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## INTERNAL AFFAIRS COMMITTEE REPORT

A Committee of the Chico City Council: Councilmembers Morgan, Schwab, and Chair Ritter

**Meeting of January 8, 2014 - 8:00 a.m. to 10:00 a.m.**

Council Chamber Building, 421 Main Street, Conference Room No. 1

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### REGULAR AGENDA

- A. **Consideration of Conversion of One (1) Diagonal Parking Space to Bike Parking on 2nd Street** - The City received requests from Alec Binyon, owner of The Naked Lounge Café, along with several additional public requests to provide additional in-street bike parking at 118 W. 2nd Street. The recently completed 2nd St. couplet project relocated an existing in-street bicycle parking area to the adjacent sidewalk, however, due to the heavy pedestrian and bicycle patronage use in this area, the demand exists for addition parking. **(Report – Ruben Martinez, Public Works Director)**

Director Martinez reported that this project is estimated to cost approximately \$1,200 and will include bike racks and the planters around the bike racks. Everything that is being installed can be removed if the project does not have the desired result. There is overwhelming support for bike parking in the Downtown and staff received 25 letters of support. Director Martinez stated the cost of the project will come from the parking fund, and it will reduce parking revenue between \$900 to \$1,200.

Councilmember Schwab stated that this is a good idea and the Circulation Element of the General Plan calls for more bike parking. She asked if staff can get a plan in place so that requests such as this can be more staff initiated rather than using staff time to bring it to committee.

Chair Ritter opened the meeting to public comments.

Addressing the Committee on this item were: Dale Bennett, Melanie Bassett, Mike Trolinder, Janine Rood, Tom Digiovanni and Alec Binyon.

City Manager Nakamura stated that Chico is a biking community and the Downtown is service driven. This will expand opportunities in this area and it can be argued that it is good to convert this space.

A motion was made by Councilmember Morgan and seconded by Councilmember Schwab to forward a recommendation to Council to approve the removal of one (1) metered diagonal parking space to accommodate a dedicated bicycle parking area and the installation of bicycle parking racks; and direct Staff to prepare a Traffic Regulation Amendment, as necessary for Council consideration.

The motion carried 3-0.

- B. **Consideration of Conversion From Metered Parallel/Diagonal Parking to Unmetered Diagonal Parking on Flume and Wall Streets** - The City received requests from local business owners in the vicinity of Flume Street between 2nd and 7th Streets and on Wall Street between 5th and 6th Streets to consider converting existing parallel and diagonal metered parking to diagonal unmetered parking in order to satisfy the demand for longer term parking in the area due to new businesses. **(Report – Ruben Martinez, Public Works Director)**

Director Martinez stated this proposal is for Phase 1 only, from 4<sup>th</sup> to 6<sup>th</sup> Streets, and does not include Wall Street. It's anticipated that it will increase parking by 28 spaces.

Chair Ritter stated that the report indicates the area is 2<sup>nd</sup> to 7<sup>th</sup> Streets.

Director Martinez clarified that this proposal is for Phase 1 only, Phase 2 would include the additional area, however at the time of the report financial data was not yet available. He added that currently, there are six

metered spaces, and other spaces have time limits but are not metered.

Chair Ritter opened the meeting to public comments.

Addressing the Committee on this item were: Carl Ory, Tom Digiovanni, Dale Bennett, and Mike Trolinder.

Chair Ritter requested that Director Martinez provide the actual number of parking spaces gained or removed in the future report that goes to Council.

Director Martinez stated that staff is in agreement that there were 50 spaces created. He stated staff can take a look at Google maps to verify.

A motion was made by Councilmember Schwab and seconded by Councilmember Morgan to forward a recommendation to Council to approve of the conversion of metered parallel/diagonal parking to unmetered diagonal on Flume Street between 4<sup>th</sup> and 6<sup>th</sup> Streets between 5th and 6th Streets; and that \$6,000 be allocated from the Parking Fund (853) to fund the Phase 1 project; and direct Staff to prepare and forward a Traffic Regulation Amendment, by resolution, to the City Council for consideration.

