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

Absent: None

Mayor Batchelor asked for a moment of silence remembering the passing of Herb Miller and Mary Louise Taber. A moment of silence was taken.

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None

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

5.1 Dana Foss, Lambtown Association, thanked the Council for being a sponsor and distributed Lambtown shirts.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Councilmember Besneatte noted a constituent asked if automatic bill paying is available and if there is a program for free paint to cover graffiti.

- 6.2 Councilmember Cayler reported about attending the Travis Regional Armed Forces Committee (TR AFC) meeting and Transportation Advisory Commission (TAC) meeting, and noted that Solano County won Best of Show for County Exhibits for the fifth time in a row at the California State Fair.
- 6.3 Councilmember Ceremello discussed a recent emergency message distributed not being in Spanish and using unknown terminology, closing of the Gretchen Higgins Elementary School gate, reported about attending the Planning Commission meeting, and noted his support for the Lambtown Festival.
- 6.4 Mayor Batchelor reported about attending the Yolo-Solano Air Quality Management District meeting and air monitoring in Dixon.

7. **ITEMS FROM THE CITY TREASURER**

None

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

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

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

9. **CONSENT CALENDAR**

Councilmember Cayler requested an abstention vote be cast for Item 9.1.

Councilmember Besneatte requested Items 9.6 and 9.10 be considered separately from the Consent Calendar. Regarding Item 9.5, Councilmember Besneatte asked if the study is necessary before the changes are made. Jeff Matheson replied yes, the capacity of the well is needed.

Councilmember Ceremello requested Item 9.8 be considered separately from the Consent Calendar.

A motion was made by Councilmember Besneatte, seconded by Vice Mayor Fuller, to approve the Consent Calendar, except Items 9.6, 9.8, and 9.10. Roll call was taken as follows:

Ayes: Besneatte, Cayler, Ceremello, Fuller, Batchelor
Noes: None
Abstain: Cayler (Item 9.1 only)
Absent: None

- 9.1 **Approved the City Council Minutes for the July 14, 2009, meeting.**
- 9.2 **Adopted Resolution No. 09-138 approving the Enumeration of Claims.**
- 9.3 **Adopted Resolution No. 09-139 accepting a donation of \$2,000 from Salad Cosmo USA to the Dixon Fire Department and authorizing use of funds for Emergency Medical Equipment. (Budget Adjustment No. 2009-10-07-01)**
- 9.4 **Adopted Resolution No. 09-140 declaring a Type 1 Fire engine, Unit #607, as surplus and authorizing the Fire Chief and City Manager to negotiate the best available terms for its sale. (VIN 11VVB8642LA000031) (Budget Adjustment No. 2009-10-07-02)**
- 9.5 **Adopted Resolution No. 09-141 amending the Recreational Capital Improvement Fund 480, in the amount of \$6,000, to complete an evaluation of the irrigation well in Hall Park.**
- 9.6 **Resolution awarding the North Almond Street Rehabilitation Project (Project #2009-01) to JD Pasquetti Engineering, Inc., in the amount of \$210,724.50, and authorizing expenditures up to \$300,000. (Federal-Aid Project #ESPL-5056(016)**

See Minutes on Page 4.
- 9.7 **Adopted Resolution No. 09-143 accepting the Engineering Offices Re-roof Project (Project #2009-05) as complete and authorizing the City Clerk to file a Notice of Completion.**
- 9.8 **Minute action approving the Mayoral appointment of Councilmember Kay Fulfs Cayler to the Solano Transportation Authority (STA) Regional Transportation Impact Fee (RTIF) Stakeholders Committee.**

See Minutes on Page 5.

- 9.9 **Waived reading, read by title only, and adopted Ordinance No. 09-021 approving the Development Agreement with CFJ Properties and Flying J, Inc., relative to the use and development of Assessor Parcel Numbers 111-010-070, 111-010-080, and 111-050-090 for the CFJ Properties, also known as the Flying J Travel Plaza Project. (Introduced 08-11-09 #11.1) (AG09-033)**
- 9.10 **Resolution authorizing acceptance of \$280,152 in grant funding administered by the U.S. Department of Justice, Community Oriented Policing Services (COPS) through the American Recovery and Reinvestment Act of 2009, the Chief of Police to execute the agreement and program documents, and Budget Adjustment No. 2009-10-08-02.**

See Minutes for this item below.

