



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
AND THE
SUCCESSOR AGENCY OF THE
DIXON REDEVELOPMENT AGENCY

JULY 24, 2012

0. Special Closed Session Meeting at 6:00 p.m.

The Special Meeting of the Dixon City Council was called to order at 6:05 p.m. in the Council Chambers by Mayor Jack Batchelor, Jr. to meet in Closed Session to discuss the following:

CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

City Negotiators: Jim Lindley, Steve Johnson, Joan Michaels Aguilar,
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

Present: Councilmember Thom Bogue, Vice Mayor Dane Besneatte,
Mayor Jack Batchelor, Jr.

Absent: ** Councilmember Michael Ceremello
Councilmember Rick Fuller

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

The City Council convened into Closed Session at 6:06 p.m.

**Councilmember Ceremello arrived at 6:10 p.m.

Closed Session adjourned at 6:50 p.m.

Mayor Batchelor noted there was no reportable action on the Closed Session item.

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was called to order at 7:02 p.m. 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 Thom Bogue, Michael Ceremello, Vice Mayor Dane Besneatte, Mayor Jack Batchelor, Jr.

Absent: Councilmember Rick Fuller

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **Receive recommendation of Nick Warren as the City's Bi-Annual Employee of the Year.**

Fire Captain Ron Karlen presented Firefighter/Paramedic Nick Warren with the Bi-Annual Employee of the Year Award, commended his work, and the additional work Nick performs on maintenance of the network system and social media.

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

5.1 Brianna Boyd, Dixon Tribune, discussed Councilmember Ceremello's visit to her office to let her know about a \$2.5 million project that would be front page news in the Independent Voice the upcoming Friday. She objected to Mr. Ceremello's methods of using information obtained during City meetings that are not open to the public and releasing that information in the paper for which he writes.

5.2 Debra Minnema-Dingman, Dixon Patch, reported she also had a conversation with Councilmember Ceremello about the new project, distributed a copy of the Journalist's Code of Ethics, and noted her opinion that the local paper for which Councilmember Ceremello writes does not appear to operate from that code.

5.3 Carlos Villatoro, Dixon Patch, supported his colleagues comments and felt they expressed valid points regarding Councilmember Ceremello's use of meeting information.

5.4 An unidentified citizen discussed City Manager Jim Lindley's comments on the Dixon Patch regarding the City's intention to continue to follow criteria in the

Brown Act and discussed at length his reasons for not supporting the Sunshine Ordinance.

- 5.5 Ginger Emerson noted her frustration in dealing with the City and read an e-mail received from the City Manager regarding her recent request for distribution of information to the City Council prior to a meeting.
- 5.6 Bryon Chapman commented about his preference for the blinking red stoplight at at A Street, felt the Mayor imposed time limits unequally for previous speakers, and felt Councilmember Ceremello had crossed no legal lines and people don't need to read his paper if they don't want to.

6. **ITEMS FROM THE CITY COUNCIL**

- 6.1 Councilmember Ceremello thanked those who spoke for participating in the democratic process of freedom of speech, thanked them for reading his column, and noted the Vacaville Reporter and Dixon Tribune are examples of slanted reporting and they could have gone to City Hall just as he did to get information.
- 6.2 Councilmember Bogue noted he recently found out City employees pay for their own water and felt the City could afford to pay the \$30.00 monthly charge for water. He also asked that an agenda item be scheduled to consider creating a fund where one-time revenues can be deposited so they are not mixed with the regular revenue streams.
- 6.3 Vice Mayor Besneatte commented that what may seem to be the City Manager's own comments and positions may actually be directed by Council, the City Manager has the right to free speech, supported the City Manager's comments about the detriments of Measure N because he feels it will bring the City to a grinding halt, and felt Mr. Lindley is the most open-to-the-public City Manager in a long time. He also noted he reads the Independent Voice because he wants to know what others are saying.
- 6.4 Mayor Batchelor reported that he had received a number of phone calls regarding the re-paving of Interstate 80, and confirmed that the recent work was replacement of sixty degraded panels done on an emergency basis and the larger project is still on track for awarding of the bid in September with work to begin in October.

Mayor Batchelor noted the Grillin' and Chillin' event was very exciting, was bigger than last year and hoped it would continue as a yearly event.

7. **ITEMS FROM THE CITY TREASURER**

None.

