

Call To Order

The regular council meeting was called to order at 6:03 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 Engineer Dave Swartz, Finance Director Beth Penner and City Clerk Roben Dewsnup.

1. **COMMUNITY PARTICIPATION:** None

2. **POLICE SERVICES CONTRACT:** City Administrator Pete Carr distributed to council the draft cover letter from Gridley to Biggs to go with the contract amendment and the amendment itself. Since council last met on February 8, 2010, there had not been any substantive change. The contract is for two years only. After the first three months the rate becomes flexible. The rate Gridley would charge Biggs is 7.526% of whatever Gridley's cost of their police department is. After 24 months, Biggs would be obligated to go back to the original formula on a percentage of population share. We are looking for the right level of police services delivered for our city at the cost of what it takes to deliver those services. There would be no parking enforcement.

Mr. Carr said if the council would consider contracting with the Butte County Sheriff it would include the CHP and hiring a Community Services Officer (CSO). Biggs would need to give Gridley a 180 day notice if the Sheriff was chosen. The Sheriff is not as well staffed and would have slower response time. The Sheriff would hire an additional officer for South Butte County. The CHP's rate is \$84 an hour with a four hour minimum. The city could contract four hour blocks at a time. Four hours a day would cost \$123,000 per year. A CSO would need to be hired and trained at a cost of \$80,000 for the first year and \$60,000 each year after.

Mr. Carr reminded council if Biggs continued service with Gridley, cost would go back to the original contract cost in twenty-four months. The City would need to cut items in the budget to make up the difference between the Sheriff's cost and Gridley's cost. One-half of the city staff could be cut, a parcel tax could be implemented, increase electric rates by 14% or add a sales tax.

The options are to accept the contract with Gridley knowing the price will go up and negotiate with the Sheriff, or accept the Sheriff's price at this point and give Gridley a 180 day notice.

Mr. Carr reviewed costs over a four year period using the different options. If no change was made, the City would spend \$2.6 million assuming Gridley's price stays the same. If the City chooses the new Gridley price knowing the price goes back in 24 months, the cost would be \$500,000 less than the \$2.6 million. The Sheriff's proposal with CHP for four hours a day would be just under \$2 million.

Mayor Frith asked for public comment and there was no response.

Mayor Frith reviewed a meeting held with the Gridley mayor and Gridley and Biggs city administrators. He said the meeting was informative. The Gridley City Council directed their city administrator to offer the reduction on a one time basis. Mayor Frith wanted to be sure what was listed in the body of the contract was actually the intent.

Councilor Bottorff asked if the Sheriff Department price would stay the same after two years and Mr. Carr said if their cost of serving Biggs increased, it would be passed on to the city.

Councilor Arnold asked if parking citation would come back after two years and Mr. Carr said no.

Vice Mayor Crawford said there is a balance between budget and public safety and we are \$1,000 negative daily in our budget right now which is primarily the difference between what a comparable police service should be. The discussion is not about the quality of service but the economic situation in Biggs. Vice Mayor Crawford preferred to stay with Gridley but felt obligated to balance the Biggs city budget.

Councilor Thompson wanted to continue with Gridley PD, but the Sheriff had a better deal to fit with the budget. She did not like the idea of making this change without public input, but the public does not show up to council meetings. She wondered if Biggs should continue with Gridley for the two year period and give the public the option choose if they wanted to stay with Gridley or go with the Sheriff, but she was not sure how to get the public to respond. At this point it might be a better choice to go with the Sheriff Department.

Mayor Frith stated there has been a lack of public comment since 2007 in regards to this issue. Public meetings and city wide calls did not bring the public out for response. We cannot stabilize our costs with an open ended inflationary cost factor. Gridley stated their proposal does cover their costs. There is a fundamental difference in perception between the two cities.

Councilor Arnold stated one way to fund the Gridley PD would be with a parcel tax and he did not believe a tax increase would pass. He did not feel Biggs should stay with Gridley PD.

Mr. Carr stated animal control costs were not included. If we go with the Sheriff we would have to use the county animal control. We could survey members of the city quickly, but we could not educate them adequately. Councilor Thompson asked if the city could do a telephone poll. Mr. Carr said it could be done, but citizens would not have all of the information. He informed council if the Sheriff CHP CSO option was chosen, part of the CSO's responsibility would overlap our current code enforcement position. The current code enforcement position would go to part time or would be eliminated; this would be a \$30,000 to \$60,000 offset that was not reflected.

Councilor Thompson asked if the code enforcement officer was promoted, could the other responsibilities be allocated to office staff and Mr. Carr said that would be a possibility but not necessarily. He had not done an analysis on this.

Mr. Carr stated a Sheriff substation would be provided.

