



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL

JUNE 23, 2009

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 June 23, 2009, by Vice Mayor Fuller.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Mayor Rick Fuller.

3. **ROLL CALL**

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

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **Certificate of Appreciation for Sandra Sato, Interim Finance and Technology Director.**

Nancy Huston, City Manager, presented a Certificate of Appreciation to Ms. Sato and thanked her for the outstanding work she had done for the City of Dixon.

*Councilmember Ceremello arrived at 7:07 p.m.

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

5.1 Debbie Egleio, Solano County Fair, invited everyone to the Solano County Fair celebrating their 60th Birthday, from July 23rd through July 26th.

5.2 Dave Scholl requested the veterans' exemption for business licenses be placed on the City Council agenda. He also noted the review committee agreed to the garage sale fees at \$5.00, it was inadvertently approved at \$7.50, and requested that be brought back for approval.

- 5.3 Larry Simmons discussed seeing a patio-like area on lots while visiting Winters and felt that vacant lots downtown could be used in a similar way.

Dave Scholl replied that the Redevelopment Advisory Committee is working on those type improvements. He also thanked Ms. Sato for her work in Dixon.

6. **ITEMS FROM THE CITY COUNCIL**

- 6.1 Councilmember Besneatte reported participating in the Relay for Life and Rotary Pancake Breakfast, announced upcoming events of Concerts in the Park, Farmers' Market, and Movies in the Park, and encouraged everyone to attend.

Councilmember Besneatte discussed a letter received from Atkinson Storage and asked for the matter to be placed on the Council agenda. Nancy Huston, City Manager, replied that the Transportation Advisory Commission (TAC) should consider the matter first. Councilmember Cayler noted the next TAC meeting will be August 19th.

Councilmember Besneatte commented on feedback he received about questioning people somewhat aggressively. He noted his experience being a trial lawyer, that he does not mean to do that or to humiliate anyone or to make people feel that their efforts are not appreciated. He apologized if he had, it is not his goal, and noted he is still learning.

- 6.2 Councilmember Cayler reported attending the Travis Regional Armed Forces Committee (TRAFAC) meeting, announced the California Capital Air Show will be held on September 12th and 13th, and encouraged everyone to attend the Farmers' Market.
- 6.3 Councilmember Ceremello noted the Flying J Project not being on the upcoming agenda list, reported about attending the Parks and Recreation Commission and Planning Commission meetings, and encouraged everyone to attend the Concerts in the Park.

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 Councilmember Cayler, seconded by Councilmember Besneatte, to approve the agenda, as presented. Roll call was taken as follows:

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

9. **CONSENT CALENDAR**

Relating to Item 9.10, Councilmember Ceremello had asked to attend labor negotiation meetings and was rejected. After a brief discussion, he requested the matter be placed on the Council agenda for discussion.

A motion was made by Councilmember Ceremello, seconded by Councilmember Besneatte, to approve the Consent Calender. Roll call was taken as follows:

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

9.1 **Matter relating to City Council Minutes:**

1. **Approved Regular Meeting Minutes for May 12, 2009, meeting.**
2. **Approved Special Meeting Minutes for May 18, 2009, meeting.**

9.2 **Adopted Resolution No. 09-103 approving the Enumeration of Claims, including Monthly Financial Report.**

9.3 **Adopted Resolution No. 09-104 ratifying the Fire Department's application to the Federal Emergency Management Agency (FEMA) for 2009 Assistance to Firefighters Grant (AFG) Program for Self-Contained Breathing Apparatus (SCBA), in the amount of \$163,905 and a 10% match in the amount of \$16,390.**

9.4 **Adopted Resolution No. 09-105 approving a Memorandum of Understanding (MOU) with the Solano County Sheriff's Department for providing temporary and special event law enforcement services through June 30, 2012. (AG09-026)**

9.5 **Waived reading, read by title only, and adopted Ordinance No. 09-018 amending Chapter 16 of the Dixon City Code, relating to use of skateboard and bicycle facilities in City parks.**

