



# Internal Affairs Committee Report

DATE: February 14, 2008

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD FEBRUARY 12, 2008**

<u>Committee present:</u> Chair Schwab Councilmember Bertagna Councilmember Nickell	<u>Staff present:</u> City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Administrative Services Director Pierce Building & Dev. Services Dir. McKinley	Capital Project Services Director Varga Public Works Manager White City Clerk Presson Administrative Analyst Cameron
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## **COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

- A. **Consideration of Flag Policy.** At its meeting held 12/11/07, the Internal Affairs Committee recommended that the City maintain the limited public forum that was opened by allowing the City of Flags Committee to fly U.S. flags on certain City light poles and return to the Internal Affairs Committee with: (1) clarification as to who owns the brackets and poles; and (2) an outline of the issues that would need to be included in a new flag policy. The Administrative Services Director recommended: (1) that the Committee consider the proposed issues and provide direction to staff regarding the terms and conditions to be included in a draft policy; and (2) that the final policy be reviewed by the Committee after one year to determine whether the public forum should remain open. **(Report - Cindy Pierce, Administrative Services Director)**

Councilmember Bertagna noted that a definite time period for the permit issuance should be added to the policy. The Committee agreed that a maximum 60 day time period for the permit issuance would suffice.

Councilmember Nickell made a motion to approve the flag policy, as amended, and to set the review of the final policy by the Committee after one year to determine whether the public forum should remain open. The motion was seconded by Councilmember Bertagna.

***Recommendation: The Committee approved (3-0) the flag policy, as amended, and set the review of the final policy by the Committee after one year to determine whether the public forum should remain open.***

- B. **Consideration of Establishing a "Sister City" Policy.** The Committee considered a draft Administrative Procedure and Policy (AP&P) that, if approved, would provide the criteria and framework for future adoption of Sister Cities. The City Clerk recommended that the Internal Affairs Committee consider the creation of an AP&P on Sister City Affiliations and forward the policy to the Council for final approval. **(Report - Debbie Presson, City Clerk)**

Councilmember Nickell's motion to approve the creation of an AP&P on Sister City Affiliations was seconded by Councilmember Bertagna.

***Recommendation: The Committee approved (3-0) the creation of an AP&P on Sister City Affiliations.***

- C. **Review of the City of Chico Policy on the Use of Bollards in Class 1 Bike Paths Within the City.** At its 1/15/08 meeting, Council directed staff to explore alternatives to the existing City standard bollards used to control vehicle access to Class I bike paths. The bollards currently in use by the City are standards based upon the "Manual on Uniform Traffic Control Devices (MUTCD)." Since asked to review the use of these devices, staff has investigated what other cities are currently using as alternatives to the MUTCD standard. Due to the possible change in policy, staff asked the Committee for direction. **(Report - Fritz McKinley, BDS)**

Russell Mills, David Welch, Mike Reilley and Donna Cook addressed the Committee in support of this item.

Chair Schwab stated she was interested in making a change to bollards made from PVC material secured with a cabling system. Staff indicated a known concern with this type of system is that over time the bollards become brittle and shatter, causing sharp shards of plastic that could lead to injury. There are many types of flexible posts available that give the perception to vehicles that a rigid post is in place. The CalTran Standard delineates that barrier posts should be used only where extreme problems are encountered on a bike path. Staff added that "extreme problems" should be expanded to include vandalism and littering, as this is a common occurrence at certain bike paths.

Staff indicated that the Sycamore Channel Bike Path will be constructed in 2008 and the City could feasibly install a new flexible bollard at this location.

Chair Schwab made a motion that included: (1) the City of Chico follow the CalTrans Standard in bollard placement, using bollards where extreme problems exist, adding vandalism and littering to the list of extreme conditions; (2) where feasible, use flexible material for bollards; (3) when fixed metal bollards are necessary, analyze height and visibility; (4) forward the City of Chico policy on the use of bollards to the Bicycle Advisory Committee for evaluation of existing bollards; (5) research the cost benefit of plastic bollards; and (6) forward the City of Chico policy on the use of bollards to the Bidwell Park and Playground Commission to evaluate the use of bollards within Bidwell Park. Councilmember Nickell seconded the motion.

***Recommendation: The Committee approved (3-0) the following: (1) the City of Chico follow the CalTrans Standard in bollard placement, using bollards where extreme problems exist, adding vandalism and littering to the list of extreme conditions; (2) where feasible, use flexible material for bollards; (3) when fixed metal bollards are necessary, analyze height and visibility; (4) forward the City of Chico policy on the use of bollards to the Bicycle Advisory Committee for evaluation of existing bollards; (5) research the cost benefit of plastic bollards; and (6) forward the City of Chico policy on the use of bollards to the Bidwell Park and Playground Commission to evaluate the use of bollards within Bidwell Park.***

#### **COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- D. **University Transportation Demand Management Program Update.** At its meeting of 5/15/07, the City Council adopted Resolution No. 67-07 ordering the abandonment of a portion of Orange Street to facilitate the construction of the Wildcat Activity Center. A requirement of the resolution was that the University develop a Transportation Demand Management Program to accommodate the changes in the circulation pattern and provide a written report on its progress to the Internal Affairs Committee in January 2008. Changes to the request for proposal resulted in a delay, but the University expects to have a consultant selected and a draft TDM available by July 2008. This is a status report to be verbally presented to the Committee by University staff. Chair Shwab was disqualified on this item. **(Report - Tom Varga, CPSD)**

Beverly Gentry, Director of Strategic Planning, California State University, Chico, gave a status report on the University Transportation Demand Management Program and provided the Committee with a copy of the "Request for Proposal."

- E. **Final Disposition of Administrative Review - Vehicle for Hire Permit.** The Interim City Manager provided the Committee with the required written report following his determination to affirm the Police Chief's recent denial of a Vehicle for Hire permit. Councilmember Bertagna was disqualified on this item. This item was reports and communications only. No action required.
- F. **Business From the Floor.** None.
- G. **Adjournment and Next Meeting.** The meeting adjourned at 9:10 a.m. The next meeting is scheduled for February 12, 2008, at 6:00 p.m. in the Council Chamber.

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Lynda Cameron, Administrative Analyst

#### Distribution:

City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Housing & Neighborhood Services Director; Finance Director; Admin Services Director; Traffic Engineer; Eng. Admin. Mgr.



# Internal Affairs Committee Report

DATE: April 11, 2008

File : Comm Binder

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD MARCH 11, 2008**

<u>Committee present:</u> Chair Schwab Councilmember Bertagna Councilmember Nickell	<u>Staff present:</u> City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Building & Dev. Services Dir. McKinley Capital Project Services Director Varga Chief of Police Hagerty	Administrative Services Director Pierce Hsg. & Neighborhood Serv. Dir. Morgado Fire Prevention Officer Myers Code Enforcement Supervisor Armstrong Administrative Analyst Cameron
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## COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Consideration of Placement of Basketball Standards in the Public Right-of-Way with an Encroachment Permit.** In response to a citizen's written request to allow for the placement of basketball standards in the public right-of-way by means of an encroachment permit, the City Council referred this item to the Internal Affairs Committee. Staff has researched the various issues surrounding this request and prepared a recommendation to the Internal Affairs Committee. The Directors recommended that there be no provisions adopted within the Municipal Code that would allow for such use by permit on any portion of the public right-of-way. ***(Report - Sherry Morgado, Housing & Neighborhood Services Director and Fritz McKinley, Building & Development Services Director)***

Councilmember Bertagna disqualified himself on this item due to the fact that he currently has a basketball standard in the right-of-way in front of his house.

Mark Pimentell, Peg Howard and Bruce Hagerty addressed the Committee in support of this item.

Staff indicated that the "no objects in a public right-of-way" law is enforced on a complaint driven basis and the citizen making the complaint has to be directly affected, adding that in this particular instance there is limited parking on a cul-de-sac.

