

Call To Order

The regular council meeting was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Thompson and Councilmembers Bottorff and Sheppard were present. Councilmember Arnold was absent. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend, City Engineer Dave Swartz and City Clerk Roben Dewsnup.

1. **COMMUNITY PARTICIPATION:** None.
2. **PUBLIC HEARING:** *Home Occupation Permit (Major) for a proposed massage therapy business to be located at 2982 Eleventh Street (APN 001-186-008).*

- A. Staff Comments. City Planner Scott Friend stated the city received a request from Carla Struble seeking a Major Home Occupation Permit to establish a massage therapy business in an existing single family residence located at 2982 Eleventh Street. Most of the business would be located offsite at client locations. Onsite visits would be limited to Monday, Wednesday and Friday between 8 a.m. and 4 p.m. There would be no employees and the business would cover less than 30% of the gross floor space. Mr. Friend noted the conditions of approval, the findings and the resolution found in the agenda packet.
- B. Mayor Frith opened the hearing to the public.
 1. Proponents. Carla Struble thanked Mr. Friend for his help and stated she would like to have clients come to her home but no business after 4 p.m. or on the weekends.
 2. Opponents. None
- C. Close hearing to the public.
- D. Council discussion.

Mayor Frith asked if the neighbors in the area had been noticed and Mr. Friend stated all properties within 300 feet had received written notice and a notice had been published in the newspaper. He had received no input.

Councilmember Bottorff would refrain from comment and would abstain from voting because he knew the applicant.

Motion/Second that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the Public Resources Code. (Thompson/Sheppard, MC; Abstain: Bottorff; Absent: Arnold)

Resolution 2011-08 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING A MAJOR HOME OCCUPATION PERMIT AT 2982 ELEVENTH STREET (APN 001-186-008) TO PERMIT THE USE OF A PORTION OF THE EXISTING DWELLING AS A HOME BASED MASSAGE THERAPY STUDIO." Mayor Frith asked that the existing business licenses be copied. Ms. Stuble stated she had a business license with the City of Gridley and a certificate verifying 300 hours of service. She intended to get a license through Butte County but changed her mind due to rising gas prices. (Thompson/Sheppard, MC; Abstain: Bottorff; Absent: Arnold)

3. **CONSENT CALENDAR:**
 - A. Approval of Council Minutes for Regular Meeting of March 21, 2011.
 - B. Approval of warrants: #25140 - 25228; #7890-7912; Z00435 - Z00447 for month of March 2011 in the amount of \$388,435.55.
 - C. Acknowledge correspondence from Housing Authority of the County of Butte.
 - D. Acknowledge receipt of Accountant's recap of discretionary funds as of December 31, 2010.

- E. Acknowledge receipt of Police Department Report for March 2011.
- F. Acknowledge receipt of Gridley-Biggs Animal Control Officer Report for March 2011.
- G. Acknowledge receipt of Biggs Fire Department Report for March 2011.
- H. Second Reading and Adoption of Ordinance No. 391 by reading of title only **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS ADDING CHAPTER 8.50 TO THE BIGGS MUNICIPAL CODE (TRUCK ROUTES) AND DELETING PORTIONS OF CHAPTER 8.35”**.
- I. Approve NCPA Documents required as part of Turlock Irrigation District (TID) Settlement and authorize city administrator to execute on behalf of Biggs.
- J. *Adopt Resolution No. 2011-09*, **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING EXECUTION OF THE NATURAL GAS PROGRAM AGREEMENT”**.
- K. *Adopt Resolution No. 2011-10*, **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS RELATING TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES’ EARLY IMPLEMENTATION GRANT FUNDING PROGRAM – AS A FORMAL ACKNOWLEDGMENT OF THE CURRENT LEVEL OF FLOOD RISK WITHIN THE CITY OF BIGGS”**.

Mayor Frith asked to pull item K from the consent calendar.

Motion/Second to approve the consent calendar minus item K. (Thompson/Bottorff, MCU; Absent: Arnold)

Mayor Frith was concerned with the language embedded in the resolution, specifically the statement saying the levee no longer meets the 100 year level. He would like more input and discussion on this subject.

City Attorney was concerned with saying something that is inconsistent with previous reports to FEMA. He suggested pulling this item from the agenda for now.

Council agreed to pull the item, re-write and bring back at the next meeting and do not include in the consent calendar.

4. DEPARTMENT REPORTS:

A. Planning:

Informational: City Planner Scott Friend reviewed the Department Activity Report – March 2011 / April 2011 included in the agenda packet.

1. Code Enforcement Disclosure and Report. Mr. Friend stated at the March 21, 2011 meeting, council requested that staff discuss the City’s current code enforcement information disclosure protocols at the April meeting. He provided a summary sheet of code enforcement violation cases which included names, addresses and violation.

There had been a concern in the past about disclosing names of those making complaints for fear of retribution. Mr. Friend acknowledged that the code enforcement program had evolved and matured and staff was much more aggressive with code enforcement now.

Resident Mary Frith asked that the names of those making complaints be keep anonymous.

Resident John Bush stated if code enforcement is a force of law, it would be required to know who the accusers are.

City Attorney Greg Einhorn said if the case were based solely on what an informant had said and it was not known to the public then it would require exposure.

Mr. Friend agreed very strongly to not reveal who makes a complaint.

Vice Mayor Thompson stated concern about placing the names of violators on the website. Councilmembers Bottorff and Sheppard felt the names should be left on the report to add accountability. Mayor Frith agreed. Mr. Friend would continue this method and make changes if needed.

2. Planting/Landscaping in Planting Strips and City Rights-of-Way. Mr. Friend asked for direction on how staff should work with landowners adjacent to planting or mow-strips when disagreement exists on the type of landscaping in planting strips and/or adjacent property owners are unwilling to maintain or replant planting strip landscaping.

Resident John Busch stated he had asked permission to remove the trees in his planting strip due to allergies and intended to replace the trees with something. The city has an ordinance that requires maintenance of the planting strips. He viewed forced maintenance as a tax and felt it was an illegal tax because 2/3 of the population did not vote for this. If he had to plant trees in his planting strip, he wanted to see a tree in every planting strip and he would like to choose the trees.

Mr. Einhorn stated statutory authority for this ordinance comes from state and highways code. He did not believe it was a tax; it was not imposing money. It was a regulation.

Council agreed to continue with requiring trees to be replanted when they have been removed.

Mayor Frith asked Mr. and Mrs. Busch to choose a tree they would like to plant and come back to the city with their choice and replant the tree. Mrs. Busch agreed.

- B. Engineering: City Engineer Dave Swartz reviewed the activity report and project update staff report included in the agenda packet.
- C. Public Safety. Assistant Police Chief Dean Price reported the dispatcher of the year was Stephanie Ricard and the deputy of the year was Scott Olsgard. The police department received a 14 month old German Sheppard dog and Joel Bassett had been hired as a new officer.
- D. Flood Control. Councilmember Bottorff reviewed the presentation given at the Sutter Butte Food Control meeting. The city still needed a citizen representative.
- E. Public Works. Mayor Frith stated rights-of-way and set back issues had been discussed at the public works committee meeting. The manganese issue at the well and telemetry were also discussed at the meeting.
- F. Electric. Mr. Carr stated there was no need for an electric rate increase this year.

- G. BCAG/Air Quality. Vice Mayor Thompson stated financial information had been approved at the BCAG meeting.
- H. Solid Waste. No report
- I. Other commission reports. Councilmember Sheppard attended the Mosquito Abatement Meeting and gave a brief report.
- J. City Administrator. Mr. Carr
1. Federal and State Budget Issues. Mr. Carr stated CDBG Funding would be decreasing 10%. Gas tax funding appeared stable but the COPs funding would end on June 30, 2011.
 2. Engineering RFQ Update. Mr. Carr stated seven responses had been received. He had reviewed all of the proposals. Council agreed to form a committee to review the proposals and gave the mayor the authority to choose the members.
 3. Financial Auditor RFP. Mr. Carr presented a draft Auditor RFP to council and a draft list of CPA firms to solicit.

Motion/Second to approve the auditor RFP as presented and direct staff to issue it. (Frith/Thompson, MCU; Absent: Arnold)

4. Request for Appropriation – City Accounting Services.

Motion/Second to approve the additional appropriation of \$3,000 for the city accounting services. (Thompson/Bottorff, MCU; Absent: Arnold)

5. No-Parking Identification for Curbs at Intersections Near Schools. Mr. Carr asked council to consider the value of, and issues with, painting curbs red at intersection in school zones to stop residents from parking in the crosswalks. Chief Price stated he would address this issue. Council agreed to let police enforcement take care of the problem.
6. Community Broadcast Opportunity. Mr. Carr referred to the staff report and informed council the cost to the city would be less than \$2,000 for equipment. Resident Chris Swanson said the equipment did not cost a lot but if residents wanted to see what was happening in the city, they could come to the meeting.

Mayor Frith suggested getting an actual cost of the equipment. Mr. Carr would look further into this matter.

7. CDBG PTA Grant Applications. Mr. Carr asked council if they would like to apply for grant, which grants to apply for and which vendor should the city use to write the grants.

Motion/Second to apply for the Alternative Energy Park Plan, Master Plan Updates and Groundwater Mitigation Plan and the Target Income Group grants as per the city administrator and engineer recommendation. (Thompson/Sheppard, MCU; Absent: Arnold)

8. City Administrator Compensation. Mayor Frith asked what the city administrator's full salary was and Mr. Carr said it was \$88,416.

Motion/Second to continue with the city administrator's contract, increase his salary to \$89,297 annually, reimburse PDA expenses and approve one additional week of management leave for the current year. (Thompson/Frith, MCU; Absent: Arnold)

5. INFORMATIONAL:

- 6. EXECUTIVE SESSION:** Council adjourned to executive session at 9:40 p.m.

Pursuant to Government Code §54957.6 Conference with Labor Negotiators.
Designated Negotiators: Pete Carr; Greg Einhorn
Contractor: City of Gridley/Police Services Contract

- 7. RESUME REGULAR MEETING:** Council resumed the regular council meeting at 10:20 p.m. No announcement.

- 8. ADJOURNMENT:** Meeting was adjourned at 10:20 p.m.

