



Internal Affairs Committee Report

DATE: January 12, 2007

File : Comm Binder

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD January 10, 2007**

<u>Committee present:</u> Councilmember Bertagna Councilmember Gruendl Councilmember Nickell Chair Schwab was absent	<u>Staff present:</u> City Manager Jones Assistant City Manager Burkland City Attorney Frank Assistant City Attorney Rock Administrative Services Director Pierce	Chief of Police Hagerty Senior Planner Stuart Capital Projects Services Director Varga Police Sergeant Linda Dye Administrative Analyst Janine Rush Administrative Analyst Kelly
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Consideration in Streamlining Vehicle for Hire Permits and Appeals Procedures.** Administrative Services Director Pierce provided the Committee with background information on this item.

Addressing the Committee on this item were: Michael Lindland, John Beaver, Gianni Caponera and Ed Ort.

Councilmember Nickell made a motion to forward the following recommendations and Councilmember Gruendl seconded it:

Action: The Committee recommended (2-0, Bertagna disqualified) to:

- 1) ***Forward the following ordinance to the City Council for adoption:***

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO REPEALING CHAPTER 5.28 ENTITLED "VEHICLES FOR HIRE," OF THE CHICO MUNICIPAL CODE, AND ADDING CHAPTER 5.28, ENTITLED "VEHICLES FOR HIRE," OF THE CHICO MUNICIPAL CODE

- 2) ***Direct staff to conduct a review of cab fares as compared to other cities and come back to Internal Affairs Committee with report.***
- 3) ***Direct staff to research pedicab regulations and report back to Internal Affairs Committee. Staff to notify owners of pedicabs of Internal Affairs Committee meeting via newspaper ad or other means.***

- B. **Consideration of a Memorandum of Understanding Regarding Guiding Principles for the City of Chico Consultation with the Mechoopda Indian Tribe.** Senior Planner Claudia Stuart provided the Committee with background information on this item.

Addressing the Committee on this item were Arlene Ward and Sandra Knight.

Councilmember Bertagna moved to forward staff's recommendations to Council for consideration and approval and Councilmember Nickell seconded it.

Action: The Committee recommended (3-0) to:

- 1) ***Forward the Memorandum of Understanding Regarding Guiding Principles for the City of Chico Consultation with the Mechoopda Indian Tribe of Chico Rancheria to Council for approval; and***
- 2) ***Direct staff to work with the Tribe to develop refined cost estimates for implementing the MOU, and forward those estimates, along with the MOU, for Council consideration.***

- C. **Business From the Floor.** None.

- D. **Adjournment and Next Meeting.** The meeting adjourned at 9:02 a.m. The next meeting is scheduled for Tuesday, February 13, 2007, at 8:00 a.m. in Conference Room No. 1.

Nancy Kelly, Administrative Analyst

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Traffic Engineer Mickelson
City Attorney
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The 2/13/07 Internal Affairs
meeting was canceled.
Therefore, there are no minutes
for this meeting.



Internal Affairs Committee Report

DATE: March 19, 2007

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD March 13, 2007**

<p><u>Committee present:</u> Mayor Holcombe Councilmember Nickell</p> <p>Chair Schwab and Councilmember Bertagna were absent</p>	<p><u>Staff present:</u> City Manager Jones Assistant City Manager Burkland City Attorney Frank Assistant City Attorney Rock</p>	<p>Chief of Police Hagerty General Services Director Beardsley Sr. Civil Engineer Mickelson Administrative Analyst Kelly</p>
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Consideration of Possible Prohibition of Using or Riding Skateboards and Other Coasting Devices in City Plaza**. General Services Director Dennis Beardsley provided the Committee with background information on this item.

General Services Director Beardsley noted that the issue of banning skateboards from all City Parks would be placed on the next Bidwell Park and Playground Commission agenda.

Addressing the Committee on this item were Mike Barry and Summer Ballock.

Councilmember Nickell made a motion to forward the following recommendations and Mayor Holcombe seconded it:

Action: The Committee recommended (2-0, Bertagna absent) to: forward the recommendation to the City Council that the Chico Municipal Code be amended to ban skateboards from City Plaza and to consider the possible banning of bicycles or similar uses as well.

- C. **Business From the Floor**. None.

- D. **Adjournment and Next Meeting**. The meeting adjourned at 8:46 a.m. The next meeting is scheduled for Tuesday, April 10, 2007, at 8:00 a.m. in Conference Room No. 1.

Nancy Kelly, Administrative Analyst

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Internal Affairs Committee Report

DATE: May 14, 2007
 TO: CITY COUNCIL
 FROM: INTERNAL AFFAIRS COMMITTEE
 RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD May 8, 2007**

<u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna	<u>Staff present:</u> City Manager Jones Assistant City Manager Burkland City Attorney Frank Assistant City Attorney Rock	City Clerk Presson Administrative Services Director Pierce General Services Director Beardsley Police Captain Maloney Management Analyst Herman Administrative Analyst Kelly
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

A. Request To Ban Free Tobacco Distribution at Chico Bars

This matter was referred to the Committee by Council at its meeting of 2/20/07. This request came from Weston Groves, Chair of the Tobacco Action Group, and Shelly Brantley, Project Director of the American Lung Association of California. (Report - Administrative Services Director Pierce).

Addressing the Committee in support of banning free tobacco distribution at Chico bars were: Heather Kim Coen, Christina Craven, Weston Groves and Shelly Brantley.