Councilmember Nickell's motion that no new provisions within the Chico Municipal Code be adopted that would allow for the use of basketball standards by permit on any portion of the public right-of-way was seconded by Chair Schwab.

***Recommendation: The Committee recommended (2-0-1, Bertagna disqualified) no new provisions be adopted within the Chico Municipal Code that would allow for the use of basketball standards by permit on any portion of the public right-of-way.***

## COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION

- B. **Consideration of Change in Meeting Date - April Meeting - Internal Affairs Committee.** The Committee changed its April meeting date of 4/08/08 to Monday, 4/07/08 in order to accommodate the Finance Committee meeting.
- C. **Consideration of Recommendations and Review of Status of the Downtown Access Report.** Staff has developed an action plan for the implementation of downtown parking improvements, including parking meter pricing, enforcement, ticket and fines structure, expanded meter enforcement to evenings and Saturdays, and general parking standards and improvements. The Committee considered specific recommendations for which implementation would begin immediately and discussed the action plan.

The Capital Project Services Director recommended that: (1) an increase in parking fines from \$15 to \$20 per

citation be included in the annual fee schedule update to be considered by the City Council at its 06/03/08 budget work session; and (2) parallel parking on one side of Flume Street, Normal Avenue, Chestnut Street, and Hazel Street from 2nd Street to 5th Street spaces be converted from parallel to diagonal parking. (**Report - Tom Varga, CPD**)

Chair Schwab was disqualified on this item due to owning a business downtown.

Katrina Davis, Mike Trolinder, Harley Robinson, Charlie Preusser, Ray Murdoch, Mark Pimentell and Adam Tall addressed the Committee on this item.

Staff indicated that per Chico Municipal Code policy, excess meter revenue is to be earmarked for parking related facilities, adding that with new meter technology the City will be able to guide parking behaviors through the use of meters rather than just collect revenue from the meters.

Councilmember Bertagna recommended that this item be brought back to the next meeting and should include: (1) research on parking districts that will allow residents to park in the neighborhood for free; (2) a before and after streetscape rendering of the diagonal parking concept in the neighborhoods; (3) research on which decisions Council has already made; (4) parking citation fine amount; and (5) all "on-going recommendations for future consideration" from the 3/11/08 staff report in a matrix format which indicates the status, pros and cons of each item.

Mike Trolinder asked the Committee to consider the following: (1) if the City moves forward with diagonal parking it typically leaves an extra half space when striping an entire block. He proposed that the extra half space be set aside for free scooter/motorcycle parking for five years; and (2) when delivery trucks are double parked downtown, even though State Government Code allows it, research needs to be done on how to manage the problem. The City Attorney indicated she had some answers on the double parking issue and would work with staff on that item. The Committee agreed to add the two items to the list of downtown parking issues.

D. **Business From the Floor.** None.

E. **Adjournment and Next Meeting.** The meeting adjourned at 10:00 a.m. The next meeting is scheduled for Monday, April 8, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:

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Traffic Engineer  
Eng. Admin. Manager



# Internal Affairs Committee Report

File : Comm Binder

DATE: February 15, 2008  
 TO: CITY COUNCIL  
 FROM: INTERNAL AFFAIRS COMMITTEE  
 RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD FEBRUARY 12, 2008**

<u>Committee present:</u> Chair Schwab Councilmember Bertagna Councilmember Nickell	<u>Staff present:</u> Interim City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker	Captain Rucker Administrative Analyst Cameron
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## **COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

A. **Consideration of Amendments to Ordinance of the Council of the City of Chico Adding Chapter 9.40, Entitled “Disorderly Events” to the Chico Municipal Code.** At its meeting of 11/06/07, the City Council adopted Ordinance No. 2365 which would allow the Police Department to focus on the specific criminality at “disorderly events” and would be a tool for the police to use to maintain public safety. A referendum petition was filed against the ordinance in the City Clerk’s Office on 12/06/07 and subsequently certified as failed by the County Clerk on 1/03/08. Mayor Holcombe’s request to re-agendize consideration of the ordinance in order to narrow its scope and clarify its application was referred to the Internal Affairs Committee by the City Council at its meeting of 1/15/08. The Committee was provided with a copy of the ordinance in lieu of an agenda report. Staff requested the Committee review the ordinance and provide direction.

Chair Schwab indicated that the Committee was looking for specific comments about the ordinance in order to create a draft document that will benefit the entire community.

Charles Preusser, David Welch, Benn Davenport, Irene Cardenas, Bill Sheridan, Ann Ashley, Justin Vodden, Jessica Allen, Deva Daniel, Sue Hilderbrand, Laurel Blankinship, Evanne O’Donnell and Dan Keeley spoke in favor of amending the ordinance. Greg Tropea provided the Committee with a draft ordinance.

John Young spoke in support of enforcing the existing ordinance. Michael Reilley spoke in support of enforcing the existing laws on the books thus making the ordinance unnecessary.

Captain Rucker stated that the ordinance is in effect, it has not been implemented. He indicated that it is a workable tool for the Police Department, especially if it could be labeled to only come into play when there is violence.

City Attorney Barker stated that the purpose of the ordinance was for the Police Department to have an effective tool to deal with large events that have gotten out of control, adding it is possible to narrow the scope of the ordinance by focusing the definition of “disorderly event” as based on activities and attendees at the event and deleting the list of misdemeanor infractions. The ordinance can be focused on the public safety aspect without a person being punished by the crime of another. The citing violation would be “failure to disperse” and would be an infraction, similar to a traffic ticket. The City Attorney noted a draft ordinance will be prepared for the 3/18/08 City Council meeting.

***The Committee concurred to direct staff to prepare a draft ordinance to forward to the City Council.***

- B. **Business From the Floor** - Bill Sheridan spoke about the City of Chico curfew ordinance, adding the ACLU may deem it unconstitutional.
- C. **Adjournment and Next Meeting.** The meeting adjourned at 7:32 p.m. The next meeting is scheduled for March 11, 2008, at 8:00 a.m. in Conference Room No. 1.

Lynda Cameron, Administrative Analyst

Distribution:  
 City Council (7); Council Office copy; City Manager; Fire Chief; Chief of Police; Admin Services Director



# Internal Affairs Committee Report

DATE: April 21, 2008

File : Comm Binder

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD APRIL 7, 2008**

<u>Committee present:</u> Chair Schwab Councilmember Bertagna Councilmember Nickell	<u>Staff present:</u> City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Chief of Police Hagerty Capital Project Services Director Varga	Traffic Engineer Mickelson Interim Fire Chief Carter Administrative Services Director Pierce Administrative Analyst Cameron
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## COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- A. **Consideration of a Request from Butte County Association of Governments to Transfer Ownership of Bus Stops and Shelters and to Allow Advertising on the Shelters.** The Butte County Association of Governments (BCAG) administers and operates the Butte Regional Transit Service (B-Line). Currently, the City of Chico owns the bus stops and shelters within the City's right-of way, but BCAG administers the maintenance contracts for the shelters. BCAG requested that the City consider allowing advertising on the bus shelters so that a private contractor can install new shelters and maintain the shelters in exchange for advertising revenues. BCAG also requested that the City consider transferring ownership of the City's bus stops and shelters to BCAG. The City Manager recommended: (1) amending Chapter 19.74 of the Chico Municipal Code (CMC) to allow outdoor advertising on bus shelters only; (2) transferring ownership of City's bus stops and shelters to BCAG; and (3) transferring administration of the maintenance of the Transit Center to BCAG. ***(Report Dave Burkland, City Manager & Linda Herman, Management Analyst)***

Councilmember Bertagna disqualified himself on this item due to leasehold conflicts with his business property.