ATTEST:

APPROVED:

Roben Dewsnap, CITY CLERK

Roger L. Frith, MAYOR

Call To Order

The regular council meeting was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Thompson and Councilmembers Arnold, Bottorff and Sheppard were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend and City Clerk Roben Dewsnp.

1. COMMUNITY PARTICIPATION: None.

2. CONSENT CALENDAR:

- A. Approval of Council Minutes for Special Meeting of April 18, 2011.
- B. Approval of warrants: #25229 - 25289; #7913-7933; Z00448 - Z00462 for month of April 2011 in the amount of \$341,988.29.
- C. Acknowledge receipt of Accountant's recap of discretionary funds and monthly cash and investment report as of March 31, 2011.
- D. Acknowledge memo from fire chief concerning dispatch costs.
- E. Acknowledge receipt of Police Department Report for April 2011.
- F. Acknowledge receipt of Gridley-Biggs Animal Control Officer Report for April 2011.
- G. Acknowledge receipt of Biggs Fire Department Report for April 2011.
- H. Second Reading and Adoption of *ORDINANCE NO. 392* by reading of title only "AN **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING CHAPTER 10.10 OF THE BIGGS MUNICIPAL CODE (CITY WATER SYSTEM) TO INCREASE WATER SERVICE RATES.**"
- I. Approve *RESOLUTION NO. 2011-11* by reading of title only, "A **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING TECHNICAL ASSISTANCE ALLOCATION OF THE STATE CDBG PROGRAM.**"
- J. Approve *RESOLUTION NO. 2011-12* by reading of title only, "A **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING TECHNICAL ASSISTANCE ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**"

Mayor Frith noted that before the meeting, he pointed out typographical errors in Resolutions No. 2011-11 and 2011-12 in reference to county.

Motion/Second to accept the consent calendar as is with corrections noted.
(Thompson/Bottorff, MCU)

4. DEPARTMENT REPORTS:

A. Planning:

1. Informational: City Planner Scott Friend reviewed the Department Activity Report – April 2011 / May 2011 included in the agenda packet. Mr. Friend stated he had received inquiries about local food vending carts. The City of Biggs municipal code requires that the vendor be affiliated with a local operation. Mr. Friend had been asked about a controlled ordinance for a massage therapy business. He stated the city could adopt an ordinance which specifies what can and cannot be done in the city. The annual weed abatement process had begun.

2. Mr. Friend presented the City of Biggs Area Bicycle Transportation Update. The city is required to adopt a plan every five years to be eligible to apply for grants and to receive funds from the Bicycle Transportation Account. This plan would be brought back for adoption in June.

Councilmember Sheppard noted the number of police officers listed in the plan was incorrect. Mayor Frith asked council to contact Mr. Friend or Mr. Carr with comments.

B. Engineering:

1. Mr. Carr reviewed the activity report and project update staff report included in the agenda packet.
2. Mr. Carr stated a memo had been prepared by the engineer presenting the C Street well manganese treatment and other options. Mayor Frith stated he would like to see what can be done to make the water potable when funds are available.
3. Mr. Carr stated the engineer was requesting approval of the 2011 Federal Cycle 3 Safe Routes to School application. The plan would go to the public works committee and they could choose the most competitive project that would help the city the most. There is a July due date for this application. Mayor Frith stated no action would be taken tonight and suggested bringing this item back in June to decide.

C. Public Safety. Mayor Frith stated he, Mr. Carr and Councilmember Sheppard met with Assistant Chief Price. Nothing new to report.

D. Flood Control. Nothing to report.

E. Public Works. Nothing to report.

F. Electric. Mayor Frith reported on his recent Washington D.C. trip. The key items discussed were the budget, an 80% clean energy standard that should be met by 2030 and cyber security.

G. BCAG/Air Quality. Nothing new to report.

H. Solid Waste. Nothing to report.

I. Other commission reports. Councilmember Sheppard stated the mosquito aerial surveillance abatement has been completed and notices would be sent out.

J. City Administrator.

1. Mr. Carr was seeking council direction on the use of the annual \$5000 Recycling Grant. He had received a request from BCAV for custom tree well enclosures at a cost of \$3,000 to \$4,000. City hall staff had requested to replace the bulletin board at the post office at a cost of \$1600.

Mayor Frith stated there was a certain amount of flexibility in the cost for BCAV and suggested fully funding the bulletin board and BCAV could use the remainder.

Motion/Second to approve the use of the FY11 Beverage Container Grant to purchase the bulletin board at the post office, with the cost being fully funded, and using the

remainder to purchase materials for the downtown streetscapes.
(Thompson/Sheppard, MCU)

2. Mr. Carr led a discussion on the Fiscal Year 11-12 Budget. He handed draft 3 of the budget to council. The May 2nd workshop resulted in the following changes to the budget:
 - The engineer budget was reduced to \$36k.
 - The planner budget was reduced to \$34k.
 - The attorney remains at \$45k.
 - The CPA remains at \$21k.
 - The general plan update remained at \$75k. Council was still discussing.

Other changes included:

- Sewer bond fund has been set up to reserve against bond debt of \$4k.
- The certificate recognition program was added.
- Transfers to special reserves have not been designated.
- Required intrafund transfers are programmed in this budget.
- Added \$13,800 for ECIVIS grant research tool. The software is \$3,000 and \$10,800 for the writing of three grants. Council agreed on the \$3,000 only.
- Gridley-Biggs Electric asked for \$8,100 for supplies and \$4,000 to install LED street lamps.

Mayor Frith would discuss the engineer and planner budget with Mr. Carr later.

4. **INFORMATIONAL:** None

5. **EXECUTIVE SESSION:** Council adjourned to executive session at 7:39 p.m.

A. Pursuant to Government Code §54957.6 Conference with Labor Negotiators.
Designated Negotiators: Pete Carr; Greg Einhorn
Contractor: City of Gridley/Police Services Contract

B. Pursuant to Government Code §54957 Public Employment: Appointment
Title: City Engineer

6. **RESUME REGULAR MEETING:** Council resumed the regular council meeting at 8:28 p.m. No announcement.

7. **ADJOURNMENT:** Meeting was adjourned at 8:28 p.m.

ATTEST:

APPROVED:

Roben Dewsnup, CITY CLERK

Roger L. Frith, MAYOR

1. Call To Order:

The special meeting of the Biggs City Council was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Thompson and Councilmembers Arnold, Bottorff and Sheppard were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Engineer Dave Swartz and City Clerk Roben Dewsnap.

2. PUBLIC HEARING: *Water Service Rates Adjustment.*

- A. Staff Comments. City Administrator Pete Carr reviewed the staff report and stated the introduction and first reading of Ordinance No. 392 would put into effect the rate adjustment council agreed upon in February. Proposition 218 requires a 45 day notice and an opportunity to submit protests.
- B. Mayor Frith opened the hearing to the public. No public comments.
- C. Mayor Frith closed the hearing to the public.
- D. Council Discussion. Vice Mayor Thompson asked how many protest letters were received. City Clerk Roben Dewsnap stated seven valid and two non-valid letters were received.

City Attorney Greg Einhorn stated because the number of letters was so far below 50 percent, the protest letters did not need to be validated.

Councilmember Arnold stated his desire would be to split the water rate increase over the next three years.

Councilmember Sheppard asked if the meters had been installed at SunWest Mill. Mr. Carr said the meters were on order. Mayor Frith asked for a follow-up about the meters before the next meeting.

First Reading and Introduction **ORDINANCE 392 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING CHAPTER 10.10 OF THE BIGGS MUNICIPAL CODE (CITY WATER SYSTEM) TO INCREASE WATER SERVICE RATES.”** (Frith/Thompson, MCU)

Mayor Frith asked to track the revenues from the rate increase and evaluate in six months.

- 3. RESOLUTION:** Mr. Carr stated all of the Sutter Butte Flood Control Agency Members were asked to pass a resolution recognizing their flood risk due to inadequate levees. This resolution is needed by the agency in order to seek federal financing for the levee repair project. Mr. Carr reminded council this resolution had been introduced at the April 2011 City Council Meeting and council was concerned with some of the statements made in the resolution. Mr. Einhorn worked with the agency to re-write the resolution.

RESOLUTION NO. 2011-10 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS RELATING TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES’ EARLY IMPLEMENTATION GRANT FUNDING PROGRAM – AS A FORMAL ACKNOWLEDGMENT OF THE CURRENT LEVEL OF FLOOD RISK WITHIN THE CITY OF BIGGS.” (Thompson/Bottorff, MCU)

The city attorney and engineer were excused at 6:23 p.m.

4. STUDY SESSION: Mr. Carr presented an overview of significant considerations for the FY12 budget:

- City continues to provide all basic and desired services.
- General economy is preventing growth and development, deflating property values and making it more difficult to maintain neighborhood aesthetics
- City has recovered much of its lost ground in reserves.
- City is barely breaking even on solid waste utility, is in process of correcting in-red water utility operation, and is facing large cost increases for sewer utility which is already slightly red. Water and sewer rates have been stable for five years, solid waste two years.
- Electric rates are stable.
- Law enforcement costs reduced by 42% last year and will likely increase 3-6% per year due to additional police department staffing and fuel costs.

Resident Jon Crawford stated his concerns about the police contract and felt the city should draw the line and set standards for this contract.

Mr. Carr discussed differences in this year's budget process.

- All FY10 data is complete and tied out to audited financials and MOM system.
- FY11 projection data is more accurate with quarterly postings of allocation, tied to MOM.
- Multiple intra-fund transfers were approved and implemented to zero-out obsolete funds.
- California Independent System Operator security reserve funds for Biggs are now shown on summary pages.
- Staff accounting skills have leap-stepped.

Mr. Carr outlined assumptions for FY12 budget.

- Electric costs would remain stable.
- Water rates would be adjusted resulting in \$25,000 increase in water operating, \$66,000 to water improvement/debt service funds.
- Sewer utility should remain stable.
- Solid waste fund assumes 3% cost increase for contract January 2012.
- The employee out at this time will be back at 25 hours a week. Contract professionals are started closer to where they ended this year and last year.

Mayor Frith stated his concerns about starting at a high point for contract professionals. He would like to start at a more conservative number and then authorize additional work as needed. Vice Mayor Thompson didn't feel it would make sense to budget low when it was known the professional costs would be higher. After much discussion, council agreed to budget low for professional services.