Councilmember Bertagna made a motion for City staff to notify all licensed bar owners in Chico and forward the discussion to a future Council meeting. Councilmember Nickell seconded the motion.

Recommendation: The Committee recommended (3-0) to notify all licensed bar owners in Chico and direct the City Attorney to prepare an ordinance to prohibit the non-sale distribution of smokeless tobacco in bars where minors are prohibited.

B. Draft Ordinance Adding Chapter 9.40, Entitled “Disorderly Events” To The Chico Municipal Code (CMC)

In 2005 the Internal Affairs Committee tentatively approved the concept of a “Safety Plan” ordinance and sent it on to the City Attorney’s office for review. After review, it was determined that the proposed “Safety Plan” would be unworkable and that focusing on specific criminality at “disorderly events” would be a better tool for the police to use to maintain public safety. (Report - Captain John Rucker).

Councilmember Bertagna made a motion to approve and forward to Council for adoption, the Chico Municipal Code (CMC) Chapter 9.40, “Disorderly Events.” Councilmember Nickell seconded it.

Recommendation: The Committee recommended (3-0) to forward to Council for adoption, the Chico Municipal Code (CMC) Chapter 9.40, “Disorderly Events.”

C. Review of Chico Municipal Code, Section 9.38.056, Regarding Loud or Unusual Noise Coming From Motor Vehicles That Are Operated On Public Or Private Property

Captain Mike Maloney provided a report on this item and explained that the difference between the Vehicle Code and the Municipal Code is that the Vehicle Code regulates vehicles being operated on the highway and the Municipal Code regulates vehicles on private property and public property (including parking lots and parks), other than on a highway. The distances allowed by the sections vary between 25 and 50 feet. The CMC regulates audible vehicle stereos beyond 50 feet on the public property (other than a highway), which matches the Vehicle Code’s distance limitations for a highway. The CMC further restricts the audible distance

of a vehicle stereo on private property to a maximum of 25 feet, but in no case beyond the property line (even if less than 25 feet). Neither the Vehicle Code nor the Municipal Code includes limitations regarding areas of the City where the section is applicable and both are enforceable throughout the City.

The loophole between the two sections results when a vehicle is legally parked on a highway with the stereo audible for a distance greater than 50 feet, such as in a parking space. Such a vehicle is not being operated on a highway and as such is not covered under 27007 CVC. The CMC specifically states it does not apply to vehicles on a highway. Therefore, neither section would apply to that vehicle.

Councilmember Nickell made a motion to modify the language in the Chico Municipal Code regarding Vehicles Parked on a Highway to close the loophole. Councilmember Schwab seconded the motion.

Recommendation: The Committee recommended (2-0, Bertagna disqualified) to modify section 9.38.056 of the Chico Municipal Code to include language regarding Vehicles Parked on a Highway.

COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

D. Consideration of Youth Commission Formation

City Clerk Presson provided the committee with the history of this item.

Councilmember Bertagna motioned to have this item tabled until a future date (Spring 2008). Councilmember Nickell seconded it.

Recommendation: The Committee recommended (3-0) to table the consideration of Youth Commission Formation to Spring 2008.

E. Consideration of Proposed Chico Municipal Code Revisions Regarding “Dogs On Leash” Laws and Owner Responsibility To Remove Dog Waste In City Parks

General Services Director Dennis Beardsley provided the committee with a report on this item. Councilmember Schwab commented that two of the Committee members present live within 500 feet of the park. City Attorney Frank noted that the City should have a general rule regarding the proximity of the area of discussion.

Councilmember Schwab made a motion to table this item and Councilmember Bertagna seconded it.

Recommendation: The Committee recommended (3-0) to table this item in order to allow time for the City Attorney to provide the Committee with a general rule regarding Committee members residing within 500 feet of City property.

F. Business From the Floor. None.

G. Adjournment and Next Meeting. The meeting adjourned at 8:58 a.m. The next meeting is scheduled for Tuesday, June 12, 2007, at 8:00 a.m. in Conference Room No. One.

Nancy Kelly, Administrative Analyst



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Internal Affairs Committee Report

DATE: April 16, 2007

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD April 10, 2007**

<u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna	<u>Staff present:</u> City Manager Jones Assistant City Manager Burkland City Attorney Frank	Building & Dev. Svcs Director McKinley Capital Projects Services Director Varga Senior Planner Vieg Fire Marshall Myers
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COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

A. Annual Update on the Status of the Enloe Medical Center Century Project (DA 03-03), Including an Update on the Transportation Systems Management Plan

Senior Planner Vieg provided the committee with an overview of the project. Jim Sheets (Enloe) provided the committee with an update on the status of the Enloe Century Project as well as an update on the Transportation Systems Management Plan.

Addressing the Committee on this item were Jim Sheets, Rick Turner and Ed McLaughlin.

Enloe staff agreed to provide Council with copies of newsletters that update neighbors and community on Century Project.

Recommendation: No formal recommendation was made at this time.

B. Business From the Floor. None.

C. Adjournment and Next Meeting. The meeting adjourned at 8:45 a.m. The next meeting is scheduled for Tuesday, May 8, 2007, at 8:00 a.m. in Conference Room No. 1.

Nancy Kelly, Administrative Analyst

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The 6/12/07 Internal Affairs
meeting was canceled.
Therefore, there are no minutes
for this meeting.



