

The regular council meeting was called to order at 6:01 p.m. by Mayor John Busch. Vice Mayor Frith and Crawford were present. Councilor Arnold was absent. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Engineering Staff Mike Vasquez and Pauline Palmer, City Planner Scott Friend, and City Clerk / Finance Director Deanna Carbajal.

1. COMMUNITY PARTICIPATION: None

2. NEW BUSINESS:

Consider agreement for \$135,000 with California Department of Forestry and Fire Protection – (Cal Fire) for 2007-2008 Fiscal Year. City Administrator Pete Carr stated Biggs' total annual contribution was \$169,000 and included equipment, supplies and payments on the fire engine. This was on a shared basis with the county paying $\frac{3}{4}$ and the city paying $\frac{1}{4}$ of the costs.

Chief Mike Brown stated they were on task for a 3% savings of about \$4,000 available for the city at the end of the year. Pete stated there were no service changes to the agreement from last year; however, there was a 9% budget increase over last year. Mike Brown stated if he was able to return the \$4,000, it would be a 6% increase instead of 9%.

Captain Todd Tindall stated the city fire engine was sent to San Diego to help with the fire season last fall and the state reimbursed the city for that use in the amount of \$8,658.24.

Resolution 2008-11 Resolution Of The City Council Of The City Of Biggs Approving Cooperative Fire Protection Services Agreement For Local Agencies - City Of Biggs/California Department Of Forestry And Fire Protection – (Cal Fire) 2007-2008 Fiscal Year. (Frith/Crawford, MCU, Absent: Arnold)

3. UNFINISHED BUSINESS:

Consider General Plan Options. Pete stated Greer/JTS was not interested in funding a General Plan Update at this point. They were suggesting the city proceed with an amendment process that would work best for the city. Pete presented the three General Plan Options to council.

Option 1. Continue to pursue the comprehensive scope the city was planning and look for a different way to fund it. Mintier & Associates and Lando & Associates would be the primary consultants for this option. The cost from Mintier had come down to \$780,000 and a contract with Lando was \$260,000 and unknown costs of city staff time. The funding source for this option was unknown.

Option 2. The "Hybrid" General Plan Update was a process that would go through the update page by page updating the parts that needed updating. The public input was more limited in scope and still met all the requirements of a General Plan. PMC offered a plan for \$400,000 that would meet the Hybrid concept. This option would maximize speed but was not as comprehensive in scope.

Option 3. Issue Request for Proposals (RFP's) to Mintier and PMC based on an established scope. The cost could be in the \$300,000 to \$500,000 range. This would delay the start of the General Plan two to three months.

Pete stated all of these options assume the city would pursue a Sphere of Influence change as soon as the General Plan was accepted. Any of the options would include staff time; although, city staff time for the planner would be incorporated into the price of option 2 since the planner would have a dual role on behalf of his company and on behalf of the city.

Pete stated the scope and funding were two separate issues that would need to be decided. Staff was asking for direction on funding options which included the city paying all the costs and then eventually being reimbursed through the General Plan assessments, or the city paying up to \$300,000, which represented 1/3 of the city's total uncommitted reserves. The balance would be paid by the landowners.

Pete recommended staff proceed with the "Hybrid" General Plan Update model and that council direct staff to pursue funding via partnerships with landowners, with the landowners sharing \$290,000.

There was much discussion between council and staff of the different options. Scott advised council to acknowledge 20% for city staff time no matter which consultant did the GPU.

Motion/Second to go back out with RFP for the Hybrid Plan and discuss funding with landowners, and that the city look at funding up to the entire Hybrid Program in order to update the General Plan.

City Attorney Greg Einhorn advised it would be helpful to include: 1. The agreement of the area. 2. That the RFP would come back to council before it goes out. 3. An action to come back with funding proposals. He asked if a date was certain for the submission of money. This would make the funding non-contingent. The concern was that the day this was awarded, the city's and the landowner's contributions will be set. One of the problems we had with the previous agreement was that money was going to be paid incrementally over time. Greg felt it made sense the money should be paid in full by any participating landowner or developer at the time this was assigned, or at least in a reasonable period of time.