9.6 **TAKEN OUT OF ORDER**

Resolution awarding the North Almond Street Rehabilitation Project (Project #2009-01) to JD Pasquetti Engineering, Inc., in the amount of \$210,724.50, and authorizing expenditures up to \$300,000. (Federal-Aid Project #ESPL-5056(016)

Councilmember Besneatte expressed concern about authorizing expenditures up to \$300,000. He suggested authorizing an expenditure up to \$215,000, and if the cost is exceeded to return to Council for approval. Royce Cunningham, City Engineer, noted to contractors time is money and typically there is not enough time to return to Council without an astronomical cost charged by the contractor.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 09-142 awarding the North Almond Street Rehabilitation Project to JD Pasquetti Engineering, Inc. (AG09-032). Roll call was taken as follows:

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

9.10 **TAKEN OUT OF ORDER**

Resolution authorizing acceptance of \$280,152 in grant funding administered by the U.S. Department of Justice, Community Oriented Policing Services (COPS) through the American Recovery and Reinvestment Act (ARRA) of 2009, the Chief of Police to execute the agreement and program documents, and Budget Adjustment No. 2009-10-08-02.

Councilmember Besneatte expressed concern that at the end of three years the City would be obligated to keep the employee hired.

Police Captain Tony Welch felt through attrition and turnover that there would not be a problem.

Councilmember Ceremello opposed using of ARRA funding.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 09-144 accepting grant funds for Community Oriented Policing. (AG09-034). Roll call was taken as follows:

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

9.8 **TAKEN OUT OF ORDER**

Minute action approving the Mayoral appointment of Councilmember Kay Fulfs Cayler to the Solano Transportation Authority (STA) Regional Transportation Impact Fee (RTIF) Stakeholders Committee.

Councilmember Ceremello asked how Councilmember Cayler voted on the recent transportation measure, felt the committee would use funding for “pet projects”, and could not support Councilmember Cayler for this position.

Councilmember Besneatte felt Councilmember Cayler would take action consistent with her integrity.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to approve Councilmember Cayler to serve on the RTIF Stakeholders Committee. Roll call was taken as follows:

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

10. **PUBLIC HEARINGS**

10.1 **Resolution certifying Environmental Impact Report (EIR), adopting findings relating to the Statement of Overriding Consideration, and the Mitigation Monitoring Plan for Parkway Boulevard Railroad Grade Separation Project, consisting of the extension of Parkway Boulevard from Valley Glen Drive to Pitt School Road, including the construction of an overcrossing over the Union Pacific Railroad tracks and Porter Road.**

Jason Riley, Associate Engineer, discussed the project background, location, needs, the California Environmental Quality Act (CEQA) relating to the EIR process, and the National Environmental Policy Act (NEPA) process. He noted four public meetings/workshops and multiple one-on-one meetings were held. Mr. Riley discussed the alignment alternatives, the environmental technical documents, traffic, and traffic lane configurations. He further discussed the environmental impacts and mitigations, land acquisition, design review, funding, schedule, Planning Commission and Council action, and introduced Chris Hodge, consultant from TY Lin, International. Mr. Riley and Royce Cunningham, City Engineer, responded to Council questions.

Mike Morgan stated he did not receive the EIR, did not understand about the flooding, and that no response was received about his concerns including horses, lights, dirt, and dust.

Michelle Parillo stated everything she does with her horses will be impacted and the location of the overpass will destroy her horses.

Mary Ann Montague expressed concern about the safety of the high school students and did not see the inclusion of bicycle lanes.

Mr. Morgan discussed quarter horses needing quiet and that the Final EIR does not respond to whether there will be any contamination to his well.

Mayor Batchelor responded that the EIR says there is no significant impact to groundwater degradation.