Staff indicated that the Transit Center would add additional savings to the City which are unknown at this time due to the Centers recent completion. Staff noted that a previous Council had declined this concept because it was initially proposed as advertising on buses.

Jon Clark addressed the Committee in support of this item. Alan Chamberlain addressed the Committee in opposition to this item.

Councilmember Nickell made a motion to send the request from BCAG regarding transfer ownership of bus stops and shelters and to allow advertising on the shelters to Council for consideration. The motion was seconded by Chair Schwab.

***Recommendation: The Committee recommended (1-1-0, Schwab voting no, Bertagna disqualified) sending the request from BCAG to transfer ownership of bus stops and shelters and to allow advertising on the shelters to Council for consideration.***

- B. **Consideration of Request for Proposals from the Mechoopda Indian Tribe of Chico Rancheria.** On 2/27/08, the City received a Request for Proposals (RFP) from the Mechoopda Indian Tribe of Chico Rancheria requesting law enforcement and fire protection services for its proposed Class III gaming facility. The Mechoopda Indian Tribe intends to develop and construct a casino on a parcel of land located approximately ten miles southeast of the City of Chico, immediately adjacent to and east of State Route 149 near its intersection with Highway 99. The RFP was also sent to Butte County, the Town of Paradise, the City of Gridley, and the California Highway Patrol. The deadline to respond was 4/25/08. The City Manager recommended not responding to the RFP for law enforcement and fire protection services for the gaming facility. ***(Report - Dave Burkland, City Manager)***

Councilmember Nickell's motion to recommend not responding to the RFP for law enforcement and fire protection services for the gaming facility was seconded by Councilmember Bertagna.

***Recommendation: The Committee recommended (3-0) not responding to the RFP for law enforcement and fire protection services for the gaming facility.***

#### **COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- C. **Update on Downtown Parking Issues.** The Internal Affairs Committee continued discussion of the status report implementing the parking improvements as described in the Downtown Access Report and consider specific staff recommendations. The Capital Project Services Director recommended that: (1) an increase in parking fines from \$15 to \$30 per citation be included in the annual fee schedule update to be considered by the City Council at its 06/03/08 budget work session; and (2) parking on one side of Flume Street, Normal Avenue, Chestnut Street, and Hazel Street from 2nd Street to 5th Street spaces be converted from parallel to diagonal parking. (***Report - Tom Varga, Capital Project Services Director***)

Chair Schwab was disqualified on this item due to owning a business downtown.

City Manager Burkland provided a final copy of the DCBA report "A Walkable Downtown" to the Committee. Councilmember Bertagna made a motion to review the report at the May Internal Affairs meeting and asked staff to keep the agenda light. The motion was seconded by Councilmember Nickell. The motion passed (2-1, Schwab disqualified).

Charlie Preusser, Ray Murdoch, Michael Trolinder, Dale Bennett, Alan Chamberlain, Michael Trolinder and Michael McGinnis addressed the Committee on this item.

Councilmember Bertagna made a motion for the May meeting to include: (1) a round table discussion with 20 minutes allocated for the DCBA report; (2) clarification on diagonal parking on Main Street and Broadway (parking charrette recommendation); (3) clarification on parking benefit districts; (4) diagonal parking on Salem Street - what are the options; (5) permit parking district in the South Campus area; and (6) parking citation increases. Councilmember Nickell seconded the motion.

The May meeting time will be extended by one hour to 11:00 a.m.

***Recommendation: The Committee recommended (2-1, Schwab disqualified) that the May Internal Affairs meeting will include: (1) a round table discussion with 20 minutes allocated for the DCBA report; (2) clarification on diagonal parking on Main Street and Broadway (parking charrette recommendation); (3) clarification on parking benefit districts; (4) diagonal parking on Salem Street - what are the options; (5) permit parking district in the South Campus area; and (6) parking citation increases.***

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

- E. **Adjournment and Next Meeting.** The meeting adjourned at 9:20 a.m. The next meeting is scheduled for Tuesday, May 13, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:

City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Housing & Neighborhood Services Director; Finance Director; Admin Services Director; Traffic Engineer; Eng. Admin. Mgr.



# Internal Affairs Committee Report

DATE: June 6, 2008

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD May 13, 2008**

<p><b>Committee present:</b>          Councilmember Bertagna          Councilmember Nickell</p>	<p><b>Staff present:</b>          City Manager Burkland          Interim Assistant City Manager Beardsley          City Attorney Barker          Building &amp; Dev. Services Dir. McKinley          Capital Project Services Director Varga</p>	<p>Traffic Engineer Mickelson          Finance Director Hennessy          Administrative Analyst Cameron</p>
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## **COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

- A. **Update on Downtown Parking Issues.** The Internal Affairs Committee continued its discussion and review regarding the Downtown Parking and Access Plan information provided by staff. Representatives from the Downtown Chico Business Association (DCBA) were in attendance to present the report "A Walkable Downtown." (**Report - Tom Varga, Capital Project Services Director**)

Chair Schwab was disqualified on this item due to owning a business downtown and was not present at the meeting.

Alan Chambers presented the DCBA report "A Walkable Downtown - A Pedestrianization Project Strategy for Parking Management." The report contained proposals such as: (1) parking meter revenue reinvestment; (2) installation of smart meters; (3) increase of parking inventory; (4) retirement of parking structure bonds; (5) privatization of parking meter enforcement; and (6) the extension of parking enforcement to evenings and weekends. Mr. Chamberlain asked the Committee to recommend to the Council that the report be adopted and implemented.

Staff indicated that Fund 853 (parking meter revenue) has a current balance of \$1.9 million and has an annual revenue of \$1 million, adding that the balance on the parking structure bond is \$2.1 million and is not scheduled to be paid off until 2024. Staff added that parking meter enforcement costs the City approximately \$200,000 per year and generates \$600,000 in annual revenue.

Michael McGinnis, Mike Trolinder, Katrina Woodcox-Davis, Dale Bennett, Juanita Sumner, Ray Murdoch, Alan Chamberlain, Charlie Pruesser and Shirley Sait-Huneven addressed the Committee on this item.

Councilmember Bertagna questioned the current in-lieu parking impact fee of \$16,000, which is the cost of removing a parking space in private parking lots. Staff indicated that the fee is a one time cost per space based on the estimate for the land. Mr. Chamberlain added that this fee is stifling private investment downtown and in cities where this fee has been removed, new development has been encouraged.

Capital Project Services Director Varga indicated that he could prepare a traffic model showing Main and Broadway as two lane roads with diagonal parking to see if there are any effects on the other major arterial streets in the City, adding that he could have that information to the Committee in a couple of months.

Councilmember Bertagna indicated that he would like to move forward with diagonal parking on Salem Street as these are valuable parking spots for downtown. Staff conceded that in order to balance all three needs of bicycles, emergency access and diagonal parking, the City could eliminate the bicycle lanes and sign the bike route informally, designating Chestnut Street and Salem Street as "bicycle routes." While this option would not be optimal for bicycles, it would allow for 16 additional parking spaces on Salem Street and would leave the east lane of the street wide enough for emergency access. Staff added that if the Council agrees with these recommendations, a four way stop at Fourth and Salem Streets should be considered.



Councilmember Bertagna made a motion to add diagonal parking to the following areas: (1) Salem Street between 5<sup>th</sup> and 2<sup>nd</sup> Streets; (2) Normal Avenue between 5<sup>th</sup> and 2<sup>nd</sup> Streets; (3) Chestnut Street between 5<sup>th</sup> and 3<sup>rd</sup> Streets; and (4) Hazel Street between 5<sup>th</sup> and 3<sup>rd</sup> Streets with the meters to be removed between 4<sup>th</sup> and 3<sup>rd</sup> Streets. He added that all diagonal spaces are to be head-in. Councilmember Nickell seconded the motion.

