

1. Call To Order

The special meeting of the Biggs City Council was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Crawford and Councilors Thompson and Arnold were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, and City Clerk / Finance Director Deanna Carbajal.

- 2. SPECIAL MEETING COMMUNITY PARTICIPATION:** John Busch expressed his appreciation for being a part of the city council. Mayor Frith presented John with a framed resolution and a wooden gavel, expressing appreciation for his service as mayor and council member.

3. SPECIAL BUSINESS:

- A. Discussion/Action: Council Vacancy. Pete stated this position would be permanently filled at the next special election which would not be until June 2010. If an appointment was made this evening, it would cover now until June 2010. Three letters of interest were received to fill the vacancy.

John Rummel stated he ran in the recent election and would like to help the city out in any way he can.

Mike Bottorff said he had served on the planning commission and city council in the past.

Nelson Waters was not present at the meeting.

Vice Mayor Crawford asked Mike what his vision was for Biggs. Mike said he would like to maintain a small town atmosphere and wanted to see the appearance of Biggs continue as it does on B Street with the trees and older style homes. He was a proponent for changing the street lights back to the old style when he was on the council before. He would like to see the downtown developed into something that would draw more people in. He stated he was pleased with the new development on Fourth Street and felt it would help the schools out. He would like to see SR2S and road work completed. He wanted to help Biggs grow and help it be a safe place to raise children in a quiet community where people know each other.

Vice Mayor Crawford asked what Mike's top priority was for Biggs and he said safety and more police protection. He was also concerned about the High School, the School District, and finishing projects that had been started in Biggs and looking to the future for growth and development. He was a proponent for solar panels.

Councilor Thompson asked how he felt about CHIP Housing and he said he approved as long as it was done well and maintained properly. He felt Biggs had the potential to develop into a positive environment for businesses. Mike felt his strengths were his past experience with the council and planning commission.

Vice Mayor Crawford asked Mike for his approach for approving the business environment in Biggs. Mike said there needed to be an incentive between businesses and the town. There is a parking problem. There was an opportunity to bring in a rice straw factory four or five years ago and another opportunity to bring another factory from Chico that was never pursued. He felt there was a lot of opportunity in Biggs and the city needed to be aggressive and go out and look for those opportunities rather than waiting for people to come to Biggs. He felt electrical concessions could be made for

the first year or two for new businesses. There was potential to develop into a positive environment for business.

Vice Mayor Crawford asked Mike to list what top areas of strength he had to help manage Biggs. Mike felt his greatest strength was he cares so much about Biggs and that he wanted nothing but the best for Biggs. He had been involved in NCPA and several other committees in the past. He was chairman for the Planning Commission and was involved in the general plan activities and had attended several planning and general plan classes. He was also involved with the Butte County general plan. He felt he had valuable experience to bring to the council.

Vice Mayor Crawford asked Mike what his priority to protect the budget was and in what areas would he consider making changes to the budget if a shortfall should that occur. Mike said he would protect the infrastructure.

Vice Mayor Crawford asked Mike what he would have changed or what would he like to change from what he has seen from the current or past council actions or directions taken. Mike stated he would like to see things happen a little faster and he understood that it does not work that way. He found when he was working with the council before, sometimes it would take three or four months to make a decision. He said sometimes there needs to be a sense of urgency. He said the lack of speed in implementing policy was one thing he would try to change to the best of his ability.

Mayor Frith asked Mike why he did not run in the last election and why was he running today. Mike stated he recently decided he would be retiring in August of this year and would have more time to focus on this position.

Vice Mayor Crawford asked John Rummel for his vision of Biggs. He stated he would like to see controlled growth in Biggs. If all the agricultural land was taken over and used for housing, then there would be no place to grow food.

Vice Mayor Crawford asked John what his top priority for Biggs was. John stated his top priority was to stay on top of everything. Whatever he could do to help.

Vice Mayor Crawford asked John what he could do to help manage Biggs and what was his top areas of strength. John said his strength was managerial experience. He was "open to whatever". He had a lot of experience in different areas. John said controlling growth was important and felt the schools "had taken a real dump. It would help a lot if the schools could get their act together." We do need more housing and businesses.

Vice Mayor Crawford asked John his approach to improving the business environment in Biggs. John felt the older businesses could be fixed up or replaced. This could be a major priority but John did not know how to go about that.

Vice Mayor Crawford asked what experience he had to help manage Biggs including his top strengths. John stated he had done a lot of managing in schools. He taught regular subjects in schools but also vocational education such as electronics. He worked in the prison system and started the prison electronics in Susanville. He taught in Chico, Castro Valley, and Sacramento.

Vice Mayor Crawford asked John what his priority to protect the budget was and in what areas would John consider making changes to balance a shortfall to the budget should it occur. John said he would have to study that subject more.

Vice Mayor Crawford asked John what he would have changed or would like to change from what he had seen from current and past council actions taken. John admired the

council and felt they were doing an excellent job. John didn't know what he could bring to the council but he did have managerial experience. He would take it as it comes.

Mayor Frith asked John if he were not appointed to the council position, would he still want to be involved at some level and John said yes.

Councilor Thompson asked John how he felt about CHIP housing and he said he would have to study this closely.

Motion/Second to appoint John Rummel to fill the vacant position until the next special election. (Frith/Thompson, Noes: Arnold and Crawford) (Tie vote, motion failed)

Motion/Second to appoint Mike Bottorff to the council position. (Crawford/Arnold, MC, Noes: Frith)

- B. Discussion/Action: Pete asked council whether to send one or two representatives to the Annual NCPA Federal Policy Forum in Washington, D.C. Mayor Frith, as our electric commissioner, would have his expenses paid by NCPA.

Motion/Second to authorize the city administrator to attend the Annual NCPA Federal Policy Forum in Washington, D.C. (Crawford/Thompson, MCU)

- C. Discussion/Action: Pete reviewed the staff report for the Electric Rate Cost Adjustment policy (ECA) provided in the February 23, 2009 agenda packet. Pete stated if an ECA was implemented, it would cause customers to have smaller rate adjustments quarterly instead of larger ones once a year. Pete asked council if they wanted him to draft documents for implementation of the ECA to be effective July 1, 2009, or direct staff to continue to study and report on the ECA concept during the next year.

Mayor Frith asked for a hypothetical tracking for a period of time. Councilor Thompson was concerned with increasing rates every quarter. She asked if customers could pay a flat monthly rate. Pete stated our software did not currently include the feature to offer flat rates to customers, but that this was a staff project in progress.

Councilor Crawford envisioned a monthly ECA based on a six month period by dropping off a month and adding a month and taking the average and include an upper and lower cap that could be adjusted.

Pete said they could bring this item back for a study session in May 2009.

- D. Discussion/Action: Business License. Pete and the city attorney drafted ordinance language as to what Pete felt council requested at the January council meeting. Item 3 on the staff report suggested establishing fees for owners of commercial property who do not occupy the premises with their own businesses. Council felt this would be a tax rather than a license fee. Pete stated he was looking for a way to cover code enforcement costs.

Council agreed that code enforcement should enforce business licenses and the domestic rental unit fee should be \$30 plus \$10 per additional unit. The language would be revised for item 3 on the staff report.

- E. Discussion/Action: Pete reviewed the Council Member Compensation staff report. Mayor Frith asked if there was an interest in pursuing benefits. It was determined benefits were too costly. City Attorney Greg Einhorn stated the council could not be treated as independent contractors; they are employees of the city. Council agreed their

monthly stipend should be \$300 gross and directed Pete to draft a resolution to enable council participation in supplemental benefits which have no costs to the city.

- F. Discussion/Action: Appropriation for Environmental Reports. Pete stated this topic was a continuation of the stimulus project discussion from last council meeting. The city planner estimated the cost for PMC staff time would be \$12,000 to prepare documents. These documents would need to be completed for the waste water treatment project anyway. Pete recommended council approve the \$12,000 for document preparation. This would be charged to the sewer improvement fund.

Motion/Second to approve the appropriation for \$12,000. (Thompson/Arnold, MCU)

G. City Administrator Verbal Reports:

1. Update on alternative energy projects. Pete was still in contact with Dr. Balachandra.
2. Water consumption billing update. The water consumption billing had been implemented with the exception of two businesses which had meter reading problems. There was also a meter discovered at the high school the city was not previously aware of. It was agreed to continue billing the school at the flat rate.
3. Biggs Community Clean-up Cleaning Day. The local pastors, led by Pastor Luke, and the high school, led by Georganne Meeker, were participating with the city for a clean-up day scheduled for April 18th. The cost of this clean up day would be absorbed by the solid waste improvement fund. Mary Frith asked if there would be recycling. Pete said there would be different dumpsters to separate items. Public Works would pick up items at the curb with the front end loader.
4. Fowl in the City. Pete stated in 1983 council revised a livestock and fowl ordinance which provided up to four fowl could be maintained in the city limits providing they did not disturb the peace. A limited number of fowl, not to exceed ten, could be kept in the City of Biggs if you had a 4-H project or a good reason to do so other than raising the birds for sale or consumption. A permit to keep fowl in the City of Biggs would be granted only after a public hearing for which everyone within 300 feet of the premises had been notified in writing at least 10 days before the hearing. The city council would by resolution establish a fee for granting this permit. Pete stated he could not find record that the city had ever established such a fee, nor has city hall required this process of anyone. The permit was valid for only one year.

Mayor Frith stated there was current tension between neighbors due to roosters disturbing the peace in the city. Greg stated the fact the roosters were causing problems would be cause to utilize code enforcement. Mayor Frith suggested staff consider regulation of other farm animals as well and come back with suggestions.

4. **EXECUTIVE SESSION:** Adjourned to Executive Session at 9:16 p.m.

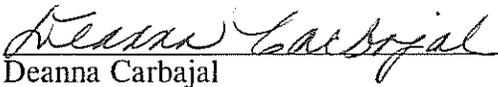
- A. Conference with Negotiator, City Administrator Pet Carr: Potential Real Property Purchase/Lease.
- B. Potential sale of city owned house.
- C. Performance Evaluation and Employment Agreement: City Administrator.

5. **RESUME SPECIAL SESSION:** Resumed special meeting at 10:35 p.m.

- A. Tentative extended agreement with city administrator to be finalized at future meeting.
- B. Employment Agreement Salary.
Motion/Second to increase the city administrator's salary to equal 14.C, \$83,369.19 and pay 2% of PERS his retirement contribution. (Thompson/Arnold, MCU)

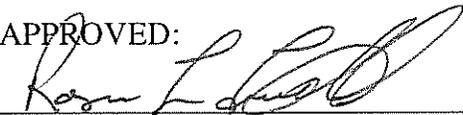
6. **ADJOURNMENT:** Special meeting adjourned at 10:40 p.m.

ATTEST:



Deanna Carbajal
City Clerk

APPROVED:



Roger L. Frith
Mayor, City of Biggs