

Call To Order

The regular council meeting was called to order at 6:01 p.m. by Mayor Frith. Vice Mayor Crawford and Councilors Arnold, Bottorff and Thompson were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend and City Clerk / Finance Director Deanna Carbajal.

1. COMMUNITY PARTICIPATION:

Citizen's comments. Margaret Cottman requested money for the Hometown Christmas Celebration. Mayor Frith advised her to submit a request for the next meeting. She asked if a message could be put on the electric bill about the celebration. Staff agreed this could be done.

2. PUBLIC HEARINGS:

A. Conditional Use Permit 2009-01.

1. Staff comments. City Planner Scott Friend reviewed the staff report entitled Eakin Fence Exception Request - UP2009-01F
2. Open the hearing to the public.
 - a. Proponents. None
 - b. Opponents. None
 - c. Proponents rebuttal. None
 - d. Opponents rebuttal. None
3. Close hearing to the public.
4. Council discussion.

Vice Mayor Crawford asked Scott if a line-of-sight review had been completed. Scott said a formal analysis had not been completed because with the city code, it is never an issue. The concern last month was based on the opinion that it could constitute a hazard based on the fact that there is no deed restriction on the Post Office driveway being a two-way drive. Vice Mayor Crawford asked Scott his feeling on the last section of fence and Scott stated his personal professional opinion was that he would feel more comfortable if the fence was stair stepped, based on the fact that there are no restrictions on the driveway.

Motion/Second to approve the use permit for the Eakin fence based upon attachment D, approval of the Exception, pursuant to section 14.90.060 and approval and Exception pursuant to section 14.90.060 does not grant a special privilege etc, and approval and Exception to the same section would not result in creation of any noise or other impacts to the adjacent properties and that special circumstances exist on the subject property and all included in attachment D.

Vice Mayor Crawford was concerned with the safety zone. He stated in making this exception, part of the consideration in his mind, was the fact that it has to do with adjacent property both commercial and residential, and that should be considered in the future. No changes to the motion.
(Frith/Bottorff, MCU)

B. CDBG Agreement 07-PTAE-3123 Downtown Visual Master Plan Phase 1.

1. Staff comments. Finance Director Deanna Carbajal stated this was a formal action to accept the project in a public hearing.
2. Open the hearing to the public.
 - a. Proponents. None
 - b. Opponents. None
 - c. Proponents rebuttal. None

- d. Opponents rebuttal. None
 3. Close hearing to the public.
 4. Council discussion.
Motion/Second to accept closeout certification of CDBG Grant No. 07-PTAE-3123.
(Bottorff/Frith, MCU)
- C. CDBG Agreement 05-STBG-1376 Westside Storm Drain Project.
1. Staff comments. Pete stated a public hearing has to be held to close the grant.
 2. Open the hearing to the public.
 - a. Proponents. None
 - b. Opponents. None
 - c. Proponents rebuttal. None
 - d. Opponents rebuttal. None
 3. Close hearing to the public.
 4. Council discussion.
Motion/Second to accept the closeout certification of CDBG Grant No. 05-STBG-1376. (Thompson/Bottorff, MCU)

3. DEPARTMENT REPORTS:

A. Planning Department:

1. Informational:
City Planner Scott Friend reviewed the Planning Department Activity Report – September / October 2009 included in the council agenda packet.
2. The September 2009 Code Enforcement Activity Report was presented to council in the agenda packet. Mayor Frith stated there was nothing on the report regarding fence heights. Scott stated he would ask the code enforcement officer about this. Councilor Bottorff asked why addresses were not included on the report and Scott said the city does not make this information public. Vice Mayor Crawford asked City Attorney Greg Einhorn if this should be left as it is or could it be made more public. Greg stated it depends on if the system works better with anonymity or not. Mayor Frith stated Councilor Bottorff had the right to request a list of addresses and Scott agreed to provide it. Councilor Crawford asked to add standards to the report. He wished this report would have been included in the packet.