Councilmember Nickell made a motion to implement the DCBA report "A Walkable Downtown," specifically the removal of the in-lieu parking fee requirement and parking enforcement privatization. Councilmember Bertagna requested a friendly amendment to ask staff to bring a more detailed accelerated repayment schedule on the parking structure bond. The amendment was accepted. Councilmember Bertagna seconded the motion.

***Recommendation: The Committee recommended (2-1, Schwab disqualified) adding head-in diagonal parking to the following areas: (1) Salem Street between 5<sup>th</sup> and 2<sup>nd</sup> Streets; (2) Normal Avenue between 5<sup>th</sup> and 2<sup>nd</sup> Streets; (3) Chestnut Street between 5<sup>th</sup> and 3<sup>rd</sup> Streets; (4) Hazel Street between 5<sup>th</sup> and 3<sup>rd</sup> Streets with the meters to be removed between 4<sup>th</sup> and 3<sup>rd</sup> Streets; and (5) implementation of the DCBA report "A Walkable Downtown," specifically the removal of the in-lieu parking fee requirement and parking enforcement privatization, with the request that staff bring back more information on a detailed accelerated repayment schedule for the parking structure bond.***

B. **Business From the Floor**. None.

C. **Adjournment and Next Meeting**. The meeting adjourned at 11:05 a.m. The next meeting is scheduled for Tuesday, June 10, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:

City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Capital Project Services Director; Finance Director; Admin Services Director; Traffic Engineer; Eng. Admin. Mgr.



# Internal Affairs Committee Report

DATE: June 16, 2008

File : Comm Binder

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JUNE 10, 2008**

<u>Committee present:</u> Chair Schwab Councilmember Bertagna Councilmember Nickell	<u>Staff present:</u> City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker City Clerk Presson	Administrative Services Director Pierce Human Resources Director Fulks Finance Director Hennessy Administrative Analyst Cameron
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## **COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

- A. **Consideration of Revisions to Administrative Procedure and Policy (AP&P) 10-2 (Room Reservations)**. At its meeting of 6/03/08, the Council referred revisions to AP&P 10-2 to the Committee for additional review. The City Clerk reviewed the following information as requested by the Council: (1) three month usage matrix - survey; (2) policies on room reservations from other cities; (3) clarification of Council sponsored room reservations; and (4) sliding fee scale for non-profits and smaller organizations. The City Clerk recommended that the Committee consider this item and provide a recommendation to the City Council regarding the proposed revisions to the policy (AP & P 10-2) and the fee schedule pertaining to the use of the Municipal Center's Council Chamber and Conference Rooms. ***(Report - Deborah Presson, City Clerk)***

The City Clerk provided the Committee with a "room reservation recommendations" sheet on actions that were needed from the Committee at this meeting along with a comparison city survey.

Stephanie Taber addressed the Committee in support of this item.

Councilmember Bertagna said that the public buildings are hard to monitor and the situation puts the City at such risk that his recommendation would be to stop the room reservations for outside agencies, adding that if a Councilmember wants to reserve a room when carrying out the duties of their position, they would have to attend that meeting and be available to open and close the building. Chair Schwab inquired about the Councilmember sponsored group needing insurance and being required to pay the room fees. The Committee agreed that the fee would be charged and insurance would not be required as long as the Councilmember was in attendance at the meeting.

Chair Schwab made a motion to: (1) approve the revised AP&P 10-2; (2) limit availability to Monday through Thursday, 6:00 p.m. to 10:00 p.m. with no usage on Friday or during the weekend; (3) approve the fee increase from \$12.93 to \$26.00 per hour, with one hour added to the time for each meeting to cover room set up and tear down; (4) prohibit usage by outside groups except for Governmental agencies. Governmental agencies will be responsible for proof of insurance and applicable fees and will not be issued special on-street parking permits; (5) allow usage by Councilmembers in order to carry out their elected duties only if they are in attendance at the meeting and responsible for opening and closing the room. The community group or organization will be responsible for all applicable fees. Councilmember Bertagna seconded the motion.

***Recommendation: The Committee recommended (3-0): (1) approving the revised AP&P 10-2; (2) limiting availability to Monday through Thursday, 6:00 p.m. to 10:00 p.m. with no usage on Friday or during the weekend; (3) approving the fee increase from \$12.93 to \$26.00 per hour, with one hour added to the time for each meeting to cover room set up and tear down; (4) prohibiting usage by outside groups except for Governmental agencies. Governmental agencies will be responsible for proof of insurance and applicable fees and will not be issued special on-street parking permits; (5) allowing usage by Councilmembers in order to carry out their elected duties only if they are in attendance at the meeting and responsible for opening and closing the room. The community group or organization will be responsible for all applicable fees.***

- B. **Consideration of a Request to Discuss Transparency in the Negotiations Process.** At its meeting of 4/01/08, the City Council referred Councilmember Wahl's request to discuss the issue of transparency in negotiations to the Internal Affairs Committee. The HR Director provided an analysis of the City's transparency in bargaining, as well as the results of a state-wide survey discussing the publication (or "sunshining") of initial proposals. The Human Resources Director recommended that a modification of the process for MOU approval be adopted, which places newly proposed labor agreements on the "regular" agenda, rather than the "consent" agenda, to allow for public input to the negotiation process. ***(Report - Dan Fulks, Human Resources Director)***

The HR Director indicated that the Personnel and Employee Representation Rules (PERR's) govern the negotiating process at the City of Chico and these rules would need to be modified if the City were to implement a sunshining process.

Bob Best and Stephanie Taber addressed the Committee in support of this item.

Councilmember Bertagna suggested adding a fiscal analysis as part of the proposal when it goes to the Council. Finance Director Hennessy stated she would be able to provide the fiscal analysis at the initial and final proposal, adding this analysis would be at the same level of detail she currently provides to the Council.

Councilmember Bertagna asked staff for information on communities that currently have Councilmembers that sit in on negotiations or have had this practice in the past, adding he would like to know the process and what the Councilmember's role is. If other cities have had this practice and have given it up, he would like to know why, and would like to be able to talk to these cities. HR Director Fulks stated that of the two agencies he surveyed, one city indicated they were within a month of ceasing the practice. He added he would provide this information when the item goes to Council along with additional information missing from Attachment "A."

Councilmember Bertagna made a motion that for all future bargaining the City shall: (1) sunshine the initial proposal and include the fiscal impact; (2) continue negotiations behind closed doors with status reports to the Council in closed session; and (3) after final approval by Council, formal adoption of the proposal including fiscal impact to be placed on the Council's regular agenda. Chair Schwab seconded the motion.

Councilmember Bertagna suggested that Council be present when this information, if approved by Council, is disseminated to the bargaining groups. He requested a meeting between HR and the Council to assure Council participation in informing the bargaining groups of the changes.

***Recommendation: The Committee recommended (3-0) that for all future bargaining the City shall: (1) sunshine the initial proposal and include the fiscal impact; (2) continue negotiations behind closed doors with status reports to the Council in closed session; and (3) after final approval by Council, formal adoption of the proposal including fiscal impact to be placed on the Council's regular agenda.***

- C. **Business From the Floor.** None.
- D. **Adjournment and Next Meeting.** The meeting adjourned at 9:55 a.m. The next meeting is scheduled for Tuesday, July 8, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:  
City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Finance Director; Admin Services Director; HR Director



# Internal Affairs Committee Report

DATE: July 18, 2008

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JULY 8, 2008**

<p><u>Committee present:</u> Chair Schwab Councilmember Nickell</p>	<p><u>Staff present:</u> City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Building &amp; Dev. Services Dir. McKinley Capital Project Services Director Varga</p>	<p>Administrative Services Director Pierce Urban Forest Manager Britton Planning Services Director Peterson Building Official Herman Administrative Analyst Cameron</p>
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Councilmember Bertagna was absent from this meeting.