8. **APPROVAL OF AGENDA**

Suellen Johnston, Deputy City Clerk noted that Item 10.1 would be continued until a special meeting to be held on July 31, 2012 at 6:00 p.m. due to the lack of a quorum for a vote on Zone C, the staff report for Item 12.4 does not include “possible action” contained in the agenda title and the agenda wording is changed to match the staff report, and spreadsheets for Item 11.3 were printed and distributed to Council for ease of reading.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to approve the Agenda, as amended. Roll call was taken as follows:

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

9. **CONSENT CALENDAR**

Councilmember Ceremello asked that Items 9.4, 9.5 and 9.6 be heard separately.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to approve the Consent Calendar, except Items 9.4, 9.5 and 9.6. Roll call was taken as follows:

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

- 9.1 **Approved the Minutes of the June 12, 2012 Regular City Council Meeting.**
(Contact: Suellen Johnston, Deputy City Clerk)
- 9.2 **Adopted Resolution No. 12-093 approving the Enumeration of Claims.**
(Contact: Joan Michaels Aguilar, Finance Director)
- 9.3 **Received and filed the Quarterly Treasurer’s Report for June 30, 2012.**
(Contact: Joan Michaels Aguilar, Finance & Technology Director)
- 9.4 **Minute action relating to approval of the Mayor’s appointments to the Parks and Recreation Commission.** (Presenter: Steve Johnson, Acting City Clerk)

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to approve the Mayor’s appointments of Debbie Cornfield, Sandra Newell, Harold Benzel and Tiffany Hopper to the Parks and Recreation Commission. Roll call was taken as follows:

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

Successor Agency of the Dixon Redevelopment Agency

- 9.5 **1. Resolution of the City Council of the City of Dixon acknowledging the separate legal existence of the Dixon Redevelopment Successor Agency as the Successor Agency to the Redevelopment Agency of the City of Dixon.**
2. Resolution of the Board of the Dixon Redevelopment Successor Agency acknowledging the establishment of the Dixon Redevelopment Successor Agency, designating officers, and adopting administrative, governance and operating rules for the Successor Agency.
(Presenter: Joan Michaels Aguilar, Finance & Technology Director)

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-094 of the City Council of the City of Dixon acknowledging the separate legal existence of the Dixon Redevelopment Successor Agency as the Successor Agency to the Redevelopment Agency of the City of Dixon and to adopt Resolution No. 2012-01 of the Board of the Dixon Redevelopment Successor Agency acknowledging the establishment of the Dixon Redevelopment Successor Agency, designating officers, and adopting administrative, governance and operating rules for the Successor Agency. Roll call was taken as follows:

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

- 9.6 **Receive and file update related to AB 1484 Important Dates.** (Presenter: Joan Michaels Aguilar, Finance & Technology Director)

A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to file the update related to AB 1484 Important Dates. Roll call was taken as follows:

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

10. **PUBLIC HEARINGS**

- 10.1 **Matters relating to the Dixon Landscaping and Lighting Maintenance District (LLMD):**

1. **Conduct a public hearing to receive comments on the proposed assessments for FY 2012-13**
2. **Adopt a resolution approving the Engineer's Report for the LLMD for FY 2012-13 including confirming the diagram and assessments and diagrams and ordering levy of assessments.** (Presenter: Janet Koster, Public Works Administrator)

This item was continued to a Special Meeting of July 31, 2012 at 6:00 p.m.

- 10.2
1. **Adopt a resolution approving a Negative Declaration relating to amendments to Section 12.26 "Screening and Landscaping Regulations" (project) in compliance with CEQA (California Environmental Quality Act).**
 2. **Conduct a public hearing, waive reading, read by title only, and introduce an ordinance confirming the Planning Commission's recommendation to amend Section 12.26 and add Section 12.2A to Chapter 12 Article II of the Dixon City Code (Zoning Ordinance).** (Presenter: Dave Dowswell, Interim Community Development Director)

Mayor Batchelor opened the public hearing. Comments were received from Ginger Emerson. Seeing no one else present to speak, Mayor Batchelor closed the public hearing.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Ceremello, to adopt Resolution No. 12-095 approving a Negative Declaration relating to amendments to Section 12.26 "Screening and Landscaping Regulations" (project) in compliance with CEQA (California Environmental Quality Act); and introducing an ordinance confirming the Planning Commission's recommendation to amend Section 12.26 and add Section 12.2A to Chapter 12 Article II of the Dixon City Code (Zoning Ordinance), as amended. Roll call was taken as follows:

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

- 10.3
- Conduct a public hearing, waive reading, read by title only, and introduce an ordinance confirming the Planning Commission's recommendation to amend Sections 12.04 through 12.07, 12.12, 12.12A, 12.19, 12.23, 12.25 through 12.27, 12.29, and 12.30 of Chapter 12 of Article II of the Dixon City Code (Omnibus V(b)).** (Presenter: Dave Dowswell, Interim Community Development Director)