- Public works staffing will continue as is.
- Assumed that health insurance costs will rise 10%. City administrator is working to reduce costs by shopping for carriers and plan this spring/summer.
- General Plan Update project would continue at measured pace. Council could not agree whether to continue this project or not. More discussion was needed.

- No major projects were planned. The Sixth Street Bridge replacement could possibly take place next spring or summer. Gutter valley replacement could be accomplished in-house.
- Assume no development at North Biggs Estates this year. City will advance work on alternative energy project but no project construction this year.
- SunWest project will be complete in November, adding to job growth and reducing in-town truck traffic.
- City will step up work to obtain grant funding for special projects.
- City may do some in-house renovation and furnishings upgrade at Biggs Community Hall.

Mr. Carr reminded council general fund money comes from electric fund, property and VLF taxes, licenses and fees. Fifty-nine percent of the general fund goes to fire, police and animal control.

Mr. Carr reviewed the 2010-11 and 2011-12 Budget Summaries provided to council at the meeting.

Council discussed looking at costs for Biggs Community Hall and possibly raising the rental fee and having a special fund to help replace the equipment.

5. ADJOURNMENT: Special meeting adjourned at 8:03 p.m.

ATTEST:

APPROVED:

Roben Dewsnup, CITY CLERK

Roger L. Frith, MAYOR

1. Call To Order:

The special meeting of the Biggs City Council was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Thompson and Councilmembers Arnold, Bottorff and Sheppard were present. Staff present: City Administrator Pete Carr and City Clerk Roben Dewsnup.

2. GENERAL BUSINESS:

A. City Administrator Pete Carr presented the Police Services Contract Extension to council for their approval. This contract goes through June 2014 and can be amended if needed.

Motion/Second to accept the presented contract. (Bottorff/Thompson, MCU)

B. Mr. Carr reported that five responses were received to the City's recent issuance of a Request of Proposals for outside auditor services. Mayor Frith would like to create a committee to review proposals with Mr. Carr and CPA Roy Seilers. He appointed Vice Mayor Thompson and Councilmember Bottorff to the committee. The committee would bring their decision back to council.

3. CITY COUNCIL STUDY SESSION:

Mr. Carr reviewed 11 items that had been updated during the budget process.

Council discussed the K9 and SRO for the Biggs School District. Mr. Carr stated the Gridley PD has a K-9 they are training to be a sniffer and a biter. Council agreed there was not a need to help fund a K-9 unit for the school district.

Council agreed to fund a School Resources Officer approximately four hours per week for \$7,500 and give the school district a deadline to respond to this agreement and if they do not respond, remove from budget.

The Fire Department requests the city set aside an additional \$25,000 for the fire engine replacement fund. They are also asking for an optimum light set that controls traffic signals for \$5,000. Council rejected the requests.

Council agreed to proceed with the General Plan Update at \$80,000.

Council agreed to set aside specific reserves as last year.

The planning and engineering consultants' budgets would be set at \$30,000 per year acknowledging it may end up closer to \$50,000.

Agreed to continue membership in 3CORE at a \$2,000 increased cost.

Council discussed increasing the rental fee for the Biggs Community Hall and agreed to expend \$3,000 for new equipment. Mr. Carr stated he would bring back proposed changes to the BCH policy at a future meeting.

Council agreed to contract for custodial services at City Hall, Council Chambers and the community hall.

Mayor Frith discussed employee and consultant salaries over the last five years.

4. ADJOURNMENT: Special meeting adjourned at 7:23 p.m.

ATTEST:

APPROVED:

Roben Dewsnap, CITY CLERK

Roger L. Frith, MAYOR

MINUTES OF THE CITY OF BIGGS
SPECIAL COUNCIL MEETING
COUNTY OF BUTTE, STATE OF CALIFORNIA

June 13, 2011

1. Call To Order:

The special meeting of the Biggs City Council was called to order at 1:30 p.m. by Mayor Frith. Councilmembers Arnold, Bottorff and Sheppard were present. Vice Mayor Thompson was absent. Staff present: City Administrator Pete Carr.

2. CLOSED SESSION: Council adjourned to closed session at 1:30 p.m.

Government Code Section 54957
Public Employee Appointment (Interviews)
Title: City Engineer (Government Code Section 36505)

Government Code Section 54957
Public Employee Performance Evaluation
Title: City Engineer

Government Code Section 54957
Public Employee Release

Government Code Section 54957.6
Conference with Labor Negotiators
Agency Designated Representative: Pete Carr
Unrepresented Employee: City Engineer

3. RESUME SPECIAL MEETING: Council resumed special meeting at 5:38 p.m. No announcement.

4. ADJOURNMENT: Meeting was adjourned at 5:38 p.m.

ATTEST:

APPROVED:

Roben Dewsnap, CITY CLERK

Roger L. Frith, MAYOR

REPORT.: Jun 02 11 Thursday
 RUN...: Jun 02 11 Time: 08:15
 Run By.: Roben Dewsnap

City of Biggs
 Month End Cash Disbursements Report
 Report for 05-11 BANK ACCOUNT 1010

PAGE: 001
 ID #: PY-CD
 CTL.: BIG

Period	Check Number	Check Date	Vendor # (Name)	Disc. Terms	Gross Amount	Disc Amount	Net Amount	Check Description
05-11	025290	05/06/11	AME00 (American Express)		713.32	.00	713.32	Automatic Generated Check
	025291	05/06/11	ATT02 (AT&T)		316.81	.00	316.81	Automatic Generated Check
	025292	05/06/11	BRE01 (Ace Hardware)		932.72	.00	932.72	Automatic Generated Check
	025293	05/06/11	BUT03 (Butte Auto Parts)		165.54	.00	165.54	Automatic Generated Check
	025294	05/05/11	CAL03 (California Engineering)		8,459.70	.00	8,459.70	Automatic Generated Check
	025295	05/06/11	CAR04 (Peter R. Carr)		349.57	.00	349.57	Automatic Generated Check
	025296	05/06/11	COR01 (CORBIN WILLITS SYSTEM INC)		393.95	.00	393.95	Automatic Generated Check
	025297	05/06/11	DEL01 (Preferred Benefit)		692.30	.00	692.30	Automatic Generated Check
	025298	05/06/11	DHS02 (California Department of Public Health)		160.00	.00	160.00	Automatic Generated Check
	025299	05/06/11	FRI02 (Roger L. Frith)		63.55	.00	63.55	Automatic Generated Check
	025300	05/06/11	GR101 (Gridley Honda, Inc.)		354.77	.00	354.77	Automatic Generated Check
	025301	05/06/11	GR104 (City of Gridley)		52,211.12	.00	52,211.12	Automatic Generated Check
	025302	05/06/11	GR1HE (Gridley Herald)		1,230.33	.00	1,230.33	Automatic Generated Check
	025303	05/06/11	GR001 (Groeniger & Company)		1,562.06	.00	1,562.06	Automatic Generated Check
	025304	05/06/11	BUY01 (Rental Guys Chico)		227.05	.00	227.05	Automatic Generated Check
	025305	05/06/11	HOS01 (The Hose Shop, LLC)		146.40	.00	146.40	Automatic Generated Check
	025306	05/06/11	IND03 (Industrial Power Products)		60.00	.00	60.00	Automatic Generated Check
	025307	05/06/11	JCN00 (J C Nelson Supply Co)		312.30	.00	312.30	Automatic Generated Check
	025308	05/06/11	LES02 (Les Schwab Tire Center Inc)		9.02	.00	9.02	Automatic Generated Check
	025309	05/06/11	MAT00 (Marlee Mattos)		176.49	.00	176.49	Automatic Generated Check
	025310	05/06/11	NEX01 (Nextel Communications)		201.41	.00	201.41	Automatic Generated Check
	025311	05/06/11	DRN01 (Jose Luis Ornelas)		40.00	.00	40.00	Automatic Generated Check
	025312	05/06/11	ORO01 (Orville Safe Lock & Door Company)		35.69	.00	35.69	Automatic Generated Check
	025313	05/06/11	PR102 (PLIC - SBO Grand Island)		140.51	.00	140.51	Automatic Generated Check
	025314	05/06/11	PUB02 (Calif Public Employees')		11,172.94	.00	11,172.94	Automatic Generated Check
	025315	05/06/11	REA02 (Real Homes Services & Solutions)		150.00	.00	150.00	Automatic Generated Check
	025316	05/06/11	ROT02 (Rotary Club of Gridley)		400.00	.00	400.00	Automatic Generated Check
	025317	05/06/11	SEI01 (Ray R. Seiler, CPA)		1,057.20	.00	1,057.20	Automatic Generated Check
	025318	05/06/11	SIM03 (SimplexGrinnell)		696.55	.00	696.55	Automatic Generated Check
	025319	05/06/11	VIL03 (Biolata Villanueva)		170.00	.00	170.00	Automatic Generated Check
	025320	05/06/11	VIS00 (VistaNet Inc)		120.00	.00	120.00	Automatic Generated Check
	025321	05/06/11	VSP01 (Vision Service Plan-(CA))		92.16	.00	92.16	Automatic Generated Check
	025322	05/06/11	WAS04 (Waste Management)		9,606.00	.00	9,606.00	Automatic Generated Check
	025323	05/06/11	YUB01 (City of Yuba City)		479.60	.00	479.60	Automatic Generated Check
	025324	05/19/11	NCPA (Northern CA Power Agency)		70,220.00	.00	70,220.00	Automatic Generated Check
	025325	05/19/11	AFL01 (Aflac)		715.56	.00	715.56	Automatic Generated Check
	025326	05/19/11	AIR00 (Aingas-NDN, Inc.)		22.11	.00	22.11	Automatic Generated Check
	025327	05/19/11	ALC01 (Yesenia Alcantar)		170.00	.00	170.00	Automatic Generated Check
	025328	05/19/11	ARA01 (Aramark Uniform Services)		216.20	.00	216.20	Automatic Generated Check
	025329	05/19/11	BCS01 (Basic Chemical Solutions)		4,731.72	.00	4,731.72	Automatic Generated Check
	025330	05/19/11	BUT04 (Butte County Clerk Recorder)		12.00	.00	12.00	Automatic Generated Check
	025331	05/19/11	COF01 (Depart of Forestry & Fire Protection)		29,229.41	.00	29,229.41	Automatic Generated Check
	025332	05/19/11	CHI05 (Chico Electric)		628.91	.00	628.91	Automatic Generated Check
	025333	05/19/11	COR01 (CORBIN WILLITS SYSTEM INC)		328.95	.00	328.95	Automatic Generated Check

