

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (1/27/04) **DATE:** January 13, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JANUARY 13, 2004

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Committee Present

Councilmember Herbert, Chair  
Vice Mayor Jarvis  
Councilmember Bertagna

Staff Present

Director of Public Works McKinley  
City Attorney Frank  
Police Officer Wolfe

Fire Prevention Officer Myers  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 1/27/04:**

- A. **Approval of Traffic Regulation Amendment No. 773 Which Will Authorize the Installation of Stop Signs on Hudson Drive at Valley Forge Drive to Assign the Vehicular Right-of Way for the Intersection.** An analysis of the intersection of Hudson and Valley Forge Drives determined that stop signs should be installed at this intersection to assign the vehicular right-of-way to Valley Forge Drive which is the major through street.
- B. **Approval of Traffic Regulation Amendment No. 774 Which Will Authorize the Installation of Stop Signs on Crister Avenue at Hooker Oak Avenue and on Filbert Avenue at Wayne Lane and Crister.** At its meeting of 12/9/03, the Committee conceptually approved the installation of stop signs on Crister Avenue at its intersection with Hooker Oak Avenue, and on Filbert Avenue at its intersections with Wayne Lane and Crister Avenue, providing there was support from the neighborhood. At the neighborhood meeting held on 12/18/03, those attending unanimously supported the installation of the stop signs.

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Councilmember Bertagna made a motion to approve the consent items as read. Vice Mayor Jarvis seconded the motion.

***Action: The Committee adopted (3-0) Traffic Regulation Amendment (TRA) No. 773 which authorizes the installation of stop signs on Hudson Drive at Valley Forge Drive and TRA No. 774 which authorizes the installation of stop signs on Crister Avenue at Hooker Oak Avenue and on Filbert Avenue at Wayne Lane and Crister.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:03 a.m. The next meeting is scheduled for Tuesday, February 10, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (22)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (2/10/04) **DATE:** February 10, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD FEBRUARY 10, 2004

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Committee Present

Councilmember Herbert, Chair  
Vice Mayor Jarvis  
Councilmember Bertagna (absent)

Staff Present

City Manager Lando  
Director of Public Works McKinley  
City Attorney Frank  
Community Development Director Baptiste

Fire Prevention Officer Myers  
Police Officer O'Quin  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 2/17/04:**

- A. **Consideration of the Installation of Public Improvements at 1440 Laburnum Avenue Required Under Chapter 14.14, Public Improvements - Building Permits of the City of Chico Municipal Code.** At its meeting of 01/27/04, the City Council referred a request from Elena Eisenlauer, dated 01/15/04, to review frontage improvement requirements for second dwelling units to the Committee. By memorandum dated 01/30/04, the Director of Public Works reported on the requirements for the installation of street improvements imposed under Chapter 14.14, "Public Improvements - Building Permits" of the Chico Municipal Code for the construction of a second dwelling unit at 1440 Laburnum Avenue.

City Manager Lando stated that the City has approximately forty million dollars of missing improvements and as areas are being annexed, there have been complaints of missing sidewalks and unpaved shoulders. He added this is a perpetual problem, but incrementally, the City is trying to make the improvements whenever possible. City Manager Lando indicated that while there is money in the budget this year, money for such improvements may be cut next year due to fiscal restraints.

City Manager Lando suggested an exception to the second dwelling unit frontage improvements be made for this property, excluding the sidewalk requirements. He also asked that as exceptions are made, the City continue to require the installation of sidewalks. Vice Mayor Jarvis made a motion to create an exception to the frontage improvement requirements, excluding the sidewalk, for second dwelling units as imposed under Chapter 14.14 of the Chico Municipal Code. Councilmember Herbert seconded the motion.

***Recommendation: The Committee recommended (2-0, Bertagna absent) that an exception be created regarding frontage improvement requirements for second dwelling units, excluding sidewalks, as imposed under Chapter 14.14 of the Chico Municipal Code. If the City Council approves the Committee's recommendation, staff will prepare an ordinance amending the Chico Municipal Code for introductory reading at a future meeting.***

- B. **Consideration of Amendments to Chico Municipal Code (CMC) Chapter 14.60, Entitled "Use of City Streets and Sidewalks for Sales of Food, Beverages or Merchandise and/or Rentals of Equipment or Other Things," to Include the Allowance of Flower Sales in the Public Right-of-Way.** The City received a request to allow flower sales in the public right-of-way. By memorandum dated 02/4/04, the Director of Public Works forwarded draft amendments to CMC Chapter 14.60 which would allow the sale of flowers in the public right-of-way in accordance with the franchise and permit provisions of the municipal code.

***Recommendation: The Committee recommended (2-0, Bertagna absent) that Chapter 14.60 of the Chico Municipal Code be amended to allow flower sales in the public right-of-way. If the City Council approves the Committee's recommendation, staff will prepare an ordinance amending the Chico Municipal Code for introductory reading at a future meeting.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 2/17/04:**

- C. **Approval of Traffic Regulation Amendment No. 775 Which Would Prohibit Parking on Amber Grove Drive, Greenfield Drive and Yellowstone Drive from 2:00 a.m. to 7:00 a.m. to Prevent Long-Term Parking of Vehicles for Sale.** By memorandum dated 01/26/04, the Director of Public Works reported on a request to prohibit parking along Amber Grove, Greenfield, and Yellowstone Drives during certain hours to prevent the long-term parking of vehicles for sale. In many cases, vehicles remain parked for several weeks at a time and have become an unsightly nuisance for local residents and businesses.

***Action: The Committee adopted (2-0, Bertagna absent) Traffic Regulation Amendment (TRA) No. 775 which would prohibit parking on Amber Grove Drive, Greenfield Drive and Yellowstone Drive from 2:00 a.m. to 7:00 a.m. to prevent long-term parking of vehicles for sale.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:33 a.m. The next meeting is scheduled for Tuesday, March 9, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

**Distribution:**

City Clerk (20)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (4/13/04) **DATE:** April 13, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD APRIL 13, 2004

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Committee Present

Councilmember Herbert, Chair  
Councilmember Bertagna

Staff Present

City Manager Lando  
Director of Public Works McKinley  
City Attorney Frank  
Fire Chief Brown  
Finance Director Martin  
Accountant Orr  
Police Sergeant Fonseca  
Fire Marshall Myers  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

*(Vice Mayor Jarvis was absent from this meeting)*

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 5/4/04:**

- A. **Recommendation to Council to Approve the Engineer's Traffic and Engineering Survey which Establishes a Speed Limit of 30 Miles Per Hour on Ceanothus Avenue from East Avenue to Colonial Drive.** A survey was conducted on the section of Ceanothus Avenue between East Avenue and Colonial Drive to determine a safe and prudent speed limit. Because this roadway has recently been extended, it does not show on the Federal Highway Administration Federal Aid Map, and the land adjacent to the roadway has not been developed to a residential density. For these reasons it does not qualify for the prima fascia speed limit of 25 mph. According to procedures for establishing speed limits, a speed limit of 35 mph would be justified. However, due to the close proximity of schools, bicycle and pedestrian activity, and a curve located at the end of this section of roadway, the speed limit considered the safest is 30 mph.

***Recommendation: The Committee recommended (2-0, Jarvis absent) forwarding the Engineer's Traffic and Engineering Survey to City Council for approval.***

- B. **Consideration of Parking Violation Fine Increases.** By memorandum dated 3/30/04, the City Manager transmitted a cost recovery analysis of the meter violation fine as requested by the City Council at its meeting of 12/2/03. In preparing the analysis, staff reviewed the other fines for parking violations for consistency, compliance, and public safety and is recommending that the fines be increased as set forth in the report. If the Committee recommends changes to the Fee Schedule, a fee schedule resolution will be provided to the City Council with the Internal Affairs Committee report.

