

Call To Order

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

1. COMMUNITY PARTICIPATION: None

2. PUBLIC HEARINGS:

A. Community Facilities District 2009-1 North Biggs Estates.

1. Staff Comments. City Planner Scott Planner reviewed the staff report in the agenda packet.
2. Open the hearing to the public.
 - a. Proponents. None
 - b. Opponents. None
3. Close hearing to the public.
4. Council discussion.
 - a. Adopt resolutions:
RESOLUTION NO. 2009-19 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING FORMATION OF COMMUNITY FACILITIES DISTRICT, CITY OF BIGGS COMMUNITY FACILITIES DISTRICT NO. 2009-1 (MUNICIPAL SERVICES)". (Frith/Thompson, MC; Abstain: Crawford)
 - b. *RESOLUTION NO. 2009-20* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS CALLING SPECIAL LANDOWNER ELECTION FOR COMMUNITY FACILITIES DISTRICT, CITY OF BIGGS COMMUNITY FACILITIES DISTRICT NO. 2009-01 (MUNICIPAL SERVICES)". (Frith/Thompson, MC; Abstain: Crawford)
 - c. Call for the City Clerk to open the ballots. Mayor Frith announced that at least two-thirds of the property owners were in favor of the levying of the special taxes and the establishment of the appropriations limit.
 - d. *RESOLUTION NO. 2009-21* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS DECLARING RESULTS OF SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN, CITY OF BIGGS, COMMUNITY FACILITIES DISTRICT NO. 2009-1 (MUNICIPAL SERVICES)". (Frith/Bottorff, MC; Abstain: Crawford)
 - e. *FIRST READING AND INTRODUCTION ORDINANCE NO. 381* "ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS LEVYING SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT, CITY OF BIGGS, COMMUNITY FACILITIES DISTRICT NO. 2009-1 (MUNICIPAL SERVICES)". (Frith/Arnold, MC; Abstain: Crawford)

B. Land Development Fees

1. Staff comments. Scott reviewed the staff report included in the agenda packet.
2. Open the hearing to the public.
 - a. Proponents. None
 - b. Opponents. None
3. Close hearing to the public.
4. Council discussion.

- a. *RESOLUTION NO 2009-22* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ON BEHALF OF THE CITY OF BIGGS, AMENDING THE FEE SCHEDULE OF THE CITY OF BIGGS FOR LAND DEVELOPMENT APPLICATIONS". (Frith/Crawford, MCU)
 - b. Motion/Second to adopt the Notice of Exemption for CEQA. (Frith/Thompson, MCU)
- C. Draft Land Use Plan – Preferred Land Use Alternative Selection.
1. Staff comments. Scott Friend reviewed the staff report, Draft Land Use Plan – Preferred Land Use Alternative Selection. Mark Teague with PMC reviewed three alternative plans.
 2. Open the hearing to the public.
 - a. Proponents. None
 - b. Opponents. Property owner John Ochipinti stated he had an engineer draw up a map of what he envisioned and he said his map was easier to understand. Property owner Susan Schohr was surprised at the road that was drawn across her property on the map and Mark told her this was proposed road to help agriculture traffic avoid the city streets.
 3. Close hearing to the public.
 4. Council discussion. Councilor Arnold did not like the idea of the General Plan eliminating the grid system. Scott said they had to take into consideration the costs of straight roads, canals, and environmental conditions when designing roads.

Scott asked if there was a fundamental issue with the roads that were shown on the map. Mayor Frith said he did not have a fundamental problem with the way the roads were shown.

There was discussion about the Planning Area Alternative blue line on the map and Councilor Thompson preferred this line; but Vice Mayor Crawford, and Councilors Arnold and Bottorff were happy with the original planning line.

Vice Mayor Crawford preferred to omit the whole ag commercial zoning and make it commercial zoning instead. Vice Mayor Crawford also suggested the east side of the south end of Biggs should be commercial. Other areas on the highway frontage were discussed and Scott reminded council this map was not intended to zone property; it was the classification of the use of land, which ultimately could be changed later.

Pete questioned the downtown mixed use designation (DMU) on the west side of downtown. Council agreed to change the DMU on the west side of the city limits to low density residential (LDR) and shrink the commercial square next to the DMU to 5 acres.

Council agreed to change the designation from heavy industrial to LDR straight across West Biggs Gridley Road from Bannock Street to the north. Scott said he would bring back a revised map at the July council meeting.

3. DEPARTMENT REPORTS: Planning and Engineering

A. Planning:

1. Informational: City Planner Scott Friend reviewed the Planning Department Activity Report – May / June 2009 included in the council agenda packet.
2. The May 2009 Code Enforcement Activity Report was presented to council in the agenda packet.

It was noted residents were parking on the rolled curbs and Scott said the police department should be notified about this.

Resident Mary Frith stated many residents were parking on lawns at night and she asked if she could take pictures and send them to the city and Scott said yes.

B. Engineering:

1. Project updates by Engineering Staff Pauline Palmer and Mike Vasquez:

- a. USDA Well Rehabilitation Project Update. The well is fully functional and the radio read communication devices are being installed. The tower will be abandoned when both wells are complete and functioning properly.
- b. USDA Waterline Project – Water Service Puncturing of Sewer Main. City Attorney Greg Einhorn stated there was an agreement for Golden State Boring, Safeco, and the City of Biggs to pay one-third each of the cost of videoing the sewer and storm drain mains. Greg had contacted Safeco with the terms of the agreement and was awaiting confirmation.
- c. 6th Cycle Safe Routes to School / TEA / Proposition 1B Project Update. The concrete work should be finished in June with paving to begin the first week in July. The contract working days currently expires on August 14, 2009. Mayor Frith was concerned with the contractor leaving areas open, the issue of safety and the city's potential liability if someone was injured. Mike said he, CEC's inspector and Paul Pratt have been speaking to the contractor about this issue. Mayor Frith noted the contracting company was doing additional work for residents that was not part of the project. He was concerned this could extend the contract working days.
- d. Sixth Street Bridge Rehabilitation Update. Staff was waiting for State comments on the City's Environmental Documents and Plan Submittal.
- e. North Biggs Estates. The contractor was still installing joint utilities.
- f. Water Usage with New Water Meter Update. Mike said the city could make adjustments to water rates; however the adjustment must meet the minimum USDA loan pay-back requirements.

4. **CONSENT CALENDAR**: Councilor Arnold asked to pull May 18, 2009 minutes from the consent calendar. Councilor Arnold wanted to correct item 2A2 which should have read "Mayor Frith asked CEC".

Motion/Second to approve the consent calendar with the stated change. (Arnold/Thompson, MCU)

Resident Mary Frith asked why \$7,282.11 of old, uncollectible utility account billings was being written off. It was explained three of the owners of the accounts were deceased, six were beyond the statute of limitations, one was a foreclosing bank and the rest were uncollectable due to customers moving out of state.

5. **DEPARTMENT REPORTS** – continued

C. Public Safety. Nothing new to report.

- D. Public Works. Mayor Frith met with Paul at the well and they were able to speak with the contractor who is doing the radio telemetry work.
- E. Electric. Pete attended the NCPA meeting for Mayor Frith.
- F. BCAG/Air Quality. Councilor Thompson had nothing new to report.
- G. Solid Waste. Councilor Arnold wanted to have a meeting with Waste Management and discuss weekly pick-ups of yard waste and recycling. Pete to follow-up.
- H. Other commission reports. Councilor Bottorff attended the Sutter-Buttes Flood Control Meeting and he stated most of the changes that would take place were not in Butte County.
- I. Finance Department.
City Clerk / Finance Director Deanna Carbajal reviewed the May / June 2009 Activity Report included in the council agenda packet.

J. City Administrator:

- 1. Discussion/Action: Pete reviewed the staff report entitled "Compensation for City Administrator" in the agenda packet.

Motion/Second to pay 2% of salary into a 457 account. (Crawford/Thompson, MC; Noes: Arnold)

- 2. Discussion/Action: Pete gave a presentation on Public Safety Services. The city has very few legally required obligations for public safety. The level of service the city provides today is a result of choices. If the city wants to reduce its expenses, it must change the way public safety services are provided or cut other services.

Pete asked council if the budget problem was due to (A) mismanagement or (B) a structural problem.

Councilor Arnold felt the problem was due to mismanagement while Mayor Frith and Vice Mayor Crawford felt the problem was structural. Vice Mayor Crawford noted SunWest Milling's power usage has a huge impact on our budget, and the city incurs all the risk for SunWest's load changes.

Pete compared police services in other small cities with Biggs. Pete reviewed duties of the City of Portola's Community Services Officer (CSO). He asked council if they would like to consider having a CSO with the county providing sheriff service. Pete asked Greg if he would be willing to write an opinion on the matter and Greg said he could. Council agreed to consider the information presented and discuss again later.

- 3. Verbal updates. Pete mentioned office staff, Marlee Mattos, was working on a welcome packet for new residents giving information such as trash pickup and animal control issues.

6. RESOLUTIONS:

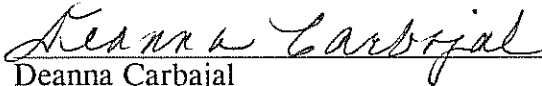
- A. *RESOLUTION NO. 2009-23* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPOINTING THE REPRESENTATIVE AND ALTERNATIVE TO THE BOARD OF DIRECTORS OF SCORE (Small Cities Organized Risk Effort)" (WITH MIKE BOTTORFF AS THE PRIMARY AND PETE CARR AS THE ALTERNATE) (Thompson/Frith, MCU)

7. INFORMATIONAL: Nothing to report.

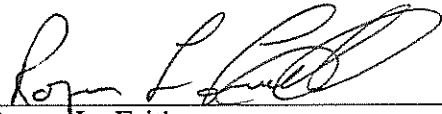
8. ADJOURNMENT: Meeting adjourned by mutual consent at 10:35 p.m.

ATTEST:

APPROVED:



Deanna Carbajal
City Clerk



Roger L. Frith
Mayor, City of Biggs