

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 15th DAY OF OCTOBER, 2010, 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.

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

AGENDA of the
CITY COUNCIL
CITY OF BIGGS

6:00 p.m. Monday
OCTOBER 18, 2010
REGULAR MEETING

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. If you have a cell phone, please set it to silent.

Citizen's comments.

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.

2. PUBLIC HEARING: VAR2010-001 (Franco)

The applicant is seeking approval of a Variance, Pursuant to Biggs Municipal Code Section 14.40, to allow for a reduction in the front-yard setback for a parcel located at 2986 W. Biggs-Gridley Road. The applicant has requested a fee waiver.

Public Hearing Procedures:

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

Recommendation: Staff recommends that the City Council open the Public Hearing, accept public testimony, approve the Variance application and reduce the application fee.

Determine the project is exempt from (CEQA) pursuant to Section 15305(a) of the Public Resources Code and approve Resolution No. 2010-24 by reading of title only.

RESOLUTION NO. 2010-24 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR A VARIANCE LOCATED AT 2986 W. BIGGS GRIDLEY ROAD APPLICATION : 2010-001 – FRANCO (VARIANCE).”

3. UNFINISHED BUSINESS:

A. Discussion/Action: *3069 Eighth Street – Dangerous Buildings (Burke Trent)*

City staff is presenting draft nuisance abatement agreement as directed by Council in September.

1. Staff report.
2. Public comment.
3. Council discussion.

Recommendation: Staff requests that Council approve the Abatement Agreement with the property owner, or direct staff as to any changes.

B. Discussion/Action: *Solid Waste Service Agreement*

City Administrator is seeking Council approval of a draft contract extension for solid waste collection services with Waste Management, Inc. for continued and expanded services at no additional expense to the City or its customers.

1. Staff report.
2. Public comment.
3. Council discussion.

Recommendation: Authorize city administrator to complete negotiations and execute the agreement.

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meetings of August 16, 2010 and September 20, 2010 and Special Meetings of March 22, 2010, August 30, 2010 and September 27, 2010.
- B. Approval of warrants: #24726 - 24800; #7763 - #7782; Z00350 - Z00362 for month of September 2010 in the amount of \$413,676.64.
- C. Acknowledge receipt of Monthly Cash Report for August 2010.
- D. Acknowledge receipt of Police Department Report for September 2010.
- E. Acknowledge receipt of Gridley-Biggs Animal Control Officer Report for September 2010.
- F. Acknowledge receipt of Biggs Fire Department Report for September 2010.
- G. Approve the requested fire department fuel card acquisition with coordination through City Hall Accounts Payable.
- H. Adopt *Resolution No. 2010-25 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS IN OPPOSITION TO PROPOSITION 19.”*
- I. Adopt *Resolution No. 2010-26 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS IN OPPOSITION TO PROPOSITION 26.”*

Action: It is recommended items “A” through “I” be acted on simultaneously unless separate actions are requested by a Councilmember or a member of the audience. MOTION to approve the consent calendar.

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

A. Planning: (S. Friend)

1. Department Activity Report – September / October 2010.
2. **Discussion/Direction:** Modification of Biggs Nuisance Code.

Staff will present draft proposed text changes for Biggs' neighborhood nuisance abatement code.

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

Recommendation: Direct staff as desired; can be brought back in November for consideration of approval at a noticed public hearing.

3. Code Enforcement Activity Report: September 2010 – Present.

B. Engineering: (P. Carr)

1. Activity Report.
2. Project Updates.

C. Public Safety – Verbal update. (R. Frith)

D. Flood Control – Verbal update. (M. Bottorff)

E. Public Works – Verbal update. (R. Frith and D. Arnold)

F. Electric – Verbal update. (R. Frith)

G. BCAG/Air Quality – Verbal update. (A. Thompson)

H. Solid Waste – Verbal update. (D. Arnold)

I. Other commission reports. (Council)

J. City Administrator:

1. **Discussion:** Fund Balance Analysis.

City Administrator/Finance Director seeks Council approval of specified inter-fund transfers to balance longstanding negative funds and provide an appropriate accounting basis going forward.

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

Recommendation: Approve fund transfers and reconciliations as recommended by city staff and considered by Council in September.

2. **Discussion/Action:** Update to Personnel Policies.

City Administrator seeks Council approval of changes to the City Personnel Manual.

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

Recommendation: Approve the changes as proposed or direct staff otherwise.

3. **Discussion/Action:** Staff Compensation Issue.

City Administrator seeks to inform Council and receive direction on two compensation issues regarding city accounting analyst and city administrator positions.

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

Recommendation: Direct Staff.

4. **Discussion Topics**

- a. Utility Charges for Vacant Property.
- b. Parking on South Fifth Street.

6. INFORMATIONAL:

7. EXECUTIVE (CLOSED) SESSION:

- A. **Conference With Legal Counsel--Existing Litigation:** Government Code § 54956.9(a)
Golden State Boring & Pipe Jacking, Inc. v. SJ&B Group Inc., et al. Butte County Superior
Court Case No. 143430.

- B. **Conference with Labor Negotiators:** Pursuant to Government Code §54957.6.
Agency designated representatives: City Administrator, City Attorney and Vice Mayor
Crawford. Employee Organization: Laborers Local 185.

8. RESUME SPECIAL SESSION:

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.)

9. ADJOURNMENT:

Presented by: _____ October 15, 2010
Roben Dewsnup, City Clerk Date