



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL

AUGUST 28, 2012

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

The Special Meeting of the Dixon City Council was called to order at 6:00 p.m. in the Council Chambers by Mayor Jack Batchelor, Jr. to meet in Closed Session to discuss the following:

Pursuant to Government Code Section 54957 relating to Public Employee:
Performance Evaluation: City Manager

Present: Councilmember Thom Bogue, Rick Fuller, Michael Ceremello,
Mayor Jack Batchelor, Jr.

Absent: ** Vice Mayor Dane Besneatte

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

The City Council convened into Closed Session at 6:00 p.m.

** Vice Mayor Dane Besneatte arrived at 6:03 p.m.

Closed Session adjourned at 6:20 p.m.

Mayor Batchelor noted not all of the evaluation forms were complete, therefore the Closed Session Performance Evaluation of the City Manager was continued to September 25, 2012.

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was convened at 7:00 p.m. in the Council Chambers 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, Rick Fuller,
Vice Mayor Dane Besneatte, Mayor Jack Batchelor, Jr.

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **Proclamation declaring September 17 through 23, 2012 as Constitution Week.**

The Proclamation was approved by consensus.

4.2 **Adopt Resolution honoring Steven C. Bird for his twenty-four years of service to the City of Dixon Police Department.**

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to adopt Resolution No. 12-013 honoring Steven C. Bird for his twenty-four years of service to the City of Dixon Police Department. Roll call was taken as follows:

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

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

5.1 Warren Salmons discussed the problems related to Measure N on the November ballot, noted it should be called the Open Taxpayers Wallet Measure, many people have come together to get the word out that it is a bad ordinance, and the Dixon Positive Action Committee urges all voters to vote No on Measure N.

5.2 Mike Hamilton discussed the success of this year's Grillin' and Chillin' event, noted a donation of \$2,000 was made to C.C. Yin's Remember Veterans fund, and he presented a plaque of appreciation to the City of Dixon for its support of the event.

5.3 Dave Scholl discussed the two-day Lamb Festival that will be held on October 6th and 7th and noted the event will include lawnmower races, a larger kids area, eighty craft vendors, music, encouraged sponsors, and urged those interested in participating in the barbecue to contact Mike Hamilton.

6. **ITEMS FROM THE CITY COUNCIL**

- 6.1 Councilmember Fuller congratulated Steve Bird on his retirement and noted it was a pleasure to have him as an employee for so many years.
- 6.2 Councilmember Bogue requested a future action agenda item as follow-up to the dissolution of the Dixon Solano Water Authority (DSWA) to solicit requests for proposals for those interested in running the City's water system and directing the City to also prepare a proposal. He also requested an action agenda item for a policy regarding pre-qualification of bidders.
- 6.3 Vice Mayor Besneatte requested an agenda item to ensure that the Community Development Director's successor would need to follow the same process the current director does voluntarily in noticing administrative approval of duplexes.

Mayor Batchelor noted that request could be addressed during discussion of Item 10.1.

Vice Mayor Besneatte noted he would not be able to attend the September 11, 2012 City Council Meeting.

- 6.4 Mayor Batchelor reported attending a Solano County Taxpayers Association meeting at the invitation of Earl Beale.

7. **ITEMS FROM THE CITY TREASURER**

8. **APPROVAL OF AGENDA**

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to add an agenda item to consider changing the ballot question language for Measure N. Jim Lindley, City Manager, noted a staff report and resolution had already been prepared and distributed to Council at the meeting. Roll call was taken as follows:

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

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

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

9. **CONSENT CALENDAR**

Councilmember Ceremello requested that Items 9.3 and 9.8 be heard separately.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to approve the Consent Calendar, except Items 9.3 and 9.8. Roll call was taken as follows:

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

9.1 **Matters relating to City Council Meeting Minutes:**

9.1.1 **Approved the Minutes of the June 26, 2012 Regular City Council Meeting.**

9.1.2 **Approved the Minutes of the July 10, 2012 Regular City Council Meeting.**

9.1.3 **Approved the Minutes of the July 24, 2012 Regular City Council Meeting.**