Internal Affairs Committee Report

DATE: July 10, 2007
TO: CITY COUNCIL
FROM: INTERNAL AFFAIRS COMMITTEE
RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD July 10, 2007**

<u>Committee present:</u> Chair Schwab Councilmember Nickell	<u>Committee absent:</u> Councilmember Bertagna	<u>Staff present:</u> Assistant City Manager Burkland City Clerk Presson Administrative Analyst Kelly
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

A. Consideration of Establishing a Video/Televise Policy For Board and Commission Meetings

At the Internal Affairs meeting of 12/13/06, the Committee directed staff to (1) prepare an analysis of the costs associated with the televising and videotaping of the Board's and Commission's meetings; (2) look into other options for recording the meetings, such as audio only; and (3) develop a policy that would help guide when a meeting is to be televised or videotaped.

City Clerk Presson provided the Committee with information that included an overview of the number of meetings held last quarter as well as an estimated cost for videotaping/televising for the quarter.

Councilmember Nickell made a motion for the following videotaping/televising coverage for each Board and Commission and Vice-Mayor Schwab seconded it.

Action: The Committee recommended (2-0, Bertagna absent) to provide the following coverage for the following Board and Commissions:

Airport Commission - audio
ARB - audio
Arts - audio
BPPC - televised live
HR - audio if necessary for staff
Planning - televised live

For Sustainability, Finance and Internal Affairs - City Clerk will look at the feasibility of audio taping these and include recommendations when forwarding final report to Council.

COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

B. Consideration of Establishing a "Sister City" Policy

At its meeting of 4/17/07, the City Council referred consideration of establishing a "Sister City" to the Internal Affairs Committee for discussion.

City Clerk Presson provided the committee with background information regarding this item.

The Committee discussed whether to consider a "Sister City" policy as solely ceremonial in nature or to have it be more of a relationship between other cities by exchanging ideas, policies, etc.

Recommendation: The Committee recommended (2-0, Bertagna absent) that staff research the feasibility of partnering with local service organizations in the sponsorship of a "Sister City".

C. Business From the Floor. None.

D. **Adjournment and Next Meeting**. The meeting adjourned at 8:51 a.m. The next meeting is scheduled for Tuesday, August 14, 2007, at 8:00 a.m. in Conference Room No. One.

Nancy Kelly, Administrative Analyst



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Internal Affairs Committee Report

DATE: August 27, 2007
 TO: CITY COUNCIL
 FROM: INTERNAL AFFAIRS COMMITTEE
 RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD August 14, 2007**

<p><u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna</p>	<p><u>Staff Present</u> Assistant City Manager Burkland Assistant City Attorney Rock Housing & Neighborhood Svcs Dir. Morgado Bldg. & Development Services Dir. McKinley Capital Projects Services Director Varga</p>	<p>O & M Director Martinez Traffic Engineer Mickelson Code Enforcement Spvsr. Armstrong Sr. Dev. Engineer Johnson Police Captain Rucker Administrative Analyst Kelly</p>
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

A. Consideration of Camping Ordinance

In response to citizen concerns about persons utilizing both public and private property for unauthorized camping (primarily in travel trailers, recreational vehicles and vehicles), the City Attorney's office had drafted an ordinance for consideration which defined unlawful camping, and provided certain exceptions and conditions under which a permit for special camping events may be obtained.

Housing and Neighborhood Services Director Sherry Morgado provided the Committee with an overview of this item. She noted that while the issue regarding the parking of boats, recreational vehicles and other vehicles had been addressed, the issue currently before us is parking those vehicles for camping purposes.

Councilmember Nickell made a motion to forward the following ordinance to the City Council for consideration and adoption. Councilmember Bertagna seconded it

ORDINANCE OF THE COUNCIL OF THE CITY OF CHICO ADOPTING CHAPTER 9.20 OF THE CHICO MUNICIPAL CODE, ENTITLED "CAMPING"

Action: The Committee recommended (3-0) to forward Chico Municipal Code Chapter 9.20 entitled "Camping", to the Council for adoption.

B. Consideration of Changing Parking Meter Signs To Reflect City Holidays

At its meeting of 2/06/07, Council referred the issue regarding parking meter signs (in the downtown area) to reflect City Holidays to the Internal Affairs Committee for discussion.

Building and Development Engineering Director McKinley provided the committee with the background on this item and indicated that this issue had been looked at once before in 2004. Traffic Engineer Mickelson noted that last year there were only about 12 citations handed out. Operations and Maintenance Director Martinez indicated that while some of the signs include information about street sweeping, the street sweeping schedule in downtown hasn't changed. The Committee could not justify the approximate costs of \$62,000 to change the signs.

Councilmember Bertagna made a motion to leave the signs as they currently exist, and place an advertisement twice annually in local newspapers to increase public awareness of recognized legal City holidays.

Recommendation: The Committee recommended (2-0, Schwab disqualified) to leave the signs as they currently exist, and plan an advertisement twice annually in local newspapers to increase public awareness of recognized legal City holidays. This would be forwarded to Council for final consideration and approval.

C. Revisions to CMC Title 18R.12 - Design Criteria and Improvement Standards

The City's National Pollution Discharge Elimination System (N.P.D.E.S.) Permit requires the marking of all storm drain inlets in order to inform the public that the inlets are connected directly to the creeks. In order to facilitate meeting this requirement, staff proposed the adoption of those standards. Building and Development Services Director Fritz McKinley and Sr. Civil Engineer Matt Thompson provided the Committee with background information on this item.

Councilmember Nickell made a motion to direct staff to prepare a resolution that would add Standard Plan S-4 "Storm Drain Marker" and modify Standard Plan S-7 "36" Drop Inlet" of CMC Title 18R.12 and forward the resolution to the City Council for consideration and adoption.

