



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

CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
January 11, 2011, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, February 8, 2011, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



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INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
February 8, 2011, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, March 8, 2011, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
April 12, 2011, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, May 10, 2011, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
June 14, 2011, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, July 12, 2011, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
July 12, 2011, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, August 9, 2011, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



Internal Affairs Committee Report

DATE: August 9, 2011

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON AUGUST 9, 2011**

Committee Present: Chair Walker Councilmember Evans Councilmember Holcombe	Staff Present: City Manager Burkland Assistant City Manager Rucker City Attorney Barker	City Clerk Presson Administrative Analyst Brinkley
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ITEMS REQUIRING COUNCIL ACTION

- A. **Consideration of a Request to Amend Cardroom Regulations to Increase the Number of Tables Permitted in a Cardroom from Five to Eight** – Consideration of a request by Angie's Poker Club for an amendment to the Chico Municipal Code to increase the number of tables that may operate in a cardroom from five to eight.

Recommendation – The Committee consider the request and provide a recommendation to Council whether the requested amendment should be adopted.

City Attorney Barker reported on the request by Angie's Poker Club for an amendment to the Chico Municipal Code to increase the number of tables that may operate in a cardroom from five to eight. She stated there are both State and City laws that regulate cardrooms. The City can regulate the number of tables within the City, which currently allows 15 total tables and a total of 3 cardrooms, with 5 tables per cardroom. The City could allow 8 tables.

Attorney for Angie's Poker Club, Al Driscoll addressed the committee on behalf of his client in support of the amendment.

Councilmember Holcombe questioned the transferability on the entitlement of tables and to what extent does the City have latitude to change the number of tables?

City Attorney Barker answered that a license to operate a cardroom is for the business, not the location. Cardrooms are only allowed in two zoning districts within the City and require a use permit. If a use permit were approved, the license would follow to the location.

Councilmember Holcombe confirmed there would be an opportunity for public input if the cardroom should re-locate or a new one established.

A motion was made by Councilmember Holcombe recommend to Council to amend the Cardroom Regulations to increase the number of tables from five to eight, and to increase the total number of tables allowed in the City from fifteen to eighteen.

City Attorney Barker indicated the State limits were established when the cardroom regulations were first adopted in the early nineties which allowed the number of existing cardrooms and tables to remain.

Councilmembers Walker and Evans expressed concerns with increasing the number of tables from fifteen to eighteen.

Councilmember Holcombe removed the increase in the total number of tables allowed in the City from his original motion.

Councilmember Evans then seconded the motion.

The motion carried 3-0.

The City Attorney indicated she will re-verify State regulations prior to forwarding the recommendation to Council for consideration.

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

C. **Adjournment and Next Meeting** - The meeting was adjourned at 8:25 a.m. to the next regular Internal Affairs Committee meeting scheduled for Tuesday, September 13, 2011, at 8:00 a.m. Conference Rm. No. 1.



Dani Brinkley, Administrative Analyst

Distribution:

City Council (7), Council Office copy, City Manager, Building & Development Services Dir, Fire Chief, Chief of Police, Capital Project Services Dir, Finance Director, Traffic Engineer



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
October 11, 2011, has been canceled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, November 8, 2011, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



Internal Affairs Committee Report

DATE: NOVEMBER 8, 2011

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON NOVEMBER 8, 2011**

<u>Committee Present:</u> Chair Walker Councilmember Evans Councilmember Holcombe	<u>Staff Present:</u> City Manager Burkland Assistant City Manager Rucker City Attorney Barker	City Clerk Presson Administrative Analyst Brinkley
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ITEMS REQUIRING COUNCIL ACTION

REGULAR AGENDA

- A. **Consideration of Request from American Lung Association for Comprehensive Policy Regarding Smoke Free Areas** – By letter received September 7, 2011, the American Lung Association (ALA) requested that the City Council consider a comprehensive policy to protect the public from outdoor secondhand smoke exposure and to reduce tobacco product waste in public areas. At its meeting of September 20, 2011 the City Council referred the request to the Internal Affairs Committee for consideration and review. **(Report: City Manager Dave Burkland)**

Recommendation: *The Committee should determine whether the City Council should consider an amendment to the Chico Municipal Code prohibiting smoking in outdoor places and imposing more stringent regulations regarding tobacco product waste.*

City Manager, Dave Burkland reviewed the staff report regarding the request for a comprehensive policy to protect the public from outdoor secondhand smoke exposure and to reduce tobacco product waste in public areas. At its meeting of September 20, 2011 the City Council referred the request to the Internal Affairs Committee. City Manager Burkland stated that he would like additional input from other agencies, such as Chico Area Recreation District (CARD), Downtown Business Association (DCBA) and the Chamber of Commerce.