The motion carried 3-0.

C. **Business from the Floor**

Mike Trolinder asked what Council is doing to advance parking management.

- D. **Adjournment and Next Meeting** - The meeting adjourned at 9:10 a.m. to the next regular Internal Affairs Committee meeting scheduled for Wednesday, February 12, 2014, at 8:00 a.m. in Conference Rm. No. 1.

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Dani M. Brinkley, Deputy City Clerk

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## INTERNAL AFFAIRS COMMITTEE AGENDA

A Committee of the Chico City Council: Councilmembers Morgan, Schwab, and Chair Ritter

**Meeting of February 12, 2014 - 8:00 a.m. to 10:00 a.m.**

Council Chamber Building, 421 Main Street, Conference Room No. 1

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### REGULAR AGENDA

- A. **Letter from Bob Evans Asking the Council to Discuss His Proposed Plan to Possibly Utilize Firefighters in the Downtown Area** – At its meeting of 12/17/14, Council referred this request to the this Committee for further discussion.
- B. **Social Host Ordinance** – At its meeting of 1/7/14, a draft Social Host Ordinance was presented to the City Council for review and comment. After receiving public testimony and considering the draft ordinance, the Council referred the matter to this Committee. **(Report – Roger Wilson, Assistant City Attorney)**

**Recommendation:** That the Internal Affairs Committee review and provide direction to the City Attorney regarding the draft Social Host Ordinance.

- C. **Business from the Floor** - Members of the public may address the Committee at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.
- D. **Adjournment and Next Meeting** - The meeting will adjourn no later than 10:00 a.m. The next regular Internal Affairs Committee meeting is scheduled for Wednesday, March 12, 2014, at 8:00 a.m. in Conference Rm. No. 1.

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**Distribution available in the office of the City Clerk**

Prepared: 2/6/14  
Posted: 2/6/14  
Prior to: 5:00 p.m.

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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  
March 12, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, April 9, 2014 at 8:00 a.m. in  
Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/  
By: Dani Brinkley, Deputy City Clerk  
Dated: March 6, 2014



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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  
April 9, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, May 14, 2014 at 8:00 a.m. in  
Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/  
By: Dani Brinkley, Deputy City Clerk  
Dated: April 3, 2014



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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  
May 14, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, June 11, 2014 at 8:00 a.m. in  
Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/  
By: Dani Brinkley, Deputy City Clerk  
Dated: May 8, 2014



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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  
June 11, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, July 9, 2014 at 8:00 a.m. in  
Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/\_\_\_\_\_  
By: Dani Brinkley, Deputy City Clerk  
Dated: June 5, 2014



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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  
July 9, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, August 13, 2014 at 8:00 a.m. in  
Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/\_\_\_\_\_  
By: Dani Brinkley, Deputy City Clerk  
Dated: July 2, 2014



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## INTERNAL AFFAIRS COMMITTEE REPORT

A Committee of the Chico City Council: Councilmembers Morgan, Schwab, and Chair Ritter

**Meeting of August 13, 2014 - 8:00 a.m. to 10:00 a.m.**

Council Chamber Building, 421 Main Street, **Council Chamber**

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**Note:** City Attorney, Vince Ewing joined the meeting via teleconference.

### REGULAR AGENDA

- A. **Alarm Response Protocol** – Discussion regarding the Police Department's adoption of a verified alarm response as an operational policy for all electronic (burglary) alarms in the City. (**Report, Lt. Michael O'Brien**)

Lt. O'Brien provided a comparison of statistics of false alarm responses prior to the change in policy and false alarm responses since the new policy was implemented. There was a dramatic reduction to false alarms responses. A committee of stake holders was formed to help guide the development of a new alarm response ordinance. Components of an ordinance should include holding the alarm company accountable, ascending fines, zero-tolerance, eliminate fees for permits, and two call verification.