Motion to direct the city administrator to finalize the negotiations to secure a contract with the Sheriff, notify Gridley of our intent not to move forward on their contract, work with the CHP as part of the proposal, and prepare for a Community Services Officer. (Councilor Bottorff withdraws motion)

Motion/Second to authorize the city administrator to notify Gridley that our intent is to go with the Sheriff's Department/CHP and finish the final negotiations with the Sheriff and CHP, structurally put together a package for the animal control and also prepare for a Community Service Officer and the direction for what any staff changes or modifications that relate to this decision. (Councilor Arnold asked if the CHP was for eight hours a week or four hours a day. City Attorney Greg Einhorn said that is something that would not have to be decided now. Mr. Carr said he had a verbal acknowledgement of a rate; he did not have it in writing. He would bring this back to council. Councilor Thompson acknowledged council would not be polling the public. Mayor Frith said since we were dealing with two years on the Sheriff option, we could do a poll at the end of that two years so the public

would have a comparison of the Sheriff and the Gridley PD. It all comes down to cost and whether the services are adequate for the citizens. Councilor Thompson confirmed that a poll would be taken at the end of two years after switching to the Sheriff.)
(Crawford/Bottorff, MCU)

Mayor Frith stated this was a difficult process and did not want to damage the relationship with Gridley. They made significant changes to the way they were doing things and they did not have to.

- 3. WATER UTILITY REPORT:** Mr. Carr reported on the City's first 12-month experience with consumption-based billing and reviewed the staff report in the agenda packet. He pointed out the average consumption of metered customers is 2263 cubic feet per month but we don't know what the consumption was for non-metered customers. Metered customers paid 11% more than non-metered customers. The City was covering their costs and meeting revenue requirements this year. However, there is now instability of revenue because all of the residents are not paying a flat rate.

City Engineer Dave Swartz explained how the 1250 allotment was decided. He said this was approached from three directions: Paying back the loan, water ratio use consumption and three years of audited budgets. These were all balanced out with the goal of servicing the loan.

Mr. Carr said if the allotment is raised, the rates would have to be adjusted, as the city still needs to meet its revenue requirement.

Vice Mayor Crawford pointed out the average use in the summer months is 3605 and he did not feel the 1250 allotment was realistic.

Mayor Frith suggested council look at the information provided and discuss it again at a later date. He would like to obtain the information from Mr. Swartz regarding the original discussions or allocations.

Resident Mary Frith asked if a credit could be given to those residents who do not use the total allotted amount of water.

Vice Mayor Crawford was concerned this approach could be a negative in meeting the city's obligations.

Mr. Carr said the city could comfortably change out about 4 meters a month at its own expense but this would take about 63 months to complete this project.

Mr. Swartz said the city should focus on grants for funding. He would give Mr. Carr a report on the sources he was looking into.

- 4. CONSENT CALENDAR:** Councilor Thompson asked to pull item G from the consent agenda.

Motion/Second to accept the consent calendar with the exception of item G. (Bottorff, Thompson, MCU)

Mr. Carr referred to item G and recommended waiving payment of back charges on unpaid Little League bills but start now with billing and move forward. On page 50 in the agenda was a draft agreement and there was a change that should be made to that. Under the heading "Softball Field", it should read "Softball Field and District Office Field" and the billing period will begin January 16, 2010.

Motion/Second to approve the new MOU provided by Biggs/Richvale Little League and waive the prior fees and start forward with the January 16, 2010 bill and direct the city administrator to execute this. (Thompson/Arnold, MCU)

5. DEPARTMENT REPORTS

B. Engineering:

1. Activity Report: Mr. Swartz added they had a site plan review for Rufus Casey.
2. Project Updates: Mr. Swartz referred to the project update report and asked for any questions regarding the projects.
 - a. USDA Sewer Line Repair Project. Mayor Frith asked if all of the penetrations on the sewer line repair had been taken care of. Mr. Carr said the known penetrations had been repaired but we still needed additional camera inspections.
 - b. City of Biggs Roadway Rehabilitation Project
 - c. Hydro-Pneumatic Tank Project
 - d. Sixth Street Bridge Rehabilitation
3. Vet's Hall Funding Application. Mr. Swartz said in order to prepare a pre-application, a funding amount must be provided. The only way USDA will accept the amount is by the appraised value. An appraiser will need to be hired to provide a pre and post-net worth of the building. USDA will loan up to 100% of the post-construction appraised amount. Mr. Swartz received a fee proposal for \$6,000. An archeological report would also be needed for the pre-application and Mr. Swartz received a cost proposal from Peter Jensen for an amount not to exceed \$3,000. Staff would continue to seek competitive appraisal bids.