There was discussion regarding current state and local laws that prohibit smoking in certain public areas and littering.

Shelly Brantly of the American Lung Association addressed the Committee. She spoke regarding the Association's request, adding that CARD recently adopted a no-smoking policy in all of their parks. She added that they are not against a person's right to smoke. They are just asking smokers to not smoke in parks and in business entryways, citing that eighty eight percent of Californians are non-smokers.

Several students involved in Kids Leading Everyone Against Nicotine (KLEAN) addressed the Committee. They also addressed their concerns regarding secondhand smoke, littering, hazards to children and the environment related to smoking.

Heather Keag, Executive Director of the DCBA reported that many of the downtown businesses have endorsed the no-smoking in business entryways. However, they have concerns on how it will be enforced and who will enforce it. Also, the bar community is requesting to move slowly on the matter. As far as the cleanliness aspect, all the businesses are in support of keeping the downtown clean. Some have suggested increasing the number of receptacles. At this time, the DCBA is not quite ready to take a stance on the ban on smoking within 20 ft. of a business entryway. Essentially

what the City would be creating is a smoke free downtown because the sidewalks would be smoke free.

A motion was made by Councilmember Holcombe and seconded by Councilmember Evans to 1) refer the issue of no-smoking in City parks to the Bidwell Park and Playground Commission for consideration and possible recommendation; 2) allow time for additional input from the DCBA, Chamber of Commerce and other agencies regarding no-smoking within 20 ft. of a business entryway; and 3) to return the matter of littering back to the Internal Affairs Committee for further discussion.

The motion carried 3-0.

B. **Business from the Floor**

Mark Steiman, Professor at CSUC and member of the Butte Environmental Council addressed the Committee regarding community gardens and his desire to have the Committee discuss this issue.

- C. **Adjournment and Next Meeting** - The meeting adjourned at 9:00 a.m. to the next regular Internal Affairs Committee meeting scheduled for Tuesday, December 13, 2011, at 8:00 a.m. in Conference Rm. No.1.



Dani Brinkley, Administrative Analyst

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Internal Affairs Committee Report

DATE: DECEMBER 13, 2011

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON DECEMBER 13, 2011

<u>Committee Present:</u> Chair Walker Councilmember Evans Councilmember Goloff (substituting for Holcombe)	<u>Staff Present:</u> City Manager Burkland Assistant City Manager Rucker City Attorney Barker City Clerk Presson	Police Chief Maloney Planning Director Wolfe CPSD Director Varga Administrative Analyst Brinkley
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ITEMS REQUIRING COUNCIL ACTION

REGULAR AGENDA

- A. **Community Garden Proposal from Butte Environmental Council** – The Butte Environmental Council (BEC) requested to contract with the City to use an unimproved portion of land across from Hank Marsh Junior High School to create a two acre fenced community garden. If approved, “plots” in the garden will be sub-leased to members and/or organizations of the Chico community. **(Report – John Rucker, Assistant City Manager)**

Assistant City Manager Rucker reviewed the staff report regarding the Butte Environmental Council’s request to create a two acre community garden on the City owned property located on the southwest corner of Notre Dame Blvd. and Humboldt Ave. He reported that BEC is developing a business plan for creation of a community garden. The garden will be located on approximately two acres of a city owned ten acre parcel. The garden will consist of raised “plots” assigned to individuals. There will be no permanent structures, one temporary carport type structure and a universal access playground. BEC intends to work with the schools in the area to provide a learning experience for the students, provide outdoor cooking classes and potentially have a farmers market. Assistant City Manager Rucker added that a Cal Water service connection will be required and BEC will pay the cost for this connection. There will be no costs incurred by the City. He also reported this property has been identified as a possible site for a future aquatic center. If this site is chosen, BEC will not hinder the development of the aquatic center.

Assistant City Manager Rucker also reported there is a detention basin located on the property and he is uncertain if an environmental review will be required for this project before going to the full Council.

