

Call To Order

The regular council meeting was called to order at 6:00 p.m. by Mayor Busch. Vice Mayor Frith and Councilors Crawford and Arnold were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend, Engineering Staff Mike Vasquez, and City Clerk / Finance Director Deanna Carbajal.

1. **COMMUNITY PARTICIPATION:** Angela Thompson spoke on behalf of the Christmas Tree Lighting Committee and asked for a stipend for additional Christmas decorations. She understood \$50 had already been spent on lights for the trees.

Motion/Second to add this request to the agenda due to the fact that the tree lighting would happen before the next meeting. (Frith/Crawford, MCU)

Angela asked for a maximum amount of \$500 for additional Christmas decorations. Vice Mayor Frith stated the 4th of July committee had contributed in the past and Angela said funds were low. Vice Mayor Frith stated the FFA might have funds to donate.

Motion/Second for the city council to approve a Christmas Tree Lighting fund up to \$500, which could be offset by other donations. (Busch/Arnold, MCU)

2. **PRESENTATION:** Georgie Szendrey and Jim Bettencourt gave a presentation on drug abuse among teenagers.

3. **PUBLIC HEARING:**

- A. Staff comments. Pete stated this item was a follow-up to the last meeting. A revised draft ordinance had been included in the packet. City Attorney Greg Einhorn gave background on the ordinance this far. Alternative definitions of enclosed and secure structures had been added. Language had also been added to restrict access to the medical marijuana to only the patient or primary care givers.

- B. Hearing opened to the public

1. Proponents: None
2. Opponents: None
3. Proponents rebuttal: None
4. Opponents rebuttal: None

- C. Hearing closed to the public

- D. Council discussion

Councilor Crawford was concerned with structure access in version one of the ordinance. He was also concerned with growing marijuana in living quarters and access by minors. He leaned more toward version two with the added protection for children in the home. City Planner Scott Friend agreed with Councilor Crawford.

Motion/Second to accept version two of Ordinance No 379.

Ordinance No. 379 First Reading and Introduction "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)." (Arnold/Busch, MCU)

4. **CONSENT CALENDAR:**

Motion/Second to approve the consent calendar. (Frith/Crawford, MCU)

5. DEPARTMENT REPORTS:

- A. Public Safety. Mayor Busch stated the subjects of the meeting thus far had a direct affect on public safety and he recommended the dual cooperation with the enforcement agencies.
- B. Public Works. Vice Mayor Frith asked Pete and Paul to track an auction of a small paving machine starting tomorrow.
- C. Engineer:
 - 1. Project Updates by Mike Vasquez
 - a. Westside Storm Drain Rehabilitation Project. The transformer was installed at the lift station and the contractor would complete the tie-in tomorrow morning. Once the lift station is operational, there will be a final walk-through.
 - b. USDA Well Rehabilitation Project. The Public Works Committee was waiting for the Waste Water Operator to return from his vacation before a final decision is made on plans for the project.
 - c. North Biggs Estates. The sewer lift station had not been installed yet. The streets are now being put in.
 - d. Safe Routes to School/TEA/Prop 1B/West Biggs Gridley Road. Paving has been installed along with some concrete work. Delays are being experienced due to the relocation of PG&E and AT&T utilities. There are some areas where paving is beginning to fail and it will be repaired by the contractor.
 - e. Sixth Street Bridge Rehabilitation. The project design is about 30% complete at this time and the project is still on schedule to begin next spring.

D. Planning Department.

- 1. Informational:
 - a. City Planner Scott Friend reviewed the Planning Department Activity Report – October 2008 / November 2008 with council included in the agenda packet. Scott stated the Initial Public Meeting for Biggs General Plan Update would probably be Wednesday or Thursday, January 14 or 15, rather than in December.
 - b. Scott introduced the Fee Schedule Update Project, to be discussed at future meetings.
- 2. Discussion/Action: Municipal Services Review (MSR) – Budget Augment Request. Scott stated Quad-Knopf had submitted a project modification for \$3,700 to cover unbudgeted costs.

