

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 14th DAY OF NOVEMBER, 2008, IN ACCORDANCE WITH GOVERNMENT CODE §54954.2. MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL FOR THE CITY OF BIGGS AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION IN CITY OFFICES AT 465 C STREET, BIGGS, CA DURING NORMAL BUSINESS HOURS.

THIS MEETING WILL BE HELD IN COUNCIL CHAMBERS, 3016 SIXTH STREET, BIGGS, CA

AGENDA of the
CITY COUNCIL
CITY OF BIGGS

6:00 p.m. Monday
November 17, 2008
REGULAR MEETING

MEETING CALLED TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG.

1. COMMUNITY PARTICIPATION FORUM-5 MINUTE LIMITATION.

At this time, any member of the public may address the City Council on matters which are not listed on this agenda. City Council may not discuss nor take action on any item not listed on the agenda. Please limit your comments to five minutes.

In accordance with State law, no action shall be taken on any item presented in public forum or unscheduled matters unless the council, by majority vote, determines that an EMERGENCY situation exists, or, unless the council by two-thirds vote, finds that the need to take action arose after this agenda was posted.

All visitors are requested to approach the lectern when recognized and state your name for the record.

A. Citizen's comments.

The Council will announce the opportunity for public comment at some point during the Council's consideration of each action item on the agenda. Please limit comments to five minutes per person per topic. Once the public comment period is closed, the public is asked to refrain from comment, allowing the Council the opportunity to continue its discussion of, and action on, the item without interruption.

2. PRESENTATION – *Substance Abuse Program*

Discussion/Action: Georgie Szendrey will present an informational drug abuse awareness program.

A. Staff report.

B. Public comments.

C. Council discussion.

3. PUBLIC HEARING – *Marijuana Draft Local Ordinance:*

City Attorney will present a draft ordinance designed to limit or eliminate public nuisances created by marijuana cultivation in Biggs.

Public Hearing Procedures:

A. Staff comments.

B. Open the hearing to the public.

1. Proponents.

2. Opponents.

3. Proponents rebuttal.

4. Opponents rebuttal.

C. Close hearing to the public.

D. Council discussion.

Action: If appropriate, move for *FIRST READING and INTRODUCTION* of ordinance by reading of title only.

Next Ordinance No. 379

Ordinance No. _____ “An Ordinance Of The City Of Biggs Amending Portions Of Title Six Of The Biggs Municipal Code To Include As A Nuisance Visual Observation And/Or Excessive Odor Arising From The Presence And/Or Cultivation Of Marijuana And Declarations That Cultivation Of Marijuana Be Prohibited Completely As Unlawful And A Nuisance, Except In Limited Circumstances To Primary Caregivers And Qualified Patients (CODIFIED)

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of October 20, 2008 and Special Meeting October 6, 2008.
- B. Approval of warrants: #7236- #7250; #Z00066 - #Z00077 and #23025 - #23134 for month of October 2008 in the amount of \$404,217.28.
- C. Acknowledge receipt of Month in Review, Monthly Council Report and Traffic Summary for month of October 2008 from Police Chief Gary D. Keeler.
- D. Acknowledge receipt from Gridley-Biggs Animal Control Officer, Amy Egan, of Monthly Report of Local Rabies Control Activities and Animal Bite Activity for October 2008.
- E. Approval of December 26, 2008 as a holiday for City employees.

Action: It is recommended items “A” through “E” be acted on simultaneously unless separate actions are requested by a Councilor or a member of the audience. MOTION to approve the consent calendar.

5. DEPARTMENT REPORTS:

- A. Public Safety – Verbal update. (J. Busch)
- B. Public Works – Verbal update. (R. Frith)
- C. Engineer:

1. Project Updates:

- a. West Side Storm Drain Rehabilitation Project.
- b. USDA Well Rehabilitation Project.
- c. North Biggs Estates.
- d. Safe Routes to School / TEA / Prop 1B / West Biggs Gridley Road.
- e. Sixth Street Bridge Rehabilitation.

D. Planning Department:

1. Informational:

- a. Department Activity Report – October / November 2008.
- b. Fee Schedule Update.

2. **Discussion/Action: *Municipal Services Review (MSR) – Budget Augment Request.***

Consider request from Planning Department and Planning Consultant, Quad-Knopf for

contract amendment in the amount of \$3,700 for unanticipated and unbudgeted costs.

- a. Staff report. b. Public comments. c. Council discussion.

Action: If appropriate, approve request.

3. Code Enforcement Activity Report – October 2008 - Present.

E. Electric Department: NCPA verbal update. (R. Frith)

F. BCAG/Air Quality: – Verbal update. (D. Arnold)

G. Finance Department:

Informational: Department Activity Report –October 2008 / November 2008.

H. City Administrator:

1. Discussion:

a. New City Website.

b. Update on alternate energy projects and report on “Farming Clean Energy” conference.

c. Implementation of development impact fee vs. existing residences.

d. Auditing franchises.

e. Seating of new Council Member.

2. **Discussion/Action – Code Enforcement Issues and Guidelines.**

Consider proposed guidelines for enforcement of city code.

- a. Staff report. b. Public comments. c. Council discussion.

Action: Consider the information provided and direct staff as desired.

3. **Discussion/Action:** Consider *Draft Response To County Grand Jury* related to impact fees to support County jail capital improvements.

- a. Staff report. b. Public comments. c. Council discussion.

Action: Consider the draft response, approve or direct staff to revise document.

4. **Discussion/Action:** Consider *Approach To Butte County Air Quality Management District (BCAQMD) Board of Directors* relative to the Board’s current limitation on voting representation by city director alternates.

- a. Staff report. b. Public comments. c. Council discussion.

Action: Consider the issue and provide direction to Air Quality Commissioner and staff.

6. **RESOLUTION:** next Resolution No. 2008-21

Discussion/Action: Consider resolution “*The City Of Biggs Hereby Authorizes The Submittal Of An Application To The California Integrated Waste Management Board For Funding Under The Tire-Derived Product Grant Program; And If Selected, The*”

Execution Of A Grant Agreement And Any Amendments Thereto; And Any Related Documents Necessary To Participate In The Tire-Derived Product Grant Program”.

A. Staff report. B. Public comments. C. Council discussion.

Action: Adopt resolution _____, by reading of title only.

7. INFORMATIONAL:

8. ADJOURNMENT:

Motion to adjourn to _____

Presented by: _____ November 14, 2008
City Clerk Date