

Call To Order

The regular council meeting was called to order at 6:00 p.m. by Mayor Frith. Councilors Arnold, Bottorff and Sheppard were present. Vice Mayor Thompson arrived at 6:05 p.m. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Planner Scott Friend and City Clerk Roben Dewsnup.

1. **COMMUNITY PARTICIPATION:** Mayor Frith read a notice for Mary Frith, who was unable to attend the meeting, regarding the BCAV Fundraiser Dinner scheduled for April 16, 2011.

City Administrator Pete Carr introduced Petra Tica who was working on the bicycle plan for the City of Biggs as part of her internship.

2. **PUBLIC HEARING CANCELED: ORDINANCE TO ADOPT A NEW CHAPTER IN TITLE 12 TITLED WATER EFFICIENT LANDSCAPE ORDINANCE.**

City Planner Scott Friend stated this item would need more time to complete.

3. **Discussion/Action: Truck Routes**

Mr. Carr stated he was asking the council to approve the truck route changes. The boundaries on the map have not been updated yet. Second Street from E Street to B Street had been eliminated as a truck route as well as Ninth Street from B Street to Bannock. The southern portion of Eighth Street had been eliminated due to that portion of the street being deeded to SunWest Milling a few years ago.

Councilmember Arnold was concerned about the map not being updated yet. Vice Mayor Thompson suggested adopting the ordinance pending an updated map. Mr. Friend could have an updated map by the next meeting.

Motion for introduction and first reading of Ordinance No. 391 by reading of title only.

ORDINANCE NO. 391 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS ADDING CHAPTER 8.50 TO THE BIGGS MUNICIPAL CODE (TRUCK ROUTES) AND DELETING PORTIONS OF CHAPTER 8.35" (Pending correction to the map). (Thompson/Bottorff, MCU)

4. **CONSENT CALENDAR:**

- A. Approval of Council Minutes for Regular Meeting of February 28, 2011.
- B. Approval of warrants: #25080 - 25139; #7871-7889; Z00415 - Z00428 for month of February 2011 in the amount of \$230,246.52.
- C. Acknowledge receipt of Monthly Cash and Investments Report for February 2011.
- D. Acknowledge receipt of Police Department Report for February 2011.
- E. Acknowledge receipt of Gridley-Biggs Animal Control Officer Report for February 2011.
- F. Acknowledge receipt of Biggs Fire Department Report for February 2011.
- G. Second Reading and Adoption of Ordinance No. 390 by reading of title only "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING CHAPTER 10.30 OF THE BIGGS MUNICIPAL CODE". (Utility Charges-Commercial Property)
- H. Adopt A Proclamation "PROCLAIMING APRIL AS CHILD ABUSE PREVENTION MONTH".
- I. Approval of request to waive the Biggs Community Hall rental fee for the Gaylord Stoplemore Benefit Dinner.

- J. Approve the Geothermal Project Operating Agreement and authorize city administrator to execute on behalf of Biggs.
- K. Adopt Resolution No. 2011-07, **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION AGREEMENT (2CA01444) FOR SERVICES FROM JULY 1, 2010 TO JUNE 30, 2011”**.

Vice Mayor Thompson asked to remove items D and E from the consent calendar and Mayor Frith also asked to remove item A from the consent calendar.

Motion/Second to adopt the consent calendar with items A, D and E removed.
(Thompson/Frith, MCU)

Vice Mayor Thompson pointed out item A, section 5.A.3. second paragraph, first line, the word option should be opinion and there was a period missing on page 13 at the end of the first paragraph. Mayor Frith stated on page 14, number 4, he was eluding to the safety recognition part of the program rather than the safety program.

Vice Mayor Thompson stated in item D there was a contradiction between the police report and the animal control report about a dog bite. Police reported one dog bite and animal control reported no dog bites. Mayor Frith noted the inconsistency and suggested contacting the reporting agencies.

Motion/Second to adopt items A, D and E with the noted changes. (Frith/Thompson, MCU)

5. DEPARTMENT REPORTS:

A. Planning:

Informational: City Planner Scott Friend reviewed the Department Activity Report – February 2011 / March 2011 included in the agenda packet.

Mr. Friend updated council on Mrs. Burke-Trent’s code enforcement case located at 3069 Eighth Street. Progress has not been made on this case and the sixty day extension has expired. The property owner cannot resolve this issue due to her financial situation. Staff and the city attorney are looking into options and asked council for an additional 30 days to work on this matter.

Mayor Frith suggested finding the least expensive route to mitigate the problem.

Councilmember Bottorff asked Mr. Friend if he could provide a code enforcement activity report so council can see what code enforcement issues have been addressed.

Staff would bring this item back for discussion at a later meeting.

B. Engineering:

Mr. Carr reviewed the Engineer’s Activity Report and Project Updates included in the agenda packet.

Since the staff report was printed, engineering staff was shown the score card for the CDBG loan application. The City of Biggs fell short on benefit points, need points, and poverty points.

Councilmember Bottorff asked about the manganese treatment alternatives being researched. Mr. Carr said engineering staff was looking into a grant to see what it would take to overcome this problem.

C. Public Safety. Mayor Frith said a meeting had been set for March 29th to meet with Gridley to discuss the police contract.