Action: The Committee recommended (3-0) to direct staff to prepare a resolution adding Standard Plan S-4 "Storm Drain Marker" and modifying Standard Plan S-7 "36" Drop Inlet" of CMC Title 18R.12 and forward them to the City Council for consideration and adoption.

D. Consideration of Sanitary Sewer Service for Limited Development of Unincorporated Residential Properties

By letter dated 12/13/06, William Dinsmore, of Rolls, Anderson & Rolls, requested annexation to the City of Chico to allow sewer service to property that is located in an unincorporated area of Chico. Should the annexation of the subject property not be feasible at this time, Mr. Dinsmore was requesting that the City Council move forward with the preparation of an ordinance as directed by Council at its meeting of 4/01/03.

Building and Development Services Director Fritz McKinley provided the background on this item. Back in 1994 the Code was amended so as to not allow sewer service without annexation to the city. Since annexation requests were being accommodated, the issue of individual parcels was not an issue. Now there are individual properties that want to hook up to sewer but are still in the county. It would take a large annexation process to hook up to the sewer.

Councilmember Nickel made a motion to direct the City Attorney to prepare code amendments to allow unincorporated residential development to connect to the sanitary sewer system under limited circumstances. Councilmember Bertagna seconded it.

Action: The Committee recommended (3-0) to direct the City Attorney to prepare code amendments to allow unincorporated residential development to connect to the sanitary sewer system under limited circumstances.

COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

E. Update on Status of Implementing Parking Solutions From the Downtown Access Plan

At its meeting of 3/20/07, the City Council reviewed a report listing a number of options addressing parking issues in the Downtown area. After its review, Council directed staff to pursue implementation of the short and mid-term options.

Capital Projects Services Director Tom Varga provided the Committee with background information on this item.

Councilmember Nickell made a motion to continue this discussion to the September Internal Affairs Committee meeting and Councilmember Bertagna seconded it.

Addressing the Committee on this item were: Mike May, Cheryl King, Katrina Davis-Woodcox, Charlie Preusser, Jon Luvaas, Sarkis Shmavoniu, Alan Chamberlin, Ernie Washington, Mike Worley, Gloria Vandercourt, Joel Trenalone, Ray Murdock, Ed McLaughlin and Mike McGinnis.

Recommendation: The Committee recommended (2-0, Schwab disqualified) to continue the discussion at the 9/11/07 Internal Affairs meeting and directed staff to research and report on the following:

A. Consideration of a survey of downtown merchants- to include their number of employees, where they park, their method of transportation, their opinion on increased meter rates and evening and

Saturday enforcement

- B. Anticipated use of the revenue that would be generated from possible increase in meter charges**
- C. Establish ways to work collaboratively with the University on parking issues**
- D. Proposal for diagonal parking in the South Campus neighborhood**
- E. Bike lane on Salem Street**
- F. Miscellaneous ideas to improve alternative modes of transportation and reduce parking demand**

F. **Business From the Floor.** None.

G. **Adjournment and Next Meeting.** The meeting adjourned at 8:51 a.m. The next meeting is scheduled for Tuesday, September 11, 2007, at 8:00 a.m. in Conference Room No. One.

Nancy Kelly, Administrative Analyst



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Internal Affairs Committee Report

DATE: September 25, 2007

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD September 11, 2007**

<u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna	<u>Staff Present</u> Assistant City Manager Burkland City Attorney Frank Assistant City Attorney Rock Housing & Neighborhood Services Dir. Morgado General Services Director Beardsley Bldg. & Dev. Services Dir. McKinley	Capital Projects Serv. Dir. Varga Housing Specialist Coles Traffic Engineer Mickelson Code Enforcement Gonzalez Admin. Services Dir. Pierce Administrative Analyst Kelly
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COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

- A. **Consideration of Vehicle For Hire Fare Comparison Report** - At its meeting of 3/06/07, the City Council directed staff to conduct a review of cab fares as compared to other cities and then provide a report to the Committee summarizing the findings. **(Report - Cindy Pierce, Administrative Services Director)**

Addressing the Committee on this item were: Evan Finlayson, Edward Ort, Arturo Sixtos, Gianni Capeonera, and John Beaver.

Action: The Committee recommended (3-0) to direct staff to do further research and report back to the Internal Affairs Committee at a future meeting with: (1) pick up rates from the regulated cabs contained in the report, (2) rates from unregulated cab companies in Oroville and Paradise, (3) Tier 1, 2, and 3 rates from all Chico cab companies, and (4) information regarding the action that would be required if the Committee recommends and the Council agrees with a recommendation to regulate cab fares.

COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- B. **Consideration of Amendment to Title 2R of the Chico Municipal Code (CMC) To Authorize the City Attorney to Enter Into Agreements For Legal Services** - Currently the City Attorney is required to request Council authority for each contract for outside counsel or other professional services related to legal matters. The proposed amendment to Title 2R of the CMC would authorize the City Attorney to enter into such agreements, provided that budgeted funds are available for such services. The City Attorney recommended the Internal Affairs Committee recommend Council adoption of an amendment to Title 2R of the CMC to add section 2R.04.470 entitled "City Attorney Authority to Execute Agreements for Legal and Other Professional Services." **(Report - Dave Frank, City Attorney)**

Councilmember Bertagna made a motion to add section 2R.04.470 entitled "City Attorney Authority to Execute Agreements for Legal and Other Professional Services" to the Chico Municipal Code. Councilmember Nickell seconded the motion.