City Manager Lando stated that in comparison with other cities, even with the proposed fee increases, the City of Chico would still have the least expensive meter violation fine. He added the fee increase would generate an extra \$100,000 in annual revenue, which could fund an additional patrol officer. Councilmember Herbert made a motion to forward the parking violation penalty increases to City Council for discussion and action, adding he is supportive of additional officers on patrol. Councilmember Bertagna seconded the motion, with the comment, "discussion to be moved to City Council."

*By memorandum dated 4/26/04, the Finance Director transmits additional information to Council regarding recommended parking fine increases as proposed by California State University, Chico.*

***Recommendation: The Committee recommended (2-0, Jarvis absent) forwarding the parking violation penalty increases, as shown on the fee schedule resolution, to City Council for final discussion and action.***

- C. **Consideration of Amendments to Chico Municipal Code (CMC) Chapter 5.40, Article III, Entitled "False Alarms" to Allow for Specific Exceptions.** The existing chapter was adopted to ensure prompt, efficient, and effective response to fire and burglar alarms by reducing the number of false alarms. By memorandum dated 3/31/04, the Fire Chief requested the Committee consider amending the chapter with language to eliminate pre-mature alarm cancellations and adding an exception to provide for fees when the alarm is the result of improper notification.

City Manager Lando stated the City would send a letter to all alarm system users to notify them that the changes would be going into effect. He added that these amendments could potentially create additional fines for some businesses. Councilmember Bertagna made a motion to amend the language in the CMC as requested by the Fire Chief. Councilmember Herbert seconded the motion.

***Recommendation: The Committee recommended (2-0, Jarvis absent) that Chapter 5.40, Article III, of the Chico Municipal Code be amended to: (1) allow language to eliminate pre-mature cancellations and; (2) add an exception to provide for fees when an alarm is the result of improper notification. If the City Council approves the Committee's recommendation, staff will prepare an ordinance amending the Chico Municipal Code for introductory reading at a future meeting.***

- D. **Consideration of Tom Loushine's Request to Change the Vehicle Traffic Flow at the Farmer's Market.** This item was referred to the Internal Affairs Committee by the City Council at its meeting of 4/6/04. A copy of the letter dated 3/17/04 from Tom Loushine requesting a change in vehicle traffic flow at the Farmer's Market on 2<sup>nd</sup> Street and Wall Street, allowing for added pedestrian safety was attached. No written staff report was provided.

City Manager Lando stated the situation at the Farmer's Market as mentioned in Mr. Loushine's letter was unsafe, adding a constant stream of cars travel from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street. He suggested blocking the drive aisle with barricades and market staff monitoring the barricades, if needed. Councilmember Bertagna asked the hours of operation of the Farmer's Market. Staff indicated the Farmer's Market currently operates on Saturdays from 7:00 a.m. to 1:00 p.m. Councilmember Herbert made a motion to close the drive lane to through traffic. Councilmember Bertagna seconded the motion.

***Recommendation: The Committee recommended (2-0, Jarvis absent) to amend the Farmer's Market franchise agreement, if necessary, to allow for closure of the drive lane parallel to Wall Street between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street.***

#### **COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 5/4/04:**

- E. **Reports and Communications.** The following report and communication item was provided for the Committee's information and consideration, and no action was taken.
1. **Report on Traffic Issues in the Vicinity of Citrus School and the Enloe Hospital Expansion.** At the request of area residents and Citrus School, the Committee voted to have stop signs installed on Citrus Avenue at W. 2<sup>nd</sup> Street for student safety purposes, but voted against installing diagonal parking in the area. Since that time, Enloe Hospital has notified the City of its intention to expand the hospital. City staff has worked with the school, the neighborhood, and the hospital and its traffic engineers to determine an overall traffic management plan that would best fit the needs of all those involved. **Since Enloe has not yet finalized its plans, staff will report back to the Committee when more information becomes available.**

**Adjournment and Next Meeting.** The Committee adjourned at 8:28 a.m. The next meeting is scheduled for Tuesday, May 11, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

**Distribution:**

City Clerk (20)  
 Director of Public Works  
 ADPW Alexander  
 Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
 City Attorney  
 Risk Manager  
 Planning Director

Finance Director  
 Community Development Director  
 Assistant Community Development Director  
 Chief of Police  
 Fire Chief

# CITY OF CHICO MEMORANDUM

TO: CITY COUNCIL (6/14/04)

DATE: May 14, 2004

FROM: INTERNAL AFFAIRS COMMITTEE

FILE: Committee Binder

RE: REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD MAY 11, 2004

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Committee Present

Councilmember Herbert, Chair  
Councilmember Wahl  
Councilmember Bertagna

Staff Present

City Manager Lando  
Director of Public Works McKinley  
City Attorney Frank  
Personnel Director Koch  
Park Director Beardsley

Police Captain Maloney  
Projects Manager Wood  
Fire Prevention Officer Myers  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 6/14/04:**

- A. **Approval of Amendments to Chico Municipal Code Repealing Section 1.04.070, Entitled "Effect of Mailing on Due Dates," and Adding Section 1.04.070, Entitled "Time of Receipt of Notices, Other Documents, or Payments."** By memorandum dated 4/30/04, Assistant City Attorney Rock reported that a new Section 1.04.070 of the Chico Municipal Code will allow the City to receive notices, documents, and payments via electronic mail, facsimile, personal delivery, and through the U. S. Postal Service.

***Recommendation: The Committee recommended (3-0) that Chico Municipal Code amendments repealing Section 1.04.070, Entitled "Effect of Mailing on Due Dates," and Adding Section 1.04.070, Entitled "Time of Receipt of Notices, Other Documents, or Payments" be approved for introductory reading and scheduled for final reading and adoption at a future meeting.***

- B. **Consideration of Request to Remove Prohibited Parking Restriction on Mission Ranch Boulevard.** By memorandum dated 4/12/04, the Director of Public Works reported on a request to remove the prohibited parking restriction on Mission Ranch Boulevard. After researching the history of the parking restriction, staff discovered that it was a condition of approval of a subdivision map because Mission Ranch Boulevard is designated as a "collector" roadway not intended for parking. Further, this issue has come before the Committee previously, and at its meeting of 8/12/03, the Committee authorized the removal of the remaining 160 linear feet of temporary parking along the south side of Mission Ranch Blvd adjacent to Ricardo's restaurant. Because the City's Planning Department requires the installation of adequate on-site parking facilities for each new business, and because of the condition of approval of the subdivision map, staff previously denied the request, but had recently received an additional request which was forwarded to the Committee for consideration.

City Manager Lando stated if parking restrictions were lifted there would not be a traffic issue, but the roadway would be narrowed to traffic. He expressed a future cause for concern might be the issue of cars parked "for sale" and that "restricted parking hours" would most likely be adopted to prevent this from occurring. Councilmember Bertagna made a motion to remove the prohibited parking restrictions along the commercial frontage of Mission Ranch Boulevard. Councilmember Wahl seconded the motion.

***Recommendation: The Committee recommended (3-0) that prohibited parking restrictions along the commercial frontage of Mission Ranch Boulevard be removed.***

- C. **Consideration of Recommendations from the Charter Review Committee of Proposed Changes to the City Charter.** At its meeting of 5/4/04, the City Council considered the report of the Charter Review Committee and voted to place three measures on the November 2004 ballot. In addition, the Council referred two other Committee recommendations to the Internal Affairs Committee: (1) general municipal elections - consider changing the date for elections to spring of each even numbered year; and (2) eligibility requirements for members of boards and commissions. The Committee was provided with the full report of the Charter Committee which provided background on these recommendations.

City Attorney Frank voiced his opinion on the Charter Committee's recommended changes, suggesting additional clarification to certain sections.

Councilmember Bertagna made a motion to remove the word "general" in Section 502, add public contracts code language in Section 1112, simplify the language in Section 1113, strike the word Penal Code replacing it with State Law, and add additional language from the City Attorney's Office to Section 1505. Councilmember Herbert seconded the motion.