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

The Council held a lengthy discussion/deliberation and Mr. Riley, Mr. Cunningham, and City Attorney Michael Dean responded to questions.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 09-145 certifying Environmental Impact Report (EIR), adopting findings relating to the Statement of Overriding Consideration, and the Mitigation Monitoring Plan for the Parkway Boulevard Railroad Grade Separation Project. Roll call was taken as follows:

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

11. **UNFINISHED BUSINESS**

11.1 **Resolution authorizing purchase of a 2009 Ford F250 Utility Truck for the Wastewater Division from Ron DuPratt Ford, in the amount not to exceed \$21,318.**

Royce Cunningham, City Engineer/Director of Utilities, discussed the background of the purchase of a truck and responded to Council questions.

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

A motion was made by Councilmember Cayler, seconded by Councilmember Besneatte, to adopt Resolution No. 09-146 authorizing purchase of a 2009 Ford F250 Utility Truck from Ron DuPratt Ford. 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 9:04 p.m.

The City Council reconvened the meeting at 9:10 p.m.

12. **NEW BUSINESS**

12.1 **Resolution authorizing the City Manager to take all necessary actions to implement the Fiscal Year (FY) 2009-10 budget revisions and approving Budget Adjustment No. 2009-10-08-01.**

Jeremy Craig, Finance and Technology Director, discussed the unaudited fiscal year end revenues, expenditures, fund balance and reserves as of June 30, 2009, expenditure and revenue comparisons from 2007 through 2010, proposed budget reductions for FY 2009-10, impacts from State Proposition 1A borrowing, and the staff recommendations. Mr. Craig responded to Council questions.

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

Following Council deliberation, a motion was made by Councilmember Besneatte, seconded by Councilmember Cayler, to adopt Resolution No. 09-147 authorizing the City Manager to take all necessary actions to implement the FY 2009-10 budget revisions and approving budget adjustments. Roll call was taken as follows:

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

12.2 Minute action authorizing staff to implement the General Plan Update Work Program for FY 2009-10.

Dave Dowswell, Community Development Director, reported the Housing Element has been certified, discussed funding remaining in the budget, tasks proposed to use funding, and responded to Council questions.

Mayor Batchelor asked for public comments.

Jack Caldwell, General Plan Advisory Committee (GPAC) Chairman, requested support to continue GPAC, even in a limited capacity.

Marshall Drack discussed segregated funds for a housing survey and a scientific survey and supported GPAC continuing forward.

Tiffany Wing, GPAC Vice Chair, agreed with Mr. Drack and asked the Council to continue GPAC, and supported review of several elements.

After Council deliberation, a motion was made by Councilmember Ceremello, seconded by Councilmember Cayler, to authorize developing a General Plan template and to proceed with the Air Quality and Energy Element. Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

13.1 **Redevelopment Agency Resolution amending the FY 2009-10 Annual Budget for the Redevelopment Agency reflecting the State impact of confiscation of \$767,665 to assist in balancing the State's fiscal budget. (Budget Adjustment No. 2010-01)**
(Continued from 08-25-09 #13.1)

See Redevelopment Agency Minutes for August 25, 2009.

14. **ITEMS FROM THE CITY ATTORNEY**

None

15. **ITEMS FROM THE CITY MANAGER**

15.1 Nancy Huston, City Manager, announced a "Shop Smart" flyer will be included in utility bills with hope that residents will shop local and generate revenue for the City.

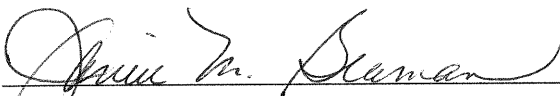
16. **CLOSED SESSION**

None

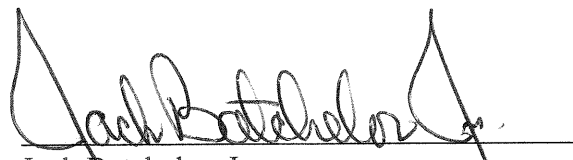
17. **ADJOURNMENT**

The City Council meeting adjourned at the hour of 10:07 p.m.

ATTEST:



Janice Beaman, CMC
City Clerk



Jack Batchelor, Jr.
Mayor