9.6 **Adopted Resolution No. 09-106 amending Section 4.5.5.5(7) of the Dixon Personnel Rules relating to approval of Leave Without Pay.**

- 9.7 **Approved minute action designating Royce Cunningham, City Engineer; Janet Koster, Senior Management Analyst; and Michael Dean, City Attorney; as the City's negotiating team for the acquisition of easements for groundwater monitoring wells in the vicinity of the Wastewater Treatment Plant.**
- 9.8 **Adopted Resolution No. 09-107 authorizing an Agreement Amendment with Central Valley Environmental for groundwater monitoring and in-situ remediation pilot testing and permitting, not to exceed \$30,200.**
- 9.9 **Matters relating to Investments:**
 - 1. **Adopted Resolution No. 09-108 approving the Investment Strategy for the period ending July 1, 2009, and accepting the Investment Report for the period ending March 31, 2009.**
 - 2. **Adopted Resolution No. 09-109 approving the Investment Policy for FY 2009-10.**
- 9.10 **Identified City Manager Nancy Huston, City Attorney Michael Dean, and Human Resources Director Steve Johnson as Labor Negotiators relating to matters pertaining to the Dixon Senior Management Association, Dixon Professional Firefighters Association, and Public Employees Union, Local 1.**

10. **PUBLIC HEARINGS**

None

11. **UNFINISHED BUSINESS**

None

12. **NEW BUSINESS**

- 12.1 **Resolution authorizing the City Attorney to cooperate with the League of California Cities, other cities, and counties in litigation challenging the constitutionality of any seizure by State Government of the City's Street Maintenance Funds and authorize the Mayor to sign a coalition letter in opposition to the proposed use of local gas tax funds.**

Jeff Matheson, Public Works and Community Services Director, reported about the State Budget crisis, their proposed take-away of Highway Users Tax Accounts (HUTA) funds from local agencies, and discussed joining other cities and counties in litigation challenging the constitutionality of seizure of the funds. Mr. Matheson, City Attorney Michael Dean, and City Engineer Royce Cunningham responded to Council questions.

Vice Mayor Fuller asked for public comment.

Dave Scholl strongly opposed the State taking funds and felt they are “stealing”. He suggested telling State representatives that if they vote for the shifting of funds, that they will not be supported in the next election.

Following Council discussion, a motion was made by Councilmember Cayler, seconded by Councilmember Besneatte, to adopt Resolution No. 09-110 authorizing the City Attorney to cooperate with the League of California Cities in the litigation challenge. Roll call was taken as follows:

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

12.2 Support letter for AB 715 (Caballero) that authorizes cities to post ordinances on the website in lieu of publishing ordinances in the newspaper.

Janice Beaman, City Clerk, reported AB 715 would authorize cities to post ordinances on their website in lieu of publishing ordinances in the newspaper.

Vice Mayor Fuller asked for public comment.

Larry Simmons noted everyone is not computer literate and opposed the proposal.

Dave Scholl, Independent Voice, opposed the Assembly Bill and naming a specific newspaper to publish in.

After Council deliberation, a motion was made by Councilmember Besneatte, seconded by Councilmember Cayler, to table the matter and if it is brought back to the Legislature, to include more information, and it can be reconsidered. Roll call was taken as follows:

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

13. OTHER AGENCY BUSINESS

None

14. **ITEMS FROM THE CITY ATTORNEY**

None

15. **ITEMS FROM THE CITY MANAGER**

15.1 **State Budget Update**

Nancy Huston, City Manager, discussed the proposed State budget, and encouraged the Council to contact State representatives.

15.2 Ms. Huston announced a Special Planning Commission meeting on June 29th.


16. **CLOSED SESSION**

None

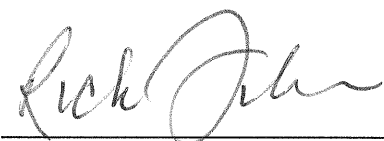
17. **ADJOURNMENT**

The City Council meeting adjourned at the hour of 8:25 p.m.

ATTEST:



Janice Beaman, CMC
City Clerk



Rick Fuller
Vice Mayor