***Recommendation: The Committee recommended (3-0) that the Charter be reviewed to remove the word "general" in Section 502, add public contracts code language in Section 1112, simplify the language in Section 1113, strike the word Penal Code replacing it with State Law, and add additional language from City Attorney's Office to Section 1505.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 6/14/04:**

- D. **Approval of Traffic Regulation Amendment (TRA) No. 776 Which Would Authorize the Installation of a Stop Sign on Silver Lake Drive at its Intersection with Hidden Creek Drive.** The Director of Public Works reported on a request to install a stop sign on Silver Lake Drive at its intersection with Hidden Creek Drive. The request was made by Mike Efford, a resident of Silver Lake Drive, because of his concern over recent near-miss accidents. An evaluation of the site determined that a stop sign at this location is warranted based on CalTrans warrants for sight distance at an intersection.

***Recommendation: The Committee adopted (3-0) Traffic Regulation Amendment No. 776 which would authorize the installation of a stop sign on Silver Lake Drive at its intersection with Hidden Creek Drive.***

- E. **Approval of Traffic Regulation Amendment (TRA) No. 777 Which Would Add Motorcycle Parking on the Corner of W. 16<sup>th</sup> Street and Park Avenue.** By memorandum dated 4/20/04, the Director of Public Works reported on a request to convert one vehicle parking space to six motorcycle parking stalls at the southwest corner of West 16<sup>th</sup> Street and Park Avenue. The addition of the six motorcycle stalls would not conflict with present parking uses in the immediate vicinity.

***Recommendation: The Committee adopted (3-0) Traffic Regulation Amendment No. 777 which would add motorcycle parking on the corner of West 16<sup>th</sup> Street and Park Avenue.***

- F. **Review and Consideration of Matters Related to the One Mile Bridge - Bidwell Park.** By memorandum dated 5/2/04, the Park Director indicated that at its 11/4/03 meeting, the Council requested additional information regarding the status of the Class 1 bicycle route across the bridge at the One Mile Recreation Area and Chico Municipal Code Section 12R.20.080 relating to Loitering and Playing on Bridges and Spillways in Bidwell Park. At its 12/22/03 meeting, the Bidwell Park and Playground Commission (BPPC) voted (5 -1) to retain the existing Class 1 status; unanimously voted to recommend not changing the bridge width until needed and requested that additional information on use be collected. Finally, the BPPC voted (4-2) not to proceed with any design to replace the existing bridge at this time.

Councilmember Bertagna asked what compromise language was implemented by Council for the sign at One Mile Bridge. Park Director Beardsley responded that the sign currently reads, "Please walk your bike when people on bridge." Councilmember Herbert commented that there seems to be no further problems between pedestrians and bicyclists on the bridge. Councilmember Bertagna made a motion to make no further changes at One Mile Bridge. Councilmember Wahl seconded the motion.

***Recommendation: The Committee agreed (3-0) to make no changes at One Mile Bridge.***

- G. **Discussion Points for Alternative Responses to Uncontrolled Events.** In response to a previous request for discussion related to the Police Department response to uncontrolled events, the Police Department had submitted a memorandum with discussion points for the Internal Affairs Committee in October 2003. A modified version of that memorandum dated 5/7/04, was submitted for discussion and consideration. The Police Department notes therein that contact with student representatives in two different venues indicates that their desire is to address the issue through proactive culture change, not through legislation.

Captain Maloney stated activity in the South Campus Neighborhood area seems to be on the general decline which may in part be due to the Police Department working directly with the Associated Students, the Greek community, and groups like the Community Youth Alcohol Advisory Committee. He indicated that one thing these groups have made clear is that it is not their idea to address the problem through legislation, but rather by changing the culture in their environment.

Bob Ray suggested that additional foot patrol might create the type of interaction and respect needed between students and officers. Charlie Preusser commented that things have been better and he has not heard any complaints from landlords. Councilmember Wahl complimented Captain Maloney and the Police Department for working with the neighborhood and asked them to continue doing what they were doing to be successful.

**Adjournment and Next Meeting.** The Committee adjourned at 8:46 a.m. The next meeting is scheduled for Tuesday, June 1, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (18)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief



# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (7/06/04) **DATE:** June 3, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JUNE 1, 2004

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Committee Present

Councilmember Bertagna, Chair  
Councilmember Gruendl  
Councilmember Wahl

Staff Present

City Manager Lando  
Director of Public Works McKinley  
City Attorney Frank  
Community Development Director Baptiste  
Assistant City Manager Dunlap

Personnel Director Koch  
Fire Prevention Officer Myers  
Park Director Beardsley  
Administrative Analyst Cameron

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 7/06/04:**

- A. **Approval of Amendments to Chico Municipal Code.** By memorandum dated 5/19/04, Assistant City Attorney Rock forwarded the following staff recommendations for changes to the Chico Municipal Code.
1. **Approval of Amendments to Chico Municipal Code - Section 9.38.054, Entitled "Violation - Residential Property Limits, Public Property Limits, or General Noise Regulations" and Ordinance of the City Council of the City of Chico Adding a Definition for Parking Lot to Chapter 9.30, Entitled "Possession and Consumption of Alcoholic Beverages," of the Chico Municipal Code.** The Police Department and the City Attorney requested that language in the Chico Municipal Code be amended to clarify the desired intent of the code and to avoid further misinterpretation by the court. The City Attorney's Office requested that language contained in this chapter of the Chico Municipal Code be amended to reflect the correct citation to the Government Code.
  2. **Approval of Amendments to Chico Municipal Code - Chapter 15.36.032, Entitled "Agreements with Certain Public Agencies Seeking to Connect Premises Within the Sewer Service Area Owned And/or Used by Them to the Sewer System," of the Chico Municipal Code.** The City Attorney's Office requested that language contained in this chapter of the Chico Municipal Code be amended to reflect the correct citation to the Government Code.
  3. **Approval of Resolution of the City Council of the City of Chico Authorizing the Advance Payment of Certain Goods and Services.** Pursuant to Chico Municipal Code Section 3.24.060, Council must adopt a resolution authorizing advance payment of certain goods and services. This resolution will add Chapter 3R.24, entitled "Advance Payments," to Title 3R, entitled "Revenue and Finance Rules and Procedures," of the Chico Municipal Code.
  4. **Approval of Resolution of the City Council of the City of Chico Amending Section 2R.72.130, Entitled "Selection Procedures," and Section 2R.72.140, Entitled "Employment Status," of the Chico Municipal Code.** At the request of the Personnel Department, this amendment allows the City to receive applications for employment with the City electronically.
  5. **Approval of Resolution of the City Council of the City of Chico Amending Section 11R.08.164, Entitled "Manager's Authority to Approve Leases," of the Chico Municipal Code to Be Consistent with Section 1007.1 of the Charter of the City of Chico.** The Airport Manager requested that Chico Municipal Code Section 11R.08.164 be corrected to provide consistency with Section 1007.1 of the Charter of the City of Chico.

***Recommendation: The Committee recommended (3-0) that the ordinances be forwarded to City Council for introductory reading and scheduled for final reading and adoption at a future meeting and that the proposed resolutions be forwarded for adoption.***

- B. **Consideration of Jerry J. Finch's Request to Place a Permanent Memorial Honoring Veterans in City Plaza.** This item was referred to the Internal Affairs Committee by the City Council at its meeting of 5/18/04. A copy of the letter dated 3/3/04 from Jerry J. Finch, Comander, American Legion, Chico Post No. 17, and signed by various other veterans' organizations, requesting a small permanent memorial honoring veterans be created and placed in City Plaza was attached. No written staff report was provided.

Councilmember Wahl proposed heading a small committee to meet with the Park Department, Heritage Partners and Land Image to secure a place in the City Plaza for a memorial to honor veterans. Jerry Finch, John Schultz, and Merval Mayer spoke in support of the project. City Manager Lando emphasized that at this point the committee will need to decide where to place the monument, get City Council approval, then move forward with a design. Park Director Beardsley said the timing is perfect as discussions for the City Plaza Master Plan are currently underway. The committee will report back to Council at its meeting of 7/6/04.