## **COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- A. **Recommendations from the Ad-Hoc Tree Preservation Committee.** At its meeting of 10/09/07, the Internal Affairs Committee (IAC) recommended the formation of an Ad-Hoc Tree Committee and asked that the Committee review seven items and report back to the IAC at a subsequent meeting. Staff recommended that the Internal Affairs Committee review and discuss the recommendations of the Ad-Hoc Tree Committee and provide direction with respect to potential revisions to the Chico Municipal Code. ***(Report - Denice Britton, Urban Forester and Jake Morley, Assistant Planner)***

The Ad-Hoc Tree Committee recommendations were provided in the staff report. To briefly summarize, the Committee recommended:

- (1) amending the Chico Municipal Code (CMC) to establish a voluntary and fee based Heritage Tree program with the intent to acknowledge and preserve trees of special interest and specific qualities;
- (2) amending the CMC to establish a required "no net loss" in total diameter at breast height (DBH) for removed trees by requiring replantings;
- (3) amending the CMC to establish an in-lieu fee when on-site replantings/mitigation are not feasible or desirable;
- (4) modifying CMC Chapter 16.66 so that it applies to all undeveloped private property within the City that is 10,000 square feet or larger and/or are the subject of a discretionary permit;
- (5) that the current 24-inches DBH remain and that a reduction in DBH be used for certain species;
- (6) that applicable CMC chapters pertaining to the conformance of approved plans and their maintenance be enforced through a letter mailed to property owners.

Donna Cook, Alan Gair, John Merz, Karen Laslo, Francine Gair and Grace Marvin addressed the Committee in support of this item.

Jason Bougie and Matt Galloway expressed concerns over the economic viability of the ordinance revisions.

Staff indicated they hoped to initially have volunteer efforts in place for tree preservation due to the economic status of the City, adding that a Nexus Study would have to be completed in order to determine the permit fees.

In reviewing the proposed changes to Chapter 16.66, Councilmember Nickell asked that the following changes be made: (1) replace all occurrences of "may" with "shall;" and (2) that Section 16.6.130, "penalty increase" be changed from \$5,000 to \$10,000. He recommended recruiting interns to help with the tree preservation program and also asked staff to research comparable cities to see what they charge for permits so that the Committee would have a better idea of what our fees should be, adding this information should be brought back to the next meeting.

Chair Schwab said she would like to establish a program benefit whether it be economic, environmental or social and asked about exploring some type of formula for infill development. For example, if developers put in a certain number of units, could the City waive some of the tree requirements if the complex is solar.

City Manager Burkland suggested conducting more outreach, incorporating ideas from this meeting and bringing the information back to a future Internal Affairs meeting. The item will then be forwarded to the Planning Commission and the Bidwell Park and Playground Commission before the final version goes to the Council.

Chair Schwab made a motion that: (1) staff research low interest loans for property owners to maintain trees; (2) the phasing in of the recommendations from the Ad-Hoc Tree Committee; and (3) public recognition of parking lots that are currently meeting the shade requirement of 75%. Councilmember Nickell seconded the motion.

***Recommendation: The Committee recommended (2-0-1, Bertagna absent) that: (1) staff research low interest loans for property owners to maintain trees; (2) the phasing in of the recommendations from the Ad-Hoc Tree Committee; and (3) public recognition of parking lots that are currently meeting the shade requirement of 75%.***

### **COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

- B. **Consideration of Deferral of Certain Development Impact Fees.** In response to a request from the development community to temporarily defer certain development impact fees, including Transportation Facility Fees, Park Facility Fees and Building and Equipment Fees, until such time as a certificate of occupancy has been issued, the Committee was being asked to consider the request and to review an ordinance authorizing the fee deferral for a two-year period only. The Building & Development Services Director recommended that the Internal Affairs Committee recommend Council adoption of an ordinance amending Chapters 3.85 and 15.36 of the Chico Municipal Code (CMC) to authorize the deferral of impact fees for a two-year period. ***(Report - Fritz McKinley, Building & Development Services Director)***

A letter in support of fee deferral was provided to the Committee from Jason Bougie, North State Building Industry Association.

Staff indicated that the deferral of impact fees would be a two-year trial period economic stimulus for the City which could be continued if the recession doesn't turn around after that time frame.

John Merz, Karen Laslo, Mike Trolinder and Donna Cook addressed the Committee in opposition to this item.

Building Official Herman clarified that the fees will be due within one year if the certificate of occupancy is not issued, or in terms of commercial, the finalizing of the shell. She added that the deferred fees are services that are needed by the end user, not infrastructure fees.

Councilmember Nickell's motion to forward to Council an ordinance amending Chapters 3.85 and 15.36 of the CMC authorizing the deferral of impact fees for a two-year period was seconded by Chair Schwab.

John Merz requested a copy of the staff report when the item goes to Council.

***Recommendation: The Committee recommended (2-0-1, Bertagna absent) forwarding to Council an ordinance amending Chapters 3.85 and 15.36 of the CMC authorizing the deferral of impact fees for a two-year period.***

- C. **Consideration of a Proposal to Amend the Cardroom Ordinances.** At its meeting of 6/03/08 the City Council referred a letter dated 5/19/08 from Alfred W. Driscoll, III, Attorney at Law, requesting amendments to the cardroom ordinances. The letter and accompanying "Proposal for Amendments to Cardroom Ordinances" was provided to the Committee. The City Attorney verbally addressed this item at the meeting.

Staff indicated that in regard to the request for an increase in table capacity from five to ten, the State limits how much control cities have over gambling, allowing expansion of tables to 25% or a maximum of two, and allowing a one time increase only. A request for more than that would have to go to the State for approval.

Mr. Driscoll responded that he would like to defer the request for an increase in table capacity to a future meeting.

Joe Rankin addressed the Committee in support of this item. Mike Trolinder addressed the Committee about neighborhood concerns.

Staff informed the Committee that the Gambling Control Act regulates and controls gambling in California with certain items delegated to cities. Operating hours and "soliciting or inducing" a player to play by offering food are two items that can be acted upon by the Council.

Councilmember Nickell made a motion to: (1) allow continuous cardroom operation throughout the week; (2) allow a cardroom to provide complimentary food and drink as a courtesy and accommodation to its patrons; (3) defer the increase in table capacity to a future meeting; and (4) ensure public noticing of the neighbors of the possible increase in hours of operation. Chair Schwab seconded the motion.

***Recommendation: The Committee recommended (2-0-1, Bertagna absent) to: (1) allow continuous cardroom operation throughout the week; (2) allow a cardroom to provide complimentary food and drink as a courtesy and accommodation to its patrons; (3) defer the increase in table capacity to a future meeting; and (4) ensure public noticing of the neighbors of the possible increase in hours of operation.***

D. **Business From the Floor.** None.

E. **Adjournment and Next Meeting.** The meeting adjourned at 10:03 a.m. The next meeting is scheduled for Tuesday, August 12, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:

City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Capital Project Services Director; Finance Director; Admin Services Director; Urban Forester; Planning Services Director; Eng. Admin. Mgr.



