

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 13<sup>th</sup> DAY OF NOVEMBER 2009, 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.

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

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AGENDA of the CITY COUNCIL CITY OF BIGGS	6:00 p.m. Monday November 16, 2009 REGULAR MEETING
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## 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.

Citizen's comments.

<p><b>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 consideration of the item without interruption.</b></p>
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### 2. PUBLIC HEARINGS:

#### A. *VARIANCE VAR2009-001. Jackson – 2966 West Biggs-Gridley Road*

Consider allowing a reduction in the front- and rear-yard setbacks.

#### **Public Hearing Procedures:**

1. Staff comments.
2. Open the hearing to the public.
  - a. Proponents.
  - b. Opponents.
  - c. Proponents rebuttal.
  - d. Opponents rebuttal.
3. Close hearing to the public.
4. Council discussion.

**Action:** If appropriate, motion to approve / disapprove Variance application.

If approved: Refer to Recommendations - page 6 & 7 of the staff report

Adopt resolution, by reading of title only – *next Resolution No. 2009-34*

Resolution No. 2009- **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR A VARIANCE FOR 2966 W. BIGGS GRIDLEY ROAD APPLICATION: JACKSON VARIANCE”.**

**B. ZONING ORDINANCE TEXT AMENDMENT TA2009-01**

Proposal to amend the City of Biggs Municipal Code Section 14.10 – Definitions. Key Lot Fence Height Requirements.

**Public Hearing Procedures:**

1. Staff comments.
2. Open the hearing to the public.
  - a. Proponents.
  - b. Opponents.
  - c. Proponents rebuttal.
  - d. Opponents rebuttal.
3. Close hearing to the public.
4. Council discussion.

**Action:** If appropriate, move for *FIRST READING and INTRODUCTION* of ordinance.

*Next Ordinance No. 383.*

Ordinance No. \_\_\_\_\_ **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING THE CITY ZONING CODE TO MODIFY REGULATIONS IN SECTIONS 14.10 AND 14.060.080 RELATING TO THE DEFINITION OF A KEY LOT AND ESTABLISHING SETBACK STANDARDS FOR KEY LOTS (CODIFIED)”.**

**C. ZONING ORDINANCE TEXT AMENDMENT TA2009-02**

Consider Proposal to Amend the City of Biggs Municipal Code Chapter 14 – Medical Marijuana Dispensaries

**Public Hearing Procedures:**

1. Staff comments.
2. Open the hearing to the public.
  - a. Proponents.
  - b. Opponents.
  - c. Proponents rebuttal.
  - d. Opponents rebuttal.
3. Close hearing to the public.
4. Council discussion.

**Action:** If appropriate, move for *FIRST READING and INTRODUCTION* of ordinance.

*Next Ordinance No. 383. \*\*may have been used above\*\**

Ordinance No. \_\_\_\_\_ **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS CLARIFYING RESIDENTIAL USE, HOME OCCUPATION, COMMERCIAL USE AND INDUSTRIAL USE AS SET FORTH IN CHAPTER 14 OF THE BIGGS CITY CODE (CODIFIED)”.**

**3. ENFORCEMENT OF CODE RELATED TO MARIJUANA CULTIVATION:**

**Discussion/Action:** *Staff Report Will Be Available at Council Meeting.*

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

**Action:** Direct staff.

**4. POLICE CONTRACT:**

**Discussion/Action:** *Update on Police Contract Analysis.*

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

**Action:** Direct staff.

**5. DEPARTMENT REPORTS: *Planning and Engineering***

A. Planning:

1. Informational: Department Activity Report – October 2009 / November 2009.
2. Code Enforcement Activity Report – October 2009 - Present.
3. **Discussion/Action: *Agreement Concerning Drainage System Improvements.***
  - a. Staff report.
  - b. Public comments.
  - c. Council discussion.**Action:** Motion to approve/deny agreement.

B. Engineering:

1. Activity Report.
2. Project Updates.
  - a. USDA Well Rehabilitation Project Update.
  - b. USDA Waterline Project Update – Water Service Puncturing of Sewer Main.
  - c. 6<sup>th</sup> Cycle Safe Routes to School, TEA, Proposition 1B Project Update.
  - d. Sixth Street Bridge Rehabilitation Update.
  - e. North Biggs Estates Update.

*\*\*See Item 7 for remaining department reports\*\**

**6. CONSENT CALENDAR:**

- A. Approval of Council Minutes for Regular Meeting of October 19, 2009 and Special Meeting of October 29, 2009.
- B. Approval of warrants: #23921 - #24000; #7489 - #7515; Z00214- Z00222 for month of October 2009 in the amount of \$537,165.16.
- C. Acknowledge receipt of Month in Review and Monthly Council Report for October 2009 and Traffic Summary for October 2009 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 2009.
- E. Acknowledge receipt of Report on Conditions from Biggs Fire Department for October 2009.  
**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.

**7. DEPARTMENT REPORTS – continued**

- C. Public Safety – Verbal update. (R. Frith)
- D. Public Works – Verbal update. (R. Frith and D. Arnold)
- E. Electric – Verbal update. (R. Frith)
- F. BCAG/Air Quality – Verbal update. (A. Thompson)
- G. Solid Waste – Verbal update. (D. Arnold)

- H. Flood Control – Verbal update. (M. Bottorff)
- I. Other commission reports (Council)
- J. Finance Department: Department Activity Report – October 2009 / November 2009.
- K. City Administrator:

- 1. **Discussion/Action: *Christmas Hometown Money Request.***
  - a. Staff report.
  - b. Public comments.
  - c. Council discussion.**Action:** If appropriate, authorize appropriation of \$500 from the General Fund contingency reserve for reimbursement of documented expenses for supplies by the hometown Christmas Committee in support of the event and displays.
- 2. **Discussion/Action: *Fire Department Equipment Grant Match.***
  - a. Staff report.
  - b. Public comments.
  - c. Council discussion.**Action:** If appropriate, authorize appropriation of \$2,100 from the General Fund contingency reserve and approve grant agreement by resolution.

Next Resolution No. **2009-34** **\*\*may have been used above\*\***

Resolution No. 2009- ***“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION AGREEMENT #7FG90043 FOR SERVICES FROM THE DATE OF LAST SIGNATORY ON PAGE 6 OF THE AGREEMENT TO AUGUST 31, 2010 UNDER THE VOLUNTEER FIRE ASSISTANCE PROGRAM OF THE COOPERTIVE FORESTY ASSISTANCE ACT OF 1978”.***

- 3. **Discussion/Action: *Appropriation for Sidewalk Maintenance Plan Implementation.***
  - a. Staff report.
  - b. Public comments.
  - c. Council discussion.**Action:** Motion to approve/deny appropriation.
- 4. **Discussion/Action: *Appointment of Alternate Member of the County Air District Board.***
  - a. Staff report.
  - b. Public comments.
  - c. Council discussion.**Action:** Motion to appoint a Council member.

**8. RESOLUTIONS: - next Resolution No. 2009-34 \*\*may have been used above\*\***

- A. Resolution No. 2009- ***“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS EXPRESING APPRECIATION AND RECOGNITION FOR SERVICE RENDERED BY DEANNA CARBAJAL AS CITY CLERK AND DIRECTOR OF FINANCE FOR THE CITY OF BIGGS”.***
  - 1. Staff comments.
  - 2. Public comments.
  - 3. Council discussion.**Action:** If appropriate, adopt resolution by reading of title only.
- B. Resolution No. 2009- ***“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING BY RESOLUTION INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND”.***
  - 1. Staff comments.
  - 2. Public comments.
  - 3. Council discussion.**Action:** If appropriate, adopt resolution by reading of title only.

**9. INFORMATIONAL:**

**10. EXECUTIVE SESSION:**

Pursuant to Government Code §54957 Public Employee Performance Evaluation. Title: City Engineer.

**12. RESUME REGULAR MEETING:**

ANNOUNCEMENT OF ACTION(S) TAKEN IN EXECUTIVE SESSION, pursuant to Government Code §54957.1. (Must report the vote or abstention of every member present on any action.)

**13. ADJOURNMENT:** Motion to adjourn to \_\_\_\_\_

Presented by: Roben Dewsnap November 13, 2009  
Roben Dewsnap, City Clerk Date