***Recommendation: The Committee recommended (3-0) that Councilmember Wahl head a committee to work with the Park Department and local veterans' organizations in securing a place in City Plaza where a monument to honor veterans can be erected.***

- C. **Consideration of a Request from the Butte Community Coalition to Rename Warner and Ivy Streets.** By letter dated 4/9/04, Mr. Willie Hyman, president of the Butte Community Coalition, requests that the City Council support a resolution to rename Warner and Ivy Streets to Dr. Martin Luther King, Jr. Way. This matter was referred to the Internal Affairs Committee at the City Council meeting on 5/4/04. By memorandum dated 5/26/04, the Community Development Director reported on the impacts of changing existing street names and provided alternative suggestions to name a street in honor of Dr. King.

City Manager Lando stated this is worthy cause but asked the Committee and Council to be aware that if the City begins the practice of renaming streets, other citizens may come forward with lists of individuals who historically should be recognized. The City's current practice is to allow developers the option to name the streets. City Manager Lando added this is strictly at Council's discretion, and Council could pre-empt this practice at any time.

Mr. Hyman, president of the coalition, was in attendance to address questions from the Committee. He indicated that the coalition committee spent seven months making the determination on which street to rename, choosing Warner and Ivy because of the number of students that use the street on a daily basis, thereby emphasizing Dr. King's commitment to education.

City Manager Lando suggested forming a separate committee which would look at street build-out and perhaps identify a future major thoroughfare.

Councilmember Bertagna and Councilmember Gruendl volunteered to meet with Mr. Hyman and the Butte Community Coalition sometime after June 15<sup>th</sup>, to discuss other alternatives which may be suitable to both groups.

***No formal recommendation at this time: It was agreed by the Committee that Councilmembers Bertagna and Gruendl would meet with the Butte Community Coalition after June 15<sup>th</sup> to continue discussions and consider alternatives for naming one of Chico's streets in honor of Dr. Martin Luther King, Jr.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:46 a.m. The next meeting is scheduled for Thursday, July 22, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (16)  
 Director of Public Works  
 ADPW Alexander  
 Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
 City Attorney  
 Risk Manager  
 Planning Director

Finance Director  
 Community Development Director  
 Assistant Community Development Director  
 Chief of Police  
 Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (8/17/04) **DATE:** July 29, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JULY 22, 2004

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Committee Present

Councilmember Herbert, Chair  
Mayor Kirk  
Councilmember Bertagna

Staff Present

Assistant City Manager Dunlap  
Director of Public Works McKinley  
City Attorney Frank  
Risk Manager Koch

Management Analyst Herman  
Fire Prevention Officer Myers  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

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**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 8/17/04:**

- A. **Consideration of a Request by Wayne Cook to Reconsider the Location of the Loading Zone in Front of the Diamond Hotel on West Fourth Street.** By memorandum dated 7/13/04, the Director of Public Works reported on a request by Wayne Cook to reconsider a previous decision made by Council as recommended by the Parking Place Commission. The request would move the location of an approved loading zone and create a red zone by removal of a metered parking space.

Mayor Kirk made a motion to accept staff's recommendation to relocate the loading zone directly in front of the hotel as requested and to not approve the establishment of a red zone in lieu of a metered space. Councilmember Herbert seconded the motion.

***Recommendation: The Committee recommended (3-0) relocation of the loading zone to directly in front of the hotel but did not recommend establishment of a red zone in lieu of a metered space.***

- B. **Consideration of the Request of Merit Medi Trans to Modify the Chico Municipal Code Vehicle for Hire Permit Regulations to Exempt Non-Emergency Medical Transport Services.** At its 7/6/04 meeting the City Council referred to the Internal Affairs Committee a request from Stan Gungl of Merit Medi-Trans that non-emergency medical transportation companies be granted an exemption from the City's Vehicle for Hire permit regulations because this type of business is already regulated by the State of California. By memorandum dated 7/8/04, Management Analyst Herman transmitted the letter from Mr. Gungl and a copy of Section 5.28.010 of the Chico Municipal Code which was annotated to reflect staff's recommendation that the Code be revised to exempt all non-emergency medical transportation companies that are regulated by the State from the Vehicle for Hire permit regulations.

Councilmember Bertagna stated the City's regulations appear to be more appropriate for regulating taxi cab companies, and made a motion to exempt non-emergency medical transport companies. Mayor Kirk seconded the motion.

***Recommendation: The Committee recommended (3-0) exemption of all non-emergency medical transport companies regulated by the State from the City of Chico Vehicle for Hire permit regulations.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 8/17/04:**

- C. **Consideration of a Request from the Butte Community Coalition to Rename Warner and Ivy Streets.** This item was heard by the Internal Affairs Committee at its meeting of 6/01/04. It was agreed by the Committee that Councilmembers Bertagna and Gruendl would meet with the Butte Community Coalition to continue discussions and consider alternatives for naming one of Chico's streets in honor of Dr. Martin Luther King, Jr. A verbal report of that meeting was given to Council at its meeting of 7/06/04. Council voted (5 in favor, 1 absent) to direct the Committee to continue discussions with the Butte Community Coalition and to consider various options, including discussing with Chico Area Recreation and Park District the possibility of renaming 20<sup>th</sup> Street Park. In addition, the Committee was asked to discuss the development of a policy for the naming of new streets.

The Committee was provided with the staff report from its meeting of 6/01/04, a letter dated 7/13/04 from Jackie Leser proposing 20<sup>th</sup> Street Park be renamed to honor Martin Luther King, Jr., and an e-mail dated 7/08/04 from Jessee Allread with suggested criteria to consider when naming a street after an individual.

Councilmember Herbert explained the public and private expense, along with the inconvenience associated with the renaming of a street, was an idea Council was not willing to endorse at this time. The Committee discussed the naming of a street that was currently under development, or would be at some point in the future, as a way to honor Martin Luther King, Jr. Willie Hyman, President, Butte Community Coalition, indicated that he did not support naming an undeveloped street after Martin Luther King, Jr.

Jackie Leser expressed her desire to rename 20<sup>th</sup> Street Park in honor of Martin Luther King, Jr., stating it would be an appropriate place for children to learn the history of a great man. Mr. Hyman responded that the Butte Community Coalition has first right of refusal, and they would not support Ms. Leser's proposal. Councilmember Herbert noted that Ms. Leser's suggestion was a unanimous choice with the City Council and that the Council voted unanimously to deny the renaming of Warner and Ivy Streets.

Jessee Allread asked if there is a current process in place for the renaming of City streets and, if not, if Council had considered setting criteria for that. Councilmember Herbert responded that there are no guidelines, that this is a unique request, adding he would not want to form a committee or spend City staff time on a unique circumstance.

***Recommendation: Because the Council previously indicated it was not willing to rename an existing street for Dr. Martin Luther King, Jr., and because Mr. Hyman indicated that the Butte Community Coalition was not interested in considering alternative proposals, the Committee took no action on this item.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:36 a.m. The next meeting is scheduled for Wednesday, August 11, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

**Distribution:**

City Clerk (16)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (8/17/04) **DATE:** August 11, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** EXCERPT FROM REPORT FROM THE INTERNAL AFFAIRS COMMITTEE ON ITS MEETING HELD AUGUST 11, 2004 - "CONSIDERATION OF A REQUEST FROM CHICO NISSAN INC."