# Internal Affairs Committee Report

DATE: August 21, 2008

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD AUGUST 12, 2008**

<p><u>Committee present:</u>  Chair Schwab  Councilmember Bertagna  Councilmember Nickell</p>	<p><u>Staff present:</u>  City Manager Burkland  City Attorney Barker  City Clerk Presson  Building &amp; Dev. Services Dir. McKinley  Capital Project Services Director Varga  Administrative Services Director Pierce  Hsg. &amp; Neighborhood Ser. Dir. Morgado</p>	<p>Planning Services Director Peterson  Operations &amp; Maintenance Dir. Martinez  Senior Planner Tillman  Traffic Engineer Mickelson  Fire Prevention Officer Myers  Administrative Analyst Cameron</p>
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## **COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- A. **Consideration of an Amendment to Chico Municipal Code (CMC) Section 8.12.120 - Recyclable Yard Debris Collection.** At its 7/01/08 meeting, the City Council adopted the FY 08-09 Budget which included a 7.5% reduction in every City department. One reduction scheduled by the General Services Department was to reduce staff hours devoted to the Leaf Pickup Program by restricting those who may place leaves for pickup in the City's right-of-way. The Committee was asked to consider an amendment to the CMC to implement this reduction. The Interim Assistant City Manager recommended that the Internal Affairs Committee forward the ordinance amending the CMC to prohibit commercial yard waste generators from using the City's leaf collection program to the Council for introductory reading. **(Report - Dennis Beardsley, Interim Assistant City Manager & Ruben Martinez, Director of Operations and Maintenance)**

Councilmember Bertagna disqualified himself on this item and left the meeting at 8:30 a.m.

Dan Herbert, Brad Fleishman, and Randy Calermo spoke in opposition to this item. Fred Davis spoke in support of cancelling the program.

The Committee discussed a variety of options to minimize the budget impact of the leaf pick-up season including: (1) voluntary additional green waste receptacles for residences; (2) shortening the leaf pick-up season from four months to two months; (3) privatization of leaf pick-up; (4) designating four additional drop off sites for commercial landscapers to dump their loads; (5) setting up a designated drop site for commercial landscapers who would pay an appropriate fee and which would be managed by a private company; and (6) eliminating the leaf pick-up program.

Staff indicated that the individual residential unit leaf piles are not the issue for the leaf pick-up crews, it is the long caterpillar rows of leaves left by commercial landscapers.

Councilmember Nickell asked for a cost benefit study of reducing the leaf pick-up program from four months to two months.

The City Manager recommended this item be brought back to the Committee after staff has met with the haulers and Waste Management.

North Valley Property Owners' Association asked to be informed of any future meetings that take place regarding this issue.

**Recommendation: No recommendation was made at this time - the item was tabled for a future meeting.**

**COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

- B. **Consideration of Revisions to Administrative Procedure and Policy (AP&P) 10-2 (Room Reservations)**. At its meeting of 7/01/08, the Council referred the discussion of the proposed revisions to AP&P 10-2 back to the Committee for additional review to look for ways to make the policy more accessible while still considering the security and potential liability issues of the building. The City Clerk recommended that the Committee consider this item and provide staff with direction on a recommendation to be forwarded to the City Council regarding revisions to the policy (AP & P 10-2) and the fee schedule pertaining to the use of the Municipal Center's Council Chamber and Conference Rooms. ***(Report - Deborah Presson, City Clerk)***

Chair Schwab indicated that since the Council asked the Committee to find a way for the public to be able to use the facilities perhaps the City could look at sectioning off Conference Room No. 2 while securing the rest of the building. This would allow reservations to be taken for Conference Room No. 2 only with access through the east doors for evening meetings.

Forest Harlan addressed the Committee in opposition to this item. Kasey Merrill addressed the Committee in support of this item.

City Clerk Presson suggested that along with the availability of Conference Room No. 2 to community groups, she would encourage the Committee to also recommend the following previously discussed revisions to AP&P 10-2 which included: (1) limit room availability to Monday through Thursday 6:00 to 10:00 p.m.; (2) allowing Councilmember usage of the rooms; and (3) requirement that reservations be made two weeks in advance, with fees submitted and completion of a Room Reservation Form signed by an official of a representative of the organization. The final step in finalizing the changes would be adoption of the resolution amending the fee schedule and approval of minute orders confirming the changes for Governmental agencies.

Chair Schwab suggested that the Councilmember usage request be expanded to include Conference Room No. 1 and the Council Chamber.

Councilmember Nickell made a motion to forward staff's recommendations to the Council which includes: (1) approval of revisions to AP&P 10-2; (2) adoption of a resolution amending the fee schedule (Chico Municipal Center Use Fees); and (3) approval of minute orders confirming Governmental agencies usage of the Municipal Center.

***Recommendation: The Committee recommended (2-0-1, Bertagna absent) forwarding to the Council: (1) approval of revisions to AP&P 10-2; (2) adoption of a resolution amending the fee schedule (Chico Municipal Center Use Fees); and (3) approval of minute orders confirming Governmental agencies usage of the Municipal Center.***

**COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- C. **Review of Esplanade Recommendations in Avenues Neighborhood Plan**. At its 5/20/08 meeting, the City Council referred Planning Commissioner Minasian's request that the Council consider how the City would pursue implementation of future modifications to the Esplanade to the Internal Affairs Committee for consideration. Council asked that the Esplanade recommendations be explained and that the consistency of the recommendations with the General Plan Transportation Element be reviewed. The Senior Planner for Housing and Neighborhood Services recommended the Committee consider the report and give additional direction to staff as necessary. ***(Report - Shawn Tillman, Senior Planner for Housing and Neighborhood Services)***



Fred Davis addressed the Committee in opposition to this item. Kasey Merrill addressed the Committee in support of the Esplanade remaining in the Avenues Neighborhood Plan.

Councilmember Nickell made a motion that modifications to the Esplanade remain in the Avenues Neighborhood Plan. Chair Schwab seconded the motion.

***Recommendation: The Committee recommended (2-0-1, Bertagna absent) that modifications to the Esplanade remain in the Avenues Neighborhood Plan.***

- D. **Business From the Floor.** None.
- E. **Adjournment and Next Meeting.** The meeting adjourned at 9:35 a.m. The next meeting is scheduled for Tuesday September 9, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:

City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Housing & Neighborhood Services Director; Capital Project Services Director; Finance Director; Admin Services Director; Traffic Engineer; Eng. Admin. Mgr.



# Internal Affairs Committee Report

DATE: September 16, 2008

File : Comm Binder

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD SEPTEMBER 9, 2008**

<u>Committee present:</u> Chair Schwab Councilmember Bertagna Councilmember Nickell	<u>Staff present:</u> City Manager Burkland Interim Assistant City Manager Beardsley City Attorney Barker Building & Dev. Services Dir. McKinley Capital Project Services Director Varga Hsg & Neighborhood Services Dir. Morgado	Captain Rucker Admin Services Director Pierce Principal Planner Vieg Code Enforcement Supv. Armstrong Administrative Analyst Cameron
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## **COMMITTEE MATTERS REQUIRING COUNCIL ACTION**

### **A. Discussion Regarding Spraying and Fogging by the Butte County Mosquito and Vector Control District.**

- (1) At the 7/01/08 Chico Redevelopment Agency meeting discussion of policy issues related to spraying and/or fogging by the Butte County Mosquito and Vector Control District (BCMVCD), possible alternative methodologies, and public notification procedures was referred to the Internal Affairs Committee for discussion. The City Manager provided no recommendation on this item. **(Report - Dave Burkland, City Manager)**
- (2) By memorandum dated 8/26/08, Safety Without Added Toxins (SWAT) submitted a report outlining concerns about the practices of Butte County Mosquito and Vector Control District.

Matt Ball, District Manager of BCMVCD explained the three indicators that the District uses for fogging: (1) mosquito population that equals a health threat; (2) virus indicators; and (3) customer service requests. He added that Chico has been sprayed once this year and stated the first level of control is source elimination. Regarding the District's notification procedures, Mr. Ball indicated that the District issues press releases and also has an e-mail list of 189 citizens that receive a 24-hour notice that lists the time, date and links to the product being applied, specimen label and material safety data sheets (MSDS).

Amy Miller, member of SWAT and Karen Laslo spoke in opposition to BCMVCD fogging. Ms. Miller indicated that she had additional ideas for notification in the plan she submitted.

Jim Camy, former manager of BCMVCD spoke in support of fogging and indicated that in the past, Channel 12 aired all the press releases. Amy Miller said it would be helpful to know which media is contacted when the press releases are issued. Matt Ball said he could provide that information to SWAT.