REPORT.: Jun 02 11 Thursday
 RUN...: Jun 02 11 Time: 09:15
 Run By.: Roben Dewsnup

City of Biggs
 Month End Cash Disbursements Report
 Report for 05-11 BANK ACCOUNT 1010

PAGE: 002
 ID #: PY-CD
 CTL.: BIG

Period	Check Number	Check Date	Vendor # (Name)	Disc. Terms	Gross Amount	Disc Amount	Net Amount	Check Description
05-11	025334	05/19/11	DON00 (Don's Shoes)		234.89	.00	234.89	Automatic Generated Check
	025335	05/19/11	EIN01 (Gregory P. Einhorn)		6,640.00	.00	6,640.00	Automatic Generated Check
	025336	05/19/11	FEA01 (Feather River Concrete Products)		628.94	.00	628.94	Automatic Generated Check
	025337	05/19/11	FEA02 (Feather River Aggregates 1)		333.84	.00	333.84	Automatic Generated Check
	025338	05/19/11	GRO01 (Groeniger & Company)		1,263.93	.00	1,263.93	Automatic Generated Check
	025339	05/19/11	GUY01 (Rental Guys Chico)		1,144.99	.00	1,144.99	Automatic Generated Check
	025340	05/19/11	HAR13 (Patricia Harrison)		104.48	.00	104.48	Automatic Generated Check
	025341	05/19/11	HEL03 (Helena Chemical Company)		238.15	.00	238.15	Automatic Generated Check
	025342	05/19/11	HOW01 (Howard E. Hutching Company Inc.)		51.96	.00	51.96	Automatic Generated Check
	025343	05/19/11	JAC03 (Jackson's Glass Co)		1,171.47	.00	1,171.47	Automatic Generated Check
	025344	05/19/11	JCN00 (J C Nelson Supply Co)		61.43	.00	61.43	Automatic Generated Check
	025345	05/19/11	KYO01 (Kyocera Mita America Inc)		130.24	.00	130.24	Automatic Generated Check
	025346	05/19/11	LAK02 (Lakeview Petroleum)		811.92	.00	811.92	Automatic Generated Check
	025347	05/19/11	MAT00 (Marlee Mattos)		199.95	.00	199.95	Automatic Generated Check
	025348	05/19/11	MAX01 (Maxium Security Systems)		100.75	.00	100.75	Automatic Generated Check
	025349	05/19/11	NAT01 (National Notary Association)		33.00	.00	33.00	Automatic Generated Check
	025350	05/19/11	NOR05 (NORMAC)		130.23	.00	130.23	Automatic Generated Check
	025351	05/19/11	PGE01 (PACIFIC GAS & ELECTRIC CO)		40.83	.00	40.83	Automatic Generated Check
	025352	05/19/11	PMC01 (PMC, Inc.)		5,570.55	.00	5,570.55	Automatic Generated Check
	025353	05/19/11	REK01 (R & K Stump Grinding)		350.00	.00	350.00	Automatic Generated Check
	025354	05/19/11	RIG01 (Right Way Pest Control)		119.00	.00	119.00	Automatic Generated Check
	025355	05/19/11	STD01 (Samantha Stopplemore)		170.00	.00	170.00	Automatic Generated Check
	025356	05/19/11	WAS02 (Hayden Wasser)		26.77	.00	26.77	Automatic Generated Check
	025357	05/19/11	WAS04 (Waste Management)		762.77	.00	762.77	Automatic Generated Check
	025358	05/19/11	YUB01 (City of Yuba City)		1,485.10	.00	1,485.10	Automatic Generated Check
	025359	05/23/11	SIL02 (Silverado Avionics, Inc.)		1,291.21	.00	1,291.21	Automatic Generated Check
	025360	05/23/11	BCA01 (BCAV)		3,400.00	.00	3,400.00	Automatic Generated Check
	025361	05/27/11	BAU01 (Bauer Compressors)		625.00	.00	625.00	Automatic Generated Check
	025362	05/27/11	BOT02 (Mike Bottorff)		193.86	.00	193.86	Automatic Generated Check
	025363	05/27/11	CAL03 (California Engineering)		2,803.41	.00	2,803.41	Automatic Generated Check
	025364	05/27/11	CAR04 (Peter R. Carr)		327.07	.00	327.07	Automatic Generated Check
	025365	05/27/11	FRI02 (Roger L. Frith)		63.55	.00	63.55	Automatic Generated Check
	025366	05/27/11	MAT00 (Marlee Mattos)		122.35	.00	122.35	Automatic Generated Check
	025367	05/27/11	NEX01 (Nextel Communications)		175.52	.00	175.52	Automatic Generated Check
	025368	05/27/11	OFF01 (Office Depot)		205.65	.00	205.65	Automatic Generated Check
	025369	05/27/11	PET01 (Petty Cashier)		3.24	.00	3.24	Automatic Generated Check
	025370	05/27/11	PMC01 (PMC, Inc.)		6,148.53	.00	6,148.53	Automatic Generated Check
	025371	05/27/11	PRI02 (PLIC - SBD Grand Island)		140.51	.00	140.51	Automatic Generated Check
	025372	05/27/11	QUI01 (Quill Corporation)		80.30	.00	80.30	Automatic Generated Check
	025373	05/27/11	RES01 (Reserve Account)		800.00	.00	800.00	Automatic Generated Check
Total for Bank Account 1010 -----)					237,360.31	.00	237,360.31	
Grand Total of all Bank Accounts -----)					237,360.31	.00	237,360.31	

Report.: 06/01/11
 Run On.: 06/01/11
 Time...: 08:25
 Run By.: Roben Dewsnup

Month End Warrant Register

Page.: 00001
 Id...: SPMEM
 Ctl...: BIG
 Prog.: SP0260

Warrant Num	P#	Date	Payroll Number	Period Begin	End	*** Employee or Vendor *** Nbr	Name	Cal Prd	Gross Earnings	Tax Withheld	Deductions Withheld	Warrant Amount
7934	00	05/05/11	9of24	04/16/11	04/30/11			05-11	1322.66	394.60	12.05	915.93
7935	00	05/05/11	9of24	04/16/11	04/30/11			05-11	396.74	27.17	.00	369.57
7936	00	05/05/11	9of24	04/16/11	04/30/11			05-11	1407.17	336.47	17.55	1053.15
7937	00	05/05/11	9of24	04/16/11	04/30/11			05-11	2846.08	1029.89	21.65	1794.54
7938	00	05/03/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	B10503		1607.90
7938	01	05/03/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	1B10503		1835.24
7938	02	05/03/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	2B10503		511.72
7938	03	05/03/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	3B10503		8.36
7938	04	05/03/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	4B10503		3.82
7938	05	05/03/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	5B10503		1.06
TOTAL FOR VENDOR BOA01:												3968.10
7939	00	05/03/11	VENDOR PAYMENT	-----		EDD01	Employment Developme	05-11	INVOICE NO.:	B10503		502.99
7939	01	05/03/11	VENDOR PAYMENT	-----		EDD01	Employment Developme	05-11	INVOICE NO.:	1B10503		211.75
7939	02	05/03/11	VENDOR PAYMENT	-----		EDD01	Employment Developme	05-11	INVOICE NO.:	2B10503		2.21
7939	03	05/03/11	VENDOR PAYMENT	-----		EDD01	Employment Developme	05-11	INVOICE NO.:	3B10503		.44
TOTAL FOR VENDOR EDD01:												717.39
7940	00	05/03/11	VENDOR PAYMENT	-----		PUB01	PERS-Retirement Syst	05-11	INVOICE NO.:	B10503		2520.15
7940	01	05/03/11	VENDOR PAYMENT	-----		PUB01	PERS-Retirement Syst	05-11	INVOICE NO.:	1B10503		5.78
7941	00	05/20/11	10of24	05/01/11	05/15/11			05-11	1608.83	475.18	43.05	1090.60
7942	00	05/20/11	10of24	05/01/11	05/15/11			05-11	352.66	24.15	.00	328.51
7943	00	05/20/11	10of24	05/01/11	05/15/11			05-11	1557.40	379.20	48.55	1129.65
7944	00	05/20/11	10of24	05/01/11	05/15/11			05-11	2633.24	854.16	52.65	1726.43
TOTAL FOR VENDOR PUB01:												2525.93
7945	00	05/20/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	B10517		1524.98
7945	01	05/20/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	1B10517		1843.51
7945	02	05/20/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	2B10517		514.06
TOTAL FOR VENDOR BOA01:												3882.55
7946	00	05/20/11	VENDOR PAYMENT	-----		EDD01	Employment Developme	05-11	INVOICE NO.:	B10517		492.25
7946	01	05/20/11	VENDOR PAYMENT	-----		EDD01	Employment Developme	05-11	INVOICE NO.:	1B10517		212.71
TOTAL FOR VENDOR EDD01:												704.96
7947	00	05/20/11	VENDOR PAYMENT	-----		LAB02	Laborers Local 185	05-11	INVOICE NO.:	B10517		124.00
TOTAL FOR VENDOR LAB02:												124.00
7948	00	05/20/11	VENDOR PAYMENT	-----		PUB01	PERS-Retirement Syst	05-11	INVOICE NO.:	B10517		2520.16
TOTAL FOR VENDOR PUB01:												2520.16
7949	00	05/20/11	VENDOR PAYMENT	-----		STA14	STATE STREET BANK &	05-11	INVOICE NO.:	B10517		149.56
7950	00	05/23/11	0of24	05/16/11	05/23/11			05-11	224.32	15.36	.00	208.96
7951	00	05/26/11	5of12	05/01/11	05/31/11			05-11	300.00	20.55	.00	279.45
7952	00	05/26/11	5of12	05/01/11	05/31/11			05-11	300.00	20.55	.00	279.45
7953	00	05/26/11	5of12	05/01/11	05/31/11			05-11	300.00	20.55	.00	279.45
7954	00	05/26/11	5of12	05/01/11	05/31/11			05-11	300.00	20.55	.00	279.45
7955	00	05/26/11	5of12	05/01/11	05/31/11			05-11	300.00	20.55	.00	279.45
TOTAL FOR VENDOR STA14:												149.56
7956	00	05/26/11	VENDOR PAYMENT	-----		BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	B10523		.00

