

Call To Order

The regular council meeting was called to order at 6:30 p.m. by Mayor Frith. Vice Mayor Sheppard and Councilmembers Arnold and Thompson were present. Councilmember Busch arrived at 7:00 p.m. Staff present: City Administrator Mark Sorensen, City Attorney Greg Einhorn, City Engineer Trin Campos, City Planner Scott Friend and City Clerk Roben Dewsnup.

1. **COMMUNITY PARTICIPATION:** Resident Gary Honan asked council how they feel about fines imposed on downtown property owners. Mayor Frith advised him this item could be discussed later on the agenda.

2. **ORCHARD HOSPITAL PROPERTY TAX:**

Mr. Sorensen stated this item was a follow up from the last council meeting and would authorize by way of resolution the placement of the question authorizing continuation of the current parcel tax to support Orchard Hospital on the November 2016 ballot within the City of Biggs for voter consideration.

Councilmember Arnold asked to change the phase "Council desires to submit this special tax ballot measure to the voters of the City of Biggs for their approval and adoption" to "Council desires to submit this special tax ballot measure to the voters of the City of Biggs for their consideration and adoption."

Motion/Second to approve Resolution No. 2016-07, "RESOLUTION OF THE BIGGS CITY COUNCIL CALLING AND GIVING NOTICE OF A GENERAL ELECTION FOR CITY SPECIAL TAX MEASURE (STANDBY COSTS OF PROVIDING EMERGENCY ROOM SERVICES IN A CRITICAL ACCESS HOSPITAL (ORCHARD HOSPITAL)) TO BE HELD NOVEMBER 8, 2016; REQUESTING THE BOARD OF SUPERVISORS OF BUTTE COUNTY TO CONSOLIDATE SAID ELECTION WITH THE GENERAL STATEWIDE ELECTION; APPROVING AN INCREASE IN THE CITY'S SPENDING LIMIT, AND SETTING THE BALLOT LANGUAGE " and changing the word "approval" to "consideration". (Thompson/Sheppard, MCU; Absent: Busch)

3. **CITIZEN REQUEST TO AGENDIZE CODE ENFORCEMENT LAWS:**

This item was tabled. The person requesting to speak on this item did not attend the meeting.

4. **CONSENT CALENDAR:**

- A. Approval of warrants: 31042 – 31122, Z01507– Z01523, for the month of May 2016 in the amount of \$337,943.09.
- B. Acknowledge receipt of Police Report for April 2016.
- C. Acknowledge receipt of Animal Control Reports for April and May 2016
- D. Acknowledge receipt of Accountant's Report as of April 30, 2016.

Motion/Second to accept the consent calendar. (Sheppard/Thompson, MCU; Absent: Busch)

5. **DEPARTMENT REPORTS:**

- A. Planning: Department Activity Report – May 2016 / June 2016. City Planner Scott Friend reviewed the planning/code enforcement activity report.

Mr. Honan again asked Council how they felt about downtown property owners being fined and why one of the property owners was not fined. He also stated he couldn't do anything with his building until the neighbor makes a decision whether to demo his building or not.

Mayor Frith stated he did not like placing fines but sometimes it is necessary.

Mr. Friend explained a first notice had been sent to the property owner not fined informing the property owner if his code violations were not resolved, his case would go to a code enforcement hearing.

B. Engineering:

1. Department Activity Report – May 2016 / June 2016. City Engineer Trin Campos reviewed the activity report included in the agenda packet.
2. Amendment to Task Order No. 36 for the City's Lot Split Project.

Mr. Campos stated this item would be brought back at a later date.

3. Amendment No. 1 to Task Order No. 29 – Wastewater Treatment Plant Improvement Phase 2 Project.

Mr. Campos explained this task order is for additional work scope required for the WWTP Phase 2 Project.

Motion/Second to approve amendment in the amount of \$57,865 and authorize the City Administrator to execute this amendment to Task Order No. 29, contract with Bennett Engineering Services for design services for the Phase 2 Wastewater Improvement Project. (Frith/Sheppard, MCU)

- C. Public Safety. Verbal reports by Mayor Frith and Police Chief Price.
- D. Sutter Butte Flood Control Agency (SBFCA). No report.
- E. Public Works. No report.
- F. Electric. Verbal report by Mayor Frith.
- G. BCAG. Verbal report by Councilmember Busch.
- H. Air Quality. Verbal report by Councilmember Thompson.
- I. Solid Waste. No report.
- J. Mosquito Abatement. Verbal report by Vice Mayor Sheppard.
- K. SCORE. No report.
- L. LAFCo. Verbal report by Councilmember Busch.
- M. Other commission reports.

N. City Attorney.

Rescinding Agreement Regarding Collection of Development Impact Fees for Jail Facilities.

Mr. Einhorn stated after the City of Biggs and Butte County entered into an agreement regarding development impact fees for jail facilities, a lawsuit was filed in Butte County Superior Court. The County retained a law firm to provide a defense to all defendants and the claims will be dismissed with prejudice in exchange for rescission by all defendants of their agreements with the County.

Motion/Second to approve Resolution No. 2016-09, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS RESCINDING AGREEMENT REGARDING COLLECTION OF DEVELOPMENT IMPACT FEES FOR JAIL FACILITIES WITHIN THE INCORPORATED AREA OF THE CITY OF BIGGS" and refund all fees that have been collected. (Frith/Thompson, MCU)

O. City Administrator:

1. Fire Protection Agreement with CalFire.

Mr. Sorensen asked Council to approve the fiscal year 2016-2017 fire protection agreement with CalFire. This year's agreement is \$7,706 higher than last year. Chief Haile explained the increase was due to a rise in health care and pension costs.

Motion/Second to approve Resolution No. 2016-08, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION AGREEMENT (2CA03073) FOR SERVICES FROM JULY 1, 2016 TO JUNE 30, 2017." (Frith/Thompson, MCU)

2. Award Contract for Auditing Services.

Mr. Sorensen informed Council the City had received three responses to a request for proposals for annual audit services.

Motion/Second contingent upon recommendation by the City's CPA, authorize the City Administrator to contract with David Bruner CPA for audit services for the fiscal years ending June 30, 2016, 2017 and 2018. (Sheppard/Arnold, MCU)

6. **INFORMATIONAL:** None

7. **CLOSED SESSION:** Council adjourned to Closed Session at 8:44 p.m.

8. **RESUME REGULAR MEETING:** Council resumed the Regular Session at 10:32 p.m. No actions to report.

9. **ADJOURNMENT:** Council adjourned the regular meeting at 10:32 p.m.

ATTEST:


Roben Dewsnap, CITY CLERK

APPROVED:


Roger L. Frith, MAYOR