Recommendation: The Committee recommended (3-0) adoption of an amendment to Title 2R of the CMC to add section 2R.04.470 entitled "City Attorney Authority to Execute Agreements for Legal and Other Professional Services."

- C. **Consideration of Amendment to Chico Municipal Code (CMC) Subsection 5.32.140(O) - Wagering Limits of CMC Chapter 5.32. Entitled "Cardrooms"** - Chico Municipal Code subsection 5.32.140(O), entitled Wagering Limits, no longer satisfies the requirements of Business and Professions Code section 19860. A determination was needed to amend subsection 5.32.140(O) by either establishing a no limit policy on the amount wagered or setting specific wagering limits in any permitted games. The Assistant City Attorney recommended the Committee determine which wagering option it wishes to impose and then direct the City Attorney's office to prepare an ordinance amending CMC subsection 5.32.140(O) and forward the

amendment to the City Council for consideration and adoption. (**Report - Alicia M. Rock, Assistant City Attorney**)

Councilmember Bertagna made a motion to direct the City Attorney's Office to prepare an ordinance amending subsection 5.32.140(O) of the Chico Municipal Code to include language to reflect that there is 'no limit' on wagering and that each establishment shall be responsible for establishing their own wagering limits. Councilmember Nickell seconded the motion.

Recommendation: The Committee recommended (3-0) to direct the City Attorney's Office to prepare an ordinance amending subsection 5.32.140(O) of the Chico Municipal Code to include language to reflect that there is 'no limit' on wagering and that each establishment shall be responsible for establishing their own wagering limits.

- D. **Discussion of Actions Necessary to Develop Bidwell Park Apartments, a 38-Unit Affordable Rental Housing Project, including: Adoption of a Replacement Housing Plan, and Approval of a Relocation Plan and Conversion Impact Report** - In August 2007, Stone Building Corporation (SBC) submitted a revised proposal to the Agency for the development of a 38-unit affordable housing development, to be known as Bidwell Park Apartments. Proposed financing for the development is to come from a variety of public and private funding sources. In order for the funding allocation and property purchase to occur, federal and state law mandate that the local legislative body adopt and/or approve a series of plans and reports that assess the project's impact on the environment, the availability of affordable housing, and current property tenants. The Housing and Neighborhood Services Director recommended that the Internal Affairs Committee recommend Agency adoption of the Replacement Housing Plan, and Council approval of the Relocation Plan and Conversion Impact Report for the A&A Pear Grove Mobile Home Park. (**Report - James Coles, Housing Specialist**)

Councilmember Bertagna made a motion to accept the relocation plan. Councilmember Nickell seconded the motion.

Recommendation: The Committee recommended (3-0) Agency adoption of the Replacement Housing Plan and Council approval of the Relocation Plan and Conversion Impact Report for the A&A Pear Grove Mobile Home Park.

- E. **Update on Status of Implementing Parking Solutions From the Downtown Access Plan Continued from 8/14/07 Internal Affairs Meeting** At its meeting of 3/20/07, the City Council reviewed a report which listed a number of options addressing parking issues in the Downtown area. After its review, Council directed staff to pursue implementation of the short and mid-term options. At its meeting of 8/14/07 the Committee recommended (2-0, Schwab disqualified) to continue its discussion to the 9/11/07 Internal Affairs meeting. (**Report - Tom Varga, Capital Project Services Director**)

Councilmember Bertagna made a motion to forward the report on the Status of Implementing Parking Solutions From the Downtown Access Parking Plan to Council for consideration and direction.

Recommendation: The Committee recommended (2-0, Schwab disqualified) to forward the report to Council for consideration and direction.

- F. **Business from the Floor.** None.

- G **Adjournment and Next Meeting.** The meeting adjourned at 10:00 a.m. The next meeting is scheduled for Tuesday, October 9, 2007, at 8:00 a.m. in Conference Room No. 1.

Nancy Kelly, Administrative Analyst

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Internal Affairs Committee Report

DATE: December 5, 2008

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD October 9, 2007**

<p><u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna</p>	<p><u>Staff Present</u> Interim City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Finance Director Hennessy Accountant Fields Urban Forester Britton Bldg. & Development Services Dir. McKinley Capital Projects Services Director Varga</p>	<p>Sr. Planner Tillman Chief of Police Hagerty Police Sergeant Laver Planning Director Peterson Assistant Planner Morley Associate Planner Sawley Planning Intern Marlowe Traffic Engineer Mickelson Administrative Analyst Kelly</p>
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Consideration of Request from Chico Country Day School Regarding Disabled Parking** Chico Country Day School had contracted with Joe Card of JPC Contracting to construct additional disabled parking on the corner of 11th Street and Park Avenue within City right-of-way adjacent to the school. The nature of the proposed spaces would require removing the existing curb and gutter and recessing the space into a parkway strip to provide the handicap ramp necessary to access the sidewalk. Traffic Engineer Mickelson had referred this item to the Committee for discussion. **(Report - Fritz McKinley, Building and Development Services Director)**

Councilmember Bertagna made a motion to: 1) approve the installation of disabled parking on the corner of 11th Street and Park Avenue with limitations to be outlined in an agreement between the City and Chico Country Day School; and 2) in the event that Chico Country Day School vacates that location, the new tenant should be given the option to keep the changes to parking or have Chico Country Day convert them back to the existing unrestricted parking. Councilmember Nickell seconded the motion.