B. Engineering: Pete presented project updates for California Engineering.

1. USDA Well Rehabilitation Project Update. The public works committee will decide what to do with the water pressure tanks and a recommendation will be made in November.
(Councilor Arnold entered the meeting at 6:37 p.m.)
2. USDA Waterline Project Update – Water Service Puncturing of Sewer Main. The camera inspection work started today and will take four to five days. A breach has already been found in the system. Greg stated the defect would be the responsibility of the surety.
3. Sixth Cycle Safe Routes to School, TEA, Proposition 1B Project Update. Engineers expect this project will be complete next week. Work was done on the punchlist last week. The supervisor on this project will be laid off from the company next week so they want to complete the punchlist before he is gone.
4. Sixth Street Bridge Rehabilitation Update. News is expected this week.

5. North Biggs Estates Update. Nothing to report.

Pete added the Notice of Funding Availability may be out as early as next week for the next round of PTAE applications. Pete recommended grant applications could be completed for the following projects:

- a. Design standards and constructions standards.
- b. Survey markers.
- c. GIS map for water and sewer and integrating it all into one.
- d. Pavement management plan update.
- e. Storm drain master plan update.

The grants could be \$35,000 to \$70,000. Pete asked council to prioritize the suggestions.

Councilor Thompson suggested the design and construction standards be first, then survey markets. Council agreed GIS would be next, then pavement management plans, then the old jail building.

6. Verbal update: Waste Water Treatment Plant Project Application Update. Pete stated Dave Swartz was asking USDA to consider a 70% grant and 30% loan.

4. CONSENT CALENDAR:

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

5. DEPARTMENT REPORTS – continued

C. Public Safety. Nothing to report at this point of the meeting.

D. Public Works. Councilor Arnold was concerned with the patch work that had been completed and the chipping concrete. Vice Mayor Crawford stated the drain on the Bassett property was a tripping hazard and needed to be addressed immediately.

E. Electric. Councilor Bottorff asked why electricity was not sold to Red Top Rice Dryer. Mayor Frith stated they had been approached over the years and Red Top was not interested. Councilor Bottorff felt their objections needed to be overcome.

Pete stated SunWest Milling had been talking about solar, but it is still too expensive.

F. BCAG/Air Quality. Councilor Thompson stated two separate initiatives would have to be passed to ban wood stoves. The governor signed the agreement to allow an alternate city representative for Air Quality. An alternate would need to be appointed at the next council meeting.

G. Solid Waste. Councilor Arnold stated we would not be receiving the recycle grant. The county put the oil recycling station out to bid but the bid was too expensive. Maybe the city public works crew could build this.

H. Flood Control. Councilor Bottorff stated the repairs to the levee would be made from the forebay to Yuba City. The flood insurance cost will be in proportion to the benefit. The final FEMA map should come out in January 2010.

I. Other commission reports. None

J. Finance Department. Activity report – September/August 2009. Deanna said the auditors would be in the office on October 26th and 27th. Mayor Frith questioned if the engineer was requesting and submitting the reimbursement statements in a timely manner.

Deanna did not know what was required of CEC to complete the requests. Mayor Frith felt this was something the city should know and asked that it be researched.

K. City Administrator:

1. Discussion/Action: Pete reviewed the staff report entitled "Responses to Police Contract Request for Proposals". Pete stated the sheriff felt Biggs would receive better service if they stayed with Gridley Police. The City of Gridley made an error by charging Biggs for Gridley's SRO, so Biggs would be refunded \$50,000.

Mary Frith asked if the sheriff would include STARS and Pete said yes.

Carol Arnold stated if the city wanted response, we would need to have the Gridley PD.

Mary Frith asked if the cost to Gridley PD would go up each year. She suggested asking for a 5 year fixed contract.

