

MINUTES OF THE CITY OF BIGGS  
REGULAR COUNCIL MEETING  
COUNTY OF BUTTE, STATE OF CALIFORNIA  
Call To Order

May 19, 2008

The regular council meeting was called to order at 6:00 p.m. by Mayor John Busch. Vice Mayor Frith and Councilors Crawford and Arnold were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend, and City Clerk / Finance Director Deanna Carbajal.

1. **COMMUNITY PARTICIPATION:** David North of the Biggs Unified School District was asked by the superintendent to represent the district and inquire about the city's surplus backhoe.

2. **NEW BUSINESS:**

*B. 2007 fiscal year audit discussion.* Pete stated council asked for a clear conclusion to the audit. Marilee Smith, partner at Smith and Newell, stated an unqualified opinion or a clean opinion means the financial statements were presented fairly. Any proposed adjustments were submitted and approved by the city and the letter came back from the city agreeing the adjustments would be posted to the books.

Smith and Newell found several significant findings in internal controls that would need to be corrected. Marilee pointed out the general fund was in a deficit balance and she suggested cleaning up funds that were no longer needed. She explained other findings in the financial statements. Council confirmed they did not have the management report and Marilee said she would get these reports to Pete.

City Attorney Greg Einhorn asked about investment interest in the LAIF fund. Marilee stated most funds, other than grant funds, should get interest income and negative funds should be allocated also.

Mayor Busch postponed action on this item until the next meeting, council agreed.

3. **PRESENTATION:** Mr. Bill Edgar, Interim Executive Director of Sutter-Butte Flood Control Joint Powers Authority gave a brief presentation on the JPA and said the purpose of the entity was to study and plan. He stated the agency had been meeting for about six months and there were three studies currently being conducted: (1) The Department of Water Resources was conducting a Levee Evaluation Study for the Sutter Basin and a printed copy of this study would be out in June; (2) Flood mapping studies with Butte County FEMA flood plain maps expected in 2009; (3) Corp of Engineers Feasibility Study.

Mr. Edgar stated the plan for next year was to adopt a budget next month and begin engineering work on early implementation projects and find a permanent way to finance the improvements.

Vice Mayor Frith asked how the JPA would be funded. Mr. Edgar did not know at this point.

4. **CONSENT CALENDAR:** Motion/Second to accept the consent calendar. (Frith/Busch, MCU)

2. **NEW BUSINESS:**

- A. *Consider agreement with Bill and Tina Huntley.* Pete presented a draft agreement with the Huntley's which would allow them to pay \$8000 for paving in front of their property and would relieve them of the curb, gutter, and sidewalk obligation. The city would pay the cost over that amount, currently estimated at \$1800 for a total \$9800 project.

Council discussed grading and drainage on this street. Mayor Busch asked if this property would be exempt from curbs and gutters and Pete stated it would have the same obligation as the other property owners on that street.

Pete pointed out this portion of the road was part of the Prop 1B paving project that would take place this summer.

Motion/Second to direct Pete to draw up an agreement without reference to paving and for the Huntley's to pay \$8000 to the city to relieve the Huntleys of their curb, gutter, and sidewalk obligation. (Arnold/Busch, MC, Noes: Frith)

## **5. DEPARTMENT REPORTS:**

### *A. Public Safety:*

1. Police Department. Mayor Busch stated that one resident who owns a business felt he was not being treated fairly with police dispatch and officer response. Pete reported that this resident spoke with Gridley Police Department and did not request an additional meeting at this time. Pete stated he would bring back some options to our current police contract in the next few months.
2. Fire Department. Mayor Busch had nothing to report.

### *B. Planning Department:*

1. Department Activity Report – April 2008 / May 2008. City Planner Scott Friend stated the MSR had just been delivered to him and he would review it with Pete.

Regarding the "burn letter" for 427 B Street, Vice Mayor Frith asked where the residence was located. Scott stated it was the white two-story house next to the post office. (The address was incorrect in the agenda. The correct address is 457 B Street.)

Vice Mayor Frith asked for an explanation of the Zahnd site plan review. He remembered the original use was approved based on Mr. Zahnd installing curb, gutter, and sidewalk with construction. Scott stated this was not a residential structure, it was a garage. Mr. Zahnd has chosen not to split the lot and Scott stated curb, gutter and sidewalk could not be imposed on a second unit as long as the lot was not split.

2. Consider 2007-2008 General Plan Annual Report. Scott stated the plan was legal and was working fine. He was asking for council to accept the report.

Motion/Second to accept the City of Biggs 2007/2008 General Plan Annual Report as presented. (Busch/Frith, MCU)

3. Consider Request for 30-day Temporary Occupancy of Recreation Vehicle. Scott stated resident Betty Lane submitted a written request for a 30-day temporary

occupancy of a recreational vehicle. Council needed assurance this would only be for 30 days. Scott stated after he sends the first letter to the resident, it will get the 30-day process going. Council directed Scott to issue the letter.

4. Code Enforcement Activity Report – April 2008 to present. Councilor Crawford asked if a permit was required to install security restraints on a city building. Scott stated anyone could install these in town. The only time the city would get involved was if there was a safety issue or if it encroached into the public right of way. Scott said the fire department could inspect safety structures with bars on windows and doors.

*H. City Administrator:*

1. Consider Draft Request-for-Proposals for General Plan Update. Pete was asking council to approve the draft RFP for the General Plan Update. There was considerable discussion between council and staff about this matter.

Motion/Second to accept the document adding two options of master plans for sewer and storm drains; also put a target of 18 months and relieve the requirement for other than English duplication of this document.

Councilor Arnold asked if the two options would make a difference in submitting this to LAFCO and Scott stated not more than two months. He asked Councilor Crawford what was meant by duplicating in Spanish and Scott stated there was a requirement for other languages in the outreach material. Councilor Crawford said he thought the whole document had to be duplicated in another language, so he amended his motion. Vice Mayor Frith felt option 1 would impact the total cost of the proposal particularly with the sewer plant. (Tied Vote: Crawford/Arnold, Noes: Busch, Frith)

Motion/Second to direct staff to send out the sewer plant plan for RFP as proposed by staff. (Frith/Busch, MCU)

*C. City Engineer:*

Project Updates.

1. Westside Storm Drain Rehabilitation Project. Pete stated the controls for the lift station were to be completed this week and the walkthrough would be scheduled for later in the week.
2. USDA Water Rehabilitation Project. There would be a walkthrough on May 22, 2008 with the engineer and Paul Pratt and a punch list would be created. Striping had been completed.
3. Safe Routes to School / TE / C Street / Prop 1B. SR2S would be going out to bid in June with construction starting in August. There would be a Public Outreach meeting to give residents the opportunity to see how the project might affect them.
4. Seventh Street Parcel Map. Council had earlier directed staff to take the four parcels on Seventh Street, which comprised the old public works site, and merge them into one. After research it was discovered there was actually two parcels instead of four. Staff is to proceed with the merger.

- D. Public Works.* Vice Mayor Frith stated he had met with Pete and Paul Pratt regarding the Rio Bonito Park projects. James Bone was doing his Operator in Training for the Waste Water Treatment Plant. This would take four years to complete. Paul would be getting

his Water Distribution Certification II and Darren Benson would be getting his Water Distribution Certification I. There would be trench safety training in the near future.

E. *Electric Department – NCPA:* Vice Mayor Frith stated Pete was attempting to get an intern through Sac State to map the electric system in the city. There was nothing new to report with NCPA at this time. Pete stated power prices were up this week so he did not buy power for the third and fourth quarters.

F. *BCAG/Air Quality:* Councilor Arnold did not have anything to report.

G. *Finance Department:* Department Activity Report – April 2008 / May 2008. Deanna stated she resubmitted the Bank Reconciliation for March and she needed it to be approved. The available balance in the NCPA General Operating Reserve decreased due to \$62,745 payment for Phase 2A Lodi Energy Project.

H. *City Administrator:*

2. Discuss City Budget Considerations. Pete asked council how they would like to approach the adoption of the budget. Pete was planning to have the budget adopted on June 16, 2008 and it had to be adopted by July 1, 2008. Pete said he would set the first study session for May 30, 2008 at 9 a.m. for two hours. Council agreed Councilors Crawford and Arnold would participate in study sessions.

Pete discussed state budget cuts with council. The COPS fund could be cut 10% to %100 and \$170,000 in VLF funding was also at risk. This could mean a 21% cut to the General Fund. Therefore, the city had to make a budget with many unknowns and assumptions.

Pete stated energy prices could jump 50% this summer so he was suggesting a four or six month rate increase.

Pete stated Biggs has balanced its general fund with a transfer from the electric fund of 30 - 50% in the past and other member agencies do not do this. Pete was suggesting a more aggressive, up-front allocation of expenses with a more limited annual transfer from the electric fund to the general fund. Council agreed.

Pete stated in 2007 the city began consolidating all checking account interest into the general fund, enhancing this fund and eliminating the positive and negative interest impacts of the various account balances across the city's many funds. Pete was asking if council wanted staff to protect the interest in funds so that funds earn their own interest or get as much interest as possible in the general fund to the extent that was legally allowable. Council agreed to get as much from the general fund as would be allowed.

3. Consider Retaining Rodney L. Davenport for Financial Consulting Services.

Motion/Second to direct the city administrator to enter into a consulting agreement with Mr. Davenport. (Frith/Busch, MCU)

4. Consider Annual \$5,000 Recycling Grant Application. Pete stated staff recommended making improvements at Trent Street Park. Items purchased must be made from recycled material. Councilor Arnold suggested having a recycling receptacle at that site.

Motion/Second to authorize the city administrator to apply for the annual recycling grant and indicate the money for improvements at the Trent Street Park. (Mary Frith

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suggested a way for the city to make money would be to create aluminum can and newspaper recycling drop.)

Councilor Arnold suggested the city consider a program to separate recyclables. Council agreed, Pete to pursue.

Councilor Crawford asked if there were funds to put trees in the park and Pete said there were no funds available for trees other than the recent insurance claim for trees lost in the January 4, 2008 storm.

(Frith/Arnold, MCU)

**6. ADJOURNMENT:** Meeting adjourned by mutual consent at 10:34 p.m.

ATTEST:

APPROVED:

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Deanna Carbajal  
City Clerk

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John G. Busch  
Mayor, City of Biggs