Report.: 05/01/11
 Run On.: 05/01/11
 Time...: 09:25
 Run By.: Roben Dewsnap

Month End Warrant Register

Page.: 00002
 Id...: SPMEM
 Ct1...: BIG
 Prog.: SP0260

Warrant Num	P#	Date	Payroll Number	Period Begin	End	*** Employee or Vendor *** Nbr	Name	Cal Prd	Gross Earnings	Tax Withheld	Deductions Withheld	Warrant Amount
7956	01	05/26/11	VENDOR PAYMENT	-----	BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	B10526			.00
7956	02	05/26/11	VENDOR PAYMENT	-----	BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	1B10523			23.33
7956	03	05/26/11	VENDOR PAYMENT	-----	BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	1B10526			156.00
7956	04	05/26/11	VENDOR PAYMENT	-----	BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	2B10523			6.50
7956	05	05/26/11	VENDOR PAYMENT	-----	BOA01	BANK OF AMERICA, NT&	05-11	INVOICE NO.:	2B10526			43.50
TOTAL FOR VENDOR BOA01:											229.33	
7957	00	05/26/11	VENDOR PAYMENT	-----	EDD01	Employment Developae	05-11	INVOICE NO.:	B10523			.00
7957	01	05/26/11	VENDOR PAYMENT	-----	EDD01	Employment Developae	05-11	INVOICE NO.:	B10526			.00
7957	02	05/26/11	VENDOR PAYMENT	-----	EDD01	Employment Developae	05-11	INVOICE NO.:	1B10523			2.69
7957	03	05/26/11	VENDOR PAYMENT	-----	EDD01	Employment Developae	05-11	INVOICE NO.:	1B10526			18.00
7958	00	-----	This Warrant is VOID	-----	VOID	VOID VOID VOID	-----	INVOICE NO.:	NOT APPLICABLE			.00
Z00463	00	05/05/11	9of24	04/16/11	04/30/11			05-11	1840.33	525.13	1315.20	.00
Z00464	00	05/05/11	9of24	04/16/11	04/30/11			05-11	3720.73	1060.24	2660.49	.00
Z00465	00	05/05/11	9of24	04/16/11	04/30/11			05-11	1778.67	506.92	1271.75	.00
Z00466	00	05/05/11	9of24	04/16/11	04/30/11			05-11	89.80	76.71	13.09	.00
Z00467	00	05/05/11	9of24	04/16/11	04/30/11			05-11	1804.01	408.79	1395.22	.00
Z00468	00	05/05/11	9of24	04/16/11	04/30/11			05-11	2607.88	698.44	1909.44	.00
Z00469	00	05/03/11	1of24	04/01/11	04/15/11			05-11	36.75	16.39	20.36	.00
Z00470	00	05/20/11	10of24	05/01/11	05/15/11			05-11	1683.86	476.23	1207.63	.00
Z00471	00	05/20/11	10of24	05/01/11	05/15/11			05-11	3720.73	1060.23	2660.50	.00
Z00472	00	05/20/11	10of24	05/01/11	05/15/11			05-11	1859.76	528.22	1331.54	.00
Z00473	00	05/20/11	10of24	05/01/11	05/15/11			05-11	89.80	76.70	13.10	.00
Z00474	00	05/20/11	10of24	05/01/11	05/15/11			05-11	1779.48	403.67	1375.81	.00
Z00475	00	05/20/11	10of24	05/01/11	05/15/11			05-11	2607.88	698.43	1909.45	.00
									37468.78	10175.11	17279.08	24857.26

ROY R. SEILER
CERTIFIED PUBLIC ACCOUNTANT

201 C. North Tehama
Willows, CA 95988

Phone: 530-934-8841
Fax: 530-934-8849

City of Biggs,
Biggs, California

I have compiled the accompanying recap of discretionary funds (cash balances), for the City of Biggs, as of March 31, 2011. I have not audited or reviewed the accompanying statement and, accordingly, do not express an opinion or provide any assurance about whether the statement is in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

My responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

I am not independent with respect to the City of Biggs

June 9, 2011
Roy R. Seiler, CPA

**City of Biggs
Recap of Discretionary Funds
CASH BALANCE
Committed Vs. Uncommitted Funds**

<u>Fund No.</u>	<u>Fund Name</u>	<u>Unaudited CASH Balance as of 3/31/11</u>	<u>Net Available</u>
<u>Funds Available for Commitment:</u>			
010	General Fund	139,325	
214	General Plan Update	(228,541)	
	Less 40% of Budgeted Revenues, 535,204 Minimum Reserve	<u>(214,082)</u>	(303,298)
011	Building and Equipment Reserve		116,092
012	Fire Engine Replacement Reserve		57,608
014	Regional Detention Basin Reserve		16,309
015	Equipment Replacement		-
033	Parks and Recreation		6,590
050	Electric Fund	1,023,871	
052	Electric Fund NCPA GOR, Uncommitted Reserve	<u>446,333</u>	
	Subtotal	1,470,204	
	Less 40% of Budgeted Revenues, 2,445,500 Minimum Reserve	<u>(978,200)</u>	492,004
145	1939 Fire Engine Restoration Reserve		3,355
165	CDBG Miscellaneous		<u>59,477</u>
Subtotal			448,137
<u>"Restricted Funds with Negative Balances:</u>			
044	Water Project		(114,914)
030	Sewer Fund		(10,698)
105	Sewer Improvement		(144,823)
126	HOME		(226)
131	Sixth Street Bridge		(16,289)
176	ADA Design for City Library		(19,168)
177	Vets Hall Rehab		(8,652)
217	E McCain		(110)
Subtotal			(314,880)
Net Uncommitted Reserves			133,257

Note there are several on going projects, some of which have negative fund balances
This may be due to timing, underfunding or other "issues".

City of Biggs
CASH BALANCE
Funds with Restricted Uses

		Unaudited CASH Balance as of <u>3/31/11</u>
013	Bridge Replacement Reserve	70,362
016	Street Maintenance Reserve	50,000
022	Gas Tax	5,560
027	Traffic Congestion	8,613
030	Sewer Fund	(10,698)
031	Drainage Fund	4,901
032	Road Dev. Impact	3,826
034	Gen Gov. Impact Fee	453
035	Police Dev. Impact Fee	70
036	Fire Dev. Impact Fee	487
040	Water Fund	90,448
042	Water Facilities	-
044	Water Project	(114,913)
051	Electric Fund, Public Benefits	83,532
060	Solid Waste	13
080	TDA/LTF Street Funds	22,762
090	TDA/STA SB 620 Funds	1,451
092	RSTP/STIP Exchange	14,097
100	Electric Improvement	123,220
105	Sewer Improvement	(144,824)
106	Sewer Bond Reserve	44,124
110	Water Improvement	23,473
112	Water Reserve	125,816
126	HOME	(226)
131	Sixth Street Bridge	(16,289) Ongoing Project
150	CDBG , 1982	48
170	CDBG, 1994	82,417
172	CDBG, PTA 2007	-
174	Planning and Tech Assist. Grant	6,760 Ongoing Project
175	Planning and Tech Assist. Grant	6 Ongoing Project
176	ADA Design for City Library	(19,177) Ongoing Project
177	Vets Hall Rehab	(8,653) Ongoing Project
196	01 STBG	2,880
214	General Plan Update	(228,541)
 Trust Funds		
200	CFD N. Biggs Estates	15,174
202	Fourth Street Apts	5,937
204	JTS	-
205	WS Devel	-
207	SunWest	4,653
210	Betzler/Summit	8,577
211	Dunmore	-
217	E McCain	(110)
230	HomeTown Cele	60
Total, For Reference Only		256,289



City of
Gridley

City of Gridley Gridley-Biggs Police Department



GARY D. KEELER
Chief of Police



CITY OF BIGGS MONTH IN REVIEW			
MAY, 2011			
CALLS FOR SERVICE		ARREST CRIME REPORT	
911	9	ADULTS	
ANIMAL	8		
ANNOYING PHONE CALLS	1	DRIVING WHILE SUSPENDED	2
AREA CHECK	9	FIGHTING IN PUBLIC	1
ATTEMPT SERVICE	3	SHOPLIFTING	1
BATTERY	3		
BE ON THE LOOK OUT	4		
BIKE TRAFFIC	3	JUVENILE	
BURGLARY	4		
BUSINESS CHECK	12	TRESPASSING	2
CITIZEN FLAG DOWN	2		
CIVIL ISSUE	3		
DISTURBANCE	6		
DRIVING WHILE SUSPENDED	3		
DRUG RELATED COMPLAINT	1		
EXTRA PATROL REQUEST	2		
GRAND THEFT	1		
ID THEFT	3		
INFORMATION	2		
JUVENILE PROBLEM	4		
LOUD MUSIC	1		
MISSING PERSON	1		
OUTSIDE ASSIST	5		
PEDESTRIAN CHECK	13		
PETTY THEFT	1		
RECKLESS DRIVING	3		
REPOSSESSED VEHICLE	1		
RUNAWAY JUVENILE	2		
SUSPICIOUS CIRCUMSTANCES	2		
SUSPICIOUS VEHICLE	3		
TRAFFIC STOPS	23		
VANDALISM	1		
WELFARE CHECKS	2		

**GRIDLEY-BIGGS POLICE DEPARTMENT
MONTHLY COUNCIL REPORT
CITY OF BIGGS**

MAY. 2011

TYPE	THIS MONTH	YEAR TO DATE	2010
		2011	YEAR TO DATE
# OF ARREST			
ADULTS	4	37	22
JUVENILE	2	8	5
# OF CITATIONS			
TRAFFIC/CRIMINAL	13	58	50
MISC CALLS FOR SERVICE	141	695	706
# OF CRIMES REPORTED			
FELONY	4	15	17
MISDEMEANOR	11	44	42
# OF WARRANT ARREST			
ADULT	0	7	7
JUVENILE	0	0	0
# OF 911 CALLS	9	54	46

**GRIDLEY-BIGGS POLICE DEPARTMENT
MONTHLY COUNCIL REPORT
CITY OF BIGGS**

April, 2011

TYPE	THIS MONTH	YEAR TO DATE	2010
		2011	YEAR TO DATE
# OF ARREST			
ADULTS	7	33	19
JUVENILE	2	6	4
# OF CITATIONS			
TRAFFIC/CRIMINAL	13	45	37
MISC CALLS FOR SERVICE			
	133	554	581
# OF CRIMES REPORTED			
FELONY	1	11	14
MISDEMEANOR	9	33	33
# OF WARRANT ARREST			
ADULT	1	7	6
JUVENILE	0	0	0
# OF 911 CALLS			
	11	45	36

REVISED MAY 2011 (2010 YEAR TO DATE)

**GRIDLEY BIGGS POLICE DEPARTMENT
CITY OF BIGGS MONTH IN REVIEW
MAY. 2011**

PERSONNEL

5/29/2011 Officer Duncan and Officer Harr was promoted to the position of Sergeant

TRAINING

5/10/2011 Department Officers attended Defensive Tactics Training in Oroville

5/16/2011 Department Officers attended Defensive Tactics Training in Oroville

NOTES

5/1/2011 Evidence Technician Boeger attended a Conference in San Diego.