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Committee Present

Councilmember Herbert, Chair  
Mayor Kirk  
Councilmember Bertagna

Staff Present

City Manager Lando  
Director of Public Works McKinley  
Assistant City Attorney Barker  
Community Development Director Baptiste

Police Sergeant Fonseca  
Traffic Engineer Mickelson  
ADPW-E Alexander  
Administrative Analyst Cameron

**Consideration of a Request from Chico Nissan Inc., that the City of Chico Obtain Excess Caltrans Land Adjacent to the Chico Nissan Dealership which is Located at 575 Manzanita Avenue.** At its meeting of 8/3/04, the City Council referred to the Internal Affairs Committee a request from Chico Nissan Inc. that the City of Chico obtain excess Caltrans land adjacent to the Chico Nissan-Hyundai dealership which is located at 575 Manzanita Avenue. The Internal Affairs Committee was provided with a copy of the letter and supporting documents dated 7/19/04 from Ray Bowen, a copy of the letter dated 7/30/04 from K. Stephen Swenson, and a copy of an e-mail dated 6/30/04 from Lee Ann Lambirth of Caltrans to City, Caltrans, BCAG and Assemblyman Keene's office staff regarding "Chico Nissan Meeting Notes."

Councilmember Bertagna was disqualified on this item.

Brian Bowen, Vice-President of Chico Nissan, stated Chico Nissan has been trying to purchase a small strip of landlocked property from Caltrans that would be of no value to anyone except him. Chico Nissan has been leasing this property since 1998 for \$100 per month, and has made many improvements, including storm drains and landscaping. Prior to a request from Caltrans in October 2003 to sign an interim lease at an increased monthly amount, Mr. Bowen explained he was under the impression that Caltrans was going to sell the property to Chico Nissan. He expressed his concern that this interim lease was a way for Caltrans to release any previous claims directed towards them by Chico Nissan. City Manager Lando agreed Chico Nissan is a major commercial venture and stated that the City would be willing to help resolve this issue, by either purchasing the property with Chico Nissan repaying the loan, including back lease payments, or Chico Nissan fronting the purchase price. He indicated that the City would work with Caltrans to purchase the property at fair market price. Jean Schafer, Senior Right of Way Agent, Caltrans, stated that Caltrans was asking for an interim lease to secure property rights while working through finalization of the decertification process and sale of the property. She added that Mr. Bowen was not willing to sign the lease, and as there is current pending legal action, the property cannot, at this time, be sold to the City.

Councilmember Herbert asked what the value of the property was, stating he did not want to commit City staff time to this project if the cost was minimal. City Manager Lando said that the current issues need to be resolved to advance to the next step, which is the appraisal. He stated the City should not really be involved at this point, as this is a state issue, adding the City can help in facilitating another meeting with Assemblyman Keene, Caltrans, BCAG and Chico Nissan in trying to get the property deemed as excess property, and moving ahead with an appraisal.

***Recommendation: The Committee agreed (2-0-1, Bertagna disqualified) to help facilitate a meeting between Assemblyman Keene, Caltrans, BCAG, and Chico Nissan in order to bring resolution to ownership of this piece of property.***

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (16)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief



**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 9/07/04:**

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

1. **Police Department Staffing Needs.** The City Council previously received a memorandum dated 1/13/04 from the Chief of Police regarding the 2003 Strategic Plan Update and Five Year Personnel Requests, a copy of which was provided to the Committee. Should the Committee wish further discussion on Police Department staffing needs, the Committee may agendize this item for a future meeting.

City Manager Lando stated that if the Committee wanted to look at Police Department staffing needs, he felt all departments should also be considered. Councilmember Bertagna acknowledged he would like to agendize this item for a future meeting, adding that at the Council meeting of 6/14/04, the Committee agreed it would discuss this item. He further stated that he doesn't mind reviewing staffing needs and telling departments that there is no budget for staffing. City Manager Lando noted there are six or seven departmental strategic plans and they could all be covered in one meeting. Councilmembers Herbert and Bertagna suggested bringing back all departmental strategic plans for discussion within the next few months.

***Recommendation: The Committee agreed (3-0) to agendize all departmental strategic plans for a future meeting.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:44 a.m. The next meeting is scheduled for Wednesday, September 8, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (16)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (9/21/04) **DATE:** September 9, 2003  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD SEPTEMBER 8, 2004

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Committee Present

Mayor Kirk  
Councilmember Bertagna

Staff Present

City Manager Lando  
Director of Public Works McKinley  
City Attorney Frank  
Risk Manager Koch

Park Director Beardsley  
Traffic Engineer Mickelson  
ADPW Martinez  
Administrative Analyst Cameron

*(Councilmember Herbert was absent from this meeting)*

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 9/21/04:**

- A. **Recommendation of Proposed Changes to the City's Purchasing Procedures.** By memorandum dated 8/18/04, the City Manager recommended incorporating changes to the City's purchasing procedures to expand the City's use of state and federal cooperative purchasing systems, as well as other public agency bids, for purchases of equipment, supplies and services under conditions set out in the memorandum. An ordinance amending Section 3.08.060 of the Chico Municipal Code and incorporating the City Manager's recommendations will be forwarded to the City Council with the Committee's recommendation.

***Recommendation: The Committee recommended (2-0, Herbert absent) amending Section 3.08.060 of the Chico Municipal Code to incorporate the proposed changes to the City's purchasing procedures.***

- B. **Approval of Amendment to the Chico Municipal Code to Establish Parking Meter Holidays in Accordance with Holidays Observed by the City.** By memorandum dated 8/23/04, the Director of Public Works recommended that the Chico Municipal Code be amended to establish parking meter holidays to coincide with those holidays observed by the City.

***Recommendation: The Committee recommended (2-0, Herbert absent) amending Section 10.10.030 of the Chico Municipal Code establishing parking meter holidays in accordance with holidays observed by the City.***

- C. **Approval of Amendment to Chico Municipal Code - Section 10.15.070 Entitled "Trucks-Limitations Upon Routes," of the Chico Municipal Code.** Because many of today's vehicles now exceed the three-ton weight limit for driving on City streets not designated as truck routes, which was originally established by Chico Municipal Code Section 10.15.070, the Director of Public Works recommends increasing the maximum gross weight limit to seven tons on all City streets. The seven-ton limitation would be consistent with Butte County's standards.

The question was raised as to whether Councilmember Bertagna was disqualified on this item. City Manager Lando responded that if Councilmember Bertagna was disqualified there would not be a quorum and this item would go forward to Council without a recommendation.

***This item was forwarded to Council without a recommendation because the Committee did not have a quorum on this issue. If the Council approves the staff recommendation, an ordinance amending section 10.15.070 of the Chico Municipal Code will be forwarded for a future agenda.***



- D. **Request to Allow Access to the Bicycle Path at the End of Alba Avenue.** By Council action in the spring of 1996, the access to the bicycle path from Alba Avenue was blocked with a heavy gauge chain link fence due to repeated vandalism, property damage and harassment of neighbors in the area. By letter received 5/13/04, Steve Harrold, a resident of Alba Avenue, requested the reopening of the access to the bicycle path. In subsequent telephone calls, Mr. Harrold indicated that there was additional neighborhood interest in this reopening. Notice of this meeting was mailed to all residents on Alba Avenue.

Richard Micel, 2388 Alba Avenue, spoke in opposition to the reopening of the bicycle path because of repeated vandalism to his property. He indicated that there has been an increase in litter and also the number of transients in the neighborhood since the inception of the bicycle path, adding he would like to see a permanent wall replace the current chain link fence as it is generally cut open almost as soon as it is repaired. Assistant Director of Public Works Martinez confirmed that the maintenance crews were repairing the fence once a week but have recently switched to once every three weeks due to budgetary constraints. Councilmember Bertagna made a motion to leave access to the bicycle path at Alba Avenue closed and directed staff to look at options for a permanent wall. Mayor Kirk seconded the motion.

***Recommendation: The Committee recommended (2-0, Herbert absent) leaving the access to the bicycle path at Alba Avenue closed and directed staff to look at options for a permanent wall.***

- E. **Discussion of Request Regarding Safety Issues Caused by Skate Park Located on Humboldt Avenue.** By letter received 8/3/04, Doug Dirks, President, Tri-Alliance Automotive Group, Inc., requested resolution of a hazard created by skateboarders and bicyclists on the sidewalk in front of his business by installing a "safety rail." By memorandum dated 8/30/04, the Risk Manager outlined the liability concerns regarding this request and recommended that the Committee not approve the request.