Councilor Crawford continued with the motion by stating council would pursue the Hybrid Plan using the planning area we have been discussing (pointing to 2008 map on council wall); review the cost for the landowners that want to participate, developable land and how it is accessed, recommendations from staff for the amount per acre; and that we direct staff to bring back an RFP proposal for publication as soon as possible.

Pete asked if council was directing staff to approach landowners and Vice Mayor Frith suggested once the funding costs were known per acre, a letter be sent out requesting interest and participation. Mayor Busch stated this portion would not be part of the motion. (Crawford/Busch, MCU, Absent: Arnold)

4. CONSENT CALENDAR:

Councilor Crawford stated in the 3/17/08 minutes item 2 on page 51 there was discussion about Summit Estates and he wanted to make it clear he was not part of that discussion.

Motion/Second to approve the consent calendar with the change to the 3/17/08 minutes.
(Busch/Frith, MCU, Absent: Arnold)

5. DEPARTMENT REPORTS:

A. Public Safety:

1. Police Department. Mayor Busch stated a business owner in town felt he was being harassed by the police. Mayor Busch would like to have the function of Police Commissioner defined to him.
2. Fire Department. Nothing to report.
3. Flood Control JPA. Mayor Busch went to two meetings last month and the first was cancelled due to lack of a quorum. He felt it would be hard to vote for an assessment of any kind until it was clearly defined. He stated FEMA would be re-mapping this area in terms of flood control. He stated there was a real flood danger in the town of Biggs. The JPA was concerned about the condition of the levees from the Afterbay outlet to Sutter County.

B. Planning Department:

1. Department Activity Report – March 2008 / April 2008. Scott stated most of the efforts last month were focused around the Area of Concern and the General Plan Update. All parties had reviewed the administrative draft of the General Plan and comments had been returned back to Quad Knoff.
2. Code Enforcement Activity Report: Council received a Code Enforcement Activity Report –March 2008 to present, in their packets. Scott stated all people with carports in the community had received letters asking them to move their carports because of the location in their front yard.

Erin Dougherty was recently nominated and voted in as the Abandoned Vehicle Abatement Authority Chairman for Butte County. Scott stated there were 8 vacant lots in town, 5 lots that could be split and 5 lots of 2 acres or more. Vice Mayor Frith asked about individuals living in trailers on the vacant lot where the house had burned and Scott thought the individuals had been sent a letter about this matter.

C. City Engineer:

1. Consider authorizing City Administrator to sign contracts awarding contract in the amount of \$50,831 for Wastewater Treatment Plan Grant to Psomas. Pauline Palmer stated she was looking for direction to authorize the City Administrator to sign contracts to award the project to Psomas. Pauline stated a PTA Grant would cover about \$28,000 of the contract amount and the rest would be covered by the city. She referred to the contract and stated items 1-6 were included in the contract amount but item 7 was not. Psomas came back with a quote on this item of \$15,000 and it is not certain if this report was needed or not. Item 7 would go into the contract with a zero dollar amount.

Motion/Second to direct City Administrator to sign contracts in the amount of \$50,831 for the Waste Water Treatment Plan to Psomas. Pete clarified it was staff's

understanding that \$28,000 would come out of the grant and the rest would come out of the sewer improvement fund. (Frith/Busch, MCU, Absent: Arnold)

2. Project Updates

- a. Westside Storm Drain Rehabilitation Project. Pauline stated the contractor had installed the pumps and most of the equipment into the lift station. The controls would be installed and then tested.

Vice Mayor Frith asked if the controls would be the same kind as what we already have. Engineering Staff Mike Vasquez stated he would have to verify this.

- b. USDA Water Rehabilitation Project. Pauline stated the bonding company for SJ&B had taken over the project. There had been a second walkthrough of the paving project and she had created a punchlist.

Vice Mayor Frith asked if the striping contractor had been contacted to start when the paving was complete and Pauline stated the striping would be completed through the well contractor. The striping had not been included in the original contract and would have been a change order. Pauline stated there was an original striping estimate.

Greg said Safeco had assumed responsibility for the project. Greg said there was no reason that they shouldn't have made a commitment.

Councilor Crawford was concerned about public safety due to the lack of striping.

- c. Safe Routes to School / TE / C Street / Prop 1B. Pauline stated staff had been directed to add the paving work included in the Prop 1B funds to the project along with a few other additions as bid additive alternatives which included First Street sidewalk, the intersection of First and B, and West Biggs Gridley Road from Bannock to the driveway of SunWest Mill.
- d. Seventh Street Parcel Map. Pauline said they had begun working on the Seventh Street lot merger and expected to bring the map before council at the May meeting for approval.

Councilor Crawford asked for an update on the Sixth Street Bridge. Mike said preliminary engineering had begun. The culvert crossing B Street had been researched and the project was still in the preparation stages of the environmental documents. He stated there was a potential the state would require some changes pursuant to their findings.

Pete asked for an update on the sewer lift station pumps. Mike stated City Engineer Dave Swartz had coordinated with Hayden Wasser on ordering the pumps.

- D. Public Works.* Vice Mayor Frith had nothing to report.

Mayor Busch questioned a payment to Bremer's for \$2,700 and wanted to be sure we were in budget and Pete stated we were within budget in the equipment repair budget.

- E. Electric Department – NCPA:* Vice Mayor Frith gave an update on NCPA and commented on the trip to Washington D.C. He said he heard a lot about greenhouse gases and the carbon footprint and anything energy related would go up no less than 50%.

- F. BCAG/Air Quality:* Councilor Arnold was absent. Nothing to report.

G. Finance Department: Department Activity Report – March 2008 / April 2008.

Deanna explained the 2007 bank reconciliation and LAIF.

H. City Administrator:

1. Consider Annual Financial Reports for year ended June 30, 2007. Pete stated Smith & Newell are available, upon request, to discuss the audit with council. Vice Mayor Frith felt the comments from the auditor were ambiguous. He questioned if the city was in good standing. Greg stated Pete could tell the auditors the report was undecipherable and council would like a conclusion added in writing.
2. Consider Budget Appropriation for Planning Services. Pete asked council for an increase of \$15,000 in the budget allowance for the current fiscal year for contract planning services.

Motion/Second to approve additional budget appropriation for planning in the amount of \$15,000. (Busch/Crawford, MCU, Absent: Arnold)

3. Verbal Report / Update.

Pete stated Dr. Balachandra was working on the site plans with his engineers and draft agreements for the BioMass Plant.

Summit Estates would be on the LAFCo agenda this Thursday.

Mayor Busch stated Thor Bailey was not interested in serving the city as a consultant any longer. Rather than pay him as a consultant, the city could join the BioMass Council for \$100 a year and then call upon him to answer any questions.

6. RESOLUTION:

Pete asked council to approve a resolution effecting the vacation of a portion of Eighth Street to SunWest in exchange for street repairs to a portion of West Biggs Gridley Road. An agreement was signed this afternoon in which SunWest would forward the City of Biggs a deposit of \$90,000 toward the “not to exceed” of \$112,500. This was the engineer’s estimate to repave the section of West Biggs Gridley Road from Bannock Street to the access road of SunWest.

Resolution 2008-12 Resolution Of The City Council Of The City Of Biggs Approving Vacation Of A Portion Of A City Street. (Busch/Crawford, MCU, Absent: Arnold)

7. ORDINANCE:

Ordinance No. 378 Second Reading and Adoption “An Ordinance Of The City Council Of The City Of Biggs Declaring And Establishing Procedure For Filling Council Vacancy And Tenure Of Such Appointment (Codified).” (Frith/Busch, MCU, Absent: Arnold)

8. INFORMATIONAL: None

9. ADJOURNMENT: Meeting adjourned by mutual consent at 9:31p.m.

ATTEST:

APPROVED:

Deanna Carbajal
City Clerk

John G. Busch
Mayor, City of Biggs