Recommendation: *The Committee recommended (3-0) to: 1) approve the installation of disabled parking on the corner of 11th Street and Park Avenue with limitations to be outlined in an agreement between the City and Chico Country Day School; and 2) in the event that Chico Country Day School vacates that location, the new tenant should be given the option to keep the changes to parking or to have Chico Country Day School convert them back to the existing unrestricted parking.*

- B. **Research of Pedicab Regulations** At its meeting of 1/10/07, the Internal Affairs Committee directed staff to research pedicab regulations and report back to the Committee with the findings. **(Report - Bruce Hagerty, Police Chief)**

David Brazil and Gregory de Gouveia addressed the Committee on this item.

Councilmember Schwab was in favor of requiring a City of Chico bicycle license for all pedicab drivers and a safely equipped bike. Councilmember Nickell was in favor of requiring a California Driver's License for all pedicab drivers as well as a safely equipped bike. Councilmember Bertagna was absent for this item.

Chair Schwab noted that this would move forward to Council for direction as this was a split vote.

COMMITTEE MATTERS REQUIRING ADDITIONAL STAFF RESEARCH

- C. **Consideration of Fee Structure for Parking Tickets** At its meeting of 3/20/07, the City Council referred the discussion of the possibility of implementing a graduated fine structure for repeat parking violation offenders. **(Report - Jennifer Hennessy, Finance Director)**

Councilmember Nickell made a motion to: 1) not implement a graduated parking fine structure at this time due to the declining percentage of repeat offenders, the technological limitations with the City's current equipment and the potential logistical problems posed by the City's contractor; 2) have staff provide an inventory of available leased parking spaces in downtown; and 3) for staff to return in two months with an update on any new technology available that would assist in monitoring repeat parking violators. Councilmember Bertagna seconded the motion.

Recommendation: The Committee recommended (2-0, Schwab disqualified) to: 1) not implement a graduated parking fine structure at this time due to the declining percentage of repeat offenders, the technological limitations with the City's current equipment and the potential logistical problems posed by the City's contractor; 2) have staff provide an inventory of available leased parking spaces in downtown and for staff to return in two months with an update on any new technology available that would assist in monitoring repeat parking violators.

- D. **Consideration of Proposed Historic Preservation Ordinance.** Planning staff presented options for an Historic Preservation Ordinance to the Internal Affairs Committee at its 8/10/05 meeting. At its 9/06/05 meeting, the City Council referred the item back to the Internal Affairs Committee to develop a list of options for review by the City Council before a final decision was made on the preparation of an ordinance and a determination of where the project, if approved, would be placed on the Planning Services priority list. **(Report - Bob Summerville, Senior Planner)**

Bob Fortino, Amy Huberland, John Gallardo, Giovanna Jackson, Lucy Sperlin, Sarah Salisbury and Michael Magliari addressed the Committee on this item.

Councilmember Bertagna made a motion to direct staff to return to the Internal Affairs Committee with: 1) the Historical Preservation list as it is today with staffs' input as to what the next step for that list is (including funding options); (2) update on the historic element of the General Plan; 3) look at requirement for one or two future members of the Architectural Review Board to have historical background knowledge; and (4) information on incentive programs. Councilmember Nickell seconded the motion.

Recommendation: The Committee recommended (3-0) to direct staff to provide the Internal Affairs Committee with: 1) the Historical Preservation list as it is today with staffs' input as to what the next step for that list is (including funding options); (2) update on the historic element of the General Plan; 3) look at requirement for one or two future members of the Architectural Review Board to have historical background knowledge; and (4) information on incentive programs.

- E. **Consideration of a Tree Protection Ordinance.** At its 4/17/07 meeting, the City Council directed the Internal Affairs Committee to review the current Tree Preservation Regulations. Interim Assistant City Manager Beardsley and Urban Forester Britton provided the Committee with a report. **(Report - Denice Britton, Urban Forest Manager)**

Alan Gair, Verla Windlow, Tami Ritter, Karen Laslo and Francine Gair addressed the Committee on this item.

Planning Director Peterson indicated that the Planning Commission currently has Tree Ordinance Modifications included in their workplan.

Chair Schwab made a motion to have staff research the idea of creating an ad hoc committee consisting of one member of the Planning Commission and one member of the Bidwell Park and Playground Commission to work with the citizens' group on the following ideas: 1) Heritage Tree program; 2) Mitigation program; 3) Fees to replace trees - look at reducing tree diameter from 24" to 12"; 4) Have trees tied to zoning approval; 5) Look at ½ acre guidelines to be reduced; and 6) Look at a way to monitor the tree canopies in our permit process for both on-street and parking lot trees. Councilmember Bertagna was not present for this item.

The Committee directed staff (2-0, Bertagna absent) to research the idea of creating an ad hoc committee consisting of one member of the Planning Commission and one member of the Bidwell Park and Playground Commission to work with the citizens' group on the following ideas:

- 1. Heritage Tree program**
- 2. Mitigation program**
- 3. Fees to replace trees - look at reducing diameter from 24" to 12" and create incentives to do so**
- 4. Zoning approval - have trees tied to that**
- 5. Look at ½ acre guidelines to be reduced**
- 6. Look at way to monitor the tree canopies in our permit process for both on-street and parking lot trees**

F. **Business From the Floor.** None.

G. **Adjournment and Next Meeting.** The meeting adjourned at 10:00 a.m. The next meeting is scheduled for Tuesday, November 13, 2007, at 8:00 a.m. in Conference Room No. One.