Mr. Dirks stated that if his request for a "safety rail" was not approved, he would ask the Committee to consider a "no skateboarding or bicycling zone" on the sidewalk in front of his business, similar to the zone downtown, which could be enforced with citations. City Manager Lando asked if a low planter outside the building would help move people away from the building. Mr. Dirks responded that this would move the riders to the center of the sidewalk, but it would not slow them down. Risk Manager Koch added that a textured sidewalk would help accomplish that. Councilmember Bertagna made a motion to direct staff to meet with Mr. Dirks to see if any of those suggestions may help resolve the issue at his business. Mayor Kirk seconded the motion, adding if these actions don't remedy the problem she would recommend the "no skating or bicycling on sidewalks zone" as an appropriate next step. Ed McLaughlin suggested "bulbing" the sidewalk as a way to divert the skaters away from the driveway.

***Recommendation: The Committee directed staff (2-0, Herbert absent) to meet with Mr. Dirks to determine what measures might solve the problems at his place of business, whether that be potentially installing planters and/or texturing the sidewalks.***

#### **COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 9/21/04:**

- F. **Approval of Traffic Regulation Amendment (TRA) No. 784 Removing Parking Along Forest Avenue Between Notre Dame and Raley Boulevards.** By memorandum dated 8/24/04, the Director of Public Works reported on a request from Trudy Dalmier to remove parking along Forest Avenue between Notre Dame and Raley Boulevards in order to improve traffic safety. Public Works staff supports the request due to sight distance problems created by parked semi-truck trailers which are compounded by the roadway's extremely abrupt curvature.

Mayor Kirk stated that when the City removed the parking from Raley Boulevard the trucks started parking along Forest Avenue. Staff indicated that the entire area would be reviewed and TRA's would be recommended where appropriate. Mayor Kirk made a motion to adopt TRA No. 784. Councilmember Bertagna seconded the motion.

***Action: The Committee adopted (2-0, Herbert absent) TRA No. 784, removing parking along Forest Avenue between Notre Dame and Raley Boulevards. The Committee also directed staff to explore the surrounding area to ensure the parking problem was not being pushed elsewhere.***

- G. **Approval of Traffic Regulation Amendment (TRA) No. 785 Removing the Parking Restriction in Front of 1459 Humboldt Road.** By memorandum dated 8/24/04, the Director of Public Works reported on a request from KALF Radio to remove the parking restriction in front of its building because of a shortage of parking for adjacent businesses.

***Action: The Committee adopted (2-0, Herbert absent) TRA No. 785, removing the parking restriction in front of 1459 Humboldt Road.***

- H. **Review and Discussion of the Bidwell Park Trail Maintenance Program.** This item was on the City Council consent agenda of 9/7/04 for referral to the Internal Affairs Committee. The Committee was provided with a memorandum dated 8/26/04, from the Park Director summarizing the trail maintenance program in Bidwell Park.

Park Director Beardsley stated his trail maintenance programs run fairly smooth and headway is being made on the trails with the help of dedicated staff and volunteers. In addition, the Park Department is pursuing a park watch volunteer equivalent using mountain bikers and equestrians.

Susan Mason voiced her opinion that the City could do a better job in recruiting volunteers, proposing that the City hire a full-time volunteer position. She noted, for example, that every freshman at Chico State is required to perform eight hours of community service within the first semester. Park Director Beardsley noted that currently the City employs one full time position that is one half time Volunteer Coordinator and one half time Park Ranger.

***This item was a discussion item only with no action required.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:45 a.m. The next meeting is scheduled for Wednesday, October 13, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (16)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (11/02/04) **DATE:** October 14, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD OCTOBER 13, 2004

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Committee Present

Councilmember Herbert, Chair  
Mayor Kirk  
Councilmember Bertagna

Staff Present

City Manager Lando  
Director of Public Works McKinley  
City Attorney Frank  
Community Development Director Baptiste  
Planning Director Seidler

Chief of Police  
Police Officer Fonseca  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 11/02/04:**

- A. **Approval of Recommendation to Temporarily Close West 13<sup>th</sup> Street Between Park Avenue and Oakdale Street.** By memorandum dated 9/27/04, the Director of Public Works recommended the closure of West 13<sup>th</sup> Street between Park Avenue and Oakdale to facilitate the construction of a senior center. The Housing Authority of the County of Butte requested the temporary closure of this portion of roadway for a period of approximately 20 months, and has met with adjacent business owners regarding the closure.

***Recommendation: The Committee approved (3-0) the temporary closure of West 13<sup>th</sup> Street between Park Avenue and Oakdale Street to facilitate the construction of the 1200 Park Avenue senior housing project.***

- B. **Approval of Recommendation to Amend Section 10.15.070 of the Chico Municipal Code Entitled "Trucks-Limitations Upon Routes."** By memorandum dated 9/27/04, the Director of Public Works recommended that Chico Municipal Code Section 10.15.070 be amended to increase the gross maximum weight limit from three tons on any street not designated as a truck route to seven tons on all City streets. Because many of the newer roadways in Chico and the recently annexed County roadways are designed to carry heavier loads, and because many of the newer vehicles currently exceed the three-ton weight limit, raising the weight limit to seven tons would not have a significant impact on City streets, and would make the weight limit consistent throughout the City. If the Committee recommends increasing the gross maximum weight to seven tons, an ordinance amending Section 10.15.070 of the Chico Municipal Code and incorporating the Director of Public Works' recommendations will be forwarded to the City Council.

Councilmember Bertagna was disqualified on this item. City Manager Lando stated this is a follow up to the Council discussion of 9/21/04. He recommended moving forward with the weight limit change, adding that if City streets then became questionable, staff would come back and identify which streets could not handle the capacity and would then exclude them from the seven ton limit. Mayor Kirk made a motion to increase the maximum weight limit from three tons to seven tons on all City streets. Councilmember Herbert seconded the motion.

***Recommendation: The Committee approved (2-0, Bertagna disqualified) increasing the gross maximum weight limit on any City street not designated as a truck route from three tons to seven tons.***

- C. **Consideration of the Removal of Temporary Speed Bumps on Yosemite Drive.** By memorandum dated 10/4/04, the Director of Public Works recommended the removal of the temporary speed bumps originally installed on Yosemite Drive in June 2002. The speed bumps were installed on a trial basis to determine whether their presence would decrease speeds on Yosemite Drive. Traffic studies have determined that speeds on Yosemite have decreased by only three miles per hour since the installation of the speed bumps, and that Yosemite Drive does not meet the minimum point criteria required to be considered for traffic calming measures.

Mayor Kirk was disqualified on this item. City Manager Lando stated that if policy was followed, the speed bumps would not be installed as Yosemite Drive does not meet the criteria for traffic calming, but noted the Committee should take into consideration the neighborhood concern on this issue. Councilmember Bertagna made a motion to install some form of permanent speed undulation on Yosemite Drive. Councilmember Herbert seconded the motion.

***Recommendation: The Committee recommended (2-0, Kirk disqualified) installation of permanent speed undulations on Yosemite Drive.***

- D. **Campus Area Activities.** The Mayor requested a discussion regarding campus area activities and community behavior. By memorandum dated 10/07/04, the City Manager reported that for several weeks preceding the beginning of the fall semester, as well as several weeks thereafter, there was an extremely high level of late night activity which has raised concern in the campus area neighborhoods and has monopolized the resources of the Police Department.

City Manager Lando stated that anti-social attitudes and negative behavior have been especially bad in the south campus area this year. The Police Department was in full deployment mode for a four to five week period surrounding the beginning of the fall semester. In addition, the City received numerous letters from area neighbors concerned about the violence. The Police Department is currently meeting with groups such as Inter-Fraternity Council, Panhellenic Council, and the Associated Students to formulate a strategy for calming the activity in this area. City Manager Lando stated if the University is willing to show arrest information on student records and also get in contact with parents when students are arrested, this would be a helpful deterrent to the current wave of negative activity.

