

Call To Order

The regular council meeting was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Sheppard, Council Members Arnold and Busch were present. Council Member Thompson arrived at 7:05 p.m. Staff present: City Administrator Mark Sorensen, City Attorney Greg Einhorn, City Planner Scott Friend, City Engineer Brian Martin and City Clerk Roben Dewsnup.

2. **CLOSED SESSION:** Conference with Real Property Negotiators Pursuant to Govt. Code Section 54956.8. City Negotiator(s): McElhern/Einhorn/Sorensen  
Property and Negotiating Parties: 06-007 Biggs Business Trust, Et Al. (APN 022-140-009, -010 & -011)

3. **RESUME REGULAR SESSION:** Council resumed regular session at 6:30 p.m.

Council directed staff to initiate eminent domain proceeding regarding the real property necessary for the City's Wastewater Treatment Plant Improvement Project.

1. **COMMUNITY PARTICIPATION:** Cari Wheeler stated that Biggs and Gridley Chamber of Commerce will combine. A kickoff will be held on January 24<sup>th</sup> and she offered the City of Biggs a free membership for one year.

Daryl Dye, Electrical Superintendent for Gridley and Biggs, wished to update Council on the electrical system. He stated trees had been trimmed and the electrical system was in good condition.

**4. SPECIAL BUSINESS:**

- A. Motion/Second to adopt *RESOLUTION NO. 2014-24*, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS RECITING THE FACT OF THE CONSOLIDATED GENERAL ELECTION HELD ON NOVEMBER 4<sup>TH</sup>, 2014 DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW." (Frith/Arnold, MCU; Absent: Thompson)

- B. Swearing-in Ceremony: City Clerk Roben Dewsnup administered the oath of office to Doug Arnold and Bo Sheppard.

- C. Selection of Mayor and Vice Mayor.

Ms. Dewsnup opened the nominations for mayor. Councilmember Busch nominated Roger Frith for mayor. Nominations were closed.

The vote in favor of Roger Frith for mayor was 3/1. (Ayes: Busch, Frith, and Sheppard; Noes: Arnold; Absent: Thompson)

Ms. Dewsnup opened the nominations for vice-mayor. Mayor Frith nominated Bo Sheppard for vice-mayor. Nominations were closed.

The vote in favor of Bo Sheppard for vice-mayor was 4/0. (Ayes: Busch, Arnold, Frith, and Sheppard; Absent: Thompson)

D. Commission and Committee Appointments.

Motion/Second to re-appoint all council members to their current positions, excluding Air Quality. (Sheppard/Busch, MCU; Absent: Thompson)

Motion/Second to appoint Vice-Mayor Sheppard as the representative to the Mosquito Vector Control District for four years. (Frith/Busch, MCU; Absent: Thompson)

Motion/Second to re-appoint current representatives to the Butte County Abandoned Vehicle Abatement Committee and the Orchard Hospital Committee. (Frith/Sheppard, MCU; Absent: Thompson)

**5. PRESENTATION:**

Paul Ahrns of the Sierra Business Council, reported on the Baseline Greenhouse Gas Inventories for the City of Biggs.

- 4. B. Continued: Ms. Dewsnup administered the oath of office to Angela Thompson.
- 4. D. Continued: Motion/Second that the assignment to Air Quality Control remain as is. (Frith/Arnold, MCU)

**6. PUBLIC HEARING:**

- A. Consider Adopting Resolution of Necessity for Acquisition of Property Interests from Butte County APNs 022-140-009, -010 & -011 (06-007 Biggs Business Trust, Et Al.)

City Attorney Greg Einhorn stated at the last council meeting, Council had directed staff to prepare a Resolution of Necessity for the acquisition of property for the wastewater treatment plant expansion. Council also provided authority for staff to work with outside legal services for preparation of the resolution of necessity. Staff has engaged Downey Brand for this purpose.

Scott McElhern of Downey Brand gave an overview of the required findings for adoption of a resolution of necessity.

- B. Mayor Frith opened the hearing to the public.
  - 1. Proponents. None
  - 2. Opponents. Carl Mealer suggested leaving the wastewater treatment plant as it is.
  - 3. Opponents Rebuttal. None
- C. Close hearing to the public.
- D. Council discussion.

Motion/Second to approve *RESOLUTION NO. 2014-25* "A RESOLUTION OF THE CITY OF BIGGS DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR CONSTRUCTION, INSTALLATION, REPAIR, AND MAINTENANCE OF THE WASTEWATER TREATMENT PLANT ENHANCEMENT PROJECT (CODE CIV. PROC. § 1245.230)." (Arnold/Sheppard, MCU)

**7. CONSENT CALENDAR:**

- A. Approval of warrants: 8576 – 8586, Z01167 – Z01185, and 28291 – 28348 for the month of November 2014 in the amount of \$312,867.31.
- B. Acknowledge receipt of Biggs Fire Department Report for the month of November 2014.
- C. Acknowledge receipt of Accountant's Reports for July, August and September 2014.

