

Call To Order

The regular council meeting was called to order at 6:07 p.m. by Mayor 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, Engineering Staff Pauline Palmer, and City Clerk / Finance Director Deanna Carbajal.

1. **COMMUNITY PARTICIPATION:** Mike Haury of 2917 West Biggs Gridley Road expressed appreciation for the 35 mph signs coming into town. He also stated concerns about his property being annexed into the city limits and the zoning being deemed as commercial. He stated his property is non-conforming and banks do not loan on this type of property. He needed to change his property to residential rather than commercial. Mayor Busch suggested adding this item to the next meeting's agenda.

Police Chief Gary Keeler followed up on the stabbing at All Stop a few months ago. He stated there were seven arrests and seven convictions in this case. The Feds have been very active in criminal alien cases. Councilor Arnold asked if the police officers were looking at cars being parked on sidewalks. Chief Keeler stated it is a violation and officers do give tickets for this.

Mike Haury asked if it would be possible to stripe the road as double yellow. Engineering Staff Pauline Palmer stated it will be striped the same as it was before.

2. **SPECIAL BUSINESS:**

- A. Assumption of New Officers.

1. *RESOLUTION NO. 2008-22* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS RECITING THE FACT OF THE CONSOLIDATED GENERAL ELECTION HELD ON NOVEMBER 4TH, 2008, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW". (Frith/Crawford, MCU)

2. Adjourn Sine Die, retiring Councilmembers step down.

3. City Clerk Deanna Carbajal called the meeting to order.

4. Elected candidates Roger Frith, John Busch, and Angela Thompson stood, took their Oath of Office and were seated.

5. Motion/Second to nominate Roger Frith as Mayor; Roll Call vote taken. (Busch/Crawford, MCU)

7. Motion/Second to nominate Jon Crawford as Vice Mayor; Roll Call vote taken. (Frith/Thompson, MCU)

9. Mayor Frith assumed his chair and convened to regular meeting.

- B. Commissions and Representatives selected.

1. Mayor Frith made appointments for Commissioners.

- a. Electric Commissioner Roger Frith; all council members and City Administrator as alternates.
 - b. Parks Commissioner Jon Crawford with Angela Thompson and City Administrator as alternates.
 - c. Police and Fire Commissioner Roger Frith with Angela Thompson and City Administrator as alternates.
 - d. Refuse/Solid Waste Commissioner Doug Arnold with John Busch and City Administrator as alternates.
 - e. Public Works Commissioners Roger Frith and Doug Arnold with City Administrator as alternate.
 - f. Home Loan Commissioner Jon Crawford with Angela Thompson and City Administrator as alternates.
 - g. Teen Activity Center Commissioner Angela Thompson with Doug Arnold and City Administrator as alternates
2. Representatives for the following were decided by the Council;

- a. Biggs-Gridley Hospital Joint Powers Agency.

Pete stated Carol Arnold currently serves as one director and there are positions for two directors. Motion/Second to appoint Angela Thompson to the Biggs-Gridley Hospital Joint Powers Agency Board. (Frith/Arnold, MCU)

- b. Biggs Municipal Employee Relations Officer.
Motion/Second to appoint Jon Crawford with alternates Doug Arnold and the City Administrator.

RESOLUTION 2008-23 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPOINTING A MUNICIPAL EMPLOYEE RELATIONS OFFICER AND ALTERNATES FOR THE CITY OF BIGGS". (Busch/Frith, MCU)

- c. Butte Basin Water Users Association.
Motion/Second to appoint Roger Frith and City Administrator as alternate.

RESOLUTION 2008-24 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPOINTING A REPRESENTATIVE AND AN ALTERNATE TO THE BUTTE BASIN WATER USERS ASSOCIATION". (Frith/Busch, MCU)

- d. Butte County Abandoned Vehicle Abatement Service Authority.
Motion/Second to re-appoint City Code Enforcement Officer, Erin Dougherty as the Representative for Butte County Abandoned Vehicle Abatement Service Authority and alternates John Busch and the City Administrator.

RESOLUTION 2008-25 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE BUTTE COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY." (Frith/Busch, MCU)

- e. Butte County Air Quality Management District.
Council concurred, appointing Angela Thompson as representative for Butte County Air Quality Management District; no alternates are recognized.
- f. Butte County Association of Governments (BCAG)
Council concurred, appointing Angela Thompson as representative of the Butte County Association of Governments with John Busch and City Administrator as alternates.
- g. Butte County Emergency Services Council.
Council concurred, appointing Roger Frith as representative of the Butte County Emergency Services Council with Jon Crawford and City Administrator as alternates.
- h. Butte County Integrated Waste Management (LTF) Local Task Force Solid Waste.
Council concurred, appointing Doug Arnold as representative for Butte County Integrated Waste Management (LTF) with John Busch and City Administrator as alternates.
- i. Butte County Mosquito Abatement and Vector Control. Pete stated Bill Thebach would like to continue as representative. Councilor Arnold asked that Pete attend some of the meetings. Councilor Busch suggested an alternate be appointed.

Motion/Second to appoint Bill Thebach to the Butte County Mosquito Abatement and Vector Control for two years with Pete Carr attending some meetings. (Busch/Arnold, MCU)
- j. Butte County Regional Waste Management Authority. This appointment was made with item h.
- k. Butte County Solid Waste Local Task Force. This appointment same as item h.
- l. City Selection Committee.
Council concurred Mayor Roger Frith will be a member of the City Selection Committee.
- m. Economic Development. Council concurred appointing Roger Frith as Economic Development Commissioner with remaining council members and City Administrator as alternates.
- n. Gridley-Biggs Community Safety Task Force.
Council concurred appointing Jon Crawford as representative with remaining council members and City Administrator as alternates pending information as to whether the meetings will take place or not.
- o. LAFCO-Local Agency Formation Commission.
Council concurred John Busch remains on LAFCO board, appointed by City Selection Committee.
- p. League of California Cities.
Council concurred leaving Doug Arnold as representative for the League of California Cities with John Busch and City Administrator as alternates.
- q. NCPA - Northern California Power Agency.
Council concurred leaving Roger Frith as representative for NCPA with the remaining council members and City Administrator as alternates.

- r. SCORE - Small Cities Organized Risk Effort.
Motion/Second to leave John Busch as the representative for SCORE, appoint Angela Thompson and City Administrator as alternates.

RESOLUTION 2008-26 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPOINTING THE REPRESENTATIVE AND ALTERNATE TO THE BOARD OF DIRECTORS OF SCORE (SMALL CITIES ORGANIZED RISK EFFORT)”. (Arnold/Frith, MCU)

- s. School Liaison.
Council concurred appointing Angela Thompson as School Liaison with Jon Crawford and City Administrator as alternates.
- t. Sutter- Butte Flood Control.
Council concurred leaving John Busch as representative with Angela Thompson as alternate.

3. CONSENT CALENDAR:

Motion/Second to approve the consent calendar. (Arnold/Busch, MCU)

4. UNFINISHED BUSINESS:

Discussion/Action: Consider current understanding of how city impact fees are intended to be applied in various situations. Pete stated there was no such thing as connection, capacity, or collection fees; all fees are impact fees. This was a clarification of an existing ordinance. Pete and City Planner Scott Friend discussed a development impact fee applicability matrix, included in the packet, with council. Mayor Frith asked what the fees would be for a “mother-in-law” quarters and Scott said these fees would be calculated on a case by case basis. Scott also stated there was a maintenance aspect to development impact fees.

Councilor Arnold was concerned about damage to new pavement and sidewalks caused by trenching into the roads. Scott stated anyone connecting to the utilities in the street will need an encroachment permit.

Vice Mayor Crawford asked what the modified impact fees were and Scott stated these included storm drainage, general government, and streets.

Motion/Second to adopt the matrix with modifications to clarify implementation of the ordinance. (Busch/Arnold, MCU)

5. DEPARTMENT REPORTS:

- A. Public Safety. Report waived.
- B. Public Works. Report waived.
- C. Planning Department.

- 1. Informational:

City Planner Scott Friend reviewed the Planning Department Activity Report – November 2008 / December 2008 included in the agenda packet with council. Scott stated he would be discussing the development fee study at next month's meeting due to it not being agendized this month. Scott would send the draft form to council tomorrow.

Scott stated he would like to interview council individually or in groups of two concerning their vision of the General Plan Update.

2. The November 2008 Code Enforcement Activity Report was presented to council in the agenda packet.

D. Engineer:

1. Project Updates by Pauline Palmer.
 - a. Westside Storm Drain Rehabilitation Project. The contractor was given a punchlist of items that need attention.
 - b. USDA Well Rehabilitation Project. A meeting is planned on Wednesday with the Public Works Committee to decide the scope of work.
 - c. North Biggs Estates. The streets have been cut in and curb and gutter has been installed.
 - d. Safe Routes to School/TEA/Prop 1B/West Biggs Gridley Road. The contractor was going to finish open areas. The engineer will meet with the contractor on January 5 to decide how to proceed with the remainder of the work.
 - e. Sixth Street Bridge Rehabilitation. Anticipated construction should begin in the Spring of 2009.

E. Electric Department: Pete stated the resource allocation from Western increased last week.

F. BCAG/Air Quality. Nothing to report on BCAG. Councilor Arnold stated there was discussion of alternates at the Air Quality Meeting and most cities felt as Councilor Arnold did, that there should be an alternate. At the next meeting, there will be discussion about a centralized system for Burn Permits.

G. Finance Department. Informational – City Clerk/Finance Director Deanna Carbajal reviewed the Department Activity Report – November 2008 / December 2008 included in the agenda packet.

H. City Administrator:

Discussion/Action: Consider highlights of budget variances year-to-date. Pete discussed with council the mid-year budget update staff report included in the agenda packet.

Councilors Arnold and Busch discussed decreasing electric rates.

Motion/Second to let current electric rates remain for two months, bring back the information with the implementable rate adjustment tool, and bring back other items regarding jet/vac truck purchase and PERS change. (Frith/Arnold, MCU)

6. **RESOLUTION:**

- A. *RESOLUTION 2008-27* “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS TO TAX-DEFER MEMBER PAID RETIREMENT CONTRIBUTIONS”.
(Arnold/Crawford, MCU)

- B. *RESOLUTION 2008-28* “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ADOPTING AN EXPENDITURE PLAN TO RECEIVE CITIZEN’S OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUNDS FOR FISCAL YEAR 2008/2009”.
(Crawford/Frith, MCU)

7. ORDINANCE:

ORDINANCE 379 “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).” (Busch/Crawford, MCU)

8. INFORMATIONAL: None

9. EXECUTIVE SESSION: Adjourned to Executive Session at 9:11 p.m.

10. RESUME REGULAR SESSION: Resumed regular session at 10:04 p.m. No actions to announce.

11. ADJOURNMENT: Meeting adjourned by mutual consent at 10:07 p.m.

ATTEST:

APPROVED:

Deanna Carbajal
City Clerk

Roger L. Frith
Mayor, City of Biggs