

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 12th DAY OF DECEMBER, 2008, IN ACCORDANCE WITH GOVERNMENT CODE §54954.2. MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL FOR THE CITY OF BIGGS AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION IN CITY OFFICES AT 465 C STREET, BIGGS, CA DURING NORMAL BUSINESS HOURS.

THIS MEETING WILL BE HELD IN COUNCIL CHAMBERS, 3016 SIXTH STREET, BIGGS, CA

AGENDA of the
CITY COUNCIL
CITY OF BIGGS

6:00 p.m. Monday
December 15, 2008
REGULAR MEETING

MEETING CALLED TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG.

1. COMMUNITY PARTICIPATION FORUM-5 MINUTE LIMITATION.

At this time, any member of the public may address the City Council on matters which are not listed on this agenda. City Council may not discuss nor take action on any item not listed on the agenda. Please limit your comments to five minutes.

In accordance with State law, no action shall be taken on any item presented in public forum or unscheduled matters unless the council, by majority vote, determines that an EMERGENCY situation exists, or, unless the council by two-thirds vote, finds that the need to take action arose after this agenda was posted.

All visitors are requested to approach the lectern when recognized and state your name for the record.

A. Citizen's comments.

The Council will announce the opportunity for public comment at some point during the Council's consideration of each action item on the agenda. Please limit comments to five minutes per person per topic. Once the public comment period is closed, the public is asked to refrain from comment, allowing the Council the opportunity to continue its discussion of, and action on, the item without interruption.

2. SPECIAL BUSINESS:

A. Assumption of New Officers

1. Adopt Resolution No. 2008-__ (next Resolution No. 2008-**22**)
 - a. Resolution Of The City Council Of The City Of Biggs Reciting The Fact Of The Consolidated General Election Held On November 4th, 2008, Declaring The Result And Such Other Matters As Provided By Law.
 1. Staff report.
 2. Public comments.
 3. Council discussion.

Action: If appropriate, adopt Resolution No. 2008-22, by reading of title only.
2. Adjourn Sine Die, retiring Councilmembers step down.
3. City Clerk calls meeting to order.
4. Elected Candidates are requested to step up and take Oath of Office - be seated.
5. Entertain nominations for Mayor. (motion)
6. Close nominations for Mayor. (motion) - Vote. **Roll Call** (*Announced & Confirmed*)
7. Entertain nominations for Vice Mayor. (motion)
8. Close nominations for Vice Mayor. (motion) - Vote. **Roll Call** (*Announced & Confirmed*)
9. Mayor assumes chair.
10. Convene to Regular Meeting.

B. Commissions and Representatives selected.

1. Mayor appoints Commissioners
 - a. Electric Commissioner.
 - b. Parks Commissioner.
 - c. Police, Fire Commissioner.
 - d. Refuse / Solid Waste Commissioner.
 - e. Public Works Commissioner: Sewer/Street & Water.
 - f. Home Loan Commissioner.
 - g. Teen Activity Center Commissioner.

2. Representatives for the following to be decided by Council: *(Previous)*
 - a. Biggs-Gridley Hospital Joint Powers Agency *2-Directors*
(Carol Arnold) (1-vacancy)

 - b. Biggs Municipal Employee Relations Officer *(Jon Crawford; Alternate-Doug Arnold)*
Appointed by Resolution next Resolution No. 2008-23
Resolution 2008-__ Appointing A Municipal Employee Relations Officer And
Alternates For The City Of Biggs.

 - c. Butte Basin Water Users Association **(Chief Plant Operator;*
Alternates: 1-open; and City Administrator)
Appointed by Resolution
Resolution 2008-__ Appointing An Alternate Representative To The Butte Basin
Water Users Association.

 - d. Butte County Abandoned Vehicle Abatement Service Authority *(Erin Dougherty)*
(Alternates: 1-open; and City Administrator)
Appointed by Resolution
Resolution 2008-__ Appointing An Alternate Representative To The Butte County
Abandoned Vehicle Abatement Service Authority.

 - e. Butte County Air Quality Management District *(Doug Arnold)*

 - f. Butte County Association of Governments (BCAG) *(Doug Arnold;*
Alternate-John Busch)

 - g. Butte County Emergency Services Council *(Jon Crawford; Alternate-Roger Frith)*

 - h. Butte County Integrated Waste Management LTF (Local Task Force Solid Waste
(Doug Arnold; Alternate-John Busch)

 - i. Butte County Mosquito Abatement and Vector Control *(William H. Thebach)*

 - j. Butte County Regional Waste Management Authority *(Doug Arnold; Alternate-John Busch)*

 - k. Butte County Solid Waste Local Task Force *(Doug Arnold)*

- l. City Selection Committee (*John Busch*)
- m. Economic Development (*Roger Frith; Alternate-Jon Crawford*)
- n. Gridley-Biggs Community Safety Task Force (*Jon Crawford; Multiple Alternates: 4-council*)
- o. LAFCO-Local Agency Formation Commission (*John. Busch; Alternate-Doug Arnold*)
- p. League of California Cities (*Doug Arnold; Alternate-John Busch*)
- q. NCPA - Northern California Power Agency (*Roger L. Frith; Alternate-City Administrator; Multiple Alternates 4-council*)
- r. SCORE - Small Cities Organized Risk Effort (*John Busch; Alternate-Roger Frith*)
Appointed by Resolution
Resolution 2008-__ Appointing The Representative And Alternate To The Board Of Directors Of SCORE (Small Cities Organized Risk Effort).
- s. School Liaison (*Roger Frith; Alternate-Jon Crawford*)
- t. Sutter-Butte Flood Control (*John Busch; Alternate-Jon Crawford*)

3. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of November 17, 2008.
- B. Approval of warrants: #7251- #7265; #Z00078 - #Z00089 and #23135 - #23204 for month of November 2008 in the amount of \$348,899.53.
- C. Acknowledge receipt of Summary of Investment, Checking Account Statement Balance and NCPA General Operating Reserve Funds FY 08-09.
- D. Acknowledge receipt of Month in Review, Monthly Council Report and Traffic Summary for month of November 2008 from Police Chief Gary D. Keeler.
- E. Acknowledge receipt from Gridley-Biggs Animal Control Officer, Amy Egan, of Monthly Report of Local Rabies Control Activities and Animal Bite Activity for November 2008.
- F. Approval of annual pass-thru rate increase for solid waste hauling and disposal; per contract agreement.
- G. Approve NCPA Second Amended and Restated Metered Subsystem Aggregator Agreement (MSSA Agreement) and authorize City Administrator to execute same.

Action: It is recommended items “A” through “G” be acted on simultaneously unless separate actions are requested by a Councilor or a member of the audience. MOTION to approve the consent calendar.

4. UNFINISHED BUSINESS:

Discussion/Action: Consider current understanding of how *CITY IMPACT FEES* are intended to be applied in various situations.

- A. Staff report. B. Public comments. C. Council discussion.

Action: If appropriate, approve and direct staff.

5. DEPARTMENT REPORTS:

- A. Public Safety – Verbal update. (J. Busch)
- B. Public Works – Verbal update. (R. Frith)

C. Planning Department:

1. Informational:
Department Activity Report – November / December 2008.
2. Code Enforcement Activity Report – November 2008 – Present.

D. Engineer:

1. Project Updates:
 - a. West Side Storm Drain Rehabilitation Project.
 - b. USDA Well Rehabilitation Project.
 - c. North Biggs Estates.
 - d. Safe Routes to School / TEA / Prop 1B / West Biggs Gridley Road.
 - e. Sixth Street Bridge Rehabilitation.

E. Electric Department: NCPA verbal update. (R. Frith)

F. BCAG/Air Quality: – Verbal update. (D. Arnold)

G. Finance Department:

Informational: Department Activity Report – November 2008 / December 2008.

H. City Administrator:

Discussion/Action: Consider ***HIGHLIGHTS OF BUDGET VARIANCES YEAR-TO-DATE.***

- a. Staff report.
- b. Public comments.
- c. Council discussion.

Action: If appropriate, recommend appropriate actions.

6. RESOLUTION: next Resolution No. 2008-**22** **may have been used above**

A. **Discussion/Action:** Consider resolution ***“Resolution Of The City Council Of The City Of Biggs To Tax-Defer Member Paid Retirement Contributions”.***

1. Staff report.
2. Public comments.
3. Council discussion.

Action: Adopt resolution_____, by reading of title only.

B. **Discussion/Action:** Consider resolution ***“Resolution Of The City Council Of The City Of Biggs Adopting An Expenditure Plan To Receive Citizen’s Options For Public Safety (COPS) Grant Funds for Fiscal Year 2008/2009”.***

1. Staff report.
2. Public comments.
3. Council discussion.

Action: Adopt resolution_____, by reading of title only.

7. ORDINANCE: next Ordinance No. 380

Ordinance No. **379** ***SECOND READING and ADOPTION***

“AN ORDINANCE OF THE CITY OF BIGGS AMENDING PORTIONS OF TITLE SIX OF THE BIGGS MUNICIPAL CODE TO INCLUDE AS A NUISANCE VISUAL OBSERVATION AND/OR EXCESSIVE ODOR ARISING FROM THE PRESENCE AND/OR CULTIVATION OF MARIJUANA AND DECLARATIONS THAT CULTIVATION OF MARIJUANA BE PROHIBITED COMPLETELY AS UNLAWFUL AND A NUISANCE, EXCEPT IN LIMITED CIRCUMSTANCES TO PRIMARY CAREGIVERS AND QUALIFIED PATIENTS (CODIFIED)”

A. Staff report. B. Public comments. C. Council discussion.

Action: If appropriate, move for **adoption** of Ordinance No. **379**, by reading of title only.

8. INFORMATIONAL:

9. EXECUTIVE SESSION: Pursuant to Government Code §54956.8.
Conference with Negotiator: Potential Real Property Purchase/Lease.
Real property that negotiations may concern: AP #001-081-009.

10. RESUME REGULAR SESSION: ANNOUNCEMENT OF ACTION(S) TAKEN IN EXECUTIVE SESSION, pursuant to Government Code §54957.1. (Must report the vote or abstention of every member present on any action.)

11. ADJOURNMENT:
Motion to adjourn to _____

Presented by: _____ December 12, 2008
City Clerk Date