

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 16th DAY OF APRIL 2010, 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
April 19, 2010
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.

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 consideration of the item without interruption.

2. NEW BUSINESS: *Doscher Fence Permit – Review of Options for Issue Resolution*

Applicant is requesting the City allow for the fence to remain in its current location within the right-of-way as currently constructed.

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

Action: Direct Staff

3. PUBLIC HEARINGS:

A. **MODIFICATION OF CONDITIONAL USE PERMIT. *Victorian Rose – 429 B Street.***

A request by property owner Ms. Wanda Nevins to amend condition #2 of the conditions approved as part of the Conditional Use Permit and allow the property owner to utilize existing on-street parking spaces for special events held at the site.

Public Hearing Procedures:

1. Staff comments.
2. Open the hearing to the public.
 - a. Proponents.
 - b. Opponents.
 - c. Proponents rebuttal.
 - d. Opponents rebuttal.
3. Close hearing to the public.
4. Council discussion.

Action: Determine the project is categorically exempt from (CEQA) pursuant to Section 15301 of the Public Resources Code. Approve Resolution by reading of title only.

Next Resolution No. 2010-09

Resolution No. 2010-_____ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT 2005-01 FOR A USE LOCATED AT 429 B Street (APN: 001-091-002) APPLICATION: Conditional Use Permit #2005-01A.”

B. GENERAL PLAN AMENDMENT (GPA 2010-01) CITY OF BIGGS HOUSING ELEMENT 2009-2014.

The Planning Department requests that the City Council review, take public input and consider the draft City of Biggs Housing Element 2009-2014 (*GPA2010-01*) prior to the scheduled adoption of the Housing Element at a special meeting of the City Council scheduled for May 3, 2010, at 6 p.m.

Public Hearing Procedures:

1. Staff comments.
2. Open the hearing to the public.
 - a. Proponents.
 - b. Opponents.
 - c. Proponents rebuttal.
 - d. Opponents rebuttal.
3. Keep public hearing open.
4. Council discussion.

Action: Continue the public hearing to the special meeting of May 3, 2010, at 6 p.m.

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meetings of January 25, 2010, February 22, 2010 and March 15, 2010 and Special Meeting of March 25, 2010.
- B. Approval of warrants: #24287 - 24369; #7627 - #7647; Z00266 - Z00279 for month of March 2010 in the amount of \$554,342.10
- C. Acknowledge receipt of Bank Reconciliation & General Ledger Reconciliation for months ending February 28, 2010 and March 31, 2010.
- D. Acknowledge receipt of Month in Review and Monthly Council Report for March 2010 and Traffic Summary for March 2010 from Police Chief Gary D. Keeler.
- E. Acknowledge receipt from Gridley-Biggs Animal Control Officer, Amy Egan, of Monthly Report for March 2010.
- F. Acknowledge Biggs Fire Department Report on Conditions for January, February, & March 2010.
- G. Approve amendment #1 to the previously adopted Planning Agreement thereby reaffirming the participation of the City of Biggs in the process to prepare the Butte Regional Habitat Conservation Plan / Natural Community Conservation Plan and authorize the Mayor to sign the agreement on behalf of the City.
- H. Approve Resolution for last month's acceptance of Fiscal Year 09/10 Fire Protection Services Annual Agreement. (Agreement previously sent through email 3/11/10)
- I. Approve the employment agreement amendment for City Administrator per Council action 3-15-10.
- J. Ratify/Approve Proclamation recognizing Assistant Chief Brian Cook for his years of service to the citizens of the City of Biggs.

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

5. DEPARTMENT REPORTS: *Planning and Engineering*

A. Planning:

1. **Informational:** *Department Activity Report – March 2010 / April 2010.*
2. **Discussion/Action:** *Great Valley Center Urban Greening Planning Grant Application.*

The Great Valley Center Energy Program has request the City of Biggs join in partnership with the cities of Gridley and Live Oak to participate in a grant application or development of a “generic” Urban Greening Plan.

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

Action: If appropriate, move to adopt resolution by reading of title only.

Resolution No. 2010- “ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING PLANNING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)”.

3. **Informational:** *Code Enforcement Activity Report: March 2010 - Present*

B. Engineering:

1. Activity Report.
2. Project Updates:
 - a. USDA Sewer Line Repair Project
 - b. City of Biggs Roadway Rehabilitation Project
 - c. Hydro-Pneumatic Tank Project
 - d. Sixth Street Bridge Rehabilitation
3. **Discussion/Action:** Transportation Enhancement and 6th Cycle Safe Routes to School Projects Closeout (Sierra Nevada Construction)
 - a. Staff comments.
 - b. Public comments.
 - c. Council discussion

Action: If appropriate, move to accept completion of the TE (RPL-5128(009)) and 6th Cycle SRTS (SR2SL-5128(006)) Projects.

Resolution No. 2010- “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ACCEPTING COMPLETION OF THE TE AND 6TH CYCLE SAFE ROUTES TO SCHOOL PROJECT, STATE TE PROJECT NUMBER RPL-5128(009) AND STATE 6TH CYCLE SRTS PROJECT NUMBER SR2SL-5128(006).”

- C. Flood Control – Verbal update. (M. Bottorff)
- D. Public Safety – Verbal update. (R. Frith)
- E. Public Works – Verbal update. (R. Frith and D. Arnold)