Nancy Kelly, Administrative Analyst

File: Committee Binder

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Internal Affairs Committee Report

DATE: December 5, 2008

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD November 13, 2007**

<p><u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna</p>	<p><u>Staff Present</u> Interim City Manager Burkland City Attorney Barker Housing & Neighborhood Svcs Dir. Morgado Interim Assistant City Manager Beardsley Police Chief Hagerty Bldg. & Development Services Dir. McKinley</p>	<p>Capital Projects Services Director Varga Planning Director Peterson Traffic Engineer Mickelson Administrative Services Dir. Pierce Fire Prevention Officer Myers Administrative Analyst Kelly</p>
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Consideration of Albion Court Connection to Future Eaton Road Extension** - The Committee discussed a request from Mark Streets pertaining to the Albion Court connection to the future Eaton Road extension, which Council had referred at its 5/1/07 meeting. He requested preventing the connection of Albion Court to the future Eaton Road Extension. **(Report - Fritz McKinley, Building and Development Services Director)**

Mark Streets and Sharon Rogers addressed the Committee on this item.

Councilmember Bertagna made a motion to remove the requirement to connect Albion Court to the future Eaton Road extension. Councilmember Nickell seconded the motion.

Recommendation: The Committee recommended (3-0) that the City not require Albion Court be connected to the future Eaton Road Extension.

- B. **Review of Lot Merger Process** - At its meeting of 10/2/07, following a public hearing on the abandonment of a Public Utility Easement for Tradewinds Court, the City Council referred a discussion of the City's lot merger process to the Internal Affairs Committee for further review. **(Report - Fritz McKinley, Building and Development Services Director)**

Councilmember Nickell made a motion to add a checklist to the pre-development process and amend Chico Municipal Code (CMC) section 18.17.04, to include notice to residents who are within 100 ft. of a lot merger. Councilmember Bertagna seconded the motion.

Recommendation: The Committee recommended (3-0) to add a checklist to the pre-development process and to add lot mergers to the process for noticing all persons owning real property within 100 feet of the property affected.

- C. **Consideration of Regulation of Vehicle For Hire Fares** - After considering a report on vehicle for hire fares at its meeting of 9/11/07, staff returned with additional rate information including: (1) pick up rates from the regulated cab companies; (2) rates from unregulated cab companies in Oroville and Paradise; (3) Tier 1, 2 and 3 rates from all Chico cab companies; and (4) information regarding the action that would be required in the event the City Council determines that vehicle for hire fares should be regulated by the City. **(Report - Cindy Pierce, Administrative Services Director)**

Councilmember Bertagna was disqualified on this item.

Addressing the Committee on this item were Ed Ort, Gianni Caponera and John Beaver.

Councilmember Nickell made a motion that the City not regulate vehicle for hire fares and that such fares

should continue to be dictated by the free market. Councilmember Schwab seconded the motion.

Recommendation: The Committee recommended (2-0, Bertagna disqualified) for the City to not regulate vehicle for hire fares and that such fares continue to be dictated by the free market.

- D. **Update on impacts of the Digital Infrastructure and Video Competition Act of 2006** - The Committee discussed the impacts of the Digital Infrastructure and Video Competition Act of 2006 (DIVCA) to the City, along with the City Council action that would be required and requested direction on a proposed ordinance to implement DIVCA. ***(Report - Lori Barker, City Attorney and Cindy Pierce, Administrative Services Director)***

Councilmember Bertagna made a motion to establish a fee of one percent of gross revenues which would support the funding of equipment and capital costs related to Public, Educational, and Government (PEG) programming and recommended introduction of an ordinance which would implement the digital infrastructure and Video Competition Act of 2006. Councilmember Nickel seconded the motion.

Recommendation: The Committee recommended (3-0) to forward to Council, consideration of an introduction of an ordinance which would implement the Digital Infrastructure and Video Competition Act of 2006 and include the establishment of a fee in the amount of one percent of gross revenues to support equipment and capital costs of operating PEG channels.

COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

- E. **Consideration of Butte County's Request to Collect County Development Impact Fees** - In a letter dated 8/28/07, The Butte County Board of Supervisors requested that the City start collecting some of the County's development impact fees. The County offered to present its request and answer any questions. Interim City Manager Burkland introduced Greg Iturria, Butte County Deputy Chief Administrative Officer, to the Committee. Mr. Iturria discussed the different impact fees that were being requested for consideration: general government-facility, general government-vehicles/equipment, library-facility, library-materials, library-vehicles and sheriff-jail. The request was for the City to collect fees for development projects within the City and pass the funds on to the County.

Councilmember Bertagna stated that the City is already financially contributing their fair share and did not see it appropriate to direct staff time to research the County's request at this time. He concluded that the City itself was in the process of reviewing its own list of fees and perhaps the City could revisit this issue at a future date once it has had enough time to review it's own information as well as the County's.

Recommendation: The Committee concurred (3-0) to not take action at this time, but asked that it come back to a future Internal Affairs meeting after the City has had a chance to review its own information as well as the County's.

- F. **Business From the Floor.** None.
- G. **Adjournment and Next Meeting.** The meeting adjourned at 10:00 a.m. The next meeting is scheduled for Tuesday, December 11, 2007, at 8:00 a.m. in Conference Room No. One.