Vice Mayor Frith suggested the City of Gridley and Butte County pay \$2,500 because they were the cause of the need for additional funds.

Motion/Second to pay the additional \$3,700 to Quad Knopf. (Frith/Busch, MCU)

- 3. The October 2008 Code Enforcement Activity Report was presented to council in the agenda packet. Mayor Busch mentioned there was a house at Third and B Street doing automotive repair in their garage. Scott stated this was a code violation and he would take a look at this situation.

- E. Electric Department: Vice Mayor Frith stated the NCPA meeting would not be held this month due to the Thanksgiving Holiday.

- F. BCAG/Air Quality. Mayor Busch attended BCAG on Doug's behalf. The Air Quality Board does not recognize alternates, so Mayor Busch sat in the audience as a member of the public. He spoke on behalf of the citizens concerning wood burning stoves and stated wood heat is the only source of heat for some people.
- G. Finance Department. Informational – City Clerk/Finance Director Deanna Carbajal reviewed the Department Activity Report – October 2008/November 2008 included in the agenda packet.
- H. City Administrator:
 - 1. Discussion.
 - a. New City Website. City Administrator Pete Carr brought up the website online for council to review.
 - b. Update on alternate energy projects. Pete stated he spoke with Dr. Balachandra with whom the city had signed an interest agreement. Dr. Balachandra said everything was still moving ahead, but not at the speed he would like. He still felt a biomass project would be best for the City of Biggs. He had not heard from Bridgeview for a couple of weeks and assumed they were not interested in the project. Alameda offered to sell Green Power at \$100 a megawatt. Pete attended the Farming Clean Energy Conference. He also toured the Tulare WWTP fuel cell facility.
 - c. Implementation of development impact fee for existing residences. Pete stated there had been some confusion of impact fees and connection fees. Council questioned who would and would not pay these fees. It was decided to bring this item back for further discussion.
 - d. Auditing franchises. If a company were used for a franchise fee revenue audit, the audit would be at no cost unless new revenues were realized.
 - e. Seating of new Council Member. Pete stated the code did not specify a date to seat new council members, but it was typically done at the December meeting. Pete recommended the new council member be seated at the December 15th meeting.
 - 2. Discussion/Action – Code Enforcement Issues and Guidelines. This item would be deferred to January.
 - 3. Discussion/Action – Pete asked council to consider the Draft Response to County Grand Jury related to impact fees to support County jail capital improvements.

Motion/Second to accept the draft response to the request of the Grand Jury as stated. (Busch/Frith, MCU)
 - 4. Discussion/Action – Consider approach to Butte County Air Quality Management District Board of Directors relative to the Board's current limitation on voting representation by city director alternates. Vice Mayor Frith felt the city should not lose their vote if their representative was not present. Council agreed to have the city administrator construct a good argument to allow an alternate to vote in the absence of the representative.
- 6. Pete requested applying for a State grant to use recycled tire materials for various public works projects. Council discussed different uses for the materials. Pete recommended

using this material for the tennis courts and for sidewalks. There could also be an opportunity for North Biggs Estates to use this for a walking path.

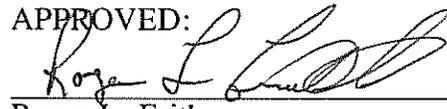
RESOLUTION: *Resolution 2008-21* "The City Of Biggs Hereby Authorizes The Submittal Of An Application To The California Integrated Waste Management Board For Funding Under The Tire-Derived Product Grant Program; And If Selected, The Execution Of A Grant Agreement And Any Amendments Thereto; And Any Related Documents Necessary To Participate In The Tire-Derived Product Grant Program". (Frith/Busch, MCU)

7. **INFORMATIONAL:** Mayor Busch stated LAFCo had hired a consultant to perform a feasibility study on a Regional Recreation Department. Pete stated our planner did not think this project would happen. Mayor Busch commented on his concerns of the Sutter Butte Flood Control.
8. **ADJOURNMENT:** Meeting adjourned by mutual consent at 10:02 p.m.

ATTEST:


Deanna Carbajal
City Clerk

APPROVED:


Roger L. Frith
Mayor, City of Biggs