CPSD Director Varga stated the detention basin area is on the west portion of this property and the project will be using all of the remaining land not included in the detention basin.

Planning Director Wolfe reported some type of environmental review would be required. This area may be habitat for the giant garter snake, and may have meadow foam and elderberry bushes.

Mark Stemen, representing BEC, provided a verbal report on the proposed project. They are proposing to start small and depending on the success, return to Council in eighteen months with a revised plan to use a larger portion of the property.

Councilmember Evans asked if two separate environmental reviews would be required if they decide to expand the project after eighteen months.

Planning Director Wolfe stated that only one environmental review document for a two-phased project would be required. All aspects of the project would be included in the document, including any new fencing and water lines.

Councilmember Evans asked that the BEC clarify in their rules whether or not pesticides or herbicides can be used in the garden. He also asked that it be included in the proposal that BEC would not stand in the way of any development the City chooses other than an aquatic center.

Chair Walker stated he is glad to hear the BEC has a long term vision for the community garden. However, he is more comfortable with the short term plan because this is City property and wants to know this is and will be the highest and best use of the property. Cooking classes and playgrounds seem more of a long term plan. He has concerns about possible unintended consequences if this becomes a long term project, such as citizens start seeing it as their land.

Councilmember Goloff stated she would like to see more examples of community gardens in the Seattle area.

A motion was made by Councilmember Evans and seconded by Councilmember Goloff to forward to the City Council a recommendation to direct the City Manager to contract with the Butte Environmental Council to create a two acre community garden on the City property at the intersection of Notre Dame Blvd. and Humboldt Rd. The contract will be for a period of one year with two, one year extension periods.

The motion carried 3-0.

- B. **Noise Ordinance Review** - At its meeting of 11/15/11, the City Council referred Police Chief Maloney's letter requesting an evaluation and possible modification of the City Noise Ordinance to the Internal Affairs Committee. The Committee was asked to consider the Police Chief's recommendation to conduct additional community meetings and bring those results to the Internal Affairs Committee for additional input into the development of a more effective ordinance. Final consideration of any proposed changes would require action by the City Council. (*Report - Michael Maloney, Chief of Police*)

Police Chief Maloney reported the Police Advisory Board recently held two meetings in the "Avenues" neighborhood to discuss the effectiveness of the Chico Noise Ordinance. These meetings were very well attended by residents whose properties border or are near the housing where students reside. The Police Advisory Board also held a meeting to try to appeal to the student neighborhoods. While the students who attended provided good input, the meeting was not well attended. Additional outreach will take place after the holidays. Based on the discussions at the meetings and the concerns of the residents, there was a consensus among the Police Advisory Board to request Council to consider an amendment to the noise ordinance. In its current form, the ordinance is difficult to enforce and residents feel there is no accountability. The police need the ability to provide immediate response and accountability.

Councilmember Evans stated that he attended two of the meetings and the residents have a valid complaint. The 72 hour warning period for a noise violation is difficult to enforce. A person could have a loud party every weekend that would not rise beyond the level of a warning because 72 hours have passed.

Resident Melinda Vasquez commended the Police Chief for coming to the community to let residents know what is going on in their neighborhood, not to alarm but to help them understand the issues in the area. There have been 3000 calls for service related to noise and only 11 people have been cited in the last year. People think nothing will be done. There needs to be some accountability to reduce the noise and violence and help protect our neighborhoods.

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Resident Charlie Pruesser stated there are very few calls for service in his neighborhood. Noise is like having residential, commercial or industrial zoning; one size does not fit all. The noise ordinance works fine in his neighborhood. If the purpose is to punish, this will not work. He stated he lives in a dense student populated area and he doesn't have these problems.


Randy Foy spoke in favor of the TARGET team being used to enforce the noise ordinance.

Ali Sourì spoke regarding the noise created by the fireworks from the baseball team that uses the university baseball field.

There was a consensus among the Committee for the Police Chief to continue conducting community meetings and bring the results to the Internal Affairs Committee for additional input into the development of a more effective noise ordinance.

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

D. **Adjournment and Next Meeting** - The meeting adjourned at 9:38 a.m. to the next regular Internal Affairs Committee meeting scheduled for Tuesday, January 10, 2011, at 8:00 a.m. in Conference Rm. No. 1.



Dani Brinkley, Administrative Analyst

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