Nancy Kelly, Administrative Analyst

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Internal Affairs Committee Report

DATE: December 5, 2008
 TO: CITY COUNCIL
 FROM: INTERNAL AFFAIRS COMMITTEE
 RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD December 11, 2007**

<p><u>Committee present:</u> Chair Schwab Councilmember Nickell Councilmember Bertagna</p>	<p><u>Staff Present</u> Interim City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Capital Projects Services Director Varga</p>	<p>Planning Director Peterson Public Works Manager White Administrative Services Dir. Pierce Sr. Planner Summerville Administrative Analyst Kelly</p>
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COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Update on Historic Preservation Program** - At the Internal Affairs meeting of 10/9/07, the Planning staff presented options for an Historic Preservation program to the Committee. The Committee directed staff to return to a future Internal Affairs Committee meeting with additional information. Senior Planner Bob Summerville provided the Committee with information on 1) steps to update the City's Historic Resources Inventory (list of significant properties); 2) update on the Historic Resources Element of the General Plan; and 3) update the qualifications of ARB members to include experience in historic preservation. **(Report - Bob Summerville, Senior Planner)**

John Gallardo, Chico Heritage Association, addressed the Committee on this item.

Councilmember Nickell made a motion to follow staff's recommendations and Councilmember Schwab seconded the motion.

Recommendation: *The Committee recommended (2-0, Bertagna absent) to:*

1. ***Direct staff to return with the existing Historic Resources Inventory for formal adoption.***
2. ***Direct staff to consider updating the City's Historic Resources Inventory based on neighborhood boundaries and eligibility criteria as part of the historic preservation ordinance.***
3. ***Direct staff to prepare a Historic Preservation Element as part of the General Plan update.***
4. ***Direct staff to consider amendments to the qualifications of the ARB to be consistent with the requirements of a Certified Local Government.***
5. ***Direct staff to prepare a draft historic preservation ordinance for consideration by the City Council.***

- B. **Video Taping and Televising of Board and Commission Meetings** - At its meeting of 7/10/07, the Internal Affairs Committee was presented with an overview of costs associated with the video taping of the City's Board and Commission meetings. At that time, the members of the Internal Affairs Committee recommended (3-0) to: 1) direct staff to research the feasibility of "audio only" taping in lieu of video taping for selected boards or commissions; and 2) create a policy that will provide direction on future requests for such services. **(Report - Debbie Presson, City Clerk)**

Councilmember Nickell made a motion to forward staff's recommendation to Council. Councilmember Schwab seconded the motion.

Recommendation: *The Committee recommended (2-0, Bertagna absent) to forward a recommendation to the City Council to approve the revised "AP&P 10-1 - Board, Commission, Advisory Committees, and Task Force Rules of Procedure" which includes: (1) prior approved policy statements regarding Board and Commission meetings; (2) adds a clearly defined updated policy regarding the televising or videotaping of meetings; and (3) requires the preparation of an annual report covering usage and costs for video taping and televising.*

COMMITTEE MATTERS REQUIRING ADDITIONAL STAFF RESEARCH

- C. **Review of Flag Policy** - At its meeting held 3/06/07, the City Council referred discussion and consideration of the City's flag policy to the internal Affairs Committee. To assist with the discussion, Assistant City Attorney Wilson prepared an opinion related to the First Amendment issues surrounding this matter. The Committee discussed the current flag policy, the different types of forums and the costs associated with City staff putting the flags up and taking them down. **(Report - Cindy Pierce, Administrative Services Director)**

Ed Regan addressed the Committee on this item.

Councilmember Bertagna made a motion to maintain the limited public forum that was opened by allowing the City of Flags Committee to fly U.S. flags on City light poles and return to the Internal Affairs Committee with: (1) clarification as to who owns the brackets and poles, and (2) an outline of the issues that would need to be included in a new flag policy, including the possibility of hiring a private company to put up and take down the flags. The motion was seconded by Chair Schwab.

Recommendation - The Committee recommended (3-0) that the City maintain the limited public forum that was opened by allowing the City of Flags Committee to fly U.S. flags on City light poles and return to the Internal Affairs Committee with: (1) clarification as to who owns the brackets and poles, and (2) an outline of the issues that would need to be included in a new flag policy, including the possibility of hiring a private company to put up and take down the flags.

COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

- D. **Update on Status of BMX / Freestyle Park** - As requested by Councilmember Bertagna, the Committee was provided with an update on the status of the BMX Freestyle Park project which will be located on 3.56 acres of City owned property adjacent to the Silver Dollar Fairgrounds. **(Report - Dennis Beardsley, Interim Assistant City Manager / General Services Director)**

General Services Director Beardsley stated that progress was being made in providing utilities to the project area. Ann Schwab was disqualified on this item due to the fact that she co-owns a bicycle shop.

Steve Visconte, General Manager, Chico Area Recreation District (CARD) addressed the Committee on this item. He expressed an interest in working with Silver Dollar BMX to allow CARD to use the facility during "off times".

General Services Director Beardsley concluded that Silver Dollar Fairgrounds, BMX and the City are working well together on this and moving forward.

No action was taken on this item.

- E. **Consideration of Change in Meeting Date** - The Committee meeting in November falls on a holiday, November 11, 2008 is Veteran's Day, the Committee was asked to select an alternative meeting date for that month.

Action: The Committee concurred (2-0, Bertagna absent) to reschedule the November 2008 Internal Affairs meeting to November 18, 2008.

- F. **Business From the Floor.** None.

- G. **Adjournment and Next Meeting.** The meeting adjourned at 9:30 a.m. The next meeting is scheduled for Tuesday, January 8, 2008, at 8:00 a.m. in Conference Room No. One unless otherwise noted.

Nancy Kelly, Administrative Analyst



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