Councilmember Bertagna questioned why the names of the those arrested are not printed in the newspaper, adding if violations are made public, the arrest might make more of an impact. He stated that the City is not arresting minors in possession (MIP's) because the Police Department does not have the staffing to hold them. Currently MIP's are issued a citation and given a ride home.

Councilmember Bertagna made a motion to: (1) discuss with local media the public announcement of the names of individuals being arrested; (2) meet with University representatives to discuss making arrest records part of student records and notifying parents of student arrests; and (3) investigate the current procedure for MIP violations. Councilmember Bertagna added that no action was necessary on this motion, it was made for staff direction only.

Chief of Police Hagerty stated he will meet with the editors of both local papers to discuss the publishing of names of arrestees. City Manager Lando stated he will check on the MIP procedure to determine if the City can legally hold minors for at least four hours. The Chief of Police indicated this might be possible if volunteers were used to help monitor the minors while they are in the holding cells. He added this would be a much better deterrent than providing a taxi service home.

***No formal recommendation was made at this time. Direction was given to staff to: (1) discuss with local media the public announcement of the names of individuals being arrested; (2) meet with University representatives to discuss making arrest records part of student records and notifying parents of student arrests; and (3) investigate the current procedure of MIP violations.***

- E. **Recommendation of Proposed Amendment or Replacement of the Following Five Components of the Chico Municipal Code - Chapter 1.14 Entitled "Nuisance Abatement," Chapter 1.40 Entitled "Environmental Review Guidelines," Chapter 2.74 Entitled "Development Application Procedures," Title 16 Entitled "Building and Construction," and Title 19 Entitled "Land Use and Development Regulations."** By memorandum dated 9/29/04, the City Attorney forwarded a proposed ordinance to amend the Chico Municipal Code to clarify provisions regarding compliance with and enforcement of conditions of approval and mitigation measures applicable to subdivisions and land use approvals.

City Attorney Frank explained this ordinance was designed so that when conditions of approval are in place, the developer is required to abide by those conditions as they are approved and, if not, the City reserves the right to stop the project. He stated that this ordinance is not intended to lengthen or complicate the administrative process, adding there are minimal changes required of the applicant. The focus of the changes are intended to give the City the necessary authority to seek remedy in the rare event that a developer violates the conditions.

City Manager Lando expressed his concerns with Section 1.40.620 - "Revocation of approvals; additional environmental review," stating that most developers follow procedure and if there happens to be a problem with dust, drainage, or other technical problems, he would not want this section to be a tool to interrupt the project by outside sources. City Attorney Frank responded that this section is to be utilized strictly at the discretion of the City.

Councilmember Herbert asked if the development community had been copied with this memo, as none were in attendance at this meeting. City Manager Lando stated that if the Committee recommends the proposed changes, staff will notify BIA and others developers before the draft ordinance goes to Council. At the Committee's request, a copy of the staff report and ordinance were mailed to Butte Environmental Council, Valley Contractor's Exchange and BIA.

Marlene Pyschora asked if this ordinance will affect projects that are currently underway. City Attorney Frank explained that the new ordinance will apply to both new applicants and existing projects.

Councilmember Bertagna suggested the City appoint a contact person to field telephone calls from citizens phoning in to get answers on local subdivisions. City Manager Lando asked Community Development Director Baptiste, Director of Public Works McKinley, and Planning Director Seidler to meet and discuss the best way to route these types of calls.

Mayor Kirk made a motion to approve the proposed amendments to the Chico Municipal Code. Councilmember Bertagna seconded the motion.

***Recommendation: The Committee recommended (3-0) approving the proposed amendments to the Chico Municipal Code and forwarding a draft ordinance to Council.***

**Adjournment and Next Meeting.** The Committee adjourned at 9:05 a.m. The next meeting is scheduled for Wednesday, November 10, 2004, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

**Distribution:**

City Clerk (16)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (12/07/04) **DATE:** November 19, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD NOVEMBER 10, 2004

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Committee Present

Councilmember Herbert, Chair  
Mayor Kirk  
Councilmember Bertagna

Staff Present

City Manager Lando  
Senior Assistant Manager Dunlap  
Assistant City Manager Jones  
Director of Public Works McKinley  
Assistant City Attorney Barker  
Fire Chief Brown  
Community Development Director Baptiste

Police Captain Maloney  
Park Director Beardsley  
Personnel Director Koch  
ADPW-E Alexander  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

(Councilmember Herbert arrived at 8:10 a.m.)

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 12/07/04:**

- A. **Recommendation to Approve Amendment to Chapter 9.28, entitled "Spring Guns and Slingshots," of the Chico Municipal Code.** By memorandum dated 11/01/04, the City Attorney submitted a proposed ordinance to amend Chapter 9.28 of the Chico Municipal Code. This proposed ordinance would update the current prohibition in the code to: (1) specifically add a reference to paint balls as a type of projectile subject to prohibition; and (2) include guns that use compressed gas or air. This proposed ordinance would apply to the discharge of guns or slings upon, onto or over public property.

Assistant City Attorney Barker stated the City Attorney's Office would be adding the word "arrow" to this ordinance to clarify the language including bow and arrow type projectiles.

***Recommendation: The Committee recommended (2-0, Herbert absent) amending Chapter 9.28 of the Chico Municipal Code and the forwarding of the ordinance to Council for introductory reading.***

- B. **Termination of Maintenance Agreement for Little Chico Creek.** By memorandum dated 11/02/04, the Director of Public Works recommended the termination of the City's agreement with the State Department of Water Resources for the maintenance of Little Chico Creek. The 1971 agreement obligates the City to maintain those portions of Little Chico Creek located within the city limits. Because the creek is privately owned and access easements to the creek do not exist, it is impossible for City crews to do any maintenance. According to the terms of the agreement, the agreement can be terminated by either party as of June 30<sup>th</sup> of any fiscal year by giving six month's prior written notice.

Mayor Kirk made a motion to approve termination of the maintenance agreement for Little Chico Creek and asked Director of Public Works McKinley to modify the memorandum to reflect that the majority of the property surrounding Little Chico Creek is privately owned. Councilmember Bertagna seconded the motion.

***Recommendation: The Committee recommended (2-0, Herbert absent) termination of the maintenance agreement for Little Chico Creek.***

- C. **Review of the Annual Schedule for the Flying of the Flags.** At its meeting of 8/17/04, the City Council referred the review of the schedule for the flying of the flags to the Internal Affairs Committee. The Committee was provided with the current schedule and additional information was provided at the meeting that included all previous action on flag scheduling.

City Manager Lando stated the only issue that comes back each year is when to fly the flags around September 11<sup>th</sup>, adding he prefers Labor Day thru September 11<sup>th</sup>, which is what Council agreed to this year. The current schedule includes Memorial Day through Independence Day, Labor Day thru the 9/11 memorial, and Election Day through Veteran's Day.

***Recommendation: The Committee recommended (3-0) that the current schedule for flying flags be adopted permanently.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 12/07/04:**

- D. **Review of City Department 2004/05 - 2008/09 Strategic Plans.** At its meeting of 8/11/04, the Internal Affairs Committee asked for an opportunity to review departmental strategic plans. The Committee was provided with a copy of 2004/05 - 2008/09 strategic plans for the following departments: Police Department, Information Systems, Administration, Park Department, Airport, Community Development Department, Department of Public Works, and Fire Department.

City Manager Lando stated he will be asking Council to begin discussing additional revenue sources such as property tax and sales tax at its November work-session. Given budget constraints, every department is feeling stressed and he would like to determine whether the voters are interested in funding public safety staff and needed facilities with a ½ cent sales tax increase. He noted that a 1/4 cent tax could add 25 police officers and staff Fire Station No. 7 and 1/4 cent would fund the City's unfunded park facility and road maintenance needs.