Motion/Second to authorize staff to proceed with the appraisal and archeological report for the Vet's Hall Funding Application. (Frith/Bottorff, MCU)

4. WWTP Funding Application. Mr. Swartz said the application had been submitted to USDA and engineers were working to solve the environmental concerns.
5. Pedestrian/Bikeway TEA and 4th Cycle SRTS Project Closeout. Mr. Swartz stated the purpose of the resolution was to receive reimbursement payments from CalTrans for retention amounts of \$32,201.40.

Resolution No. 2010-04 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ACCEPTING COMPLETION OF THE PEDESTRIAN/BIKEWAY TEA AND 4TH CYCLE SAFE ROUTES TO SCHOOL PROJECT, STATE TEA PROJECT NUMBER RPSTPLE-5128(004) AND STATE 4TH CYCLE SRTS PROJECT NUMBER SRTSL-5128(005)."
(Frith/Thompson, MCU)

A. Planning:

1. Informational: Mr. Carr reviewed the Department Activity Report – January 2010 / February 2010 included in the agenda packet.

Second Reading and Adoption *Ordinance No. 386 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING TITLE 14 ZONING OF THE MUNICIPAL CODE TO PREZONE ASSOSSOR PARCEL NUMBER 022-320-022 TO THE P-Q PUBLIC/QUASI-PUBLIC ZONE DISTRICT IN*

**ANTICIPATION OF THE ANNEXATION OF THE SUBJECT PROPERTY TO
THE CITY OF BIGGS.” (Frith/Bottorff, MCU)**

2. Code Enforcement Activity Report: January 2010 - Present. Mr. Carr stated the property that was dealt with at the last council meeting was in the process of abatement.
- C. Flood Control: Councilor Bottorff stated there would be a meeting on Wednesday. The assessment amount is still being finalized.
- D. Public Safety. Nothing to report.
- E. Public Works. Nothing new to report.
- F. Electric. Nothing new to report.
- G. BCAG/Air Quality. Councilor Thompson would not be able to attend the Air Quality meeting and BCAG meeting was on Thursday.
- H. Solid Waste. Nothing to report.
- I. Other commission reports. Nothing to report.
- J. Finance Department Report – January 2010/February 2010. Director of Finance Beth Penner received the draft audit and was making corrections.

Mr. Carr asked if council would like the auditors to come and make a presentation and Mayor Frith said not until after they have had a chance to look at the written report.

- K. City Administrator.
 1. Mr. Carr discussed RDA/economic development follow-up.
 2. LEC Decision Progress. Mr. Carr said in the next month council must decide whether to stay in the LEC or withdraw.
 3. Mr. Carr said the city normally pays for one person to attend the NCPA Washington DC trip and NCPA pays for Mayor Frith to attend. The question is whether to send the extra person or not. The cost to the city would be \$1,100 to \$2,800. The consensus was to not send an extra person to the NCPA event in Washington DC.
 4. Streetlight Project Resolution. Mr. Carr stated it needed to be determined where the replacement lights should be placed.

Resolution 2010-05 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING THE NORTHERN CALIFORNIA POWER AGENCY TO SERVE AS DESIGNATED REPRESENTATIVE FOR FUNDING UNDER THE CALIFORNIA ENERGY COMMISSION’S ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM.”
(Crawford/Frith, MCU)

5. Crosswalk Safety Measures. Mr. Carr reviewed 14 proposed crosswalk locations. Vice Mayor Crawford disagreed with placing crosswalks only where ADA ramps are located. The need of a crosswalk outweighs whether there is a ramp or not.

Motion/Second to direct staff to map out the streets that are freshly paved and contract for thermoplastic crosswalks. Where the streets are not freshly paved, have in house Public Works paints the crosswalks.

Mayor Frith stated there were two things built into this one item. 1. Giving direction for policy. 2. Specifically for the project.

Councilor Thompson said her motion was for the project.

Mayor Frith stated the piece for the policy is that the city does not use ADA ramps as criteria for a crosswalk. (Thompson/Frith, MCU)

6. **EXECUTIVE SESSION:** Conference with Contract Negotiator – Gridley Biggs Police Contract. Council chose not to hold a closed session.

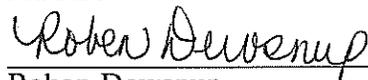
Mr. Carr presented a draft press release and stated the intent was to make the public aware of the decision made by council.

7. **RESUME SPECIAL REGULAR MEETING:**

8. **INFORMATIONAL:** Mr. Carr showed a picture of a chair that could ordered for council chambers.

9. **ADJOURNMENT:** Meeting adjourned by mutual consent at 9:28 p.m.

ATTEST:



Roben Dewsnup
CITY CLERK

APPROVED:



Roger L. Frith
MAYOR, CITY OF BIGGS