

Call To Order

The regular council meeting was called to order at 6:30 p.m. by Mayor Frith. Vice-mayor Thompson, Councilmembers Arnold, Bottorff and Sheppard were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend, City Engineer Steve Speights and City Clerk Roben Dewsnap.

**1. COMMUNITY PARTICIPATION:** None

- 2. PRESENTATION:** City Administrator Pete Carr introduced City History Intern Rebecca Feldstein. Ms. Feldstein stated she was able to conduct oral interviews with individuals who lived in the city for many years. The interviews have been saved to a flash drive. She suggested archiving newspapers that had been found in the public works storage. Perhaps a group could be formed to continue the process she had begun.

Council thanked her for her efforts.

**3. CONSENT CALENDAR:**

- A. Approval of warrants: #26151 - 26218; #8159 - 8179; Z00632 - Z00647 for month of April 2012 in the amount of \$250,203.60.
- B. Acknowledge receipt of accountant's Monthly Cash and Investments Report for March 2012 and Recap of Discretionary Funds, and Funds with Restricted Uses.
- C. Acknowledge receipt of Fire Department Report for March 2012.
- D. Authorize City Administrator to sign a Bennett Engineering Task Order for Property Acquisition.
- E. Adopt draft Community Development Block Grant (CDBG) Policies and Procedures Manual and direct staff to submit the manual to the Department of Housing and Community Development.
- F. Approve supplemental budget augmentation of \$5800 for city planner contract services for fiscal year 11-12.
- G. Adopt Resolution by reading of title only. Resolution No. 2012-04 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS CALLING A GENERAL MUNICIPAL ELECTION ON NOVEMBER 6, 2012 FOR THE PURPOSE OF ELECTING TWO MEMBERS TO THE CITY COUNCIL AND REQUESTING CONSOLIDATION OF THAT ELECTION WITH THE CONSOLIDATED GENERAL ELECTION TO BE HELD NOVEMBER 6, 2012.
- H. Adopt Resolution by reading of title only. Resolution No. 2012-05 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING THE NORTHERN CALIFORNIA POWER AGENCY LEGISLATIVE AND REGULATORY AFFAIRS PROGRAM AGREEMENT."
- I. Adopt Proclamation, "A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF BIGGS PROCLAIMING AUGUST 7, 2012 AS 'NATIONAL NIGHT OUT'."

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

**4. DEPARTMENT REPORTS:**

- A. Planning: City Planner Scott Friend reviewed the activity report for April / May included in the agenda.

B. Engineering:

1. City Engineer Steve Speights reviewed the activity report for May included in the agenda packet. In an update to the report, Mr. Carr had been informed that the CDBG grant for the Community Hall would not be funded. Mr. Carr would seek council approval at the next council meeting to keep the application on file for the next round of grants.
2. Mr. Speights asked council to adopt a resolution authorizing an application to the USDA Rural Development for a grant. The USDA and the state revolving fund have been identified as two sources of funding for the Wastewater Treatment Plant Application.

Motion/Second to adopt *Resolution No. 2012-06*, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR FUNDING FROM THE USDA, RURAL DEVELOPMENT - RURAL UTILITIES SERVICE UNDER THE WATER AND WASTEWATER DISPOSAL LOAN AND GRANT PROGRAM." (Frith/Thompson, MCU)

3. Mr. Speights reviewed the Wastewater Treatment Plan Application for State Revolving Fund staff report. He informed council that after the staff report was prepared on Friday, he met with staff from the state and learned the city did not need to adopt an MOU for an urban water conservation plan. The loan rates have some strings attached - the median household income of the community must be less than 80% of the state median household income. The state will rely on the old census data so the city does not have a problem meeting this standard. The other criterion is that sewer rates must be more than 1½ percent of the median household income. This needs to be in effect before the start of construction. Repayment is not required until one year after the end of construction.

Mr. Speights stated he was asking for council to approve two resolutions for this process.

Motion/Second to adopt *Resolution No. 2012-07* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS - AUTHORIZATION TO NEGOTIATE AND EXECUTE FINANCIAL ASSISTANCE AGREEMENT." (Thompson/Sheppard, MCU)

Motion/Second to adopt *Resolution No. 2012-08* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS EXPRESSING EXPECTATION TO BE REIMBURSED FOR EXPENSES PAID PRIOR TO LOAN APPROVAL." (Thompson/Sheppard, MCU)

4. Mr. Speights stated Bennett Engineering was asking council to approve an amendment to the Sixth Street Bridge Project of \$14,563 as a result of Caltrans requesting additional environmental studies, and \$5,745 due to an error in the original Bennett Engineering fee estimate spreadsheet that left Bennett short of budget.