Councilor Bottorff felt he needed more information before he could make a decision. Mayor Frith suggested having a town hall meeting to gain citizen response on this matter after all of the information had been received.

After much discussion, council agreed they needed more information before they could make a decision.

2. Discussion/Informational:
 - a. Utility rates. Pete stated many of the residents were expressing their concerns to staff about high costs of bills.
 - b. Utility bills and shut offs. Pete presented a shut-off analysis to council.
 - c. Utility deposits. Pete presented a staff report which explained utility deposits. Mayor Frith said the practice of a deposit is not a bad thing, but he felt people who relocate in the city should not have to pay another deposit. He questioned whether there was an equitable process for deposits that was not an undue burden to the citizens.
 - d. School zone safety. Pete met with school principal, SRO and the city engineer about recent school zone safety. The school would like the city to install flashing stop signs at First and C Street, Second and C Street, and Second and B Street. Mayor Frith was concerned with these lights flashing in windows. The school would also like a speed indicator placed at east entrance of B Street. The SRO also asked for flashing 20 mph signs on C Street and Second Street. Mayor Frith felt the school children should be taught about safety and using sidewalks. Pete also asked about adding fixed 20 mph signs on C Street between First and Second Streets. Vice Mayor Crawford suggested adding "When Children are Present" to the sign. Council directed Pete to return with costs of the measures, and inquire about school crossing guards.
 - e. Fire station brownouts. Today was the first day since July that our fire station was closed.
 - f. Former Veteran's Hall. Ownership transferred to the City of Biggs last Friday. The engineering department has come up with some suggested designs for a new city hall. Vice Mayor Crawford said there should be a priority list of what city hall should include. He would like to see the city library included in this building.

- g. Weekly recycle collection. Pete met with regional manager of Waste Management. No proposal received yet.
- h. City Engineering Performance Review. Deferred to November.

6. RESOLUTIONS:

A. *RESOLUTION NO. 2009-31* "A RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH". (Crawford/Bottorff, MCU)

7. **ORDINANCES:** None

8. **INFORMATIONAL:** None

9. **EXECTUIVE SESSION:** Adjourned to Executive Session at 9:02 p.m.

10. **RESUME REGULAR SESSION:** Resumed regular session at 9:42 p.m.

A. No announcement.

B. Organizational Changes

- 1. Discussion/Action: Consider eliminating the consolidated position of retiring City Clerk/Finance Director. Create Finance Director position; approving job description and set pay scale for Finance Director; and appoint Finance Director.

RESOLUTION 2009-32 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS (1) ELIMINATING THE CONSOLIDATED POSITION OF CITY CLERK/FINANCE DIRECTOR; (2) CREATING THE POSITION OF FINANCE DIRECTOR; (3) APPROVING JOB DESCRIPTION FOR FINANCE DIRECTOR; (4) SETTING THE PAY SCALE FOR FINANCE DIRECTOR AND (5) APPOINTING BETH PENNER FINANCE DIRECTOR." (Frith/Crawford, MCU)

- 2. Discussion/Action: Consider creating and approving job description for position of City Clerk.

RESOLUTION NO. 2009-33 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS (1) CREATING THE POSITION OF CITY CLERK; (2) APPROVING JOB DESCRIPTION FOR CITY CLERK; (3) SETTING THE PAY SCALE FOR CITY CLERK; AND (4) APPOINTING ROBEN DEWSNUP TO THE POSITION OF CITY CLERK". (Frith/Bottorff, MCU)

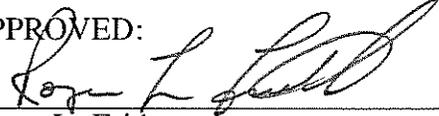
11. **ADJOURNMENT:** Meeting adjourned by mutual consent at 9:49 p.m.

ATTEST:



Roben Dewsnup
City Clerk

APPROVED:



Roger L. Frith
Mayor, City of Biggs