Councilmember Nickell made a motion to: (1) have the Council review its procedure for appointments to the BCMVCD and consider whether the appointee should be a citizen or a member of the Council; (2) request a copy of the BCMVCD minutes after every Board meeting, providing that information to the Council, posting it on the City's website and making it available for public review in the City Clerk's Office.

Chair Schwab asked for a friendly amendment that the City request BCMVCD to submit a plan to the City outlining: (1) the efforts being made to provide outreach to the community; and (2) BCMVCD's current and future outreach goals. She also asked that the City request BCMVCD submit a report to respond to the following: (1) citizen concerns that safety data sheets are not available; (2) the estimated cost of postcard notifications; (3) its current newspaper notification process; (4) its current e-mail notification process and any plans to address citizen concerns regarding missing information; and (5) the suggestion that warning signals be installed on the fogging trucks.

Councilmember Bertagna added that the District should find a way to publish the MSDS sheets.

## **COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- B. **Downtown Issues- Framework for a Plan.** At its meeting of 6/17/08 the Council referred a letter from Tom Hall to the Police Department for preparation of a comprehensive plan to address a variety of issues in the Downtown Chico area. No recommendation was made at this time. This item was prepared for discussion and direction from the Committee. Chair Schwab was disqualified on this item. **(Report - Mike Maloney, Police Captain)**

Captain Rucker stated that homelessness is not just a police problem but a community problem with multiple causes that will need multiple solutions. Housing and Neighborhood Services Director Morgado indicated there are two types of homeless - chronic and short term, adding that Chico has an active network of service providers and it is a matter of plugging the homeless into that network.

Rich Young from the Jesus Center, indicated that the Center has formed a neighborhood task force, which consists of groups of two going into the neighborhood, picking up trash and reaching out to the homeless when possible. He added that a recent idea of the Center is to form downtown ambassadors. Brian Pierce, Boardmember for the Jesus Center and a downtown business owner said he passes out tickets to the homeless for a meal at the Jesus Center. Nancy Jorth, Youth for Change said her agency's focus is dealing with the homeless youth in Butte County. Mike Little, Interim Director for the National Association for the Mentally Ill, said he spent some time canvassing the downtown area and saw a large number of college students rather than the homeless on the streets. He suggested identifying the cause of the problem so that it can be dealt with. Mike Trolinder questioned why the City would issue a conditional use permit for the youth drop-in center on Sixth Street. He added that there is no police enforcement for bike riders, skate boarders or panhandlers. Tom Hall said if you solve the homeless issue the problem might go away, but it is not necessarily the homeless but the street people, adding the issue is enforcement. Mike McGinnis stated there are safety issues, which the Council dealt with 15 years ago when a citizen was injured downtown. He added that skateboards and bikes are prohibited on the sidewalk and this should be a priority issue. He also felt the City needs a downtown police beat.

Councilmember Nickell said the problem is the crimes that are being committed and not being enforced, adding that "in-view" patrol keeps people from committing a crime.

Councilmember Bertagna suggested setting a roundtable discussion on 9/23/08 from 8:00 a.m. to 11:00 a.m., asking that a member of the Chamber of Commerce and the Downtown Chico Business Association be in attendance and that the Police Department be prepared to discuss costs and provide a shift schedule for a downtown patrol.

- C. **Annual Update on the Status of the Enloe Medical Center Century Project (DA 03-03), Including an Update on the Transportation Systems Management Plan.** At its meeting of 3/21/06, the City Council certified a Final EIR, approved a Development Agreement, approved amendments to land use designations, and rezoned various properties within the Enloe Medical Center (Enloe) campus to provide for the expansion of Enloe Hospital. The Development Agreement, dated 5/19/06, is a 20-year agreement between the City and Enloe establishing standards, conditions, and regulations governing the hospital expansion. Per the Development Agreement, Enloe is required to provide an annual report to the City detailing compliance with the Development Agreement. Enloe has submitted the second annual report, which includes an update on Enloe's implementation of its Transportation Systems Management Plan. Staff requested that the Committee consider Enloe's annual report and direct any questions regarding the status of the expansion project or compliance with the Development Agreement to City staff or Enloe's representative. **(Report - Brendan Vieg, Principal Planner and Tom Varga, Capital Project Services Director)**

Staff indicated that Enloe Medical Center is in good faith compliance with the Development Agreement.

Bill Saguine, Enloe Director of Facilities and Mike Wiltermood, Enloe Chief Operating Officer spoke on behalf of Enloe Medical Center.

Kasey Merrill, Chico Avenue Neighborhood Association (CANA), asked that: (1) the signage on the new parking structure be moved and brought down to street level; (2) that CANA be invited to Enloe decision-making meetings; (3) the shower in the surgery area be made more hospitable to commuters; and (4) that a specific committee at the hospital be available to work with CANA to allow for open communication.

Mr. Saguine indicated that he would work with CANA on these issues.

This item was an update only, no action was taken.

## COMMITTEE MATTERS REQUIRING COUNCIL ACTION

- D. **Consideration of Amending City of Chico Municipal Code (CMC) Regulations to Allow for the Placement of Basketball Standards in the Public Right-of-Way (Street) and Repealing the Code that Prohibits Playing of Any Game in the Public Right-of-Way.** At its 5/06/08 meeting, the City Council heard the recommendation of the Internal Affairs Committee and staff to not allow for any provision within the CMC for the placement of basketball standards by permit on any portion of the public right-of-way. The Council referred further discussion of the issue back to the Internal Affairs Committee with direction to staff to research: (1) current regulations in other jurisdictions; and (2) the feasibility of repealing the current Code section that prohibits persons from playing in the public right-of-way. The Housing & Neighborhood Services Director and the Building & Development Services Director recommended that: (1) the placement of basketball standards in the public right-of-way not be allowed by right or permit but that the current enforcement policy, which includes the specific criteria under which standards are subject to abatement, be formally noted; and (2) Section 9.26.010 (Playing in the Streets) of the CMC be repealed. **(Report – Sherry Morgado, Housing and Neighborhood Services Director & Fritz McKinley, Building & Development Services Director)**

Staff indicated that CMC Section 9.26.010 regarding playing in the streets dates back to the 1920's and it is staffs' recommendation to repeal the Section.

Peg Howard addressed the Committee recommending that staff change the language on citations issued for basketball standards in the public right-of-way from "not allowed without encroachment permit" to "not allowed." She added that if her original citation was written in that manner this item may never had gone this far.

Councilmember Bertagna made a motion to continue to enforce CMC Section 14.08.060 citing only those basketball standards whose placement within the public right -of-way meet any of the following criteria: (1) the basketball standard has been placed in such a position as to create a specific site distance hazard as determined by City staff; (2) the basketball standard has impacted the available street parking other than the area directly in front of the property in which the owner of the standard resides; (3) the area around the basketball standard has accumulated debris and trash or impedes the City's street sweeping efforts as determined by City staff; and (4) the basketball standard blocks a portion of the sidewalk or public right-of-way and impedes the free movement of vehicles and/or pedestrians as determined by City staff. The motion included a recommendation that CMC Section 9.26.010 be repealed. Councilmember Nickell seconded the motion.

***Recommendation: The Committee recommended (3-0) to continue to enforce CMC Section 14.08.060 citing only those basketball standards whose placement within the public right -of-way meet any of the following criteria: (1) the basketball standard has been placed in such a position as to create a specific site distance hazard as determined by City staff; (2) the basketball standard has impacted the available street parking other than the area directly in front of the property in which the owner of the standard resides; (3) the area around the basketball standard has accumulated debris and trash or impedes the City's street sweeping efforts as determined by City staff; and (4) the basketball standard blocks a portion of the sidewalk or public right-of-way and impedes the free movement of vehicles and/or pedestrians as determined by City staff. The Committee also recommended that CMC Section 9.26.010 be repealed.***

- E. **Business From the Floor.** None.
- F. **Adjournment and Next Meeting.** The meeting adjourned at 10:15 a.m. The next meeting is scheduled for Tuesday, September 23, 2008, at 8:00 a.m. in Conference Room No. 1.