5/9/2011 Conducted Oral Boards for the Position of Part Time Dispatcher.

5/10/2011 Conducted Oral Boards for the Position of Sergeant.

5/12/2011 Juvenile Detention Audit Conducted by California Department of Corrections with no violation reported.

5/14/2011 Assist. Chief Price, Sgt. Khan, Supervisor Cain and Reserve Officer Hensley assisted with painting the squad room and records room.

5/19/2011 Chief Keeler meet with Attorney General Kamala Harris regarding current law enforcement issues in Redding.

5/19/2011 Dispatcher Ryan and ACO Burgess assisted with the Teddy Bear Clinic.

5/20/2011 RSVP Vargas and RSVP Macey assisted with the Unjustice Court.

5/21/2011 Department members assisted with the Red Suspenders Day activities

5/23/2011 Chief Keeler attended a meeting to discuss the end of the year activities at the Gridley Unified School District.

5/25/2011 Assist. Chief Price attended a meeting regarding the Homeland Security Grant in Oroville.

5/26/2011 Chief Keeler met with the Butte County Hospital CEO regarding Forensic Rape Evidence in Chico.

Response times for this month are as follows:

Priority 1 Events that involve injury, are life threatening or in progress

Priority 2 Events that involve property loss or damage

Priority 3 Other events that do not involve injury, threat of life, property loss or damage.

Priority 1 3 minutes

Priority 2 6 minutes

Priority 3 9 minutes

Gridley - Biggs Police Department

Traffic Summary for the City of Biggs

Month of May, 2011

	<i>Current Month</i>	<i>Year to Date 2011</i>
<i>Accidents Fatal</i>	0	0
<i>Accidents Personal Injury</i>	0	0
<i>Accidents Pedestrians</i>	0	0
<i>Accidents Property Damage</i>	0	1
<i>Hit and Run PDO</i>	0	1
<i>Hit and Run Injury</i>	0	1
<i>Accidents Total</i>	0	3
<i>Moving Violation Citations</i>	4	23
<i>Non-Moving Violations</i>	4	11
<i>Speeding Citations</i>	1	4
<i>Traffic Citations-Total</i>	9	38
<i>D.U.I. Arrests</i>	0	3

Comments:

--

MONTHLY REPORT OF LOCAL RABIES CONTROL ACTIVITIES

For Biggs May, 2011

City of Biggs Animal Control

Total calls for service: 8

		Dogs	Cats
RABIES VACCINATION AND LICENSING	A. Number of "Actual Cost" rabies public vaccination clinics held	0	
	B. Number of animal control citations issued for rabies vaccination and licensing violations	0	
	C. Dogs and cats vaccinated in "Actual Cost" public vaccination clinics	0	0
	D. Dogs and cats licensed in "Actual Cost" public vaccination clinics	0	0
	E. Total number of dogs and cats LICENSED in jurisdiction	129	0
CANINE AND FELINE RABIES CONTROL	F. Dogs and cats on hand in the shelter May 1, 2011 (carried over from April 30, 2011)	1	1
	G. Dogs and cats entering the shelter, TOTAL: (Total should equal sum of 1 to 5 below)	2	2
	1. Dogs and cats captured by Animal Control Officers	2	2
	2. Dogs and cats surrendered by owners (not including those surrendered for quarantine)	0	0
	3. Dogs and cats surrendered by the public G1 THROUGH G5	0	0
	4. Dogs and cats impounded for animal bite quarantines ARE	0	0
	5. Dogs and cats transferred from another shelter MUTUALLY EXCLUSIVE	0	0
	H. Disposition of dogs and cats entering shelter, TOTAL: (Total should equal sum of F. plus 1 to 6 below)	2	2
	1. Dogs and cats reclaimed by owner	1	0
	2. Dogs and cats adopted by new owners H1 THROUGH H6	0	0
	3. Dogs and cats euthanized ARE	0	2
	4. Dogs and cats died of other causes MUTUALLY EXCLUSIVE	0	0
	5. Dogs and cats stolen, escaped, etc.	0	0
6. Dogs and cats transferred to another shelter	1	0	
	I. Dead dogs and cats collected (excluding F, G, and H above)	0	0
	J. Dogs and cats on hand in the shelter May 31 30, 2011 (to be carried over to June 1, 2011)	1	1
ANIMAL BITE REPORTING	K. Animal bites reported, TOTAL: (Total should be the sum of 1 and 2 below)	0	
		Dogs	Cats
	1. DOG and CAT bites reported, TOTAL: (Total should be the sum of a, b, c, and d below)	0	0
	a. Licensed	0	0
	b. Vaccinated only	0	0
	c. Neither licensed or vaccinated (but owned)	0	0
	d. Strays	0	0
	2. OTHER ANIMAL bites reported, TOTAL: (Total should be the sum of a and b below)	0	
a. Other domestics (excluding cats)	0		
b. Wild	0		

Other Animals Picked up: Opossum

		Dogs	Cats
ANIMAL QUARANTINES	L. Number of 30 day quarantines for vaccinated dogs and cats exposed to potentially rabid animals.	0	0
	M. Number of 6 month quarantines for unvaccinated dogs and cats exposed to potentially rabid animals.	0	0
	N. Number of 6 month quarantines for domestic livestock (horses, cattle, etc.) exposed to potentially rabid animals.	0	
	O. Number of 30 day or 6 month quarantines not completed because the animals were euthanized.	0	
AGENCY ADMIN.	P. Number of animal control officers employed in jurisdiction	1	
	Q. Gridley-Biggs Animal Control 685 Kentucky Street, Gridley, CA 95948 530-846-4825		

Completed by:

Signature: Amy Burgess

Name: Amy Burgess

Title: Animal Control Officer

Agency: Gridley-Biggs Animal Control

Telephone: 530-846-4825

Endorsement by local Health Officer or
Authorized representative:

Signature: _____

Name (print): _____

Title: _____

Agency: _____

Telephone: _____

AFTER ENDORSEMENT
PLEASE FORWARD COMPLETED FORM TO:

Veterinary Public Health Section
California Department of Health Services
MS 7308
P.O. Box 997413
Sacramento, CA 95899-7413

PHONE: (916) 552-9740
FAX: (916) 552-9725

Biggs Monthly Animal Bite Activity

Agency: Gridley-Biggs Animal Control Monthly May, 2011

		Dogs	Cats
Animal Bite Reporting	A. Animal Bites Reported. TOTAL should be the sum of 1 and 2 below.	0	0
	1. DOG and CAT bites reported. Should equal sum of a, b, c, and d.	0	0
	a. Licensed	0	0
	b. Vaccinated only.	0	0
	c. Neither Licensed or Vaccinated	0	0
	d. Strays	0	0
	2. OTHER ANIMAL bites reported. Should equal sum of a and b.	0	0
	a. Other domestic (excluding cats.)	0	0
	b. Wild	0	0
	Animal Quarantines	L. Number of 30 day quarantines for Vaccinated dogs and cats exposed to potentially rabid animals.	0
M. Number of 6 month quarantines for Unvaccinated dogs and cats exposed to potentially rabid animals.		0	0
N. Number of 6 month quarantines for Domestic livestock (horses, cattle, etc.) exposed to potentially rabid animals.		0	0
O. Number of 30 day or 6 month Quarantines not completed because animals were euthanized.		0	0
Agency Administration	P. Number of animal Control Officers Employed in the jurisdiction.	1	

Prepared by: Amy Burger

Date: 6/9/11

A. Burgess Gridley-Biggs Animal Control Officer
 685 Kentucky Street
 Gridley, CA 95948
 530-846-4825

Biggs Fire Department

Report on Conditions

May 2011

	County	City
Medical	1	3
Traffic Collision	0	0
Hazardous Condition	0	0
Public Assist	2	3
Vegetation fire	1	0
Hazardous Materials	0	1
False Alarm	0	1
Structure fire	1	0
Total	5	8
Local area total	13	

These statistics capture only those calls in the Biggs Fire Station "First Due" area and reflect the most local picture of the entire response workload of our regional fire protection system. Engine 73 responds beyond the local Biggs area as part of the Butte County Fire Department / CAL FIRE regional approach to service.

Additionally in May our fire engine responded to; five (5) other emergencies in the unincorporated Butte County area (beyond the area where we arrive first) three (3) incidents in the City of Gridley and one (1) in Yuba County (mutual aid). Engine 73 also covered the; Richvale Fire Station once, Durham Fire Station twice and the Gridley Fire Station five times during the month. When our station is vacant due to a long term response or cover assignment typically the Gridley or Richvale fire engine will cover here in Biggs. Occasionally a fire engine from Oroville, Durham or even further might cover here. "Move up and cover" assignments like emergency response are based on closest available resource. The mutual aid response to Highway 70, in the District 10 area, of Yuba County was unusual. We assisted Marysville / CAL FIRE on a complex extrication of the driver of an overturned semi hauling gravel. Engine 73 was sent as the closest available fire engine at the time of the request for mutual assistance.

The combined grand total of all local and regional incident related responses for Engine 73 during May was thirty (30).



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: June 20, 2011 6:00PM

DATE: May 25, 2011
TO: Honorable Mayor and Members of the City Council
FROM: Pete Carr, City Administrator/Finance
SUBJECT: Grant Search Subscription Contract (Action by Consent)

City Administrator requests authorization to enter into one-year subscription contract with grant search software provider.

Background

Following discussions at recent council meetings and budget workshops in consideration of a software tool for user-friendly comprehensive identification of grant funding opportunities for city and BCAV projects, administrator has negotiated a one-year agreement and introductory price with a reputable vendor, E-Civis.

E-Civis software will be available 24/7 for a year for one work station. The product enables searching of all federal, state and private foundation grant possibilities, with alerts on a feed-to basis. The \$3000 subscription cost would be allocated per established City overhead allocation standards. The first grant obtained could easily offset the entire year's subscription.

Administrator has checked references, concluded positive results are to be expected.

Attachment: Proposed Service Agreement with E-Civis

Recommendation

Approve the proposed grant software service with E-Civis for \$3000 per year for three years, authorize city administrator to execute the agreement.

Fiscal Impact:

Starting fiscal year 2012, \$3000 shared per established City general fund allocated expense budget.



GRANTS NETWORK MASTER LICENSE AND SERVICE AGREEMENT

Date 5/20/2011
 Contract No. 3526

This Agreement is made by and between:

eCivis, Inc., a Delaware corporation ("eCivis")
 418 N. Fair Oaks Ave. #301
 Pasadena, CA 91103
 Fax: (626) 628-3232
 Sales Contact:
 Jennifer Fernandez

and

City of Biggs, CA ("Customer")
 PO Box 307
 Biggs, CA 95917
 Phone: (530) 868-0100
 Principal Contact and Master Access Holder:
 Peter Carr, City Administrator

This Agreement, and the Exhibits attached hereto, set forth the business relationship between the parties and the terms and conditions under which the following products are licensed and services are provided to Customer, and supersedes all previous agreements between eCivis and Customer.

eCivis Products	Description	Units	Avg Unit Price	Total Price
GN: Research - 1 User License	Federal, State (if available), & Foundation	1	\$3,000.00	\$3,000.00
GN: KnowledgeBase - 1 User License	Courses, Subject Briefs, Project Trends	1	\$750.00	\$750.00
Product Sub-Total				\$3,750.00
Incentive Discount				(\$750.00)
TOTAL PRICE				\$3,000.00

Subscription Period(s) and Payment Terms

The Subscription Period of this Agreement will conclude 5/31/2014. Payment is due net 30 days from invoice date.

- Cycle 1: 7/01/2011 through 5/31/2012 for a price of \$3,000
- Cycle 2: 6/01/2012 through 5/31/2013 for a price of \$3,000
- Cycle 3: 6/01/2013 through 5/31/2014 for a price of \$3,000

PRICE IS ONLY VALID IF AGREEMENT IS SIGNED ON OR BEFORE: June 17, 2011.

~~Renewal Terms - Additional extensions of this agreement will be available.~~

This agreement will be eligible for renewal for extended periods through a mutually agreed upon purchasing vehicle executed before the expiration of the subscription period listed above. No guarantees are made as to rate, access, or included services within this agreement. Purchasing vehicles executed after the termination date of this agreement are subject to then-current retail rates for all services provided.

Accepted By:
 City of Biggs, CA

Accepted By:
 eCivis, Inc.

By: _____
 (Authorized Signature)

By: _____
 (Authorized Signature)

Name: _____
 (type or print)

Name: Lindsay Mann
 (type or print)

Title: _____

Title: Vice President of Sales

Date: _____

Date: _____

Send invoice to (if different than address above): _____

Terms & Conditions

- 1) Definitions. (a) "Customer" shall mean the end-user customer organization, entity, or individual executing this Agreement. (b) "Access Holder" shall mean each individual who have been supplied usernames and passwords, and who is an employee of or officially working on behalf of Customer at the time such individual accesses and/or uses Grants Network. If Customer is licensing the Grants Network: Community Based Organization module, then "Access Holder" also means each individual who is an employee of an approved non-profit organization. (c) "Grants Network" shall mean the purchased Products and Services as listed on page 1 of this agreement. (d) "Licensed Modules" shall mean the Modules that are licensed by Customer as listed on page 1 of this agreement.
- 2) License. In consideration of Customer's agreement to abide by the terms and conditions of this Agreement, eCivis hereby grants Customer a nonexclusive, nontransferable, right and license to permit each Access Holder to access and use the Licensed Modules; and reproduce, display, distribute, printout, and store information retrieved from the Licensed Modules, whether in electronic or written form, only for internal use within the Customer organization or entity in connection with Customer's normal business activities.
- 3) Restrictions. Neither Customer nor any Access Holder shall rent, sell, lease, sublicense, transfer, or broadcast, in any form, information from Grants Network (each an "Unauthorized Use"). Customer agrees to take all reasonable steps to protect the information in Grants Network from any such Unauthorized Use. eCivis reserves all rights not expressly granted to Customer. If Customer participates in any Unauthorized Use of the information from Grants Network or allows access to or use of Grants Network by individuals who are not Access Holders, eCivis may terminate this Agreement without refund.
- 4) Fees and Payment. Customer shall pay all fees as specified in page 1 of this agreement. Fees are based on products and services purchased and not actual usage of Grants Network. Payments are non-cancelable and non-refundable. (a) Invoice and payments are due as defined on page 1 of this agreement. (b) Overdue charges of 1.5% of outstanding balance per month may be applied at eCivis' discretion. (c) Unless otherwise stated by law, fees do not include any taxes, levies, duties or similar governmental assessments of any nature assessable by any local, state, or federal jurisdiction.
- 5) Access. eCivis shall use commercially reasonable efforts to provide Grants Network 24 hours a day, 7 days a week, except for planned downtime due to routine maintenance or in the event that Grants Network is disabled for any reason beyond the control of eCivis, including without limitation, acts of God, acts of government, natural or manmade disasters, or Internet service failures or delays. All reasonable efforts will be attempted to restore Grants Network as soon as practical. Customer acknowledges and agrees that eCivis is not obligated, but reserves the right, to make periodic updates to Grants Network.
- 6) Proprietary Protection and Rights. eCivis reserves all rights, title, interests in and to Grants Network that is provided to or accessed by Customer pursuant to this Agreement, including but not limited to any adaptations or copies and/or any intellectual property rights. The information in Grants Network is subject to protection under U.S. and foreign copyright and patent laws. Except as expressly provided for in this Agreement, nothing in any part of the terms and conditions shall be construed as conferring any license or other rights, by implication, estoppel, or otherwise, under any copyrights, patents, or proprietary information of eCivis.
- 7) Customer Data. As between Customer and eCivis, Customer exclusively owns all rights, title, and interest in and to data inputted by Customer.
- 8) Confidentiality. Customer and eCivis agree not to disclose Confidential Information without prior written consent from either party. Confidential Information in regards to eCivis includes without limitation: (a) all eCivis software, technology, programming, specifications, materials, guidelines and documentation relating to Grants Network; (b) pricing or other statistics relating to Propriety Protection provided to Customer by eCivis; and (c) any other information designated in writing by eCivis as "Confidential." Confidential Information in regards to Customer, without limiting the above, includes Customer Data as noted above. However, Confidential Information will not include information that is or becomes generally known to the public without breach of any obligation to either party.
- 9) Mutual Indemnification. eCivis' agrees to indemnify Customer against any claim that use of Grants Network or the information provided in Grants Network, other than Customer Data, infringes any U.S. patent, copyright, or trade secret. eCivis will defend and hold harmless Customer and Customer's Access Holders against such claim at eCivis' expense, provided that Customer (a) promptly notifies eCivis in writing within 15 business days of claim; (b) allows eCivis sole control of the defense of claim and any related settlement negotiations; and, (c) Customer provides all reasonable assistance at eCivis' expense. If such a claim is made or appears possible, eCivis may, in its sole discretion: (a) secure for Customer the right to continue to use Grants Network; (b) modify or replace the information in Grants Network with equivalent, non-infringing information; or, (c) terminate this Agreement. Customer agrees to indemnify and hold eCivis, its managers, members, officers, employees, harmless from and against any loss, claim, demand, cause of action, judgment, proceeding, debt liability, damage, cost, or expense (including court costs and attorney fees) incurred as a result of Customer's use or nonuse of Grants Network.
- 10) Limitations. eCivis shall employ due care and attention in obtaining and maintaining the information in Grants Network. Customer acknowledges, however, that any collection and compilation of data entails the potential for human and machine errors, omissions, delays, interruptions, and losses, including inadvertent loss of data or damage to media, which may give rise to loss or damage. Accordingly, Customer acknowledges and agrees that the information from or through Grants Network is provided "as is," "as available," and all warranties, express or

implied, are disclaimed. eCivis' sole and entire liability for any inaccurate information, for any reason, and Customer's sole and exclusive remedy for any cause, other than stated in this agreement, shall be limited to the amount paid by the Customer for the information received, if any. In no event shall eCivis be liable for any direct, indirect, punitive, special, incidental, or consequential damages for loss of business, loss of profits, loss of data, litigation, or the like, arising out of or in any way connected with the use or performance of the Grant Network program, the delay or inability to use this eCivis site, or any information, software, products, or services that are obtained or accessed from Grants Network, whether based on breach of contract, breach of warranty, tort (including negligence), product liability, strict liability or otherwise, even if advised of the possibility of such damages. The limitations of damages stated above are fundamental elements of the basis of the agreement between eCivis and Customer. eCivis would not provide Grants Network without such limitations. Some of the information in Grants Network is provided by third parties. Customer further acknowledges and agrees that eCivis is not a grant-writing firm; eCivis does not warrant or represent that use of Grants Network will result in any grant acquisition; and, Grants Network may not include all available federal and state grants or all potential data on the grants provided.