The Committee addressed the following concerns or questions:

- How were the amounts for the penalties arrived at?
- If the company fails to pay the fine and officers stop responding, how will the end user know if the company has paid their fines or not?
- Who will be monitoring or tracking the false alarm responses?
- Can there be no response to alarms for companies that do not pay their penalties?

The following people addressed the Committee: Stephanie Taber, Sam Sayegh, Jon Sargent, Rich Whitlock, Stephen Periera, Jason Brooks, Lindsay Osborne, David Wood, Leo Weiss, and David Ledford.

After receiving public comments, the Committee addressed additional concerns or questions.

- Consideration of a speaker's concern that a superior court ruled that alarm companies can't be charged and it's a violation of their due process.
- Speaker's claim that false alarms can be reduced by 50% by using their ordinance.
- Speaker concerned for his safety by having to verify alarm.
- If the penalty is to the company, can contracts be written to pass it on to the end user?
- The Police Department has been subsidizing the alarm company industry by responding to false alarms.
- Implementing some of the best practices referenced by several speakers.

Lt. O'Brien addressed the Committee's concerns and questions. The penalty amount was arrived at by considering the amount of time it takes the dispatcher to dispatch and monitor the call and for two officers to respond to the call. A third party monitoring company could monitor and post which companies have received fines and if they have paid the fines. The information would be made available to the end user so as to determine the status of their alarm provider, which could receive no response if fines are not paid. The Superior Court ruling in southern California regarding charging alarm companies is non-binding and does not apply to the City of Chico, but he deferred to the City Attorney on this issue. Lt. O'Brien also added that the department would like to reduce all false alarm responses, not just 50% of them. In response to safety of alarm company personnel, he reiterated that the alarm should be verified by video or a trained security guard. The department has never advocated for the alarm company to respond to alarms. It is the choice of the alarm company as to how they verify or respond to their alarms. The department cannot police the alarms for the alarm company industry and respond to over 3,000 mistakes annually.

City Attorney Ewing added that his office relies upon precedent set by rulings of the State Appellate Court or the federal Supreme Court. The Superior Court ruling can be researched and a report can be provided, however the ruling is non-binding to the City.

The consensus of the Committee was to provide the following direction to the City Attorney:

Draft an ordinance to be introduced at the September 2, 2014 Council meeting, which includes 2 call verification, best practices, ascending penalty structure, outsourcing the collection of fines on alarm companies for false alarms, clarification between "alarm company" and "monitoring company," no permit fees for the end user if using an alarm company, and permit fees for an individual that installs an alarm and uses a monitoring company.

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

C. **Adjournment and Next Meeting** - The meeting adjourned at 9:40 a.m. The next regular Internal Affairs Committee meeting is scheduled for Wednesday, September 10, 2014, at 8:00 a.m. in Conference Rm. No. 1.

Prepared by: \_\_\_\_\_  
Dani M. Brinkley, Deputy City Clerk

Distribution:  
Council, CM, ACM, CA, COP, Lt. O'Brien

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## INTERNAL AFFAIRS COMMITTEE REPORT

A Committee of the Chico City Council: Councilmembers Morgan, Schwab, and Chair Ritter

**Meeting of September 10, 2014 - 8:00 a.m. to 10:00 a.m.**

Council Chamber Building, 421 Main Street, **Council Chamber**

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Note: City Attorney Ewing joined the meeting via teleconference.