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

**8. DEPARTMENT REPORTS:**

A. Planning:

- 1. Planning / Code Enforcement. City Planner Scott Friend reviewed the Planning Department monthly activity report for November/December in the agenda packet.

Resident Karl Mealer asked what he needed to do to bring his carport into compliance. Mr. Friend would contact with Mr. Mealer to discuss this issue.

- 2. Municipal Services Review/Sphere of Influence Update. Mr. Friend presented a proposal from Pacific Municipal Consultants (PMC) to update the City's Municipal Services Review document in support of a request to the Butte Local Agency Formation Commission (LAFCo) to expand the City's Sphere of Influence.

Motion/Second to authorize the Mayor to sign an agreement with PMC to prepare an update to the City's Municipal Services Review document in support of a request to the Butte LAFCo to expand the City's Sphere of Influence boundary. (Sheppard/Thompson, MCU)

B. Engineering:

- 1. Engineering Department Activity Report. City Engineer Brian Martin reviewed the monthly activity report for November/December 2014.
- 2. Proposal for City Mapping Services. Mr. Martin stated the City's water, sewer, storm drainage and electrical system maps have not been updated in many years and do not reflect the many changes and additions to the City's infrastructure facilities that have taken place in past years.

Motion/Second to direct staff to move forward with option 1.D in the amount of \$8,500. (Frith/Thompson, MCU)

- 3. Task Order No. 27 to the Engineering Services Agreement dated June 11, 2011.

Mr. Martin stated the California Rural Water Association (CRWA) has a contract with the State Water Resources Control Board to prepare water rate studies for Disadvantaged Communities. The State has directed CRWA to work with the City of Biggs in preparing and presenting a water rate study for the City.

Resident Mary Frith stated her concern about the State forcing mandates on the City.

Mr. Martin would contact the State and bring information back to Council next month.

- C. Public Safety. Fire Chief John Sprague and Police Chief Dean Price gave verbal updates to Council.
- D. Sutter Butte Flood Control Agency (SBFCA). Vice-Mayor Sheppard reported 17.5 miles of levee had been repaired this year.
- E. Public Works. No report.
- F. Electric. Verbal report by Mayor Frith.
- G. BCAG. No report.
- H. Air Quality. No report.
- I. Solid Waste. No report.
- J. Mosquito Abatement. Verbal report by Vice-Mayor Sheppard.
- K. City Attorney.

Mr. Einhorn stated the Law Firm Downy Brand will be representing the City of Biggs on the acquisition of property for the wastewater treatment plant. Downy Brand also represents the Sutter Buttes Flood Control Agency (SBFCA) which may contract with the City for fill material from this same property for levee repair. This would be considered a conflict of interest which can be waived.

Motion/Second to approve waiver by and between the City of Biggs and Downey Brand.  
(Frith/Sheppard, MCU)

- L. Other commission reports. Vice-Mayor Sheppard reported on the Water Advisory Committee Meeting he attended. Councilmember Busch reported on the LAFCo meeting he attended.
- M. City Administrator.

- 1. Biggs Municipal Code (BMC) Section 8.15 Parking. Mr. Sorensen asked Council to review BMC 8.15 regarding parking regulations and direct staff regarding desired changes.

Council would review the code and email Mr. Sorensen with suggestions.

- 2. Rio Bonito Park Lease Expiration. Mr. Sorensen stated the lease of Rio Bonito Park expires in May 2015.

Mr. Sorensen and Vice-Mayor Sheppard would meet with the school superintendent and discuss options.

- 3. JustServe Participation.

Vice-Mayor Sheppard stated JustServe.org is provided as a service by the LDS Church to match churches, civic organizations, non-profits, and governmental agencies that need volunteers with volunteers willing help. He asked Council to consider participation in this volunteer organization service.

Council concurred this was a good opportunity for volunteer help and Vice-Mayor Sheppard and Mr. Sorensen would contact the JustServe coordinators.

4. Contract for Legal Services with Downey, Brand. Mr. Sorensen ask council to consider authorizing a contract for Legal Services with Downey Brand for land acquisition.

Motion/Second to approve contract for Legal Services with Downey Brand and authorize the Mayor and City Administrator to sign the contract for legal services. (Busch/Sheppard, MCU)

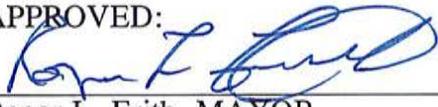
**9. INFORMATIONAL:** None

**10. ADJOURNMENT:** The regular meeting was adjourned at 9:50 p.m.

ATTEST:

  
\_\_\_\_\_  
Roben Dewsnup, CITY CLERK

APPROVED:

  
\_\_\_\_\_  
Roger L. Frith, MAYOR