- 11) **Default.** eCivis may terminate this agreement if Customer breaches or defaults with respect to any terms or conditions of this agreement, and fails to cure the same within 15 days after written notice is provided. eCivis reserves the right, with or without notice, to suspend access to and/or use of Grants Network in the event of any Unauthorized Use, or any Customer delinquency, breach, or default under this agreement without guarantee of Customer Data or settings.
- 12) **Assignment.** Neither party may assign any of its rights or obligation as expressed in this agreement without prior written consent of the other party. Notwithstanding the foregoing, either Customer or eCivis may assign this agreement in its entirety, without consent of the other party, a successor in interest by merger, acquisition, corporate reorganization, or operation of law or purchase of the assets or entire business of the other party. This agreement shall bind and inure to the benefit of either Customer or eCivis, their respective successors, and permitted assigns.
- 13) **Entire Agreement.** This Agreement constitutes the entire and exclusive agreement between Customer and eCivis with respect to the terms and conditions and supersedes and cancels all previous agreements and understandings, whether in oral or in writing, and may not be amended, altered, or modified except by a written agreement executed by duly authorized representatives of the parties.
- 14) **Waiver.** No failure or delay by either party in exercising any right under this agreement shall constitute a waiver of that right. Other than as expressly stated in this agreement, the remedies provided within this agreement are in addition to, and not exclusive of, any other remedies of a party at law or in equity.
- 15) **Independent Status of Parties.** Neither party has the right to bind the other party, transact any business in the name or on behalf of the other party in any manner or form, or to make any promise or representation on behalf of the other party.
- 16) **Governing Law.** This agreement shall be governed by and interpreted under the laws of the state of California, without reference to conflict of laws principles. Each party consents to the exclusive jurisdiction of either the Superior Court of Los Angeles County, California, or the United States District Court for the Central District of California for purposes of any action brought under or as the result of a breach of this agreement.
- 17) **Severability.** In the event that any provision of this agreement is, becomes, or is declared by a court of competent jurisdiction to be illegal, unenforceable, or void, this agreement shall continue in full force and effect without such provision; provided, however, the parties shall negotiate in good faith to replace any ineffective, unenforceable or illegal provision with an effective replacement as soon as practical, such that the economic effect of this agreement, as between eCivis and Customer, remains the same or as nearly the same as possible.
- 18) **Attorneys' Fees.** If any action, suit, arbitration or other proceeding is instituted to remedy, prevent or obtain relief from a default in the performance by any party to this agreement of its obligations under this Agreement, the prevailing party shall recover all of such party's reasonable attorneys' fees incurred in each and every such action, suit, arbitration or other proceeding, including any and all appeals or petitions.

[Signatures provided on cover page of this Agreement or via acceptance of these terms as part of an online purchase]



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: June 20, 2011 6:00PM

DATE: June 15, 2011
TO: Honorable Mayor and Members of the City Council
FROM: Pete Carr, City Administrator
SUBJECT: Fire Protection Agreement with CalFire (Approval by Consent)

Council is asked to approve the fiscal year 2012 fire protection agreement with CalFire.

Background

The City typically receives the annual fire protection agreement from CalFire months into the fiscal year. This year's agreement is provided in advance of the new budget year, is exactly as budgeted, and is not significantly changed from the previous fiscal year.

Two Attachments:

Proposed Resolution 2011-13

Proposed Fire Protection Reimbursement Agreement (provided electronically)

Recommendation:

Approve Resolution 2011-13 Department of Forestry and Fire Protection Agreement for Services from July 1, 2011 to June 30, 2012.

Fiscal Impact of Recommendation:

Agreement cost is already in FY12 budget.

RESOLUTION NO: 2011-13

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS
APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION
AGREEMENT (2CA01444) FOR SERVICES FROM JULY 1, 2011 TO JUNE 30, 2012**

BE IT RESOLVED by the City Council of the City of Biggs, that said Council does hereby approve the agreement with the California Department of Forestry and Fire Protection (CAL FIRE) dated July 1, 2011. This agreement provides fire protection services during the State fiscal year 2011/2012 for the amount of \$146,000.

BE IT FURTHER RESOLVED that the Roger Frith, Mayor of said City of Biggs be and hereby is authorized to sign and execute said agreement on behalf of the City of Biggs.

I HEREBY CERTIFY that the foregoing **RESOLUTION** was duly introduced, passed and adopted at a regular meeting to the City Council of the City of Biggs, held on the 20th Day of June, 2011, by the following vote:

AYES: COUNCILMEMBER _____
NOES: COUNCILMEMBER _____
ABSENT: COUNCILMEMBER _____
ABSTAIN: COUNCILMEMBER _____

ATTEST:

APPROVED:

Roben Dewsnup,
CITY CLERK

Roger L. Frith
MAYOR

City of Biggs

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: G. Michael Vasquez, P.E. – Engineering Staff

DATE: June 20, 2011 City Council Meeting, Prepared June 16, 2011

SUBJECT: USDA Water Project Closeout

Requested Action:

Motion to accept completion of all phases of the USDA Water Project.

Recommendation:

Approve the resolution accepting the project's completion as requested by USDA.

Financial Impact:

No City expenditures in addition to what has been previously approved by the Council.

Background:

This is a bookkeeping resolution as requested by USDA at a meeting with Staff conducted on June 16, 2011. Council has previously approved all phases of the project in past Council Meetings, but USDA would like to see one resolution for the overall project instead of individual resolutions for the specific phases of the project.

RESOLUTION NO. 2011-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ACCEPTING COMPLETION OF THE USDA WATER PROJECT.

BE IT RESOLVED by the City Council of the City of Biggs as follows:

WHEREAS, the City of Biggs requested that Contractors Ferguson Waterworks provide water meters, The SJ&B Group / Safeco install waterline, waterline appurtenances, and paving, Nor-Cal Pump and Well Service rehabilitate existing wells and install a hydro-pneumatic tank, and Nor-Cal Pipeline Services repair sewer line and

WHEREAS, the City used Water Fund and USDA funding to fund the project and

WHEREAS, the Contractors have completed the project and

WHEREAS, City Staff has inspected the project and the project meets the intent of the project plans and specifications and

WHEREAS, the project completion must be accepted by the City Council before the project can be closed out as requested by USDA and

WHEREAS, the City of Biggs wishes to accept completion of this project.

I HEREBY CERTIFY that the foregoing **RESOLUTION** was duly introduced, passed and adopted at a regular meeting of the City Council of the City of Biggs, held on the 20th of June, 2011 by the following vote:

AYES: COUNCILMEMBER _____
NOES: COUNCILMEMBER _____
ABSENT: COUNCILMEMBER _____
ABSTAIN: COUNCILMEMBER _____

ATTEST:

APPROVED:

Roben Dewsnap
CITY CLERK

Roger Frith
MAYOR



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: June 20, 2011 6:00PM

DATE: June 17, 2011

TO: Honorable Mayor and Members of the City Council

FROM: Pete Carr, City Administrator/Finance

SUBJECT: Correspondence to Representative Herger: Bond Financing
(Approval by Consent)

Background:

As you may recall, back in December, the President's Bipartisan Deficit Reduction Commission floated a package of budget cuts and tax increases that included moving Power Marketing Administration (PMA) to market based rates and eliminating tax-exempt municipal bonds. While neither proposal has thus far resurfaced legislatively, the Deficit Reduction Commission package has been cited as a starting point by several key budget negotiators. With the August 2 deadline for raising the federal debt ceiling rapidly approaching, these talks are likely to produce a significant deficit reduction package.

The attached letter is designed by our advocates at NCPA to be personalized by each NCPA member and sent to its congressional representatives regarding the importance of protecting cost-based PMA rates and the availability of municipal tax-exempt financing during the current round of budget negotiations.

With Republican Congressional leadership insisting that it will not agree to significant tax cuts and Democrats effectively taking Medicare reform off the table, options for reducing the federal budget deficit are narrowing. In this context, the threat to tax-exempt financing and cost-based PMA rates remain real.

We need to make sure that our congressional delegation remains fully aware of these threats and understands the impact and adverse result it would have on their constituents.

Attachments: Letter for Signature by Mayor

Recommendation:

Approve letter for Mayor's signature and distribution to Congressional representatives.

CITY OF BIGGS



465 C STREET
P.O. BOX 307
BIGGS, CALIFORNIA 95917
TELEPHONE (530) 868-5493
www.biggs-ca.gov

June 24, 2011

The Honorable Wally Herger
United States House of Representatives
Second District of Congress
2595 Ceanothus Ave #182
Chico, CA 95973

Dear Mr. Herger:

Residents of Biggs understand and appreciate Congress' efforts to reduce the federal budget deficit, and believe those efforts need to be done wisely to promote economic growth. For that reason, I am writing to urge you to oppose any effort to reduce the deficit by making changes to either tax-exempt financing or the rate-setting policies of the Western Area Power Administration (Western).

As you know, tax-exempt financing is an essential tool for constructing local public infrastructure, supporting economic development and meeting the needs for our communities. The reduced financing costs are often critical in determining if a project gets built or not – whether it is a school addition or a clean power plant. Without the ability to finance these projects, our residents will suffer, business will stagnate, and services will erode. In recognition of our shared system of governance, the federal government has never taxed interest on state and local tax-exempt bonds. Moreover, eliminating or restricting tax-exempt bonds is a false means of tackling the budget deficit – since all it does is push the problem to state and local governments when they are already facing serious budget shortfalls.

Similarly, changing Western's rate-setting policies could cause economic hardship in our community. Biggs and other Central Valley Project (CVP) power customers pay rates that cover all of the costs of generating and delivering the power – plus interest. A move to market-based rates would overturn nearly 100 years of federal policy and subject individuals and business to higher electric rates and price volatility. Arbitrarily raising the cost of CVP power will simply impose a selective tax on our residents and businesses, and further compound the economic challenges we face. In addition, given the interdependent operations and economics of the CVP, any shift in CVP pricing policies will threaten the viability of other CVP project purposes such as irrigation, flood control, water supply, recreation and environmental protection.

Tax-exempt bonds and CVP power have played critical roles in our community, helping Biggs provide affordable and reliable power to our citizens, and attract and retain businesses. I appreciate the difficult choices you face, but I am asking that you make clear that eliminating or restricting tax-exempt bonds, or changing the rate-setting policies of Western, are not acceptable choices.

Thank you for your consideration of this important issue.

Sincerely,

Roger L. Frith
Mayor

cc: Northern California Power Agency (NCPA)