### REGULAR AGENDA

- A. **Discussion Regarding the Consideration of Authorizing a Grant of License for Chico Military Heroes Banner Program** – At its meeting of 8/19/14, the Council voted 6-1, after receiving public comments to refer this item to Committee for further discussion. The Council is being asked to consider adoption of a resolution authorizing the Chico Military Heroes, a local non-profit organization, the privilege of recognizing military personnel in current active duty with a photo likeness on a banner. A review of the methods for the City to honor military service personnel suggests grant of license agreement would provide the flexibility and opportunity needed by the organization. ***(Report – Ruben Martinez, Public Works Director)***

Chris Nicodemus, representative for the Chico Military Heroes, provided an overview of the project. The original route depicted was modified to only include East Avenue from Highway 32 to Wildwood Park.

The Committee asked several questions or sought clarification from Mr. Nicodemus on the following issues:

- The strength of the banners and will they fly off in high winds?
- Can weapons be in the pictures?
- Can it be a memorial banner?
- How many banners are expected to be hung?
- What is the application process?
- Does the family member have to pay for it?
- How much does each banner cost?
- Can the group raise the money for the fee waiver?

Mr. Nicodemus responded that the banners are very durable and are hanging in Susanville, CA, an area with very high winds of up to 90 m.p.h. and there have not been any problems with the banners. No weapons can be in the pictures and the banners are only for current active duty military members, not those deceased or no longer serving. The group anticipates there could be up to 100 banners, with a cost of about \$175 per banner. The cost for the banners is covered by donations and there is no cost to family. The group has requested a fee waiver, however, they are confident they can raise the funds to cover the cost of the fees. He added that the banner program is currently in 62 other cities in California.

The following people spoke in favor of the project: Loretta Torres, Butch Frederickson, Larry Wahl, David Bruhn, Mark Page, A.L. Reynolds, Patty Watson, Bob Evans, James Smith.

The following people spoke against the project: Jimi Gomez, Cathy Webster, Jon Luvaas, Laurel Yorks, Patrick Newman, Heather Schlaff, Robert Trausch, Charles Withuhn, Sheldon Praiser, Paul O'Rourke-Babb, Chris Nelson, Michael Pike, Ann Polivka, Bill Mash, Chuck Greenwood.

Chair Ritter sought the legal opinion of City Attorney Ewing regarding a speaker's suggestion that Councilmember Morgan has to recuse himself from voting on this matter because he stated at the Council meeting that he would donate \$100 to help cover the application fees. Mr. Ewing stated that Councilmember Morgan is not benefitting financially from his vote and therefore has no conflict of interest.

A motion was made by Committee Member Morgan to forward a recommendation to Council to approve the project without a fee waiver and to have a trial period of 18 months.

The motion failed due to a lack of a second.

A motion was made by Committee Member Schwab to forward a recommendation to the Council to approve the project without a fee waiver, for a period of 30 days per year.

Chair Ritter asked for a friendly amendment to limit the route on East Ave. instead of west of Wildwood Park, to west of Mariposa Ave. to Highway 32. Schwab accepted the amendment.

The motion carried 3-0, with it noted that prior to bringing to the full Council, the group determines the 30 day period in which they want to hang the banners.

- B. **Business from the Floor** – None.
- C. **Adjournment and Next Meeting** - The meeting adjourned at 10:05 a.m. to the next regular Internal Affairs Committee meeting scheduled for Wednesday, October 8, 2014, at 8:00 a.m. in Conference Rm. No. 1.

Prepared by:

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Dani M. Brinkley, Deputy City Clerk

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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  
October 8, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, November 12, 2014 at 8:00 a.m.  
in Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/\_\_\_\_\_  
By: Dani Brinkley, Deputy City Clerk  
Dated: October 2, 2014



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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  
November 12, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, December 10, 2014 at 8:00 a.m.  
in Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/  
By: Dani Brinkley, Deputy City Clerk  
Dated: November 6, 2014



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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 10, 2014, has been canceled.

The next meeting of the Internal Affairs Committee is  
scheduled for Wednesday, January 14, 2015 at 8:00 a.m. in  
Conference Room No. 1, unless otherwise noted.

\_\_\_\_\_/s/  
By: Dani Brinkley, Deputy City Clerk  
Dated: December 5, 2014