9.1.4 **Approved the Minutes of the July 31, 2012 Special City Council Meeting.**

9.1.5 **Approved the Minutes of the August 6, 2012 Special City Council Meeting.**

(Contact: Suellen Johnston, Deputy City Clerk)

9.2 **Adopted Resolution No. 12-104 approving the Enumeration of Claims.**
(Contact: Joan Michaels Aguilar, Finance Director)

9.3 HEARD OUT OF ORDER

Resolution awarding the bid for the supply and cleaning of maintenance worker uniforms and miscellaneous building maintenance supplies to G & K Services and authorizing the Director of Public Works to execute a three-year contract in an amount not to exceed \$31,500. (Contact: Janet Koster, Public Works Administrator)

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Fuller, to adopt Resolution No. 12-105 awarding the bid for the supply and cleaning of maintenance worker uniforms and miscellaneous building maintenance supplies to G & K Services and authorizing the Director of Public Works to execute a three-year contract in an amount not to exceed \$31,500. Roll call was taken as follows:

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

- 9.4 **Adopted Resolution No. 12-106 authorizing the City Manager to execute Consultant Services Agreement Amendment No. 7 to extend the existing on-call surveying services agreement with Mountain Pacific Surveys for a period of three years.** (Contact: Chris Gioia, Associate Civil Engineer)
- 9.5 **Adopted Resolution No. 12-107 appointing a director and an alternate to the California Transit Insurance Pool (CalTIP) Board of Directors.** (Contact: Janet Koster, Public Works Administrator)
- 9.6 **Adopted Resolution No. 12-108 authorizing the City Manager, on behalf of the City of Dixon, to execute a second amendment to the Memorandum of Understanding on Provision of Animal Care Services with Solano County to extend the term of the agreement to a new expiration date of December 31, 2014.** (Contact: Jon Cox, Police Chief)
- 9.7 **Waived the second reading, read by title only, and adopted Ordinance No. OR12-011 amending Section 12.26 "Screening and Landscaping Regulations" and adding Section 12.26A "Administrative Fence Permit" to Chapter 12 Article II of the Dixon City Code (Zoning Ordinance).** (Contact: Dave Dowswell, Interim Community Development Director)
- 9.8 HEARD OUT OF ORDER

Resolution approving the request from the Downtown Dixon Business Association (DDBA) to hold the Mexican Independence Day Festival on September 16, 2012, and establishing specific use conditions for the event. (Contact: Jon Cox, Police Chief)

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-109 approving the request from the Downtown Dixon Business Association (DDBA) to hold the Mexican Independence Day Festival on September 16, 2012, and establishing specific use conditions for the event.

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

10. **PUBLIC HEARINGS**

- 10.1 **Waive first reading, read by title only, and introduce an ordinance confirming the Planning Commission's recommendation to amend sections of Chapter 12 Article II of the Dixon City Code (Zoning Ordinance) contained in Omnibus V(b).** (Presenter: Dave Dowswell, Interim Community Development Director).

This item was continuing discussion from the public hearing of July 24, 2012.

1. A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to delete from Section 12.06.02B “three, four, and multi-family dwellings” as a permitted use and add them to Section 12.06.03 as a conditional use. Roll call was taken as follows:

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

2. A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to amend Section 12.06.06C3 to increase the required rear yard lot coverage for an accessory structure from 10 to 20 percent to be consistent with what is permitted or has been approved for the other residential zones. Roll call was taken as follows:

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

3. A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to add to Sections 12.06.04B, 12.06.07A and B, 12.06.08A and D the proposed RM3 and RM4 zoning regulations. Roll call was taken as follows:

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

4. A motion was made by Councilmember Ceremello, seconded by Councilmember Bogue, to amend Section 12.06.06B for RM2 zoning by increasing the minimum site area needed per dwelling unit for three and four or more units from 2,500 to 3,500 square feet. Roll call was taken as follows:

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

The motion failed.