Motion/Second to approve the Sixth Street Bridge Amendment No. 1 for \$20,308. (Frith/Thompson, MCU)

5. Mr. Speights asked council to consider proposed adjustment to sewer rates which would result in an increase of waste water service charges for all customers and revenue generation sufficient to balance the city sewer expenses, including operations, equipment replacement, and capital improvement debt service. In order to break

even, rates need to be about \$40. He suggested a three step rate increase program with the first step in October of this year; the second step would be in July of next year, and final increase in 2016.

This would be the beginning of the Prop 218 process which would notify all customers, giving them the opportunity to submit protests against the increase.

Resident April Rodriguez stated her concerns about raising rates on the citizens in Biggs. Mayor Frith pointed out this was something the city had to do and the city was trying to soften the impact of the increase.

Ms. Rodriguez questioned the flow charge of \$5 per month. Mr. Carr asked if this was required since the MOU was not required. Vice Mayor Thompson suggested eliminating this charge.

Mr. Speights stated if the first increase were to be enacted in October, there was not much time for the prop 218 election. He had looked at a scenario of waiting until next year for the first increase.

Council agreed to form an ad hoc committee to discuss the sewer rate increase and come back in August or September with a decision. Two council members could serve on the committee. Sheppard, Arnold and Thompson all showed interest.

- C. Public Safety. Assistant Chief Dean Price stated there would be an increase in night patrol.
- D. Sutter Butte Flood Control Agency (SBFCA). No report.
- E. Pubic Works. No report.
- F. Electric. Mayor Frith attended the conference in Washington DC. Items discussed were cyber security, hydro power, tax exempt financing and commodity swaps.
- G. BCAG/Air Quality. Vice Mayor Thompson stated the meetings were held here in the Biggs council chambers.
- H. Solid Waste. Nothing to report.
- I. Mosquito Abatement. Councilmember Sheppard stated the mosquito population had increased. The helicopter hovering over town yesterday was taking pictures of swimming pools with green water. Mosquito Abatement will spray for wasps.
- J. Other commission reports: Councilmember Bottorff reported on SCORE distribution.
- K. City Administrator:
  - 1. Retiree Health Benefits – Policy. Mr. Carr questioned whether the City should continue to allow retirees to continue their ancillary benefits for dental and vision insurance only. The premium is paid 100% by the retiree. Staff has confirmed that the providers look to the City to designate eligible enrollees. He recommended council approve the proposed retiree benefits policy and direct staff to include this in the City Personnel Manual. This benefit would cease with the demise of the retiree.

MINUTES OF THE CITY OF BIGGS  
REGULAR COUNCIL MEETING

May 8, 2012

Motion/Second to approve the proposed retiree benefits policy and direct staff to include same in the City Personnel Manual. (Thompson/Bottorff, MCU)

2. City Administrator Contract. Mr. Carr presented his formal resignation with his last day being May 23, 2012. Council officially accepted the resignation.
3. Mayor Frith asked to add an item to the agenda for a payment that needs to be made this month in the amount of \$5,530. Council agreed to add.

Mr. Carr explained most employers pay 3.4% of payroll as unemployment insurance. When employees file claims, there is money to pay the claims. The City of Biggs pays nothing to EDD until there is a claim.

Motion/Second to pay claim to EDD. (Thompson/Arnold, MCU)

5. **INFORMATIONAL:** Mr. Carr stated a budget session would need to be scheduled. Council agreed to hold a special budget session on May 11<sup>th</sup> at 2 p.m.

Mayor Frith stated Tom Lando and PMC showed interest in the interim city administrator's duties.

Vice Mayor Thompson would recuse herself from participating in item B during the closed session due to conflict of interest.

**6. CLOSED SESSION: 9:25**

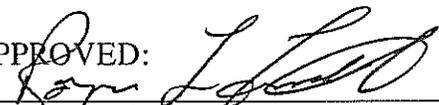
A. Closed Session Pursuant to Government Code Section 54956.8  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: 3069 Eighth Street, APN 001-173-006-000  
Agency negotiator: Pete Carr, Steve Speights, Scott Friend, Greg Einhorn  
Negotiating parties: Not specified  
Under negotiation: Price and terms of payment

B. Closed Session Pursuant to Government Code Section 54957  
Public Employee Appointment  
Title: City Administrator (Interim)

7. **RESUME REGULAR MEETING:** Council resumed the Regular Meeting at 10:03 p.m. No announcement.

8. **ADJOURNMENT:** Meeting was adjourned at 10:04 p.m.

ATTEST:   
Roben Dewsnup, CITY CLERK

APPROVED:   
Roger L. Frith, MAYOR