Mayor Batchelor opened the public hearing. Comments were received from an unidentified citizen, Dan Figueroa, Bobbi Willipo, Byron Chapman, Theresa Figueroa, Rebecca Robinson, Ginger Emerson, Larry Simmons and Drew Graska. Seeing on one else present to speak, Mayor Batchelor closed the public hearing.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, for staff to make changes to the ordinance and re-introduce the ordinance package in an additional first reading at the next meeting. Roll call was taken as follows:

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

11. **UNFINISHED BUSINESS**

11.1 **Resolution authorizing the City Manager to execute an Agreement with the Dixon Tribune and the Independent Voice for publishing of legal notices for the City.** (Presenter: Steve Johnson, Acting City Clerk)

A motion was made by Mayor Batchelor, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-096, as amended to remove the insurance requirement, and to execute an Agreement with the Dixon Tribune (AG 12-023) and the Independent Voice (AG 12-024) for publishing of legal notices for the City. Roll call was taken as follows:

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

11.2 **Resolution approving a \$3,850 budget amendment to fund the budget amendment to fund the** (Presenter: Joan Michaels Aguilar, Finance and Technology Director)

A motion was made by Vice Mayor Besneatte, seconded by Mayor Batchelor, adopting a Resolution approving an amended budget amount of \$1,500 and directing the contractor to stop further activity and appear before Council to answer questions regarding additional costs associated with the Water Rate Consultant Study for Dixon-Solano Water Authority (DSWA). Roll call was taken as follows:

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

The motion failed.

The City Council recessed for break at 11:58 p.m.

The City Council reconvened at 12:07 a.m.

11.3 **Resolution revising the fee schedule for the Pat Granucci Aquatic Center.**
(Presenter: Janet Koster, Public Works Administrator)

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to adopt Resolution No. 12-097 revising the fee schedule for the Pat Granucci Aquatic Center, as amended relating to senior citizen charges. Roll call was taken as follows:

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

12. **NEW BUSINESS**

12.1 **Staff is seeking City Council direction on the method and manner in which the Citywide Furlough Program may be rescinded. (Requested by Councilmember Ceremello)** (Presenter: Steve Johnson, Human Resources Director)

This item was continued to the Special Meeting of July 31, 2012 at 6:00 p.m.

12.2 **Discussion and possible direction to staff regarding soliciting public input regarding potential removal of up to forty-five pine trees and turf in the City maintained landscaping areas on West A Street and Pitt School Road.** (Presenter: Janet Koster, Public Works Administrator)

Direction was provided to staff to conduct public outreach and report the results back to Council.

12.3 **Resolution approving reimbursement and a budget amendment for the purpose of fully compensating City of Dixon Fire Chief Aaron McAlister and Fire Division Chiefs Ron Karlen and Greg Lewis for prior PERS pension overpayments.** (Presenter: Steve Johnson, Human Resources Director)

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue to adopt Resolution No. 12-098 approving reimbursement and a budget amendment for the purpose of fully compensating City of Dixon Fire Chief Aaron McAlister and Fire Division Chiefs Ron Karlen and Greg Lewis for prior PERS pension overpayments. Roll call was taken as follows:

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

ABSENT: Fuller

- 12.4 **Discussion and possible action relating to a request from Councilmember Ceremello for staff to review the feasibility for the City of Dixon to own, maintain and operate the public potable water system currently owned and operated by the Dixon/Solano Water Authority (DSWA).** (Presenter: Morrie Barr, Interim City Engineer)

This item was continued to the Special Meeting of July 31, 2012 at 6:00 p.m.

- 12.5 **Resolution amending the Compensation Plan for Confidential Non Management Employees to include the classification of Information Technology Manager in the Administrative Services Department.** (Presenter: Steve Johnson, Human Resources Director)

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-099 amending the Compensation Plan for Confidential Non Management Employees to include the classification of Information Technology Manager in the Administrative Services Department. Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

None.

14. **ITEMS FROM THE CITY ATTORNEY**

None.

15. **ITEMS FROM THE CITY MANAGER**


Jim Lindley, City Manager, reported ongoing negotiations with property owners in the Northeast Quadrant, progress experienced over the past week, and although he is not optimistic they are still working on the issues and it may be agendaized for the Special Meeting on July 31, 2012, if warranted.

16. **CLOSED SESSION**

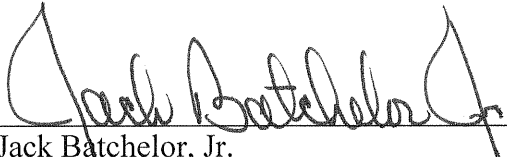
RECONVENE TO OPEN SESSION

17. ADJOURNMENT

The Regular Meeting of the Dixon City Council was adjourned at 1:14 a.m.



Suellen Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor