



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 2/5/02)                      **DATE:** January 15, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE                      **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JANUARY 8, 2002

<u>Committee Present</u>	<u>Staff Present</u>	
Councilmember Jarvis, Acting Chair	City Manager Lando	Asst. Dir. of Public Works McKinley
Councilmember Kirk	Director of Public Works Ross	Traffic Engineer Mickelson
Councilmember Wahl (substituting for Chair Bertagna)	City Attorney Frank Chief of Police Efford	Fire Prevention Officer Meyers Admin. Analyst Young

## COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION:

A. **Consideration of City of Chico Draft Neighborhood Traffic Management Program.** At its meeting held 3/13/01, the Committee continued consideration of the draft Neighborhood Traffic Management Program (NTMP) until staff had an opportunity to incorporate the revisions and directions provided by the Committee. The Committee was provided with a memorandum dated 12/19/01 from the Director of Public Works providing these revisions and requesting input and direction from the Committee regarding the revisions to "Rank Score" tables and the establishment of reasonable thresholds for rank score in order to determine eligibility for neighborhoods to proceed with the program.

Development Engineer Johnson reviewed the Committee's past direction and actions regarding the NTMP. The Committee had directed staff to redistribute the weighting of the point system to give equal weight to both speed and volume of traffic, and schools and pedestrian generators were added as factors in the scoring system for a neighborhood. At this meeting the Committee was requested to establish thresholds for rank score to determine neighborhood eligibility to proceed with the program. Staff was recommending an eligibility threshold of 35 points for local streets and 50 points for collectors.

Councilmember Jarvis suggested that the eligibility threshold be the same for both local and collector streets, and staff agreed that it made sense to have the threshold be the same, even though the rank score would be calculated differently for locals and collectors.

The Committee agreed that 45 points for local and collector streets would be an appropriate eligibility threshold. Director of Public Works Ross explained that when neighborhood requests were submitted, staff would analyze them to establish the rank score. Those requests that qualified to proceed with the program would be taken to neighborhood meetings where plans and neighborhood buy-in would be developed before the proposed traffic calming measures were submitted to the Internal Affairs Committee and City Council for consideration. In some cases neighborhood residents would be requested to contribute to the cost of traffic calming measures.

Councilmember Jarvis stressed the need for the Committee and Council to be consistent in not approving traffic calming measures for neighborhoods that did not meet the eligibility threshold rank score.

**Recommendation:**  
***The Committee recommended (3-0) that the eligibility threshold for local streets and collector streets in the draft Neighborhood Traffic Management Program be established at 45 points; and that the draft Program be forwarded to the City Council for public input and approval.***

- B. **Consideration of Authority of Council Committees to Direct City Attorney to Draft Code Amendments.** This matter was referred to the Committee by the City Council on 12/4/01 as a result of the City Attorney having been directed by the Committee to prepare emergency ordinances as part of the Internal Affairs Committee report to Council on paint spray booth regulations.

Councilmember Jarvis felt the Committee's recommendation on this matter should not be limited to the authority of Committees to give direction to the City Attorney to prepare ordinances, but should include any Committee's authority to give direction to any staff member which involved a significant amount of work.

City Manager Lando suggested that the Committees be given the authority to give staff direction to perform work if an item was time sensitive and of an emergency nature, and if the vote of the Committee was unanimous.

City Attorney Frank said that the issue was not one of staff workload, but rather, that if Committees had the authority to direct staff to perform significant work, they would be, in effect, prioritizing staff's work.

Councilmember Wahl felt that significant direction to staff should be by full City Council direction only, and that this entire matter on today's agenda should be determined by the full Council.

**Recommendation:**

***The Committee recommended (2-1,Wahl opposed) that the Council Committees be given the authority to give direction to staff that involves a significant amount of work only if the matter is of an emergency nature with time constraints, and only if the direction to staff is by unanimous vote of the Committee.***

**COMMITTEE ITEMS REQUIRING NO CITY COUNCIL ACTION:**

- C. **Consideration of Request for Pavement Undulations on Elm Street Between West 21<sup>st</sup> Street and West 23<sup>rd</sup> Street.** The Committee was provided with a memorandum dated 12/19/01 from the Director of Public Works reporting on a request from Joan Abbott, President of the Board of Directors for the Chico Community Children's Center (CCCC), requesting the installation of pavement undulations along Elm Street between West 21<sup>st</sup> Street and West 23<sup>rd</sup> Street to alleviate speeding problems. The Director of Public Works recommended that pavement undulations not be installed on Elm Street since the street did not meet all of the Council adopted application criteria.

Councilmember Jarvis removed this item from the consent agenda to inquire if staff had considered any other traffic calming measures. Traffic Engineer Mickelson responded yes, but the low volume of traffic on this street would not warrant the expense of such measures; and further, there were no curbs, gutters or sidewalks on the street. Director of Public Works Ross added that the design standards for this street were very narrow. She discussed with staff various alternatives, such as putting up signs during the period when parents were dropping children off and picking them up at the day care center.

Dennis Eicholtz, representing the Center, noted that the drop off area for the facility was very small. The staff of the Center also had safety concerns when children were taken for walks, due to vehicles speeding and the fact that there were no sidewalks.

Councilmember Jarvis suggested funding assistance to improve the drop-off area might be available from Community Development Block Grant Funds. She urged Mr. Eicholtz to contact the Neighborhood Watch group for that area in order to report speeders, which most likely were neighborhood residents. She advised Mr. Eicholtz that although the City would not be able to install any traffic control devices on this portion of Elm Street for the reasons discussed above, staff would be willing to assist in organizing a neighborhood meeting in order to address speeding problems.

***The Committee took no action on this matter.***

D. **Consideration of Traffic Calming Measures along West 11<sup>th</sup> Street Between Ivy and Salem Streets.**

The Committee was provided with a memorandum dated 12/19/01 from the Director of Public Works reporting on a neighborhood request for installation of traffic calming measures along West 11<sup>th</sup> Street between Ivy Street and Salem Street to address its concerns of excessive speed and failure to stop at stop signs. The Director of Public Works recommended that traffic calming measures not be installed on West 11<sup>th</sup> Street.

In response to the Committee's request, Development Engineer Johnson calculated the rank score for this portion of West 11<sup>th</sup> Street to be 20 points, which would not meet the 45 point eligibility threshold for traffic calming measures as recommended in the draft Neighborhood Traffic Management Program.

Councilmember Jarvis was concerned that only one neighborhood resident attended the neighborhood meeting that staff held on 12/12/01, and only one comment form was returned in response to a neighborhood survey conducted by staff.

Barbara Vlamis stated she had been asked to represent the neighborhood at this meeting. She said the residents told her that speeding occurs during the commute times, and the speed surveys conducted by staff were taken during the middle of the day. She requested the Committee to consider directing staff to conduct speed surveys during the commute hours and to hold another neighborhood meeting a little later in the evening (the previous meeting had been scheduled for 5:30 p.m., which was too early for many individuals to be able to attend). She also requested that the area included in the questionnaire survey be expanded to the blocks surrounding 11<sup>th</sup> Street. She added that the residents were not necessarily requesting speed undulations, and she suggested a small traffic circle, perhaps a temporary, inexpensive one, might work well in this neighborhood.

City Manager Lando agreed that a temporary traffic circle in the area might be a good idea and it would be eligible for Community Block Grant Funds. He added however, that if the rank score according to the Traffic Management Program was low, the City would ask for neighborhood buy-in on any traffic calming measures.

**Action:**

***The Committee (3-0) directed staff to:***

- 1. Conduct more speed surveys in this area at the peak commuter hours***
- 2. Conduct another neighborhood meeting no earlier than 6:00 p.m. with plenty of advance notice***
- 3. Ensure that all City notices of public meetings mailed be clearly marked on the outside of the mail piece with "Public Meeting Notice"***
- 4. Check into methods of educating the public on how to maneuver around traffic circles.***
- 5. Bring this matter back to the Committee in 60 - 90 days.***

E. **Reports and Communications.** The following report and communication item was provided for the Committee's information and consideration, and no action was requested unless the Committee wished to give direction to staff.

**Report Regarding Parking Issues Related to the Chico Beauty College** – The Committee was provided with a memorandum dated 12/20/01 from the Director of Public Works providing information regarding the proposed parking lot to be located behind Jasco's Restaurant, 1361 Longfellow, which may alleviate parking impacts associated with the Chico Beauty College. The Director of Public Works recommended continuation of consideration of this matter to a future meeting.

Councilmember Jarvis was optimistic that the proposed parking lot would solve most of the neighborhood concerns with the parking problems, and that it would be best to continue consideration of this matter until after the parking lot was constructed.

***No action was taken by the Committee on this matter at today's meeting and it will remain on the Committee's pending items list for future consideration after the parking lot is constructed.***

F. **Adjournment and Next Meeting.** The Committee adjourned at 8:58 a.m.. The next meeting was scheduled for Tuesday, February 12, 2002, at 8:00 a.m. in Conference Room No. One.

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Bebe Young, Administrative Analyst

Distribution:

City Clerk (22)  
Director of Public Works  
Asst. Dir. of Public Works McKinley  
Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Comm. Dev. Director  
Chief of Police  
Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 3/5/02)                      **DATE:** February 22, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE                      **FILE:** Committee Binder  
**RE:** **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD FEBRUARY 12, 2002**

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Jarvis  
Councilmember Kirk

Staff Present

City Manager Lando  
Director of Public Works Ross  
City Attorney Frank  
Chief of Police Efford  
Captain Maloney

Asst. Dir. of Public Works McKinley  
Traffic Engineer Mickelson  
Fire Prevention Officer Meyers  
Admin. Analyst Young

**COMMITTEE MATTERS REQUIRING COUNCIL ACTION:**

- A. **Approval of Recommendation from the Parking Place Commission to Create a Passenger Loading Zone Adjacent to the Entrance of the Proposed Diamond Hotel on West 4<sup>th</sup> Street between Broadway and Salem.** The Committee was provided with a memorandum dated 1/25/02 from the Director of Public Works reporting on a recommendation from the Parking Place Commission to create a passenger loading zone adjacent to the entrance of the proposed Diamond Hotel to accommodate the arrivals and departures of hotel guests. Wayne Cook, the owner of the proposed hotel, originally requested the conversion of three metered parking spaces to a loading zone. However, the Parking Place Commission recommendation would eliminate one bicycle rack and one metered parking space at the time the hotel becomes operational. The Parking Place Commission recommended the establishment of the passenger loading zone.

Councilmember Jarvis confirmed that the loading zone would not be established until the hotel opens.

**Recommendation:**

*The Committee recommended (3-0) approval of the Parking Place Commission recommendation to establish the "Passenger Loading Zone" designation at this location, which will require the removal of a bicycle parking space plus one metered parking space, and that the implementing resolution be forwarded to the City Council for adoption.*

**REGULAR AGENDA**

- B. **Consideration of Request for a Local Ordinance to Limit Access to all Forms of Tobacco for Sale.** The Committee was provided with copies of letters dated 1/9/02 and January 2002 from Marian Gage, Tobacco Prevention Coalition Member, and Bonnie J. Boelens, requesting that the City Council again consider adoption of a local ordinance which would require all tobacco products to be kept behind the counter or in a locked case by retailers. Councilmembers Kirk and Nguyen-Tan had requested that the Internal Affairs Committee again consider this matter for recommendation to Council.

Marcus Morine, owner of Bidwell Cigar, indicated that he was a "tobacconist," that his store sold tobacco and related products only, and that the proposed ordinance would require him to lock up his humidor, which would impose an undue hardship on his business. He could not resolve the problem by prohibiting anyone under 18 years old from entering his store, because he also sold watches, magazines, candy, and gum, which was traditional for tobacconists.

Councilmember Jarvis suggested that the ordinance could be drafted to exempt certain businesses that would suffer undue hardship due to the regulations.

Bill Arnold objected to smoking being allowed in the Bidwell Cigar store.

Coleen Herrick felt it should be the parents' choice whether or not to take children into a smoke shop.

Councilmember Jarvis pointed out that when this proposal was previously considered by the Committee, input was requested from the Chamber of Commerce. She suggested the Committee meet with the Chamber of Commerce to craft an ordinance which would implement the proposal, but allow exemptions for certain businesses.

Gary Ledford, Don Kidd, Marian Gage and Pamela Hoscars spoke in support of the proposed ordinance, and Ms. Hoscars distributed information on increased use of tobacco by children.

Chair Bertagna said he had opposed this proposal previously because of the hardship on certain businesses, but if the ordinance provided exemptions for these types of businesses, he would support it.

**Action:**

***The Committee agreed (3-0) that several of its members would meet with the Chamber of Commerce to work on drafting an ordinance which would require all tobacco products to be kept behind the counter or locked up, but which would exempt certain specific types of tobacco retailers from these regulations if it caused undue hardship.***

- C. **Consideration of Amendment to the Chico Certified Farmers' Market Franchise Agreement.** The Committee was provided with a memorandum dated 1/25/02 from the Director of Public Works reporting on the Parking Place Commission's consideration of an amendment to the franchise agreement between the City of Chico and the Chico Certified Farmers' Market to include all of City of Chico Municipal Parking Lot 1 (MPL 1) and all sidewalks surrounding MPL 1. The market would be expanded to include one additional row within the lot, but the existing interior parking spaces along E. 2<sup>nd</sup> and Wall Streets would continue to be used by customers. The Parking Place Commission had a split vote (2-2) on this proposal.

The Committee was provided at today's meeting with copies of an electronic message from Rick Tofanelli opposing expansion of the Farmer's Market at its present location due to loss of parking, and urging the Market to consider relocating to the Municipal Center parking lot.

A petition was submitted at today's meeting from downtown merchants stressing the need for the parking spaces proposed for elimination by expansion of the Farmers' Market in MPL 1, and urging the Committee to recommend that the Market be moved to the Municipal Center parking lot.

Traffic Engineer Mickelson reviewed the staff report, indicating that this request from Terry Givens, Manager of the Farmers' Market, would result in the elimination of 37 parking spaces. The Parking Place Commission had discussed the feasibility of relocation of the Market to the Municipal Center parking lot, but did not feel it was practicable due to the parking spaces that were reserved for the City and County fleets.

Councilmember Jarvis recommended this matter be continued in order for staff to provide more information, including an analysis of use of the Municipal Center parking lot by the Farmers' Market and a comparison of its use with the use of Municipal Parking Lot 1.

Councilmember Bertagna requested more information from the Farmers' Market on the need for expansion and what the plans for expansion entailed.

Councilmember Jarvis also requested an analysis of the size of the parking spaces at both locations.

Terry Givens, Manager of the Farmers' Market explained the need for expansion, indicating that applications were being turned down due to lack of space and 80 - 90 vendor applicants were on their waiting list. The Market's five-year plan called for 30 more vendor spaces. She stressed that the Market felt strongly about remaining in its current location due to the exposure and visibility it received from Second Street, and was willing to make concessions to downtown businesses to make it more attractive to them.

Councilmember Jarvis requested staff provide information on the status of the Franchise and when it would expire, noting that the Market had a right to stay at its current location as long as provided for in the Franchise.

The following individuals, most of whom were downtown business owners, spoke against the proposal for expansion of the Market in MPL 1 due to loss of parking, or in support of relocation of the Market to the Municipal Center parking lot or some other location: Reed Anderson, Leslie Montagee, Nancy Lindahl, Don Kidd, Rick Tofanelli, Graham Hutton, Dave Murray, Cecilia Rekenson, Robert Mowry, Matt Smith, and Marilyn Suisun.

The following individuals spoke in support of the Farmers' Market request and against moving its location: Fred Delgado, Dave Miller, and Bill Kinecut.

Nancy Lindahl suggested that research of use of the Municipal Center parking lot include possibilities for relocation of the City and County fleets.

Terry Givens suggested that the Downtown Chico Business Association should advertise and promote the fact that the Municipal Center parking lot is open and free on Saturdays.

During the discussion, the following alternate locations for the Farmers' Market were suggested: Plaza Park, with closure of one lane of Main and Broadway Streets, and possible closure of Wall Street in connection with the Municipal Center parking lot location.

Chair Bertagna requested the use of Main Street for the Market be analyzed.

Councilmember Jarvis requested that staff also include in the report to be prepared: whether the Municipal Center bathrooms could be opened to the public if the Market were relocated there, and information on road closures.

Councilmember Kirk requested a count on the number of handicapped parking spaces in both parking lots, and whether the City's sign ordinance would allow signs to be placed on Second Street directing people to the Farmers' Market if it were relocated to another site.

**Action:**

***The Committee (3-0) continued this matter, directing staff to provide additional information, including the following:***

- 1. An analysis of the use of the Municipal Center Parking lot by the Farmers' Market in comparison to the use of its current location at Municipal Parking Lot No. 1 (MPL 1), including the size of the parking spaces and the number of handicapped parking spaces at both sites, and whether the Municipal Center restrooms could be opened to the public during the Farmers' Market.***
- 2. Information on the status of the Farmers' Market Franchise Agreement and when it expires.***
- 3. An analysis of the following alternate locations for the Farmers' Market: Plaza Park and Main Street.***
- 4. Information on street closures and the feasibility of closing one lane of Main and Broadway Streets if the Market was moved to Plaza Park, or Wall Street if it was moved to the Municipal Center parking lot.***
- 5. Information on whether the City's sign ordinance would allow signs to be placed on Second Street directing people to the Farmers' Market if it was relocated to another site.***

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The Committee was in recess from 9:10 - 9:20 a.m.  
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- D. **Consideration of Issues related to the (Un-sponsored) Halloween Event in Chico.** At its meeting of 1/8/02, the City Council referred the issues outlined in the following correspondence (copies of which were provided to the Committee) to the Internal Affairs Committee for review and recommendations: (1) Letter dated 11/19/01 from Enloe Medical Center expressing concern with the impact of injuries during Halloween on its emergency services center; (2) Memorandum dated 11/26/01 from the Chief of Police summarizing the events and crimes of violence which occurred on Halloween 2001; (3) Memorandum dated 11/28/01 from the City Manager summarizing Department Head observations regarding Halloween 2001 and their recommendations for the future of the event; and (4) Memorandum dated 11/30/01 from the Chief of Police providing Halloween arrest statistics from 1991 through 2001. The Committee was also provided with a memorandum dated 2/4/02 from the City Manager. The City Manager recommended that after preliminary review of the issues at this initial meeting, the Committee determine how it wished to proceed and schedule the matter for full public discussion at a future meeting.

City Manager Lando stressed the need for the City to address the unsponsored Halloween event, which has cost the City between \$60,000 - \$100,000 in the past few years. He reviewed the first eight recommendations made by the Department Heads who had attended the event, as outlined in his memorandum dated 11/28/01.

Regarding No. 1, a "no-mask" ordinance in the same area as the glass ban zone from 10:30 p.m. until morning, Councilmember Jarvis felt more specific information, such as the definition of a "mask," would be needed and that this recommendation would be controversial and should be addressed by the full Council.

Regarding No. 4, attempt to eliminate house parties on Fifth Street, Councilmember Jarvis felt the City could not legally regulate this and it would have to be a request.

Regarding No. 6, work with the Alcoholic Beverage Control Department (ABC) to prohibit bands or events in the downtown area if alcohol was going to be served, City Manager Lando advised that this was beyond the City's control and the ABC had the authority to condition liquor licenses to prohibit bands on a certain night.

City Manager Lando briefly reviewed the additional nine suggestions outlined in the memorandum, which he felt were not as feasible as the first eight. He recommended that the Council consider implementation of the first eight recommendations as soon as possible, but that all of them be reviewed, recognizing that the second set might take a couple of years to work through. From all the groups that have worked on improving this event the last few years, there has been overwhelming agreement that alcohol must be removed from the event, and this was the main goal. He recommended that the Committee schedule a meeting for public input on the recommendations.

The following individuals made comments and suggestions regarding the Halloween event: Charlie Pruesser, Ryan Sposum, Bob Ray, and Richard Elsom

Councilmember Kirk suggested that interested groups review the recommendations to be addressed and submit written comments prior to the public meeting.

Councilmember Jarvis requested more information on the following prior to the public meeting: specifics of the proposed "no-mask" ordinance; and what can be done about gang activity during the event.

**Action:**

***The Committee agreed (3-0) to schedule an evening meeting regarding Halloween issues, specifically focusing on the first eight recommendations made by City Department Heads in the City Manager memorandum dated 11/28/01, for 3/14/02. (NOTE: Subsequent to the meeting Chair Bertagna recommended that the full City Council hold the public meeting instead of the Committee, and the Council agreed at its meeting of 2/19/02, scheduling a City Council meeting regarding Halloween issues for 3/12/02 at 6:30 p.m.)***



- G. **Adjournment and Next Meeting.** The meeting adjourned at 10:00 a.m. The next meeting was scheduled for Tuesday, March 12, 2002, at 8:00 a.m. in Conference Room No. One.

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Bebe Young, Administrative Analyst

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Risk Manager  
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Comm. Dev. Director  
Chief of Police  
Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 4/2/02) **DATE:** March 19, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD MARCH 12, 2002

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Jarvis  
Councilmember Kirk

Staff Present

City Manager Lando  
Director of Public Works Ross  
City Attorney Frank  
Chief of Police Efford

Asst. Dir. of Public Works McKinley  
Traffic Engineer Mickelson  
Fire Prevention Officer Meyers  
Admin. Analyst Young

**COMMITTEE MATTERS REQUIRING COUNCIL ACTION ON 4/2/02:**

- A. **Denial of Request from Rakesh Joshi to remove the Median on the Skyway just West of Bruce Road.**  
The Committee was provided with a memorandum dated 2/19/02 from the Director of Public Works reporting on a request by Mr. Joshi to remove a section of the concrete median on the Skyway to allow vehicles access to turn into and out of the parking lot of his gas station and convenience store, Skyway Beacon. The Skyway is a major arterial designed to carry a large number of vehicles. If this segment of median was removed, conflicting vehicular movements would occur, endangering motorists. The Director of Public Works recommended denial of the request to remove this segment of median.

Rakesh Joshi was present and spoke in support of his request, noting that recently there had been an emergency at the gas station and the response time had been lengthened due to a fire truck not being able to make a left turn into the gas station off of the Skyway. Chair Bertagna confirmed with him that his request was that the curb on the median be cut out to allow left turns into his gas station by vehicles traveling east on the Skyway. He passed around photographs of other comparable intersections in Chico where there were no medians preventing such left turns.

City Manager Lando said staff strongly disagreed with the request because this intersection was designed properly, whereas the intersections in the examples cited by Mr. Joshi were not. Further, if vehicles stopped to make a left turn, it would back traffic up into the through lane. He added that traffic volumes would be increasing in this area as development occurred on Bruce Road.

Councilmember Kirk added that the speed limit at this intersection was 45 mph which was higher than the speed limit at the other intersections cited. Further, she felt it would set a precedent for other businesses to request that medians be punched out to allow such left turns.

Councilmember Jarvis agreed that the request should be denied, feeling that such a cutout to allow left turns was too close to the intersection of Skyway and Bruce Road, and would back traffic up.

Chair Bertagna felt staff and the Committee should consider the request further and explore cutting a left turn lane into the median further back to the west. He did not feel it would have an impact on through traffic and would not cause congestion because most likely there would be just a few vehicles per hour making the left turn into the gas station.

**Recommendation:**

***The Committee recommended (2-1, Bertagna opposed) denial of the request by Rakesh Joshi to remove a segment of the median on the Skyway just west of Bruce Road to allow left turns into the Skyway Beacon gas station/mini-mart.***

- B. **Consideration of Text Amendment to Title 19 of the Chico Municipal Code, entitled “Land Use and Development Regulations,” regarding Cell Tower Lights.** The Committee was provided with a memorandum dated 3/05/02 from the Planning Director reporting that at its meeting of 2/19/02, the City Council deleted this provision from the proposed amendments to Title 19, and directed staff to refer the issue to the Internal Affairs Committee for further discussion. The Planning Director recommended that the Committee consider this issue and forward a recommendation to the City Council.

Chair Bertagna disqualified himself from participating in this matter.

**Recommendation:**

***This matter was on the Committee’s consent agenda with no staff recommendation. Consistent with the full City Council’s previous action, it is recommended that Title 19 not be amended regarding cell tower lights, and that use permits with conditions that result in conflicts between the Municipal Code’s prohibition on cell tower lights and the Airport Land Use Commission’s (ALUC) requirement for red lights on cell towers under certain circumstances be referred back to the Planning Commission for a modification to delete this condition, with the understanding that this might require an action by the City Council overriding the determination made by ALUC.***

- C. **Consideration of Request from Wayne Cook to Lease 20 Parking Spaces in the Parking Structure at 4<sup>th</sup> and Salem Streets.** This matter was referred to the Committee by the City Council at its meeting of 2/19/02. The Committee was provided with copies of letters dated 1/15/02 and 1/24/02 from Wayne Cook requesting a written option to purchase or long-term lease 20 additional parking spaces in the parking structure at 4<sup>th</sup> and Salem Street, in the event he determines to purchase the Morehead Building and convert the second floor to additional hotel rooms for the Diamond Hotel. The City Manager recommended the request to lease 20 parking spaces in the parking structure not be approved, subject to discussion of allowing reservation of spaces during off-peak hours.

The Committee was provided with copies of an electronic message received 3/11/02 from Katrina Davis, Executive Director of the Downtown Chico Business Association (DCBA), requesting that no decision be made on this request until the DCBA Board of Directors had the opportunity to discuss it at its next meeting.

Councilmember Jarvis confirmed with staff that of the 300 spaces available in the parking structure, 100 had been leased, 40 of which would be leased to Wayne Cook for the Diamond Hotel.

Wayne Cook was present and spoke in support of his request, pointing out that his request might be a good incentive for the City in that it would bring pressure to address the need for more parking downtown. He added that his proposal to renovate 20 rooms in the Morehead Building may never come to fruition and that it was dependent on a successful operating history of the Diamond Hotel, which was expected to open in mid-2004. However, he would not proceed with the Morehead Building unless he could procure an option for 20 parking spaces for guests.

Katrina Davis, DCBA, advised that the DCBA has supported historic renovation but would like to ensure that if 20 additional spaces in the parking structure were leased to Wayne Cook, that these spaces be replaced elsewhere downtown. She requested the Committee to delay action on the request until the DCBA Board had considered it at its meeting at the end of this month.

**Recommendation:**

***The Committee recommended (3-0) that the option for lease of 20 parking spaces (location to be determined) to Wayne Cook if and when the Morehead Building is operational as a hotel in approximately four years be conceptually approved, pending input from the Downtown Chico Business Association after its Board of Directors meeting on 3/26/02.***

- D. **Consideration of Recommendation for Direction to Staff to Draft an Ordinance to Limit Access to all Forms of Tobacco for Sale.** At its meeting of 2/12/02 the Committee deferred action on this matter in order to work with the Chamber of Commerce on drafting an ordinance which would require all tobacco products to be kept behind counters or locked up, but which would exempt tobacco retailers who sold tobacco and related products only to ensure that these restrictions would not result in undue hardship for these specific types of tobacco retailers. The Chamber of Commerce had been contacted regarding the proposed ordinance, had no position on it at this time, and had notified selected retailers of today's meeting regarding the matter. Staff recommended that the Committee forward a recommendation to the City Council for direction to staff to draft an ordinance which would limit access to all forms of tobacco for sale, but which would (1) exempt certain specific types of tobacco retailers from these regulations if it would cause undue hardship, and (2) prohibit persons under the age of 18 years old from entering the tobacco retail stores that are exempted from the regulations unless accompanied by an adult.

Ellen Michels, Butte County Health Department, distributed copies of a draft ordinance which would implement the above recommendations. She said there were only three stores in Chico that would qualify for exemption from the regulations due to being tobacco-only retailers.

Committee members discussed that if so directed, City Attorney Frank would draft the ordinance for the City.

Councilmember Kirk felt that since the new regulations would take some time for implementation, retailers should be given six months (180 days) for compliance after the effective date of the ordinance.

Marcus Morine agreed that it would take time for many stores to implement a restricted tobacco sales area.

Gary Ledford distributed copies of a survey showing that 78% of the affected merchants supported the proposed regulations.

Marty Morris of the American Lung Association said that only 23% of the 84 tobacco retail stores still had self-service tobacco product displays.

Staff was requested to notify retailers who sold tobacco products when this matter was submitted to the City Council.

**Recommendation:**

*The Committee (3-0) recommended that the City Council direct the City Attorney to draft an ordinance which would limit access to all forms of tobacco for sale by requiring that the products be kept behind the counter or be locked up, but which would (1) exempt certain specific types of tobacco retailers from these regulations if it would cause undue hardship, (2) prohibit persons under the age of 18 years old from entering the tobacco retail stores that are exempted from the regulations unless accompanied by an adult and (3) provide for compliance with the ordinance within 180 days after its effective date.*

**COMMITTEE MATTERS REQUIRING NO COUNCIL ACTION ON 4/2/02:**

- E. **Approval of the Director of Public Works Recommendation on a Request for Pavement Undulations along Neal Dow Avenue between Palmetto Avenue and East Fifth Avenue.** The Committee was provided with a memorandum dated 2/19/02 from the Director of Public Works reporting on a neighborhood request for the installation of pavement undulations along Neal Dow Avenue to address concerns regarding excessive speed. The Director of Public Works recommended that the Neighborhood Traffic Management Program (NTMP) be utilized to assess traffic calming strategies along Neal Dow Avenue between Palmetto and East 5th Avenues.

**Action:**

*The Committee authorized staff (3-0) to apply the City's Neighborhood Traffic Management Program to assess traffic calming strategies along Neal Dow Avenue between Palmetto and East 5<sup>th</sup> Avenues, as recommended by staff.*

- F. **Approval of Request to Improve the Sight Distance Adjacent to the Driveways at the Butte County Courthouse on Oleander Avenue.** The Committee was provided with a memorandum dated 2/19/02 from the Director of Public Works reporting on the need to remove three parking spaces along the west side of

Oleander Avenue at the Butte County Courthouse in order to increase the sight distance and safety of vehicles entering Oleander Avenue from the Butte County Courthouse parking lot. The Director of Public Works recommended that Traffic Regulation Amendment No. 736 be adopted which will remove one parking space south of the north driveway, one space north of the south driveway and one space south of the south driveway for a total loss of three parking spaces.

**Action:**

***The Committee adopted (3-0) the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 736, which will remove one parking space south of the north driveway, one space north of the south driveway and one space south of the south driveway for a total loss of three parking spaces on Oleander Avenue adjacent to the Butte County Courthouse.***

- G. **Acceptance of Report on Recycling of Computers, TV's, and other Electronic Equipment.** The Committee was provided with a memorandum dated 3/4/02 from Management Analyst Herman reporting that computer monitors, televisions and other electronic equipment are now considered hazardous waste. City residents may take their electronic equipment at no cost to the household hazardous waste collection facility at the Chico Municipal Airport for recycling. The facility will be available to all Butte County residents in the near future.

**Action:**

***The Committee accepted the Report (3-0).***

- H. **Consideration of Recommendation to Adopt Traffic Regulation Amendment Number 737 which will Remove Five Parking Spaces at 1102 Mangrove Avenue.** The Committee was provided with a memorandum dated 2/19/02 from the Director of Public Works reporting on the need to remove five parking spaces along the frontage of 1102 Mangrove Avenue in order to facilitate the Mangrove Avenue/East First Avenue Intersection Improvement Project. The Director of Public Works recommended that Traffic Regulation Amendment No. 737 be adopted.

Chair Bertagna disqualified himself from participating in this matter.

Senior Development Engineer Alexander reviewed the staff report, explaining that removal of the parking spaces was necessary to add right-turn lanes to this intersection.

Dr. Russ Kalen, Dr. Greg Jenkins, and Jeri Lee, owners of businesses on Mangrove Avenue, spoke in opposition to removal of the five parking spaces because there was already a shortage of parking in the area and they felt this proposal would further exacerbate the problem.

Committee and staff members discussed that insufficient parking was often due to private businesses not providing enough parking because they chose to meet only the minimum parking requirements when the businesses were constructed.

Kevin Hunn, homeowner on East First Avenue, spoke against adding the right turn lane on East First Avenue in front of his home at 507 East First Avenue as proposed because it would eliminate the on-street parking in front of his home, as well as part of his front yard. He suggested that the right turn lane at this location be shortened in length to 30 feet, adding that from his observations, the average amount of vehicles making right turns even at peak hours was only 3 ½.

City Manager Lando suggested staff conduct a neighborhood meeting regarding the intersection project design.

**Action:**

***The Committee (2-0, Bertagna disqualified) continued this matter, directing staff to facilitate a meeting among the business owners in order to resolve the neighborhood parking issues which are related to the intersection design, and to conduct a neighborhood meeting regarding the design of the Mangrove / East First Avenues Intersection Improvement Project.***

- I. **Reports and Communications.** The following report and communication item was provided for the Committee's information and consideration, and no action was requested unless the Committee wished to give direction to staff:

**Memorandum dated 2/19/02 from the Director of Public Works reporting on a review of the pedestrian refuge located on East First Avenue at Laburnum Avenue. – Chair Bertagna requested that this matter be agendized for consideration by the Committee.**

- J. **Adjournment and Next Meeting.** The Committee adjourned at 9:40 a.m.. The next meeting was scheduled for Tuesday, April 9, 2002, at 8:00 a.m. in Conference Room No. One.

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Bebe Young, Administrative Analyst

**Distribution:**

City Clerk (22)  
Director of Public Works  
Asst. Dir. of Public Works McKinley  
Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Comm. Dev. Director  
Chief of Police  
Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 5/7/02) **DATE:** April 11, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD APRIL 9, 2002**

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Committee Present

Councilmember Jarvis, Vice-Chair  
Councilmember Kirk  
Councilmember Wahl  
(Substituting for Chair Bertagna)

Staff Present

Director of Public Works Ross  
Chief of Police Efford  
City Attorney Frank  
Asst. Dir. of Public Works McKinley  
Traffic Engineer Mickelson  
Police Officer Fonseca  
Fire Marshal Myers  
Admin. Analyst Young

***NONE OF THE MATTERS ADDRESSED BY THE COMMITTEE ON TODAY'S AGENDA REQUIRE CITY COUNCIL ACTION AT THIS TIME, AND THEREFORE, THIS REPORT IS BEING SUBMITTED TO COUNCIL UNDER THE "REPORTS AND COMMUNICATIONS" SECTION OF ITS 5/7/02 AGENDA***

- A. **Review and Consideration of the Pedestrian Refuge on East First Avenue at Laburnum Avenue.** The Committee was provided with a memorandum dated 3/19/02 from the Director of Public Works reporting on the effectiveness of the pedestrian refuge on East First at Laburnum Avenue which was installed in January, 2001. Traffic studies revealed that the refuge had had little, if any, effect on vehicular speed along East First Avenue. However, use of the refuge by pedestrians and bicyclists had increased. The Director of Public Works recommended that the pedestrian refuge remain in place.

Copies of a letter received 4/8/02 from Carol Vivion requesting that the pedestrian refuge be removed because she felt it was dangerous and an obstacle to traffic, were distributed at today's meeting.

Barbara Meade was concerned with the safety of pedestrians and bicyclists crossing East First Avenue at Oleander and she inquired whether the pedestrian refuge at Laburnum had helped that situation.

Director of Public Works Ross advised that the original pedestrian and bicyclist counts at the East First Avenue and Laburnum intersection were very low and had increased significantly since the pedestrian refuge was installed.

Bill Howerton felt that the pedestrian refuge should be removed, pointing out that staff had originally recommended against it; that it had not slowed traffic on East First Avenue, which was its original purpose; that it was a hazard, obstructing the flow of traffic on an arterial road; and that several vehicles had crashed into it.

Ed McLaughlin spoke in support of the pedestrian refuge, feeling that it helped pedestrians and bicyclists cross East First Avenue safely at that intersection. He suggested that since the two incidents of vehicles hitting the median occurred at night, installation of reflectors might solve the problem.

Director of Public Works Ross said he would arrange for reflector stripes to be put on all sides of the pedestrian refuge.

Councilmembers Jarvis and Kirk were in favor of retaining the pedestrian refuge at East First Avenue and Laburnum.

Councilmember Wahl felt that the matter should be reviewed again in six months, since the information in the staff report indicated there had been more accidents, and traffic had not been slowed down. He requested staff to provide another speed study, accident summary and pedestrian and bicyclist count when it came back to Committee in six months.

Barbara Vlamis suggested that the Committee take a field trip to the site to view the effectiveness of the pedestrian refuge.

**Action:**

***The Committee (3-0) directed staff to ensure that reflector stripes were placed on all sides of the pedestrian refuge and to bring this matter back for further review in six months with an updated report including another speed survey, accident summary, and a pedestrian / bicyclist count for this intersection as well as for the intersection of East First and Oleander Avenues for comparison.***

- B. **Consideration of Adoption of Traffic Regulation Amendment Number 737 which would Remove Five Parking Spaces at 1102 Mangrove Avenue.** At its meeting of 3/12/02 the Committee considered this matter, at which time several business owners in the area objected to the removal of the five parking spaces on Mangrove Avenue. The Committee continued the matter, directing staff to hold a neighborhood meeting to facilitate resolution of the business owners' parking shortage problems. The neighborhood meeting was held on 3/28/02 and attended by Planning and Engineering staff in addition to seven citizens who have businesses in the project area. Staff provided information and options for on-site parking; however, those attending the meeting noted that cooperation among the various businesses for shared parking and access was not feasible and the public improvements as proposed would be detrimental to their businesses and property. They further noted that congestion only occurred at a specific time of day and the improvement was not warranted. The Committee was provided with a memorandum dated 4/3/02 from the Director of Public Works reporting back on the need to remove these five parking spaces along the frontage of 1102 Mangrove Avenue in order to facilitate the Mangrove Avenue/East First Avenue Intersection Improvement Project. The Director of Public Works recommended that the Committee Resolution approving Traffic Regulation Amendment No. 737 be adopted.

Copies of a letter received this morning from Dr. Greg Jenkins, requesting that this matter be continued due to the short notice, were distributed at today's meeting.

Councilmember Wahl indicated that Dr. Jenkins had been informed by staff that this matter would not come back to the Committee until May, and that he had been out of town and received very short notice of today's meeting.

Councilmember Kirk confirmed that at the neighborhood meeting the concerned parties were informed that this would not be heard by the Committee until May.

Jill Cooper spoke in support of the continuance.

Councilmember Jarvis felt a continuance would serve no purpose since the concerned parties had not been able to resolve their parking problems at the neighborhood meeting.

Councilmember Kirk felt there were other issues that should be addressed concerning the loss of parking, such as the loss of space for delivery trucks, etc. She questioned whether removal of the five parking spaces was essential to the intersection improvement project, and whether the right turn lane at this location was really needed.

Director of Public Works Ross said the only other option to removal of the five parking spaces in order to establish right turn lanes would be to purchase the Shell gas station, which cost would be prohibitive. He added that staff would provide traffic counts regarding the number of right turns being made at this location.



Dr. Jenkins indicated that establishment of the right turn lane in front of his business would reduce the value of his building and his practice by one-half.

Barbara Vlamis said that widening of streets in order to provide right turn lanes always resulted in a more dangerous situation for pedestrians and bicyclists, and she inquired whether a safety analysis had been performed.

Councilmember Kirk felt the matter should be continued and that the design of the intersection improvement project itself should also be considered by the Committee at its May meeting.

**Action:**

***The Committee (3-0) continued this matter to its meeting of 5/14/02, and directed staff to (1) provide traffic counts of right-turning vehicles at this location, and (2) to include review and consideration of the intersection improvement project itself on the agenda, providing notice to all residents and owners of parcels that might be affected by the project.***

- C. **Consideration of Request to Install Additional Pavement Undulations along West 22nd Street Between Park Avenue and Estes Road.** The Committee was provided with a memorandum dated 3/19/02 from the Director of Public Works reporting on a request from resident Liesl Jones to install additional pavement undulations along West 22nd Street. The Director of Public Works recommended that traffic calming measures not be installed on West 22nd Street.

Traffic Engineer Mickelson reviewed the staff report, summarizing that West 22<sup>nd</sup> Street met neither the criteria adopted by the City Council for pavement undulations, nor the minimum score for traffic calming measures according to the Neighborhood Traffic Management Program (NTMP).

Responding to Councilmember Jarvis's inquiry as to whether staff would support installation of pavement undulations if the residents on West 22<sup>nd</sup> Street paid for it themselves, Director of Public Works Ross said no, because there was no identified, demonstrated need.

Liesl Jones was present and spoke in support of her request, pointing out that there were many children, elderly residents and pets in the neighborhood which were at risk due to the speeding vehicles that accelerated as soon as they passed the existing pavement undulations.

Barbara Vlamis said she lived on Normal Avenue and supported the request for pavement undulations. She also requested more information on the Neighborhood Traffic Management Plan and Traffic Engineer Mickelson indicated he would provide her with a copy.

Councilmember Jarvis explained that the Committee received these same concerns with speeding from almost every neighborhood in the City, and she was optimistic that the publicity campaign that was being conducted to encourage people to slow down would help. She said she had never supported speed humps.

Officer Fonseca noted that greater enforcement of speed limits was difficult, especially in low volume traffic areas such as this, due to limited staff. He added that from a police perspective, speed humps caused people to speed up between humps.

Councilmember Kirk suggested putting the police speed trailer in this area.

Councilmember Wahl felt the Committee should stick to the criteria in the Neighborhood Traffic Management Plan, which this area did not meet.

**Action:**

***The Committee (3-0) denied the request for installation of pavement undulations on West 22<sup>nd</sup> Street between Park Avenue and Estes Road.***

D. **Consideration of Traffic Calming Measures along West 11<sup>th</sup> Street between Ivy and Salem Streets.**

The Committee was provided with a memorandum dated 3/11/02 from the Director of Public Works reporting on a neighborhood request for consideration of installation of traffic calming measures along West 11<sup>th</sup> Street between Ivy and Salem Streets to address concerns with excessive speed and failure to stop at stop signs. The Director of Public Works recommended that traffic calming measures not be installed on West 11<sup>th</sup> Street.

Traffic Engineer Mickelson reviewed the staff report, summarizing that another neighborhood meeting had been held and there was no consensus as to what the residents wanted. The Neighborhood Traffic Management Plan (NTMP) criteria was applied to this area, resulting in a score of 25, which did not meet the minimum score of 45 for traffic calming measures.

Barbara Vlamis recited a list of traffic calming measures which had been installed in the surrounding neighborhoods, which she felt proved that there was a speeding problem in this area. She suggested that a four-way stop sign at the intersection of Chestnut and West 11<sup>th</sup> Streets would break up the stretch of road where the speeding occurred. Another inexpensive solution would be striping for bike lanes which would narrow the perception of the width of the street and slow drivers down.

Bill Yaskowitz spoke in support of four-way stop signs at the intersection of West 11<sup>th</sup> and Chestnut Streets.

The Committee and staff discussed the various alternatives. Director of Public Works Ross indicated that striping would narrow the travel lane to 16 feet, which would not meet the City's standard of 20 feet.

Councilmember Wahl was opposed to stop signs because this area did not meet the criteria for traffic calming measures, and he inquired whether yield signs might be an alternative.

Director of Public Works Ross noted that stop signs were not considered "traffic calming measures" in the NTMP, and that the purpose of both stop signs and yield signs was to assign the right-of-way, not to slow down traffic. He said the intersection of West 11<sup>th</sup> and Chestnut Streets would not meet the warrants for stop signs.

Councilmembers Jarvis and Kirk commented that historically the Committee had occasionally authorized stop that were not warranted, and that sometimes they were successful and sometimes not. They felt it was worth trying at this intersection in order to discourage the speeding vehicles, and authorized staff to process the implementing Committee resolution.

**Action:**

***The Committee (2-1, Wahl opposed) adopted the Resolution of the Internal Affairs Committee of the City Council of the City of Chico adopting Traffic Regulation Amendment No. 740, authorizing the installation of stop signs on 11th Street at Chestnut Street.***

E. **Consideration of Request to Convert 100 Feet Along Marigold Avenue from "No Parking At Any Time" to "No Parking From 7:00 a.m. to 4:00 p.m."**

The Committee was provided with a memorandum dated 3/18/02 from the Director of Public Works reporting on a request from Victoria Haro to change about 100 feet of the prohibited parking designation along Marigold Avenue to restricted parking from 7:00 a.m. to 4:00 p.m., Monday through Friday. Because the prohibited parking designation was originally approved in order to provide adequate space for a bicycle lane along Marigold, staff recommended denial of the request and leaving the "No Parking" designation unchanged.

No one was present to speak in support of this request.

The Committee concurred with the staff recommendation that the parking designation should not be changed since bike lanes along Marigold were proposed, and it would be difficult to change the parking designation back again when the bike lanes were implemented.

**Action:**

***The Committee (3-0) denied the request to change the parking designation along Marigold Avenue to "No Parking from 7:00 a.m. to 4:00 p.m.," as recommended by staff.***

- F. **Adjournment and Next Meeting.** The Committee adjourned at 9:30 a.m. The next meeting was scheduled for Tuesday, May 14, 2002, at 8:00 a.m. in Conference Room No. One.

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Bebe Young, Administrative Analyst

**Distribution:**

City Clerk (22)  
Director of Public Works  
Asst. Dir. off Public Works McKinley  
Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Comm. Dev. Director  
Chief of Police  
Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 6/4/02) **DATE:** May 22, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD MAY 14, 2002**

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Committee Present

Councilmember Jarvis, Vice-Chair  
Councilmember Kirk  
Councilmember Wahl  
(Substituting for Chair Bertagna)

Staff Present

City Manager Lando  
Director of Public Works Ross  
Chief of Police Efford  
City Attorney Frank  
Asst. Dir. of Public Works McKinley  
Senior Dev. Engineer Alexander  
Traffic Engineer Mickelson  
Police Officer Fonseca  
Fire Marshal Myers  
Administrative Analyst Young

**None of the matters addressed by the committee at its 5/14/02 meeting require City Council action at this time, and therefore, this report is being submitted to Council under the "Reports and Communications" section of its 6/4/02 Agenda.**

A. **Approval of Ordinance Amending Chapter 5.12 of the Chico Municipal Code regarding Cable Communications Systems Franchises.** The Committee was provided with a memorandum dated 5/7/02 from Assistant City Attorney Barker forwarding a proposed ordinance which would amend various provisions of Chapter 5.12 of the Chico Municipal Code regarding cable communications systems franchises. Most of the amendments were in regard to the customer service regulations and would 1) amend the provisions regarding telephone answering standards and reporting requirements; 2) address dispute resolution procedures adopted by cable franchisees; and 3) make various non-substantive grammatical corrections. The Assistant City Attorney recommended the Committee forward the ordinance to the City Council for adoption, with introductory reading to be scheduled for its meeting of 5/21/02.

**Recommendation:**

***The Committee recommended (3-0) that the proposed ordinance be forwarded to the City Council for approval, with introductory reading to be scheduled for its meeting of 5/21/02.***

B. **Approval of Installation of Stop Signs on Woodside Lane at Both of its Intersections with Lakewood Way.** The Committee was provided with a memorandum dated 4/30/02 from the Director of Public Works reporting on neighborhood concerns regarding speeding issues on Woodside Lane associated with Pleasant Valley High School student commute times. The City Manager recommended the installation of stop signs on Woodside Lane at both of its intersections with Lakewood Way, subject to consultation with the affected residents regarding the exact location of the stop signs.

Copies of a letter from Michael Magliari supporting the installation of stop signs, and a letter from Robert Burness, Jr. opposing the stop signs were distributed at today's meeting.

Councilmember Kirk was concerned that the minimum score of 45 set forth in the Neighborhood Traffic Management Plan (NTMP) for consideration of traffic calming measures had not been met in this neighborhood, and also that the proposed stop signs would conflict with two driveways.

City Manager Lando explained that this was an entirely self-contained neighborhood and all the residents except one had signed a petition stating they were concerned about speeding. Further, the recommended condition for installation of the stop signs was that the affected residents approve their location.

**Action:**

***The Committee (3-0) authorized the installation of stop signs on Woodside Lane at its two intersections with Lakewood Way, with the condition that the location of the stop signs be approved by the residents whose property will be affected by placement of the signs; and directed staff to process the implementing resolution when agreement is reached.***

- C. **Consideration of Parking and Litter Issues along Ceanothus Avenue.** The Committee was provided with a memorandum dated 4/22/02 from the Director of Public Works reporting on a request from Kimberly Hunt, a resident of Ceanothus Avenue, to provide assistance regarding parking and litter issues along Ceanothus Avenue caused by Pleasant Valley High School (PVHS) students. The Director of Public Works requested that the Committee provide direction to staff.

Kimberly Hunt reviewed the safety problems outlined in her letter caused by PVHS students parking and blocking driveways and sight distance on Ceanothus Avenue. She noted that School representatives had contacted her and were making efforts to resolve the litter problem by having it picked up after school.

Councilmember Jarvis suggested a neighborhood meeting be convened with representatives from PVHS staff, PTA, and Associated Students to address the parking problems.

Assistant Principal Jones, PVHS, agreed that a meeting would be a good idea.

City Manager Lando suggested one solution might be to provide diagonal parking along the side of Ceanothus Avenue where trees had just been planted.

Karen Ortiz spoke about the litter problems associated with the sports fields at PVHS.

Mike Weissenborn, Chico Unified School District, encouraged citizen support of the new high school, for which the environmental impact report hearing would be conducted on 5/26/02, in order to take pressure off the existing high schools.

Walt Norris commented further on the problems caused by PVHS student parking and litter on Ceanothus Avenue.

City Manager Lando requested the Police Department to have a Community Services Officer target this area for parking enforcement.

**Action:**

***The Committee (3-0) continued this matter to its July meeting, directing staff in the interim to:***

- 1. Analyze the possibility of implementing diagonal parking on Ceanothus Avenue.***
- 2. Convene a meeting with neighborhood residents and representatives from Pleasant Valley High School staff, PTA, Associated Students and the agencies using the fields to address parking and litter problems.***

- D. **Consideration of the Relocation of the Chico Certified Farmers' Market.** The Committee was provided with memorandum dated 4/22/02 from the Director of Public Works reporting on a request from Terry Givens, Manager of Chico Certified Farmers' Market, to relocate the Market sales area from Municipal Parking Lot #1 to the Municipal Center parking lot, Wall Street between Third and Fourth Streets, and Fourth Street between Main Street and the north driveway of the Municipal Center parking lot. The Director of Public Works recommended approval of the request.

Copies of an electronic message from Rick Tofanelli opposing the closure of Wall Street were distributed at today's meeting

Councilmember Jarvis discussed the possibility of the use of the mall area in front of the Municipal Center for vendors, and suggested that the restrooms in the Council Chamber building be made available for use by the public during the Market on a trial basis.

City Manager Lando was concerned that closure of Fourth Street would be too disruptive to the flow of traffic in the downtown area.

Terry Givens spoke in support of the current proposal, feeling it was a good compromise that would meet the needs of all who had been involved with relocation of the Market, and it had been accepted by the Parking Place Commission. She stressed the Market's need for visual exposure, which the use of Wall and Fourth Streets would ensure.

City Manager Lando suggested consideration of closing one lane only on Fourth Street and possibly one lane on Main Street, which would provide exposure for the Market without closing Wall and Fourth Streets.

Councilmember Kirk expressed safety concerns with closure of one lane of a street for use by the Market.

City Manager Lando responded that if one lane was closed, the vendors would be backing their vehicles up to the sidewalk and selling off the sidewalk, which he did not feel would be dangerous.

Rick Tofanelli opposed the closing of Wall Street due to loss of parking in the parking lots located on Wall Street, and he supported the suggested alternative of use by the Market of one lane of Fourth Street and the mall area in front of the Municipal Center.

Peg Williamson, Tom Gascoyne, Carrie Marshall, and Wayne Cook also spoke in opposition to the closure of Wall Street.

Dave Miller spoke in support of the Market's proposal, noting that it would be willing to cut its hours by closing at Noon instead of 1:00 p.m. He did not feel the closure of Fourth Street would have a significant impact on traffic flow for those few hours on a Saturday, especially since the volume was only 600 vehicles.

Terry Givens felt that closing one lane of Fourth Street would be dangerous, in that customers would be walking out in front of traffic.

Fred DelGado, President of the Farmers' Market, also felt that closure of one lane would be dangerous and a liability for both the Market and the City.

Dave Murray suggested consideration of closing all of Fourth Street over to Wall Street, which would leave Wall Street open for the flow of traffic.

Gene McFarren, owner of a building at 270 East Fourth Street, requested notification of any future meetings involving proposals for closure of Fourth Street.

Councilmember Wahl suggested exploring the feasibility of closing Fifth Street between Main and Flume Streets for use by the Market.

Councilmember Kirk was opposed to the closure of Wall Street and in favor of exploring the use by the Market of one lane on Fourth Street, as well as the mall area of the Municipal Center.

**Action:**

***The Committee (3-0) continued this matter to its July meeting, to be considered as the first item on that agenda, and directed staff to provide further analysis of the following options for relocation of the Chico Certified Farmers' Market:***

- 1. use of the mall area adjacent to the Municipal Center, and use of the restrooms by the public in the Council Chamber building***
- 2. closure/use of one lane on Fourth Street from Main to Wall Street***
- 3. closure/use of one lane on Main Street from Fourth Street to the bus stops and disabled parking spaces***
- 4. closure/use of Fifth Street from Main Street to Flume Street***

- E. **Consideration of Design of Intersection Improvement Project for East First and Mangrove Avenues and Recommendation for Removal of Five Parking Spaces at 1102 Mangrove Avenue and Fourteen Parking Spaces at 667 East First Avenue.** The Committee was provided with a memorandum dated 4/15/02 from the Director of Public Works reporting back on the need to remove five parking spaces along the frontage of 1102 Mangrove Avenue and fourteen parking spaces at 667 East First Avenue in order to facilitate the Mangrove Avenue/East First Avenue Intersection Improvement Project. Due to opposition to the removal of the parking spaces from several business owners, the Committee continued this matter in order to consider the design of the intersection improvement project itself, in addition to the proposed removal of parking spaces. The Director of Public Works recommended that the Committee adopt the resolution approving Traffic Regulation Amendment No. 737 which would remove the parking spaces.

Assistant Director of Public Works McKinley described the intersection improvement project on the display map, explaining that in order to provide the width necessary for the project, the only alternative to removal of the parking spaces as proposed by staff would be for the City to purchase the Shell Gasoline Station on the northwest corner of Mangrove and East First Avenue.

City Manager Lando addressed Councilmember Kirk's concern from the previous meeting as to whether installation of a right turn lane on Mangrove was really necessary for vehicles traveling southbound to westbound, advising that the traffic count (57 vehicles turning right per hour) definitely established the need. He strongly recommended that the intersection improvement project proceed, stressing that the need to improve the traffic flow in this area was of greater benefit to the community than the hardship of the loss of five parking spaces on Mangrove would be to the business owners.

Staff responded to Councilmember Jarvis' request for an explanation of how this intersection improvement project came about in relation to all of the improvements needed on Mangrove and East First Avenue.

City Manager Lando said he would be willing to recommend that the City provide assistance to the business owners that would be affected by the loss of parking due to the project.

Anne Buck, owner of Hair to Eternity, stressed the hardship that loss of the parking spaces would have on the businesses in the vicinity.

Jeff Carter, representing business owners Greg Jenkins and Jeri Lee, pointed out that many of the businesses in the vicinity of this intersection were upgrading and expanding, and this could be an opportunity to improve the aesthetics of the entire area, if the parking shortage could be addressed. He recommended the City work with the businesses in the area and the residents on East First Avenue to develop a solution which could include shared parking for the entire area, and advised that his clients had retained consultants to begin working on parking solutions.

City Manager Lando agreed that by working with the property owners the City could assist in resolving the parking problems at this intersection. However, it was imperative for the City to proceed with the intersection improvement project immediately since there were time constraints involved in the specialized State funding available for the project. He felt certain that a parking solution could be found which would provide at least as much parking as was being removed by this project, and he offered to recommend to the City Council that the City provide financial assistance for developing parking for the property owners in the area, if they would agree to the City's proposal for removal of the five parking spaces on Mangrove Avenue and the 14 spaces on East First Avenue.

Jeri Lee felt the City should explore whether the timing of the traffic signals might improve the traffic flow on Mangrove and East First Avenues.

City Manager Lando responded that the traffic signals at this particular intersection could not be sequenced because of the heavy turning movements, but that the City was working on timing some of the other signals on Mangrove Avenue.

Jeff Carter requested that the City Manager recommendation for funding assistance for developing a parking solution for business owners in this area be forwarded to the City Council, and that staff meet with the property owners as soon as possible.

City Manager Lando agreed to begin meeting with the property owners immediately.

**Action:**

***The Committee (3-0):***

- 1. Adopted the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 737, authorizing the removal of five parking spaces adjacent to 1102 Mangrove Avenue, and 14 spaces adjacent to 667 East First Avenue; and***
- 2. Directed the City Manager to meet with property owners in the area regarding development of a shared parking solution that would be agreeable to all parties, and to formulate a recommendation to the City Council for City financial assistance with this process.***

- F. **Consideration of Request by Mountain View Avenue Residents for City to Share in Costs of Repaving a Portion of Mountain View Avenue.** The Committee was provided with a memorandum dated 4/30/02 from the Director of Public Works presenting the request by Mountain View Avenue residents for the City to share in the costs of repaving a portion of that street. The City had offered to share 50% in the cost of the construction and design with the City paying the remaining costs for inspection and contingency. The residents had asked that the City contribute 75%. The Committee was also provided with the correspondence history on this request, and the report noted that the City had many streets in need of repair, with many of them having waited considerably longer than this annexed street. The Director of Public Works recommended that the City contribute 50% and the homeowners on Mountain View Avenue contribute 50% for the design and construction costs associated with repavement of a portion of Mountain View Avenue as delineated in his memorandum.

City Manager Lando commended the residents of Mountain View Avenue for getting together and initiating this request, and suggested the City formulate a policy for addressing and encouraging such requests.

Dan Katz, Liz Cowen, and Merrill Hulk, residents of Mountain View Avenue who had agreed to participate financially in the road improvements, were present and responded to staff and Committee questions regarding the request. Mr. Katz indicated that ten of the property owners were willing to participate in the funding, but half of those would not be able to participate unless the City agreed to the 75/25 split.

Committee members discussed the possibility of the City funding the remainder of the street improvements so that the whole street could be repaved; however, it was agreed that it would not be equitable for some of the residents to contribute and have the City pay the share of those who would not.

City Attorney Frank agreed that a policy should be developed if the City wished to consider cost sharing with property owners for road improvements, and he advised against the City paying the share for residents who would not participate in the funding.

Councilmember Wahl was concerned with setting a precedent by entering into an agreement on this request without a policy in place, and felt there should be a waiting list for street repairs according to when they were annexed into the City.

Mr. Katz pointed out that the City had already budgeted funds to repair Mountain View Avenue on a 50/50 share basis with the property owners as recommended by the Director of Public Works.

City Manager Lando said he supported the staff recommendation, would like to encourage this type of financial participation from residents, and would recommend considering a policy whereby the City would budget up to \$200,000 per year for cost sharing of road improvements with residents.



Councilmember Wahl suggested that development of a policy for cost sharing of road improvements with property owners be forwarded for consideration by the full Council. City Manager Lando suggested that development of the policy be considered by the Committee before being submitted to Council, and the Committee members agreed.

**Action:**

***The Committee (3-0) continued this matter to its next meeting, directing staff to develop a City policy for cost-sharing of road improvements by the City and property owners, to be considered by the Committee on the agenda before the specific request from the Mountain View Residents is addressed.***

**G. Consideration of Local Agency Formation Commission (LAFCo) Annexation Policy.**

***This matter was continued by the Committee due to lack of time at today's meeting.***

- H. **Future Meetings.** The Committee was requested to consider whether it would like to set an extended workshop meeting in order to address several of the matters on its pending list, a copy of which was provided to the Committee.

**Action:**

***The Committee agreed to extend its next meeting an extra hour, with the meeting to end at 11:00 a.m. instead of 10:00 a.m.***

- K. **Adjournment and Next Meeting.** The Committee adjourned at 10:10 a.m. The next meeting was scheduled for Tuesday, June 11, 2002, from 8:00 a.m. to 11:00 a.m. in Conference Room No. One.

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Bebe Young, Administrative Analyst

**Distribution:**

City Clerk (22)

Director of Public Works

Asst. Dir. off Public Works McKinley

Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson

City Attorney

Risk Manager

Planning Director

Finance Director

Comm. Dev. Director

Chief of Police

Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 7/2/02) **DATE:** June 14, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JUNE 11, 2002**

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Jarvis (*absent during Consent Agenda approval*)  
Councilmember Kirk

Staff Present

City Manager Lando  
Director of Public Works Ross  
Asst. City Attorney Rock  
Director of Public Works Ross  
Asst. Dir. of Public Works McKinley  
Traffic Engineer Mickelson  
Assistant Comm. Dev. Dir. Sellers  
Park Director Beardsley  
Urban Forester Boza  
Chief of Police Efford  
Police Officer Fonseca  
Fire Marshal Myers  
Administrative Analyst Young

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 7/2/02:**

- A. **Approval of Traffic Regulation Amendment No. 743 to Remove Two Parking Spaces at the Intersection of Fifth and Normal Streets.** The Committee was provided with a memorandum dated 5/21/02 from the Director of Public Works reporting on the need to remove two parking spaces at the intersection of Fifth and Normal Streets in order to improve the sight distance for drivers entering Fifth Street from Normal Street. The spaces proposed for removal were one two-hour metered space on the northeast corner of Fifth Street and one unrestricted space on the southwest corner of Fifth Street. The Parking Place Commission and Director of Public Works recommended adoption of Traffic Regulation Amendment No. 743.

**Recommendation:**

***The Committee recommended (2-0, Jarvis absent) City Council adoption of the resolution which would authorize removal of two parking spaces at the intersection of Fifth and Normal Streets, as recommended by the Parking Place Commission.***

- B. **Approval of Traffic Regulation Amendments No. 733 and No. 735 to Revise Parking Meter Time Limits on East Sixth Street and Parking Time Limits on Broadway Street.** The Committee was provided with a memorandum dated 5/20/02 from the Director of Public Works reporting on changing parking meter designations from ten hours to two hours on East Sixth Street between Main and Wall Streets, and changing four-hour parking to ten-hour parking on Broadway between West Seventh and West Eighth Streets. These changes would implement the recommendations of the Parking Place Commission and local businesses. The Parking Place Commission and Director of Public Works recommended the adoption of Traffic Regulation Amendment No. 733 and No. 735 (which would revise Traffic Regulation Amendment No. 732).

**Recommendation:**

***The Committee recommended (2-0, Jarvis absent) City Council adoption of the resolutions which would authorize changing certain parking meter designations on East 6<sup>th</sup> Street from 10-hour to 2-hour parking, and from 4-hour parking to 10-hour parking on Broadway between West 7<sup>th</sup> and West 8<sup>th</sup> Streets, as recommended by the Parking Place Commission.***

- C. **Approval of the Relocation of the Chico Certified Farmers' Market From Municipal Lot One to the City of Chico Municipal Block.** The Committee was provided with a memorandum dated 6/3/02 from the Director of Public Works reporting on the City Manager's recommendation and the Farmers' Market concurrence to relocate the Chico Certified Farmers' Market to the City of Chico Municipal block which includes the Municipal parking lot, one-half of Fourth Street from Main to Flume Streets, and all open areas around the Municipal Building and Council Chambers out to the face of curb. In addition, the Council Chamber restrooms would be available for use by customers of the Market with the understanding that this privilege may be revoked by the City Manager if abuse or vandalism occurs. The Director of Public Works and the City Manager recommended approval of the amendment to the franchise agreement to relocate the Market.

This matter was approved with no discussion on the Consent Agenda (2-0, Jarvis absent); however, when Councilmember Jarvis arrived at the meeting shortly thereafter, she asked that it be revisited because she had questions about whether sandwich board type signs could be allowed at the old location in order to redirect people to the new location of the Market.

Director of Public Works Ross responded that since the City's sign ordinance applied only to private property, sandwich board signs could be used on public property, although it would require City Council authority.

Councilmember Jarvis indicated that the Farmers' Market would be requesting financial assistance for the signage.

City Manager Lando advised that relocation of the Market would require an amendment to the Franchise Agreement, which would be prepared and submitted for approval by the full City Council, and he suggested the Farmers' Market submit a letter regarding its signage request which could be addressed by Council at the time the Franchise Agreement was brought back.

**Recommendation:**

***The Committee recommended (3-0):***

- 1. That staff be directed to prepare an amendment to the Franchise Agreement with the Chico Certified Farmers' Market which would (a) authorize its relocation to the City of Chico Municipal block which includes the Municipal parking lot, one-half of Fourth Street from Main to Flume Streets, and all open areas around the Municipal Building and Council Chambers out to the face of curb, and (b) make Council Chamber restrooms available for use by customers of the Market with the understanding that this privilege may be revoked by the City Manager if abuse or vandalism occurs.***
- 2. That any requests by the Farmers' Market regarding signage to redirect customers to the new location be submitted in writing and addressed by the full City Council at the time the amended Franchise Agreement is submitted for approval.***

- D. **Request from Staff for Reconsideration of the Use of the Video Enforcement of Red Traffic Light System.** The use of the video enforcement of red traffic light system was considered by the City Council on 5/1/01, at which time the Council directed staff to proceed with further examination of the use of this system. The Committee was provided with a memorandum dated 4/22/02 from the Chief of Police recommending that the issue be revisited in light of recent rulings relating to the use of video cameras for the enforcement of red traffic signals. The Chief of Police was requesting a final recommendation regarding the use of this particular technology.

The Chief of Police added that the unfavorable court rulings had been in relation to systems which provided still photographs of the violations, as opposed to videotaping, and that the Nestor Company was the only vendor that provided the videotaping system. He reviewed his report, noting that another factor contributing to his recommendation for reconsideration of this project was that the Nestor Company had refused to agree to capping its profits, which was a condition the Council had placed on going forward with this system.

Marlene Pyshora suggested overlapping the red light cycles, extending the time when the lights stayed red in both directions.

Committee members and staff discussed various strategies for preventing accidents as a result of red-light running. The City Manager and Director of Public Works advised that studies had concluded that delaying yellow light or overlapping red light cycles did not help in the long run because motorists became accustomed to the changes and anticipated how to "beat" them.

Since the vendor was unwilling to cap its profits as directed by Council, the Committee felt the pursuit of the video-enforcement system for red lights should be abandoned.

**Recommendation:**

***The Committee (3-0) recommended that the City Council direct staff to abandon implementation of the video enforcement system for red lights, due to the vendor being unwilling to cap its profits.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 7/2/02:**

- E. **Consideration of Local Agency Formation Commission (LAFCo) Annexation Policy.** This matter was referred to the Committee by the City Council at its meeting of 4/16/02. The Assistant Community Development Director was requested to discuss the current LAFCo policy regarding annexation and request direction from the Committee for a recommendation to Council.

Assistant Community Development Director Sellers summarized the current issues: (1) LAFCo had the authority to approve island annexations regardless of the number of protests; and (2) In recent letters, LAFCo had suggested the City should be more aggressive and encourage larger annexations. He said, however, that in his discussions with LAFCo staff, they understood that if the City tried to force larger annexations, the number of protests might increase and cause the requested annexations to fail.

Councilmember Jarvis said she had requested this discussion because she felt the City was not aggressive enough in that it always waited for annexations to be requested rather than reaching out and promoting annexation. She suggested that a broad-based community meeting be held with all the groups that had expressed interest in annexation, and that Committee members could attend voluntarily. She felt there was a misconception in the community that annexing into the City would result in higher taxes.

City Manager Lando said Council policy was to support any requests for annexation but not for the City to initiate annexations. The City had substantially reduced the number of unannexed islands. He added that the Committee may wish to recommend that the Council revisit its policy on annexation after holding a community meeting which should include the Chamber of Commerce, CEPCO, and various groups that had expressed interest in or requested annexation.

Assistant Community Development Director Sellers added that although the City's policy has been reactive in that it did not initiate annexations, there were about 25 annexations per year being processed, which was about the limit the City could handle.

Staff responded to questions from Karen Laslo regarding the annexation process, filing fees and requirements for hooking up to the City sewer system.

Alan Gair expressed concern that the City's rules regarding livestock appeared to be more liberal than the County's. Assistant Community Development Director Sellers was requested to provide information to the Committee on why its land use laws governing livestock were more liberal than the County's.

Councilmember Jarvis inquired as to the status of the cost studies/analysis regarding annexation, and Assistant Community Development Director Sellers responded it will be updated by July or August. City Manager Lando added that all the studies show that annexation is a cost drain to the City.

**Recommendation:**

***The Committee recommended (3-0) that staff arrange for a broad-based community meeting regarding annexation to be held in September to investigate how the City might take a more proactive role in encouraging annexations, and that if a majority of the Committee wished to attend, a Committee agenda be posted for the meeting.***

- F. **Approval of Traffic Regulation Amendment No. 738 to Remove 495 Feet of Parking along the South Side of East Eighth Street between Bartlett Street and State Route 99.** The Committee was provided with a memorandum dated 5/21/02 from the Director of Public Works reporting on the need to remove parking along the south side of East Eighth Street. The removal of parking in this area was a condition of approval imposed by Caltrans for the complex built at East Eighth Street. Caltrans had authorized the City of Chico to prohibit this parking. The Director of Public Works recommended the adoption of Traffic Regulation Amendment No. 738.

**Action:**

***The Committee (2-0, Jarvis absent) adopted the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 738 which authorizes removal of 495 feet of parking along East 8<sup>th</sup> Street west of State Route 99.***

- G. **Consideration of the Relocation of the Temporary Speed Humps to the Northerly Portion of Yosemite Drive.** The Committee was provided with a memorandum dated 5/21/02 from the Director of Public Works reporting on the Committee's previous direction to staff to bring this item back to the Committee when the time was appropriate to relocate the temporary speed humps to the northerly portion of Yosemite Drive. The most suitable location for this installation should now be determined. The Director of Public Works requested the Committee provide direction on the placement of the temporary speed humps on northerly Yosemite Drive.

Councilmember Kirk disqualified herself from participating in this matter.

Traffic Engineer Mickelson reviewed the staff report and advised staff was recommending the speed humps be relocated on Yosemite Drive to the back property line of Brookside Drive, and between the two driveways at the entrance to Canyon Oaks Country Club.

**Action:**

***The Committee directed staff (2-0, Kirk disqualified) to relocate the temporary speed humps to the northerly portion of Yosemite Drive at the following locations: (1) the back property line of Brookside Drive, and (2) between the two driveways at the entrance to Canyon Oaks County Club.***

- H. **Consideration of Native Oak and Heritage Tree Preservation Ordinance Concepts.** Development of a tree preservation ordinance was referred to the Committee by the City Council at its meeting of 4/2/02. The Committee was provided with a memorandum dated 5/21/02 from the Urban Forester providing a review of native oak and heritage tree ordinances from several communities in Northern California. The report also discussed the common traits of successful ordinances and a suggested outline for a Native Oak and Heritage Tree Ordinance. The Urban Forester was requesting direction on developing a Native Oak and Heritage Tree Preservation and Protection Ordinance.

Responding to Councilmember Bertagna's request, Urban Forester Boza provided the following definitions:

1. **Heritage Tree** – a tree within the community that has some special significance to the community.
2. **Native Oak or Tree Preservation Ordinance** – an ordinance which regulates what occurs with Native Oaks or other identified trees (such as cutting, trimming, etc.)

Urban Forester Boza explained that the City already had a street tree ordinance which addressed trees on public property and in the City's parks (Chapter 14.40 of the Chico Municipal Code), and that the proposed concepts being addressed today would apply to both public and private property.

City Manager Lando added that tree maintenance/preservation was also addressed as part of the development process throughout the Municipal Code.

Councilmember Jarvis pointed out that there were no penalties in Title 19 for violation of tree regulations as part of the development process, and requested this be addressed at a future Committee meeting as a separate issue.

City Manager Lando requested the Committee to give direction on whether it wanted to explore both a heritage tree and a native tree preservation ordinance.

Councilmember Bertagna questioned the need for these ordinances, inquiring whether there was really a problem that needed to be addressed. He felt most citizens valued the trees on their property, and most developers planted trees in new subdivisions where there were none before. He pointed out that some of the older, larger trees had little life left and could be dangerous. He also questioned whether ordinances governing trees on private property would be voluntary.

Marlene Pyshora and Karen Laslo spoke in support of the need for tree preservation ordinances.

Councilmember Jarvis felt the issue of whether the preservation ordinance for Native Oak trees should be expanded to other types of native trees should be addressed.

Alan Gair advised that he was member of a group called "Tree Action," which was working on tree preservation issues. He felt developers needed incentives to keep the trees on property being developed. He said the Tree Action group would like to provide input on developing tree ordinances for private property that would be fair to both developers and citizens. The group had specialized software and was planning to do a satellite survey of trees in Chico. He requested the City to get more facts regarding how many trees have actually been removed, so that logical, balanced regulations could be adopted which would allow sensible development.

Patricia Hall commented that there was a financial incentive to keep trees because large trees added to the value of property.

Mike Weissenborn said by California law, it was a misdemeanor to cut a tree that was not on a person's own property.

Karen Laslo felt that the preservation ordinances should protect trees in successive ages and sizes, rather than just focusing on the large, mature trees.

City Manager Lando suggested that since the main concern seemed to be the removal of trees from developable parcels before they were developed, another option to consider might be to limit the tree preservation ordinances to commercial properties and undeveloped parcels over an acre in size, which would exclude existing homeowners.

Councilmember Jarvis felt a large part of the community was supportive of a heritage tree preservation ordinance and native oak tree preservation ordinance for all private property.

Chair Bertagna reiterated his position that he did not see a real need for the ordinances, that most developers and residential property owners realized the value of their trees, and that incidents like the Meghdadi tree removal could be addressed through the development processes outlined in Title 19 of the Municipal Code.

Mr. Gair added that another issue was the County / City property mix, and suggested a combined ordinance with the County would be most effective. Regarding the types of trees to be protected, he said there were lists of quality trees defined by use, species and size, which were developed by professional arborists.

Councilmember Jarvis felt the City should take preventive action by developing tree preservation ordinances now, regardless of whether there currently problems or not. She agreed with the City Manager's suggestion that regulations regarding pre-development tree cutting be considered.

Councilmember Kirk recommended the Committee seek input and information on the issues from the Tree Action group, including what other trees besides native oaks should be considered for protection.

Mr. Gair said he would ask the Tree Action group how much time it would need to develop a proposal for Committee consideration, but with the work to be done, he estimated it would take at least two months. Chair Bertagna felt the City should take a pro-active position by encouraging planting of native trees for the future, and he did not feel that "clear cutting" on private property was currently an issue.

**Action:**

***The Committee agreed to continue this matter, directing staff to work with the Tree Action group on a proposal for tree preservation ordinances to be brought back to the Committee (probably in September); and Councilmember Jarvis requested staff to include on the Committee's pending list for a future agenda, consideration of penalties for violations of the development review process and regulations as set forth in Title 19 of the Chico Municipal Code.***

- I. **Reports and Communications.** The following reports and communication items were provided for the Committee's information and consideration, and no action was requested unless the Committee wished to give direction to staff.
1. Report on Parking Issues in the Vicinity of the Chico Beauty College. The Committee was provided with a memorandum dated 5/21/02 from the Director of Public Works reporting on the effectiveness of the new parking lot constructed at 1361 Longfellow Avenue behind Jasco's Restaurant and the resulting mitigation of parking congestion in the Longfellow area. The Director of Public Works recommended that no further parking changes be made in the Longfellow area.  
  
Councilmember Jarvis commented that she had been contacted by a resident in the area that still had complaints about the parking situation; however, she did not request any further action.
  2. Report on Traffic Regulation Amendment No. 742 to Remove 127 Feet of Parking at 555 Vallombrosa Avenue for Improved Sight Distance. The Committee was provided with a memorandum dated 5/21/02 from the Director of Public Works reporting on the need to remove parking along the south side of Vallombrosa Avenue to improve sight distance. Vehicles were parking within a lane narrowing transition at that location beyond currently delineated parking spaces, thereby causing a sight distance problem. Section 10.05.050 of the Chico Municipal Code authorized the Director of Public Works to remove parking outside of the City's business district if a hazardous condition existed. The Director of Public Works thereby authorized the removal of this parking in order to improve public safety at this location.
- J. **Adjournment and Next Meeting.** The Committee adjourned at 9:45 a.m. The next meeting was scheduled for Tuesday, July 9, 2002, at 8:00 a.m. in Conference Room No. One.

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Bebe Young, Administrative Analyst

Distribution:

City Clerk (22)  
Director of Public Works  
Asst. Dir. off Public Works McKinley  
Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Comm. Dev. Director  
Chief of Police  
Fire Chief





City Manager Lando advised he was recommending (1) adoption of the proposed policy with the addition of a provision that advertisements would be published each year after adoption of the budget to inform the community that approximately \$250,000 in city funds would be available for a 50/50 cost sharing program between residents and the City for road improvements, and that roads near schools would have priority; and (2) that the specific request of the Mountain View Avenue residents for a 75/25 split (with the residents paying 25%) be approved due to the group's initiative, organization, and tenacity.

Dan Katz, who had organized the Mountain View Avenue residents' request two years ago, responded to questions and explained that the portion of the road shown on the map displayed by the Department of Public Works was proposed for the improvements because those neighbors had agreed to participate and pay their share. He felt some of the other neighbors who had declined to participate might change their minds if the City approved the request for the 75/25 split, as opposed to the 50/50 split.

City Manager Lando recommended that if the 75/25 split was approved by the City Council, staff be directed to conduct a neighborhood meeting to determine if more of the Mountain View Avenue residents wished to participate.

Councilmember Kirk felt that the 75/25 split for the Mountain View Avenue residents, which would be an exception to the proposed policy for a 50/50 split, was justified because it was near a school.

Councilmember Wahl was opposed to the proposed policy for cost sharing of road improvements between the City and residents because he felt road improvements were a City responsibility for which residents paid taxes. He also objected to implementing road improvements on a piece meal basis. He felt if road improvements were needed, the City should fund them completely. He also questioned whether such a program would be fair to low-income residents who could not afford to participate, and would therefore, have a low priority for road improvements.

City Manager Lando responded that lower income areas actually had an advantage in receiving road improvements in that Community Development Block Grant Funds (CDBG) could be used in these areas, and he suggested that the City pay the share for any low income residents that wished to participate in a neighborhood's request for cost sharing.

Merle Hull, Mountain View Avenue resident, agreed with Councilmember Wahl that it was the City's responsibility to fund road improvements; however, he supported this cost sharing policy because it would be voluntary, not mandatory, and if property owners were willing to participate in cost sharing in order to get the improvements, it would most likely increase their property values.

Councilmember Wahl inquired whether the residents' contributions would be tax deductible, and City Attorney Frank responded possibly, because tools were available and he would research the options of billing residents for their share of the cost on their tax bills, or through a self-imposed assessment district.

Chair Bertagna supported the proposed policy but requested that it be revised to include: (a) a provision for the City to pay the share for low-income individuals who wish to participate in a neighborhood request for cost sharing; and (b) that every effort be made to improve the entire roadway between intersections.

City Manager Lando advised that the Committee's recommendation would be submitted to the City Council at its 8/6/02 meeting, along with the revised policy, and that the neighborhood meeting with Mountain View Avenue residents would be held after that to determine if any more residents wished to participate.

In response to Councilmember Kirk's inquiry, City Manager Lando indicated that the funds for this program had already been budgeted this year.

Dan Katz requested that the Mountain View Avenue neighborhood meeting be held after 8/12/02 because he would be unavailable on vacation before that.

Councilmember Wahl said he was opposing the cost sharing policy because he felt it would set a precedent of asking the taxpayers to pay for a service that government should provide, and that he also opposed the 75/25 split for the Mountain View Avenue residents because it would be inconsistent with the policy, if approved.

**Recommendation:**

*The Committee recommended (2-1, Wahl opposed):*

1. *Adoption of the policy recommended by the Director of Public Works for a voluntary cost sharing of 50/50 between neighborhood residents and the City to pay for roadway improvement of shoulder paving in annexed areas, with the following revisions:*
  - a. *That advertisements be published each year after adoption of the budget to inform the community that approximately \$250,000 in City funds would be available for this program.*
  - b. *That road improvements in areas near schools be given a higher priority.*
  - c. *That if sewer installation is planned within a benefit area, the applicants would not be eligible for cost sharing until after the installation has occurred, at which time they must re-apply for the program.*
  - d. *That options of billing residents for their share of the cost on tax bills or through a self-imposed assessment district be researched by the City Attorney and included in the policy in order to allow the residents' share of the cost to be tax deductible;*
  - e. *That a provision be included for the City to pay the share for low-income residents who were part of a neighborhood request, possibly with Community Development Block Grant (CDBG) funds.*
  - f. *That every effort be made to improve the entire roadway between intersections.*
2. *That the request of the Mountain View Avenue residents for a 75 (City)/25 (Residents) cost sharing for shoulder paving improvements be approved due to the proximity of the road to a school and due to the group's organization and initiative in coming forward with this request; and that if the request is approved by the City Council, a neighborhood meeting be conducted by staff to determine if additional residents wish to participate.*

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 8/6/02:**

- C. **Approval of Traffic Regulation No. 741 which would Designate 91 feet of "No Parking" Zone on East Fifth Avenue.** The Committee was provided with a memorandum dated 6/19/02 from the Director of Public Works reporting that the recently annexed area at the intersection of East Fifth Avenue and Sheridan Avenue was designated a "No Parking" zone by Butte County due to insufficient sight distance. Staff had determined that there continued to be a deficient sight distance for motorists entering East Fifth Avenue from Sheridan Avenue. The Director of Public Works recommended that the Committee adopt Traffic Regulation No. 741 as an administrative action to retain the current designation of "No Parking" zone along this 91 feet of East Fifth Avenue.

**Action:**

*The Committee adopted (3-0) the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 741, designating a "No Parking Zone" on East Fifth Avenue.*

- D. **Approval of Traffic Regulation Amendment No. 734 which would Remove 22 feet of Handicapped Parking on Forest Avenue.** The Committee was provided with a memorandum dated 6/19/02 from the Director of Public Works reporting on the need to remove handicapped parking along Forest Avenue adjacent to Cinnamon Village Apartments, located at 1650 Forest Avenue. This area along Forest Avenue is designated "Bicycle Lane No Parking" as established by Traffic Regulation Amendment (TRA) No. 681 dated 9/12/00; and therefore, supercedes the previous TRA establishing the handicapped parking. The Director of Public Works recommended adoption of Traffic Regulation Amendment No. 734 which would remove the 22 feet of handicapped parking.

**Action:**

*The Committee adopted (3-0) the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 734, removing Handicapped Parking on Forest Avenue.*

**Consideration of Possible Modifications to the Traffic Circle on Idyllwild Circle at Yosemite Drive to Improve Pedestrian Safety.** The Committee was provided with a memorandum dated 6/28/02 from the Director of Public Works reporting on a review of Council member Kirk's concern for the overall safety of pedestrians based on the location of the crosswalk on Idyllwild Circle at Yosemite Drive. The Director of Public Works requested that the Committee provide staff with direction.

Councilmember Kirk explained that she felt the crosswalk was dangerous in that it gave pedestrians a false sense of security, and that approaching vehicles could not see it until they were right on top of it. She felt pedestrians could still cross in that location, but that they would be more careful about watching for approaching cars if the crosswalk were removed.

Director of Public Works Ross advised that if the crosswalk were removed, the handicapped ramps would also have to be removed, because ramps without crosswalks were allowed only at intersections.

City Manager Lando suggested perhaps a traffic circle could be considered an intersection, and that legislation might be pursued to revise the Vehicle Code to allow a traffic circle to be treated as a regular intersection. Another alternative might be to relocate the handicapped ramps down to the nearest intersection, thereby allowing the crosswalk to be removed.

Director of Public Works Ross explained that the traffic circle would not be in compliance with Federal Highway Administration (FHWA) design standards and the Vehicle Code if the crosswalk were removed.

City Manager Lando noted that intersections on residential streets typically did not have crosswalks, and Director of Public Works Ross pointed out that the difference here was that this was a high traffic volume street, as opposed to a low traffic volume residential street.

Traffic Officer O'Quinn agreed that the crosswalk gave a false sense of security and that without it, pedestrians would be more careful and check traffic before crossing.

City Manager Lando indicated the City Attorney had not yet reviewed the Vehicle Code in relation to this matter and that the City must comply with State law. He recommended that the City Attorney research the Vehicle Code and FHWA standards to determine if this traffic circle could be considered an intersection, in which case the crosswalk could be removed, and if it could not be considered an intersection, that legislation to do so could be pursued.

**Action:**

***The Committee (3-0) directed the City Attorney to research the Vehicle Code and Federal Highway Administration design standards to determine if this crosswalk could be removed.***

- F. **Reports and Communications.** The following report and communication item was provided for the Committee's information and consideration, and no action was requested unless the Committee wishes to give direction to staff.

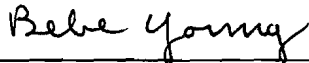
**Report on Ceanothus Avenue Neighborhood Meeting Regarding Parking and Litter Issues.** The Committee was provided with a memorandum dated 6/19/02 from the Director of Public Works reporting on a neighborhood meeting regarding parking and litter issues on Ceanothus Avenue adjacent to the Pleasant Valley High School campus. Area neighbors and representatives of the Chico Unified School District met with staff and discussed possible solutions to the problems, including diagonal parking, on-site parking, enforcement, education and litter removal. No recommendations were made and additional neighborhood meetings would be held.

Mike Weissenborn, representing the Chico Unified School District, was present. He and Traffic Engineer Mickelson reviewed the results of the neighborhood meeting that was held. The neighbors were not interested in diagonal parking on Ceanothus. Mr. Weissenborn advised that he would be working with School District staff to provide incentives to students for carpooling. City staff would be proposing that the residents' driveways be painted for no parking for four feet on each side.

**Direction to Staff:**

*Chair Bertagna suggested the prohibition of parking on Ceanothus during certain hours (such as between 11:30 a.m. and 1:00 p.m.) in order to prevent students from parking there on the lunch hour, and City Manager Lando indicated that this should be considered at the next neighborhood meeting.*

- G. **Adjournment and Next Meeting.** The meeting was adjourned at 8:50 a.m. The next meeting was scheduled for Tuesday, August 13, 2002, at 8:00 a.m. in Conference Room No. One.



Bebe Young, Administrative Analyst

**Distribution:**

City Clerk (22)  
Director of Public Works  
Asst. Dir. off Public Works McKinley  
Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Comm. Dev. Director  
Chief of Police  
Fire Chief

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# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (Meeting 9/3/02) **DATE:** August 20, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD AUGUST 13, 2002

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Kirk  
Councilmember Wahl (*substituting for Jarvis*)

Staff Present

Comm. Dev. Director Baptiste  
Director of Public Works Ross  
City Attorney Frank  
City Clerk Presson  
Risk Manager Koch

Planning Director Seidler  
Asst. Dir. of Public Works McKinley  
Traffic Engineer Mickelson  
Administrative Analyst Young

***NONE OF THE MATTERS CONSIDERED BY THE COMMITTEE ON 8/13/02 REQUIRE CITY COUNCIL ACTION ON 9/3/02; THEREFORE, THIS REPORT WILL BE LISTED UNDER THE REPORTS & COMMUNICATIONS SECTION OF THE COUNCIL'S AGENDA***

- A. **Approval of Traffic Regulation Amendment Nos. 745, 746, 747, and 749, Which Will Officially Designate Existing Stop Intersections.** The Committee was provided with a memorandum dated 7/23/02, from the Director of Public Works reporting that adoption of these Traffic Regulation Amendments will officially record those traffic control devices which have either been installed as a result of new subdivisions or were in existence when an area was annexed to the City. Placement of the stop signs/traffic control devices complies with all standards. Without this action, violations of these traffic control devices cannot be enforced. The Director of Public Works recommended adoption Traffic Regulation Amendment Nos. 745, 746, 747, and 749 which would officially designate existing stop intersections.

**Action:**

***The Committee adopted (3-0) the Resolutions (4) of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendments No. 745, 746, 747, and 749, which officially records those traffic control devices which have either been installed as a result of new subdivisions or were in existence when an area was annexed in to the City.***

- B. **Acknowledge Receipt of Report Regarding the Establishment of Diagonal Parking in Those Areas South of Eleventh Street Between Park Avenue and Oakdale Street.** The Committee was provided with a memorandum dated 7/23/02 from the Director of Public Works reporting on the feasibility of providing diagonal parking in the area south of Eleventh Street to Sixteenth Street and between Park Avenue and Oakdale Street. This primarily commercial area currently has unimproved roadway shoulders that would require shoulder paving prior to striping for diagonal parking. The conversion from parallel to diagonal parking spaces within this area would yield an additional thirty-three spaces. At the time of lot redevelopment, the Director of Public Works recommended that diagonal parking be considered a viable alternative to parallel parking in that area south of Eleventh Street to Sixteenth Street and between Park Avenue and Oakdale Street.

**Action:**

***The Committee (3-0) acknowledged the Report and Recommendation that diagonal parking be considered a viable alternative to parallel parking at the time of lot redevelopment in the area south of Eleventh Street to Sixteenth Street and between Park Avenue and Oakdale Street.***

- C. **Consideration of Request for Installation of a Stop Sign on West Fifth Street at Hazel.** By memorandum dated 7/23/02, the Director of Public Works reported on a request from Sue Maligie to install stop signs on West Fifth Street at its intersection with Hazel Street. Investigation of the intersection determined that Hazel Street currently has stop signs at its intersection with West Fifth Street, and also has yellow school zone crosswalks on all four legs with appropriate night time illumination. From 1997 to 2002, two accidents have occurred at this location. Since none of the Caltrans stop sign warrants were met, it appears stop signs are not warranted at this location. The Director of Public Works did not recommend the installation of stop signs on West Fifth Street at its intersection with Hazel Street.

Chair Bertagna removed the staff recommendation for denial of this request from the consent agenda because he felt that the sight distance was poor for making right turns southbound from Hazel on to Fifth Street. He said that cars were forced to enter the intersection in order to determine whether it was clear to make the turn, and this was dangerous.

Assistant Director of Public Works McKinley suggested trimming the trees to improve the sight distance, and Director of Public Works Ross added that parking prohibitions could also be considered.

Councilmember Kirk recommended continuing the matter in order for staff to investigate tree trimming and parking prohibitions in order to improve the sight distance at this intersection.

Chair Bertagna said he could not support removal of any parking spaces in this location, but agreed that trimming the landscape might improve the sight distance.

**Action:**

***The Committee (3-0) continued this matter and directed staff to investigate tree trimming and parking prohibitions in order to improve the sight distance at the intersection of Hazel and Fifth Streets, and report back to the Committee.***

- D. **Consideration of Development of Formal Procedures and Policies for Placing Items on City Council, Board, Commission, and Committee Agendas.** By letter dated 7/8/02 to the City Clerk, Michael Jones requested copies of any documents explaining the procedures by which the agendas were written and posted for the Park Commission and its Committees. It was determined that there were no written procedures for preparation of Park Commission agendas. The City Clerk was directed to query the Department Heads responsible for each of the Council's Boards, Commissions, and Committees to determine whether there were written procedures for agenda preparation, and if not, what procedures were followed. The Committee was provided with a memorandum dated 8/6/02 from the City Clerk providing this information, including the City Council's written procedures for the placement of items on the Council agenda by Councilmembers. The memorandum also provided options for development of formal agenda preparation procedures. Staff was requesting Committee direction on how to proceed.

Michael Jones displayed a flow chart regarding Park Commission agenda procedures, noting that currently the Park Director and Chair of the Commission determine which items are placed on Commission and Committee agendas, and the Director writes the agendas. He proposed an alternate procedure by which the public would have more input on what items are placed on the agenda, and the Commissioners, rather than staff, would write the agendas.

Chair Bertagna confirmed that there are no written procedures for placing matters on the Park Commission and Committee agendas, nor for any of the other Boards and Commissions of the City Council.

Park Director Beardsley advised that the current process used for placing items on the Park Commission agenda was similar to the City Council's written procedure. If a Commissioner requested a matter to be placed on the agenda, it was reviewed by the Park Director, Commission Chair and City Manager. If the public requested an item to be placed on the agenda, it was done by written request.

Wendy Ledgerwood, Chair of the Park Commission, commented that the current system worked smoothly, feeling that staff, rather than Commissioners, should continue to write the agendas. She added that a full report was submitted to the Commission on any items that were reviewed by its Committees.

Michael Jones felt that the Committee system failed because the agendas were not posted on the City's website and the public was not allowed to speak at these meetings. Further, he said the Committee agendas were frequently distributed late and he had heard complaints about the public not receiving notification of Committee agendas and meetings. He said Tom Barrett, former Chair of the Commission, and David Wood, Chair of the Trails Committee, had indicated that staff did not always place some items they had requested on agendas.

Chair Bertagna felt it would be appropriate to establish written agenda procedures for each Board and Commission, but because each body operated differently, he suggested each Board and Commission develop its own written procedures and submit them to the Internal Affairs Committee for review. He recommended that the City Council's written agenda procedures be mirrored as closely as possible.

Michael Jones suggested that a new agenda category, which would be a discussion of agenda items for the next meeting, be added at the end of Park Commission agendas.

**Action:**

***The Committee (3-0) referred the development of written procedures for placing matters on agendas for each of the City Council's Boards and Commissions, back to those individual bodies for a recommendation back to the Internal Affairs Committee.***

**E. Consideration of Traffic Regulation Amendment No. 750, Which Will Prohibit Parking on Jan Court.**

The Committee was provided with a memorandum dated 7/16/02 from the Director of Public Works reporting on a request from Andy Kiser of Stinson and Associates, to post "No Parking 2:00 a.m. to 7:00 a.m." signs on Jan Court, which is located behind Raley's Shopping Center north of the Skyway. Mr. Kiser stated that owners of travel trailers and RV's are using this cul-de-sac for permanent and overnight parking and living. Because of the potential for fire in the adjacent vacant field caused by the use of barbeques, their presence creates a safety hazard to the general public. Because the street is not posted as a no parking area, Code Enforcement and Police Officers are unable to issue citations or remove these vehicles, some of which are abandoned. The Director of Public Works recommended adoption of Traffic Regulation Amendment No. 750 which would prohibit parking on Jan Court.

Traffic Engineer Mickelson reviewed the staff report.

The Committee discussed that the parking prohibition should be reconsidered after the lots on Jan Court were developed.

**Action:**

***The Committee adopted (3-0) the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 750 which will prohibit parking on Jan Court, with the note that the parking prohibition will be reconsidered when the lots on Jan Court are developed.***

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F. **Reports and Communications.** The following report and communication items, which were taken from the Committee's pending items list, were provided for the Committee's information and consideration, and no action was requested unless the Committee wished to give direction to staff.

1. **Development of Alternative Traditional Neighborhood Development (TND) Improvement Standards.** The Planning Commission recommended this be addressed during the Council's annual meeting with Boards and Commissions on 5/22/01, and the matter was referred to the Internal Affairs Committee. At its 6/12/01 meeting, the Committee recommended that this be addressed after the Doe Mill Neighborhood was completed in order to evaluate whether Alternative Traditional Neighborhood design standards should be developed for inclusion in Title 18R of the Chico Municipal Code. The City Manager reported that the process that was used for the Doe Mill Neighborhood seemed to work in an acceptable fashion. Staff would continue to monitor this for future developments and bring it back for Committee consideration as appropriate.

**The Committee took no action on this report.**

2. **In-Fill Issues and Incentives.** This was listed on the Committee's pending list at the request of John Anderson. In further discussions with him, staff had determined that his primary concern with in-fill standards were with the establishment of the appropriate framework for the public improvements, specifically storm drainage in this case. Staff had agreed to work with him and any interested parties involved with an in-fill project to attempt to address these concerns.

**Direction to Staff:**

**Councilmember Kirk suggested, and the Committee agreed (3-0), that the City Council be requested to schedule an "affordable housing" workshop with representatives of the Board of Realtors, developers, and other interested parties in order to develop incentives for building more affordable housing in Chico; and that this be scheduled under "Future Meetings" on the Council's 8/20/02 agenda.**

G. **Adjournment and Next Meeting.** The Committee adjourned at 8:25 a.m. The next meeting was scheduled for Tuesday, September 10, 2002, at 8:00 a.m. in Conference Room No. One.

  
Bebe Young, Administrative Analyst

**Distribution:**

- |                                     |                            |                     |
|-------------------------------------|----------------------------|---------------------|
| City Clerk (22)                     | Traffic Engineer Mickelson | Finance Director    |
| Director of Public Works            | City Attorney              | Comm. Dev. Director |
| Asst. Dir. of Public Works McKinley | Risk Manager               | Chief of Police     |
| Pub. Works Admin. Mgr. Halldorson   | Planning Director          | Fire Chief          |





# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (10/1/02) **DATE:** September 16, 2002  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD SEPTEMBER 10, 2002

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Kirk  
Councilmember Jarvis

Staff Present

City Manager Lando  
Comm. Dev. Director Baptiste  
Assistant City Attorney Rock  
Chief of Police Efford  
Risk Manager Koch

Planning Director Seidler  
Senior Planner Hayes  
Housing Officer McLaughlin  
Traffic Engineer Mickelson  
Administrative Analyst Young  
Administrative Secretary Dillard

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 10/1/02:**

- A. **Approval of Traffic Regulation Amendment No. 752 to Remove 343 Feet of Parking Along the West Side of Ceanothus Avenue Across from Pleasant Valley High School.** The Committee was provided with a memorandum dated 8/19/02 from the Director of Public Works reporting on a meeting held 5/14/02 regarding parking and litter issues related to the use of Pleasant Valley High School and its facilities. Those attending the meeting were neighborhood residents, representatives from Pleasant Valley High School, the PTA, Associated Students, and agencies utilizing the athletic fields. There was consensus at the meeting to remove parking along the frontage of four residences from 11:30 a.m. until 1:30 p.m. on school days.

Councilmember Kirk suggested that an announcement be placed in the Pleasant Valley High School student bulletin.

**Recommendation:**

***The Committee recommended (3-0) City Council adoption of the resolution which would authorize removal of 343 feet of parking along the west side of Ceanothus Avenue across from Pleasant Valley High School on school days from 11:30 a.m. until 1:30 p.m., as recommended by the Director of Public Works.***

- B. **Approval of Proposed Amendment to Chico Municipal Code (CMC) Chapter 14.70, Entitled "Use of Public Right-of-Way Within the Central Business District for Operation of Outdoor Café," and Fee Schedule 60.170, entitled "Public Right-of-Way Café License Fees," Expanding the Allowance of Outdoor Café in the Public Right-of-Way to Include All Zoning Districts.** The committee was provided with a memorandum dated 9/3/02 from the Community Development Director forwarding this proposed amendment to CMC Chapter 14.70 and Fee Schedule 60.170 expanding the allowance of outdoor cafés in the public right-of-way, currently allowed only in the Central Business District, to include all zoning districts.

Susan Mason requested that an amendment to the Chico Municipal Code include a requirement that café owners must provide trash receptacles and ashtrays in their outdoor area in order to uphold their responsibility to keep the area free from litter as currently required.

Tanya Henderson commented suggested that the Downtown Chico Business Association and Chico Chamber of Commerce meet with property owners to discuss regular cleaning. Kathy Faith commented on the lack of recycling containers available in the downtown area. City Manager Lando said that the City Council would be addressing downtown clean-up at its November Work Session.

**Recommendation:**

*The Committee recommended (3-0) that staff be directed to prepare an amendment to Chico Municipal Code (CMC) Chapter 14.70, entitled "Use of Public Right-of-Way Within the Central Business District for Operation of Outdoor Café," and Fee Schedule 60.170, entitled "Public Right-of-Way Café License Fees", expanding the allowance of outdoor cafés in the public right-of-way to include all zoning districts, and to include the requirement that café owners provide trash receptacles and ashtrays for their outdoor patrons.*

- C. **Consideration of Status of Housing Element Update and Community Workshops / Hearings to be Held Which Will Include Development of Affordable Housing Incentives.** The Committee was provided with a memorandum dated 8/29/02 from Senior Planner Tom Hayes reporting on the status of the update of the Housing Element to the General Plan. A proposed time line and suggested technical advisory committee representation was provided for Committee consideration and recommendation to the City Council. In addition, the City Council has requested the Committee to develop a proposed agenda and recommend a schedule for community workshops regarding development of affordable housing incentives, which will be combined with the hearings on the General Plan Housing Element Update.

City Manager Lando explained that the Committee would be discussing scheduling, goals, and content of future community workshops addressing affordable housing.

Senior Planner Hayes reported that the formation of a Technical Advisory Committee will be the first step in updating the Housing Element of the General Plan, outlined the responsibilities of that Committee, and noted that the deadline for the update is December 31, 2003. Councilmember Jarvis stated that the groups suggested for TAC membership by Senior Planner Hayes were invited, not appointed. Amy Rohrer requested, and the Committee concurred, that a representative from the Valley Contractor's Exchange be added to the makeup of the TAC.

John Gillander said the General Plan Housing Element was long overdue and it should include a review of existing restrictions, ordinances, and processes to ensure they are not impediments to the development of affordable housing.

The Committee felt the Council should hold its affordable housing workshop soon, rather than trying to combine it with the Update to the General Plan Housing Element. Housing Officer McLaughlin distributed an outline of possible Discussion Points for the Council's Affordable Housing Workshops.

Councilmember Bertagna felt that since it is the City Council's role to fulfill the General Plan, a review of Federal and State laws which might impede full build out should be added to No. 5 in the Housing memorandum (housing factors the City can influence).

City Manager Lando suggested working on a framework for the workshop, deciding which subjects to add, and recommended the Council hold a two-hour Affordable Housing Workshop during its November Work Session.

John Gillander stressed that the Housing Element and Affordable Housing are one and the same. He requested that manufactured housing be addressed during the discussions.

Robert Harrison addressed the Committee, stating that he and his wife can not find any affordable housing in the City of Chico. Although they both work full time and have saved a substantial down payment, they are still on waiting lists. He feared that Chico will become a city of elderly and affluent people and its work force will be unable to live locally, due to lack of affordable housing.

Jim Mann commented on the unavailability of developable land and also noted that Developer's cost for liability insurance was also a factor affecting housing affordability that was beyond the City's control.

The Committee agreed with Councilmember Jarvis' suggestion that the Housing Element process should go forward as proposed, and that the Council should conduct a separate, informational workshop on Affordable Housing in November.

Chair Bertagna felt it was crucial to address at the workshop what actions Council could take to influence the availability of affordable housing. He felt land availability and growth issues should be part of the discussions.

**Recommendation:*****The Committee recommended (3-0):***

- 1. That the time frame for the General Plan Housing Element Update and the membership of the Technical Advisory Committee be approved as set forth in Senior Planner Hayes' memorandum, with the addition of a representative from the Valley Contractor's Exchange to the TAC.***
- 2. That the City Council hold a two-hour, informational workshop on Affordable Housing at its November work session on the first five items in the Housing Officer's suggested outline, with Council members Bertagna and Kirk to work with City staff on the agenda for the workshop.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 10/1/02:**

- D. **Approval of Traffic Regulation Amendment No. 751 to Designate Two 24-minute, Limited Time Parking Spaces Adjacent to 1010 Broadway.** The Committee was provided with a memorandum dated 8/20/02 from the Director of Public Works reporting on a request from Richard Sinatra, 1010 Broadway, to change parking designations in the area adjacent to his business. Mr. Sinatra owns and operates a screen printing business at 1010 Broadway and has many customers who require parking spaces. With the combination of parking congestion from Chico Volkswagen and Fairview High School, parking spaces are rarely available for customer parking. In addition, Mr. Sinatra receives many deliveries throughout the day and has requested the designation of a loading zone in front of his business.

**Action:**

***The Committee adopted (3-0) the Resolution of the Internal Affairs Committee of the City Council of the City of Chico Adopting Traffic Regulation Amendment No. 751 which authorizes two parking spaces on East Sixth Street and Broadway Street to be designated as 24-minute parking, as recommended by the Director of Public Works.***

- E. **Initial Presentation by the Citizens' Group, "TreeAction", of a Proposed Tree Ordinance for the City of Chico.** The TreeAction Group presented for review its proposal entitled, "Proposed Tree Ordinance for the City of Chico - Landmark Trees and Trees of Significance", as requested by the committee at its meeting of 6/11/02.

Alan Gair and Donnie Lieberman presented the document and provided copies of the proposed ordinance to the Committee and staff. This ordinance calls for the protection of trees on private property (two types: Landmark Trees and Trees of Significance). Permits would be required for removal or alteration of these trees. The ordinance also provides for the formation of a City of Chico Tree Board, which would make recommendations to Council on issues related to trees located in the City limits, to be appointed by Council. The TreeAction Group was requesting the Committee to refer its proposed ordinance to staff to work with the Group on finalizing it.

Councilmember Bertagna expressed concern over the fact that Committee members had not been given any material related to the proposed ordinance prior to the meeting. He emphasized that no action would be possible today.

City Manager Lando stated that this would be a purely conceptual discussion and informed the committee that staff had received copies of the proposal prior to the meeting.

Councilmember Bertagna again expressed concern that staff had in fact reviewed a document that was not made available to the Committee. Councilmember Kirk commented that thorough prior review by staff will aid the Committee in making future recommendations regarding the proposed ordinance.

Tree Specialist Catherine Fish commended the TreeAction group on its work in composing the ordinance which she analyzed with a document entitled "Guidelines for Developing and Evaluating a Tree Ordinance". Councilmember Jarvis requested copies of the guideline booklet referred to by Ms. Fish, and Urban Forester Boza said he would provide copies.

Jim Mann of the Building Industry Association (BIA) stated that the Association is also drafting a tree ordinance and will present it to their Board of Directors on September 19, 2002. Mr. Mann voiced concern over two groups working separately on a common issue, and disagreed with the TreeAction Group's assertion that Chico's tree canopy was decreasing due to development.

John Gillander maintained that this proposal should be continued until after the public has had an opportunity for full review and felt the Committee should not even refer it to staff until the public has had an opportunity to comment on it. Alan Gair noted that this reading should be considered the public presentation of the document. Francine Gair informed the Committee that the full text of the TreeAction Group's ordinance is available on the internet at TreeAction.org.

Lynn Jensen told the Committee that the TreeAction Group had made a conscious effort to produce an ordinance of substance prior to public presentation and that there was no intent to exclude other community groups from participating in its composition.

Councilmember Jarvis suggested the proposed ordinance be continued to the Committee's meeting of 10/08/02 in order to receive public input and allow staff to prepare a report with its comments. City Manager Lando said that staff and a member of the City Attorney's office will review the ordinance and prepare a list of major issues to be addressed in an ordinance which would be consistent with the Chico Municipal Code format.

Councilmember Jarvis commented that community groups should work together toward this common goal and submit any comments prior to the next Committee meeting.

Chair Bertagna stated that although he would agree to continue this matter to the next meeting, he did not agree with the TreeAction Group's conclusion that the City's tree canopy was being depleted by development; to the contrary, he felt the canopy had increased over the years. He also requested the BIA to submit its proposed tree ordinance before the next Committee meeting.

**Action:**

***The Committee agreed (3-0) to continue this matter, directing staff to review the proposed ordinance and present the Committee with major points of concern at its 10/08/02 meeting, at which time the Committee will also consider and address public input on the proposal.***

- F. **Consideration of the Installation of a Multi-Way Stop on Manzanita Avenue at its Intersections with Ceanothus Avenue and with Firefly Court.** *This item was continued to the Committee's 10/08/02 meeting at the request of Mr. Sewell, the individual requesting the stop signs, because he was unable to attend today's meeting.*
- G. **Consideration of Proposed Abandoned Vehicle Abatement Ordinance.** At the 8/6/02 City Council meeting, the Council conceptually approved the City's participation in the countywide Abandoned Vehicle Abatement (AVA) program. The Council also referred the development of the required AVA ordinance to the Internal Affairs Committee, including a review of the issues concerning private property rights, and abatement noticing procedures. The Committee was provided with a memorandum dated 9/3/02 from the Risk Manager forwarding a draft AVA ordinance for its consideration, along with a copy of the guideline ordinance included in the AVA program manual of the California Highway Patrol (CHP). The CHP is charged under State law with reviewing and approving local AVA service authority abatement plans and procedures, and participating agency abatement ordinances. To be acceptable, the City's ordinance needs to be generally consistent with that of the CHP guidelines, although it may include local provisions not in conflict with the guidelines, such as longer notice periods and additional appeal processes, should that be the Council's desire. The memorandum also included a summary of how the proposed ordinance differs from the CHP guideline.

Assistant City Attorney Rock recommended that Chico Municipal Code Section 10.55.020, entitled "Abatement of Abandoned Vehicles", not be repealed because it would serve as an alternative option to the new procedure. Risk Manager Koch reviewed the proposed ordinance noting how it differed with that of the California Highway Patrol.

The Committee recommended the following changes in the proposed ordinance:

**Page 4, 10.52.020 (Exceptions).**

- A. Change number of vehicles allowed behind fences from 1 to 3, and change square footage from 160 to 300.
- B. Committee discussed whether or not No. 2 (tarp covers), should be allowed as an exception, but then left it in, feeling it could be addressed later if it became a problem.

**Page 5, 10.52.080.** Committee agreed with staff recommendation for a 30 day notice (rather than 10) of intention to abate.

**Page 6, 10.52.090.** Staff changed 15 days to 10 days due to Vehicle Code requirements, and Committee agreed to use "city manager or city manager's designee" instead of hearing officer.

**Page 8:**

**10.52.120.** Change compliance period from 10 days to 30.

**10.52.140.** Allow the owner 45 (rather than 30) days to pay for costs of removal.

**10.52.150.** Seven days should be changed to 168 hours.

Deputy County Counsel Rob McKenzie advised that language should be added to the Notice requirement on Page 5 to provide a land owner affected by an abandonment the opportunity to sign a sworn statement, therefore eliminating the need to appear at a hearing and advised that a specification be added for agricultural land.

City Manager Lando added that the Council should address the issue regarding vehicles of negative value, such as those currently being handled by property management companies in the contract with the tow companies.

***Recommendation:***

***The Committee recommended (3-0) that the proposed ordinance be forwarded to the City Council for adoption as revised at today's meeting.***

**Adjournment and Next Meeting.** The Committee adjourned at 11:17a.m. to Tuesday, 10/08/02 at 8:00 a.m. in Conference Room No. One.

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Annalisa Dillard, Administrative Analyst

**Distribution:**

City Clerk (22)

Director of Public Works

Asst. Dir. of Public Works McKinley

Pub. Works Admin. Mgr. Halldorson

Traffic Engineer Mickelson

City Attorney

Risk Manager

Planning Director

Finance Director

Comm. Dev. Director

Chief of Police

Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (12/03/02) **DATE:** July 14, 2008  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE: REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON NOVEMBER 12, 2002**

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Kirk  
Councilmember Jarvis

Staff Present

City Manager Lando  
Park Director Beardsley  
City Attorney Frank  
Director of Public Works Ross  
Risk Manager Koch  
Administrative Analyst Dillard

*( Councilmember Jarvis called the meeting to order at 8:05 a.m. - Chair Bertagna was absent. Recommendations on the following items A and B, were made by Committee Members Jarvis and Kirk.)*

**COMMITTEE MATTERS REQUIRING COUNCIL ACTION ON 12/3/02:**

- A. **Approval of Ordinance Amending Chico Municipal Code (CMC) to Require a 10-day, Rather than 15-day, Appeal Period.** The Committee received a memorandum dated 9/13/02, from the Planning Director discussing the confusion that arises from the differing appeal periods in the CMC and State law, and proposing to make them uniform.

***Recommendation: The Committee recommended (2-0, Bertagna absent) that the ordinance be amended and forwarded to the City Council for adoption.***

- B. **Approval of Changes and Additions to City Administrative Procedure and Policy Manual - Series #10 (Council Established Procedures and Policies).** The City Manager's Office maintains an Administrative Procedure and Policy (AP&P) manual which sets forth numerous administrative procedures and policies affecting City functions and departments, including those policies and procedures established or approved by the City Council (series #10). As a result of a recent comprehensive review of the Manual, a number of these Council-approved AP&Ps have been updated and revised to reflect current language or practice. The Committee received a memorandum dated 9/25/02, from the Risk Manager providing a brief summary of these revisions, along with copies of the revised administrative procedures and policies.

- C. Councilmember Kirk removed this item from the Consent Agenda to request that the revision to AP & P 10-1 (Posting of Agendas) include a requirement that all agendas for all City meetings, including those of standing committees, be publicly posted, both outside the Council Chamber and to the City website.

***Recommendation: The Committee recommended (2-0, Bertagna absent) that these changes and additions to the Administrative Procedure and Policy Manual be forwarded to Council with an additional revision to AP&P 10-1 to require that agendas for all City meetings, including standing committees, be publicly posted to the City website.***

*(The meeting was adjourned at 8:15 a.m. to await the arrival of Chair Bertagna. Mr. Bertagna arrived at 8:18 a.m. at which time the meeting reconvened.)*

- C. **Review and Discussion of Inappropriate Use and Vandalism in and Adjacent to Humboldt Neighborhood Park (Skatepark).** At its 11/5/02 meeting, the City Council referred a letter dated 10/24/02

from Mr. Jack Skibo concerning the Humboldt Neighborhood Park to the Internal Affairs Committee. The Committee received a memorandum dated 11/7/02, from the Park Director reporting that vandalism and inappropriate use of the Humboldt Neighborhood Park has noticeably increased since August 2002. In addition, vandalism on adjacent private property is also reported to have escalated. While the Park Department has attempted to respond to specific instances, the problems have not been resolved. The Committee discussed the situation and possible alternatives to encourage appropriate use and reduce vandalism.

Park Director Beardsley summarized the history of the park noting that in the last 2-3 months there have suddenly been more problems. He suggested making the fenced wall higher, forming a neighborhood watch of volunteers, and/or installing surveillance cameras. The park has been unsupervised since its opening to avoid liability and keep costs down.

Councilmember Kirk suggested that Park Rangers stop by the park every time they travel to Bidwell Park. The Park Director said that the rangers are currently patrolling the area 4-5 times per shift during the week, and 8-10 times per shift on the weekends. Tehama (Pride) Security also patrols for very short, intermittent periods of time.

The Park Director said that the biggest problem at the park is graffiti and Councilmember Jarvis said that many of the boarders would like to see the park decorated with graffiti. Councilmember Kirk suggested involving an artist.

In response to Councilmember Jarvis, Mr. Jack Skibo, owner of Boradori Automotive, stated that putting in a huge fence would solve 80-90% of the problems. Mrs. Sharon Skibo told the Committee that the way the current chain link fence is assembled, the skaters can stand on it where the sections come together and this loosens it. She said that the skaters like to launch themselves off of the fence. She also said she had previously operated a snack shack for the park users but did not feel comfortable being seen as the "supervisor" or the "Mom". She has observed that the troublemakers leave when they see an authority figure approaching and then return after the person leaves. She suggested a layperson come in and discreetly supervise, one not wearing a uniform. Mr. Skibo said he thought the cameras were the most viable solution because then the skaters aren't required to tattle on each other, as he has seen the older kids gang up on the younger ones to intimidate them. Councilmember Bertagna suggested empowering the rule-abiding skaters as part of a solution, by perhaps offering them rewards such as skateboarding gear, as incentives for coming forward.

The Park Director suggested that a heavier gauge fencing be installed; 6 gauge as opposed to 9. The City Manager said that a better fence or wall represents a one time cost which may be preferable to the overall expense of ongoing security. He suggested that the cost of a block wall be researched. Captain John Viegas said that a block wall had the potential of becoming a billboard of graffiti and that there are treatments available that will make it washable, should this occur. Mr. Skibo said the block wall will help in some areas but will not solve the problems with bikes, drug deals, and younger children being bullied. He said that the installation of cameras is the best solution for these types of problems because if a few violaters were caught by the cameras, word would get out and the inappropriate activity may stop.

Sergeant Linda Dye discussed the use of cameras in the park and explained that the tapes would be viewed by Police personnel only as problems arose. There are cameras available on loan through the Department of Justice which are very small and easily concealed, difficult to vandalize. The City Manager said that funds are available to purchase cameras if there are satisfactory results with of the Department of Justice loaners.

Captain Viegas suggested that park patrols could be formed using individuals who have been assigned community service, and Councilmember Jarvis also suggested student volunteers from Criminal Justice classes. Councilmember Kirk suggested a task force be formed with park users and their parents and maybe the Boys and Girls Club. Francine Gair, whose son is a frequent user of the park, said that the problems tend to occur in the later afternoons. Park Director Beardsley said that perhaps the Chico Area Recreation District could expand and stagger their skate classes so that these supervised activities are taking place later in the day. The City Manager suggested that costs be compared for both the improved fencing/wall and the cameras, with results being forwarded to the Council.

***Recommendation: The Committee recommended (3-0) structural changes to the existing fence or the addition of wall, installation of cameras, and the formation of a Park Task Force made up of***

***park users and community volunteers.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:59 a.m. The next meeting will be scheduled following Council reorganization.

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Annalisa Dillard, Administrative Analyst

Distribution:

City Clerk (22)  
Director of Public Works  
Asst. Dir. of Public Works McKinley  
Pub. Works Admin. Mgr. Halldorson  
Park Director

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Comm. Dev. Director  
Chief of Police  
Fire Chief