Director of Public Works McKinley stated there are currently four positions requested in Engineering. City Manager Lando added staff will evaluate the engineering needs, as they are overrun at this time, and most of the funding is non-general fund. The area that is more difficult is operations and maintenance because it is all general fund. Assistant City Manager Jones stated he agreed with the staffing request, adding that at some point you start paying a price for the current level of activity.

Community Development Director Baptiste stated the primary challenges in his department is succession planning. By next month, five staff members will retire out of a 33 person department and four of those five are management positions. He added the biggest challenge is growth. His department is having an extremely hard time processing applications and there are no indications that development activity level will slow down. Councilmember Bertagna said his vision would be to merge Department of Public Works and Community Development, as the overlap between the two departments is considerable. City Manager Lando indicated that he sees Assistant City Manager Jones bridging these two departments.

Park Director Beardsley stated his strategic plan reflects a considerable amount of volunteer help in upper park and also looks at transferring care of the street trees to the property owners. Councilmember Bertagna asked if the City could ask new development to take care of their own trees. City Manager Lando interjected that most cities make the property owners take care of the trees, with the city acting as inspectors only. Councilmember Herbert stated he would like to see how management of Bidwell Ranch would be handled, and asked the Park Director to be prepared to answer this question at a future meeting.

Police Captain Maloney said the Police Department strategic plan was a classic model for the future. The most critical issue for the Police Department at this time is staffing levels related to growth. The department could easily absorb 25 to 30 new officers. Another critical area in the near future is facilities, as they are currently running out of room. Last year Council approved a facility needs assessment for the Police Department. Currently, the Police Department is in the process of developing a scope of work and finalizing the contract which should be completed next month, with the study itself taking approximately four months after contract completion.

Fire Chief Brown stated the biggest issue at the Fire Department involves stations. Fire Station No. 6 is in a building that the County rents from a private owner. The most likely permanent location is the City owned site at W. 8<sup>th</sup> Avenue and SHR 32. Building of Fire Station No. 7 is in the near future with the Northwest Plan and the airport being expanded. Fire Chief Brown noted that Fire Station No. 1 and No 2 are both scheduled for replacement within the next ten years. Staffing will become an issue when Station No. 7 is ready, another staffing issue is the two aerial ladder trucks at Fire Station Nos. 1 and 5 should have another person. The proposal is to add another firefighter on staff at both stations.

***This item was a discussion item only with no action required.***

**Adjournment and Next Meeting.** The Committee adjourned at 8:55 a.m. The next meeting is scheduled for Wednesday, December 10, 2004, at 8:00 a.m. in Conference Room No. One.

Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (17)  
Director of Public Works  
ADPW Alexander  
Pub. Works Admin. C. Sigona

Traffic Engineer Mickelson  
City Attorney  
Risk Manager  
Planning Director

Finance Director  
Community Development Director  
Assistant Community Development Director  
Chief of Police  
Fire Chief

# CITY OF CHICO MEMORANDUM

**TO:** CITY COUNCIL (1/04/04) **DATE:** December 20, 2004  
**FROM:** INTERNAL AFFAIRS COMMITTEE **FILE:** Committee Binder  
**RE:** REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD DECEMBER 8, 2004

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Committee Present

Councilmember Herbert, Chair  
Mayor Kirk  
Councilmember Bertagna

Staff Present

City Manager Lando  
Sr. Assistant City Manager Dunlap  
Assistant City Manager Jones  
Director of Public Works McKinley  
City Attorney Frank  
Finance Director Martin

Accountant Orr  
Police Sergeant Fonseca  
Fire Chief Brown  
Traffic Engineer Mickelson  
Administrative Analyst Cameron

**COMMITTEE MATTERS REQUIRING CITY COUNCIL ACTION ON 1/04/05:**

- A. **Approval of Recommendation to Amend Chapter 3.52.150, of the Chico Municipal Code (CMC) Entitled "Penalties for Failure to Remit Tax When Due."** By memorandum dated 12/01/04, Accountant Orr recommended amending the CMC Chapter 3.52.150 to allow a penalty to be assessed immediately upon delinquency of a Transient Occupancy Tax (TOT) payment and to allow a 15% penalty to be assessed when two or more delinquent payments occur within a six month period of time. This recommended change will provide a more stable cash flow for the City and reduce the number of staff hours currently spent collecting delinquent TOT payments.

***Recommendation: The Committee recommended (3-0) amending the penalty provisions of the CMC, Chapter 3.52.150.***

**COMMITTEE MATTERS REQUIRING NO CITY COUNCIL ACTION ON 1/04/05:**

- B. **Approval of Traffic Regulation Amendment (TRA) No. 787 Which Will Remove Parking on Carmichael Drive Near East Park Avenue.** By memorandum dated 11/18/04, the Director of Public Works recommended the removal of parking on Carmichael Drive near its intersection with East Park Avenue to improve public safety. Because parking is currently allowed on both sides of Carmichael Drive adjacent to the entrance/exit of the CUSD bus yard, sight distance is restricted. Further, when vehicles are parked along this section of Carmichael, the through lane is restricted to less than nine feet, making it difficult for the buses to maneuver.

***Action: The Committee adopted (3-0) TRA No. 787 which removes parking on Carmichael Drive near East Park Avenue.***

- C. **Five Year Update on Chico Urban Area Fire and Rescue Agreement.** By memorandum dated 11/30/04, the Fire Chief provided the five-year update on the Agreement, the Chico Urban Area Fire & Rescue Plan, and the implementing Operational Letter of Understanding. The Fire Chief was in attendance to provide a brief report and answer questions.

Fire Chief Brown noted that the agreement establishes the intent of the parties, the area to be served, and the financial arrangements establishing Fire Station 6. He also noted that the plan, which was adopted with the agreement, provides that the city will become responsible for fire protection within the Urban Area as unincorporated areas are added to the city. The plan also establishes the ideal locations for city and county stations within and surrounding the Urban Area in order to avoid duplication. City Manager Lando stated that there are two other reasons this agreement continues to come before Council. The first is that both city and county firefighters like to go to as many emergencies as possible. The second reason has been the continued presence of county fire stations within the Urban Area because of the county fiscal inability to fund new stations at the agreed upon locations. City Manager Lando proposed that the city consider using redevelopment dollars to assist with developing new county fire stations near Garner Lane and Keefer Road in the north and near Southgate Lane and Highway 99 in the south. County Fire Chief



Brachais has estimated that the construction costs might be \$3,000,000 for the two stations. Because of the response benefits to the redevelopment area, \$1,500,000 might be available from this source and the city might loan the remainder to the county to be repaid from county developer fees. IAFF President Main asked if it would be possible for any agreement with the county to have ironclad dates when the new stations would be built and the old county stations 42 and 44 closed. City Manager Lando responded that this would go to Finance Committee in February. He also indicated that he would like site selection and construction to be completed within a year and a half following agreement between the city and county. This would also free up the site currently owned by the county at Hicks Lane and Eaton Road for city Fire Station 7. Fire Chief Brown stated that strategic plans and discussion of the location of Fire Station 6 would be discussed at the January Council budget work session.

- D. **Business from the Floor.** Jason Bougie, BIA, addressed the Committee for a possible change in policy regarding the pouring of cement within the city limits. He requested a change in start time to 6 a.m., in order to be consistent with the county, adding this will help with pour temperatures. City Manager Lando asked if there was any way two flaggers could back up a cement truck, allowing for disconnection of the backup beeper on the truck. He suggested Mr. Bougie check the state law, adding the backup beeper creates the greatest nuisance at that early hour. Councilmember Herbert asked Mr. Bougie to prepare a proposal and bring his request back to the Committee at a future meeting.

**Adjournment and Next Meeting.** The Committee adjourned at 8:36 a.m. The next meeting is scheduled for Wednesday, February 9, 2005, at 8:00 a.m. in Conference Room No. One.

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Lynda Cameron, Administrative Analyst

Distribution:

City Clerk (17)  
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