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Lynda Cameron, Administrative Analyst

Distribution:

CC (7), CC Office copy; CM, BDS, FC, COP, HNSD, CPSD, FD, ASD, EAM, Traffic Eng.



# Internal Affairs Committee Report

DATE: September 29, 2008

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD SEPTEMBER 23, 2008**

<p><u>Committee present:</u>  Councilmember Bertagna  Councilmember Nickell  Councilmember Flynn</p>	<p><u>Staff present:</u>  City Manager Burkland  Interim Assistant City Manager Beardsley  City Attorney Barker  Capital Project Services Director Varga</p>	<p>Captain Maloney  City Clerk Presson</p>
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## ***COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION***

A. **Roundtable Discussion of Downtown Issues.** On 6/17/08, in response to concerns from downtown merchants, the City Council referred discussion of downtown issues to the Internal Affairs Committee. At its meeting held 9/09/08, the Committee reviewed a report from the Police Department and took testimony from community members, downtown merchants, social service agencies, and staff regarding certain issues impacting downtown Chico, including homelessness, panhandling, and bicycles and skateboard being ridden on sidewalks. At today's meeting, the Committee conducted a roundtable discussion in order to allow additional time to more thoroughly discuss the issues.

Councilmember Bertagna indicated that this meeting was being held in order to brainstorm and identify possible solutions for dealing with the downtown issues. Addressing the Committee on this item were Alan Chamberlain, Katrina Davis-Woodcox, Don Kidd, Mike Trolinder, Mike McGinnis, Patricia Clark, Colleen Jensen, Heather Lyon, Bill Sutton, Tom Hall, Rick Tofanelli, Mary Chelsey, and Debra Lucero-Austin. Additional comments were received from individuals who did not identify themselves for the record.

Following the general discussion and collaboration with the attendees of the meeting, the following ideas were identified:

### **Downtown Issues:**

1. Pedestrian safety
2. Homeless/Transient Population
  - Panhandling
  - Mental Health Issues

### **Possible Actions:**

1. **Public Information Campaign or Media Blitz** - *Staff to determine if funding is available*
  - To solicit community involvement - grass roots efforts, possible creation of a committee comprised of business owners
  - To educate business owners and offenders of current regulations
  - Publicize fines for skateboarding and bicycle riding on sidewalks
  - Publicize the need for volunteers to serve as Ambassadors for the Jesus Center Ambassador program for the homeless

## 2. **Enforcement**

- In “view” patrolling as much as possible
- “PA” system used in patrol vehicles to remind offenders of the rules when seen by an officer
- Patrol cars could go Code 3... use “alley” lights in downtown area
- Increase enforcement in August when the college students return
- Have Police Department staff meet with the City Attorney’s Office to review and clarify any panhandling regulations contained in the Chico Municipal Code which maybe impacting the Police Department’s ability to be successful in court
- Look for additional scheduling ideas to place more officers downtown on alternating shifts

## 3. **Education**

- Work with business owners to find suggestions on effective ways to handle the homeless or mentally ill transients and perhaps have a representative from the Police Department provide training
- Civic engagement class
- CAVE volunteers
- Junior High and High School morning announcements
- City staff, regardless of department, should know how to approach and inform violators riding bikes or skateboards on the sidewalks
- Police to continue to be involved with CSUC freshman orientation

## 4. **Fines**

- Posted in a more conspicuous manner regarding the riding of bicycles or skateboards on sidewalks

## 5. **Social Services**

- Utilization of social service agencies for assistance in connecting people to the services that they need

## 6. **Homeless Task Force**

- Begin providing the City Council with copies of their minutes or meeting notes in order for Council to be aware of the needs in the community
- Perhaps assign a representative of the Police Department to attend the Homeless Task Force meetings

## 7. **Formation of a Parking Business Improvement District (PBID)**

- Have the Downtown businesses seriously look at forming a PBID to raise additional revenue for services that are needed in the downtown area

## 8. **Bonds**

- Staff to identify what will need to happen, and if pursued, the timing of the paying off of the bonds

## 9. **Community Involvement**

- Expand volunteer opportunities
- Get buy-in and commitment from the community similar to what occurred with the Halloween situation

## 10. **CSUC**

- Partner with the University whenever possible

- B. **Business from the Floor** – None
- C. **Adjournment and Next Meeting** – The Committee adjourned at 10:40 a.m. to its next regularly scheduled meeting on Tuesday, October 14, 2008, at 8:00 a.m. in Conference Room No. 1.

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Deborah R. Presson, City Clerk

Distribution:

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# Internal Affairs Committee Report

DATE: November 4, 2008

File : [Comm Binder](#)

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD OCTOBER 30, 2008**

<b>Committee present:</b> Chair Schwab, absent Councilmember Bertagna Councilmember Nickell	<b>Staff present:</b> City Manager Burkland City Attorney Barker Capital Project Services Director Varga	Admin. Services Director Pierce Administrative Analyst Cameron
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## **COMMITTEE MATTERS NOT REQUIRING COUNCIL ACTION**

- A. **Downtown Commercial Loading / Unloading.** As directed by the Internal Affairs Committee at its meeting of 10/14/08, City staff, in coordination with the Downtown Chico Business Association (DCBA), held a workshop on 10/20/08 to discuss commercial loading / unloading issues in the downtown area if the diagonal parking and three- to two-lane reduction along Broadway and Main Street is implemented. Based on the discussion, numerous concerns were identified by downtown business owners as well as one service delivery provider. A conceptual framework for a loading / unloading regulation can begin from this single meeting; however, additional community input, further review of the trade-offs between the various options, and subsequent analysis is necessary for the community, Committee and City Council to have a complete understanding of the project. This item was prepared for discussion only. At the conclusion of the discussion, staff requested Committee direction. ***(Report - Tom Varga, Capital Project Services Director)***

Staff indicated that additional time is needed for community input on the commercial loading/unloading issue and added that time and location are areas that can be regulated for commercial loading and unloading.

Michael Trolinder addressed the Committee on this item, adding that the DCBA voted (12-2) in support of regulating commercial loading and unloading.

Councilmember Nickell made a motion to bring this item back to the Internal Affairs Committee at its December meeting after staff has meet with the stakeholders and service delivery providers. Councilmember Bertagna seconded the motion.

- B. **Business From the Floor.** None.
- C. **Adjournment and Next Meeting.** The meeting adjourned at 8:15 a.m. The next meeting is scheduled for Tuesday, December 9, 2008, at 8:00 a.m. in Conference Room No. 1.

Lynda Cameron, Administrative Analyst

Distribution:  
City Council (7); Council Office copy; City Manager; Building & Development Services Director; Fire Chief; Chief of Police; Housing & Neighborhood Services Director; Capital Project Services Director, Finance Director; Admin Services Director; Traffic Engineer; Eng. Admin. Mgr.





City Clerk's Office  
411 Main Street, Chico, CA 95928  
(530) 896-7250

CITY OF CHICO  
INTERNAL AFFAIRS COMMITTEE

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NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for November 18, 2008, has been canceled.

The next meeting of the Internal Affairs Committee is scheduled for Tuesday, December 9, 2008, at 8:00 a.m. in Conference Room 1, unless otherwise noted.



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CITY OF CHICO  
INTERNAL AFFAIRS COMMITTEE

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NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for  
December 9, 2008, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Tuesday, January 13, 2009, at 8:00 a.m. in  
Conference Room 1, unless otherwise noted.