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Bogue, to amend Section 12.06.06B for RM2 zoning by increasing the minimum site area needed per dwelling unit for three and four or more units from 2,500 to 3,000 square feet. Roll call was taken as follows:

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

5. A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to delete from Section 12.19.14A1 and A2 the right of the Planning Commission to review the exterior colors of a new or remodeled building. Roll call was taken as follows:

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

6. A motion was made by Councilmember Fuller, seconded by Vice Mayor Besneatte, to delete from Section 12.19.14A the proposed change to require multiple-family residential of two instead of three units to be reviewed by the Planning Commission, as amended, to allow the Community Development Director to approve duplexes administratively with noticing of 500 feet. Roll call was taken as follows:

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

By consensus of the City Council, final approval of the complete document was continued to a Special Meeting (date to be determined) to allow time for staff to complete and present the final document and renotece.

11. UNFINISHED BUSINESS

- 11.1 **Resolution authorizing the return of EDA Grant Award Funds of \$3,000,000 for the Northeast Quadrant Well No. 2 project.** (Presenter: Joan Michaels Aguilar, Finance and Technology Director)

Due to significant progress in negotiations with property owners, Jim Lindley, City Manager, recommended that no action be taken at this time. This item was continued to a date uncertain.

11.2A THIS AGENDA ITEM WAS ADDED AT THE MEETING

Resolution changing the ballot question language for Measure N.

A motion was made by Mayor Batchelor, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-110 changing the ballot question language for Measure N by changing the word "Will" to "Shall". Roll call was taken as follows:

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

11.2 **Review by the City Council of Potential Impacts of the Dixon Open Governance Act upon its implementation.** (Presenter: Steve Johnson, Human Resources Director and Acting City Clerk)

This item was informational only. The report and public comments were received by City Council and filed.

11.3 **Resolution changing the threshold criteria by which the current City Mandatory Furlough Program may be rescinded.** (Presenter: Steve Johnson, Human Resources Director)

After discussion, this item was continued to a meeting in October 2012 to enable time for meet and confer with Unions regarding the 10% reserve criteria.

12. **NEW BUSINESS**

12.1 **Matters relating to Public Employment Agreements:**

1. **Resolution approving a Memorandum of Understanding (MOU) with the Public Employees Union, Local One, for the period of July 1, 2012 through June 30, 2014.**
2. **Resolution approving an Updated Compensation Plan for the Non-Management Confidential Employees through June 30, 2014.**
(Presenter: Steve Johnson, Human Resources Director)

A motion was made by Councilmember Fuller, seconded by Vice Mayor Besneatte, to:

1. Adopt Resolution No. 12-111 approving a Memorandum of Understanding (MOU) with the Public Employees Union, Local One, for the period of July 1, 2012 through June 30, 2014 (AG 12-026); and.
2. Adopt Resolution No. 12-112 approving an Updated Compensation Plan for the Non-Management Confidential Employees through June 30, 2014 (AG 12-027). Roll call was taken as follows:

AYES: Besneatte, Bogue, Fuller, Batchelor

NOES: Ceremello
ABSTAIN: None
ABSENT: None

13. **OTHER AGENCY BUSINESS**

14. **ITEMS FROM THE CITY ATTORNEY**

15. **ITEMS FROM THE CITY MANAGER**

Jim Lindley, City Manager, reported that the City's application for Community Development Block Grant (CDBG) funds was declined in entirety.

Mr. Lindley reported he would be out of the office the week of September 3rd attending the League of California Cities Conference.

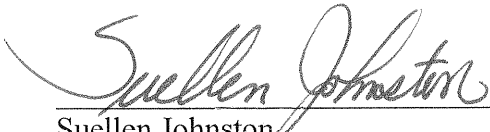
16. **CLOSED SESSION**

17.

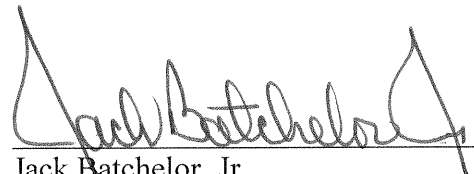
RECONVENE TO OPEN SESSION

18. **ADJOURNMENT**

The Regular Meeting of the Dixon City Council adjourned at 12:38 a.m.



Suellen Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor.