

Call To Order

The regular council meeting was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Crawford and Councilors Bottorff and Thompson were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, Finance Director Beth Penner and City Clerk Roben Dewsnap.

1. COMMUNITY PARTICIPATION: None

2. DEPARTMENT REPORTS:

A. Planning:

1. Informational: City Administrator Pete Carr presented to council the Department Activity Report – February 2010 / March 2010 included in the agenda packet.
2. Modification of Conditional Use Permit (CUP2005-01). Mr. Carr reviewed the staff report and stated the requested action from staff was for the City to reconsider the condition that was placed on the property at 429 B Street when the business Victorian Rose was started.

Business owner Wanda Nevins stated if she had to find offsite parking she would probably have to rent land which would not be close to the downtown area.

Councilor Bottorff and Thompson agreed with waiving the fee.

Vice Mayor Crawford questioned if this was consistent with what the neighbors thought would happen.

Mayor Frith did not feel this should be an issue.

Motion/Second to direct staff to proceed with the process to modify the conditional use permit and waive the fee. (Crawford/Thompson, MC; Absent: Arnold)

3. Mr. Carr reviewed the Code Enforcement Activity Report for February 2010 - Present.

Vice Mayor Crawford asked what action could be taken if a business does not have a business license. He asked if a lien could be placed on property if a license was not obtained.

City Attorney Greg Einhorn stated a lien could be placed on property.

Mayor Frith asked the city administrator and the city clerk to investigate all of the appropriate agencies to see if there were other businesses conducting business in Biggs without a license.

B. Engineering: Mr. Carr presented the activity report and project updates to council.

1. Activity Report: Per staff memo.
2. Project Updates:
 - a. USDA Sewer Line Repair Project.
 - b. City of Biggs Roadway Rehabilitation Project
 - c. Hydro-Pneumatic Tank Project

- d. 6th Street Bridge Rehabilitation
- e. Vet's Hall Funding Application – The contract with Peter Jensen the archeologist has been signed. A more competitive bid has been identified for the appraisal.
- f. WWTP Funding Application – This has been accepted by USDA and has been forwarded to the environmental coordinator in Washington DC.

3. **CONSENT CALENDAR:** Motion/Second to accept the consent calendar as written.
(Thompson/Bottorff, MC; Absent: Arnold)

4. **DEPARTMENT REPORTS :**

C. Flood Control. Councilor Bottorff read a flood control report to council. The assessment for Biggs would be \$71 a year per single family residence. If the assessment does not pass, residents would pay about \$1000 a year for flood insurance.

D. Public Safety. Mayor Frith stated Gridley was acting on the police contract tonight.

E. Public Works. Mayor Frith reported there was a Public Works meeting last week and the various projects were reviewed. Public Works was repairing pot holes, grading unpaved areas and repairing sidewalks.

F. Electric. Mayor Frith said the LEC vote was coming up.

G. BCAG/Air Quality. Councilor Thompson was not able to attend the meetings.

H. Solid Waste. Nothing to report.

I. Other commission reports.

J. Finance Department Report – February 2010/March 2010. Director of Finance Beth Penner referred to the audit report and stated the City received an unqualified report. She and Mr. Carr were working on the findings and recommendations. She has completed the audit adjustments. She asked if council would like the auditors to come to a council meeting and make a presentation. The consensus of council was there was no need for the auditors to make a presentation.

Motion/Second to add to the agenda the acceptance of the audit. (Crawford/Thompson, MC; Absent: Arnold)

Motion/Second to accept the audit as presented. (Thompson/Frith, MC; Absent: Arnold)

K. City Administrator. Mr. Carr showed a graph of total cash investments for the city's discretionary funds. When the police cost was escalating the general fund was depleting. Council would need to direct staff on how to utilize the contract savings.

Vice Mayor Crawford said in reality, the City is at net zero with the contract we have.

1. Ten Year Energy Efficiency Plan. Mr. Carr stated the City was complying with AB2021 by adopting the following resolution.

Resolution No. 2010-06 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ESTABLISHING ENERGY EFFICIENCY PROGRAM TARGETS". (Frith/Thompson, MC; Absent: Arnold)

2. City-owned House. Mr. Carr reviewed the staff report for council. He said the recommendation was to offer the city owned house for rent to a city employee. Market value would be \$600 with and the employee would pay \$300 to \$400.

Mr. Einhorn stated this would be like an additional on-call. He said the difference between the market value and the amount charged to the city would be considered income.

Vice Mayor Crawford would rather see the house used as public use or a community center.

Mayor Frith and Councilor Bottorff were not in opposition to renting the house.

Motion/Second to direct staff to investigate to see if there is interest of an employee to rent the city house or if a city employee is not interested, see if anyone in the community would want to rent it. (Frith/Thompson, MC; Noes: Crawford; Absent: Arnold)

3. Mr. Carr presented a resolution in opposition of State Proposition 16.

Resolution No. 2010-07 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS OPPOSING THE CALIFORNIA STATE BALLOT PETITION 09-0015, 'THE NEW TWO-THIRDS REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS'". (Thompson/Frith, MC; Absent: Arnold)

Council requested staff forward this resolution with a letter to the City's legislators.

5. PROCLAMATION:

Motion/Second to adopt "A PROCLAMATION PROCLAIMING APRIL AS CHILD ABUSE PREVENTION MONTH". (Frith/Thompson, MC; Absent: Arnold)

8. **INFORMATIONAL:** Council directed staff to adopt a resolution at the next meeting to thank Brian Cook for his service as Assistant Police Chief.

City Clerk Roben Dewsnup informed council at the close of the nomination period for the upcoming Special Primary Election, to be held June 8, 2010, only one individual had filed nomination papers for the city council position. Council now had the option to either appoint that person and cancel the election, or continue on with the election.

Mayor Frith asked if there would a conflict with the ordinance passed which appointed Councilor Bottorff until the next election. Mr. Einhorn stated the ordinance had already taken effect; Councilor Bottorff was in the position until the election. Mayor Frith asked if there was an interest in adding this item to the agenda.

Motion/Second to add this item to the agenda. (Crawford/Thompson, MC; Abstain: Bottorff; Absent: Arnold)

The city clerk explained there was a short window to cancel the election. The last day to do so was 75 days before the election, which is March 25, 2010. A notice would have to be published in the Gridley Herald informing the public of the circumstance. Then five days after the publication, council would hold a special meeting to decide whether to continue with the election or to cancel it.

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Mr. Carr stated if the city withdraws from the election, it would save the city \$4,300, but would not give the citizens the opportunity to write-in a candidate.

Motion/Second to put in place the mechanisms to appoint Councilor Bottorff to the position of city council. (Crawford/Frith, MC; Abstain: Bottorff; Absent: Arnold)

6. **EXECUTIVE SESSION:** Adjourned to executive session at 8:00 p.m.

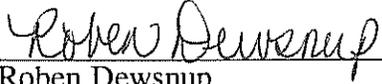
7. **RESUME SPECIAL REGULAR MEETING:** Resumed regular session at 9:25 p.m.
Nothing to report from Executive Session.

Motion/Second to adjust the city administrator's salary to Range 14, Step D and make entire salary flexible with respect to 457 Plan contributions, going forward. (Crawford/Bottorff, MC, Absent: Arnold)

Mr. Carr would bring an employment contract amendment back to Council for approval.
Mr. Carr announced that he had just received a text message confirming Gridley's Acceptance of the latest draft police contract.

9. **ADJOURNMENT:** Meeting adjourned by mutual consent at 9:35 p.m.

ATTEST:



Roben Dewsnup
CITY CLERK

APPROVED:



Roger L. Frith
MAYOR, CITY OF BIGGS