D. Flood Control. Councilmember Bottorff stated several options to save money without compromising the levees had been discussed at the recent Sutter-Butte Flood Control Agency Meeting. These options must be approved by the state. Core drilling is taking place to find the weakest points of the levee.

Councilmember Bottorff asked Mr. Einhorn if he could meet with three other members of the Sutter-Butte Flood Control Agency to discuss levee concerns without violating the Brown Act. Mr. Einhorn stated it would be better to have a discussion with the whole body and avoid the appearance of a violation.

Vice Mayor Thompson stated Robert Nevins was interested in serving on the Sutter-Butte Flood Control Citizens Committee.

E. Public Works. Mayor Frith stated a power pole broke with the high winds this weekend. The city has been proactive with trimming trees and upgrading substations to avoid power outages.

F. Electric. Mayor Frith stated he and Mr. Carr would be attending an NCPA workshop tomorrow. Lodi Energy Center will go on line in 2012 which will help eliminate some of the purchases the city makes on the open market. This will help stabilize costs.

G. BCAG/Air Quality. Vice Mayor Thompson stated the BCAG and Air Quality meetings were scheduled this Thursday in Gridley.

H. Solid Waste. Councilmember Arnold stated a workshop was scheduled for March 29th at Neal Road.

I. Other commission reports. Councilmember Sheppard reported on the Mosquito Abatement meeting.

Vice Mayor Thompson attended the last school board meeting and spoke about the possible daytime road closure with them. Mr. Carr sent letters to residents who would be affected by the closure and asked for input. Vice Mayor Thompson could possibly hold a joint meeting with residents and the school board to discuss this matter.

Councilmember Bottorff suggested painting the curbs red at the corners of Second and C Streets to prevent parking too close to the crosswalks. Mayor Frith suggested consulting with our attorney and the police department to learn what can be done and then agendaize with the options.

J. City Administrator.

1. Financial Audit Report Fiscal Year 2010. Mr. Carr reviewed the audit staff report with council.

Resident Terry Lattemore asked if the report was qualified or unqualified and Mayor Frith stated it was unqualified.

Motion/Second to accept report. (Thompson/Bottorff, MCU)

2. Staffing Request – Planning and General Office Assistance. Mr. Carr presented options for council consideration due to the extended leave of absence of one of the city employees. The city could allow temporary closures of city hall customer service and continue to use PMC for code enforcement or hire a part-time employee at the city's lowest pay rate to assist with customer service and code enforcement observation.

Terry Lattemore asked if this was a granted leave of absence. Mr. Carr stated it was a granted leave with an additional 60 day extension. Mr. Lattemore asked why it is a problem now rather than 90 days ago. Mr. Carr stated this has been a problem all along. Some tasks are not being done and employees are deferring their vacation.

Employee Marlee Mattos stated she has deferred her vacation. She needed to take vacation soon or she would lose it.

Mr. Lattemore stated the city should not put employees in the situation where they lose money. He asked what the impact of the leave of absence had been on the community.

Councilmember Sheppard stated he knew the leave of absence would cause a staffing problem and it should be addressed now.

Councilmember Arnold would prefer hiring a part-time employee and not close the office at lunch time. Vice Mayor Thompson and Councilmember Bottorff agreed.

Mayor Frith stated the employee on leave was not a substantial asset to the daily operations of the business office. Mayor Frith was an advocate for the city using volunteer help. The city has received recommendations from SCORE, legal staff and administrative staff on what the city should do when seeking office help, but he asked what the city legally can do. The governing board can do what they want to do as long as it falls within the context of the law. He would like to look at the non-financial aspects of needed services rather than hiring. There are many people that would like to be involved and give something back to the community.

Mr. Einhorn stated the concern was the ability of the council and Mr. Carr to control the monetary functions. The question was if the city was subjecting itself to liability by allowing volunteers to handle money or not. If there was a loss of money, the city has no recourse.

Mayor Frith agreed that a volunteer should have no access to the financial system. Taking money or a check should not be a problem. He did not agree with the direction council was attempting to go.

Mr. Carr pointed out that much or most of the cost to PMC for code enforcement would go away. The part-time employee could take over the code enforcement observation.

Vice Mayor Thompson recommended that the city look for a part-time person to fill in.

Mayor Frith suggested data be gathered to find out where and how much time was really needed.

Vice Mayor Thompson reminded Mayor Frith this position would also include the code enforcement position as well as office coverage as needed.

Ms. Mattos stated a study had been done that showed where the heavy workloads were.

Motion/Second to make the recommendation that the city find some type of part-time help to cover the office at no more than 18 hours a week at the rate proposed, at the lowest rate on the pay scale, as a temporary/part-time position, to sit in the planning/code enforcement position and alleviate office help and perform same tasks as employee did before leave of absence. (Thompson/Sheppard, MC; Noes: Frith)

3. Mr. Carr gave a follow-up on the policy discussed at the last council meeting and presented a Draft Social Media Policy to council.

Mr. Einhorn stated there were two parts to the policy which included using computers at work and using your personal computer at home. He suggested avoiding the appearance of council discussion outside a meeting.

Council agreed to adopt the policy as it was written.

4. Mr. Carr presented updates on various ongoing projects. He informed council that Waste Management would provide a battery recycling bin.

An estimated \$2000 of the \$5000 recycling grant could be used by BCAV to purchase recycled lumber for planter benches downtown.

Council discussed possibly helping the school district resurface the tennis courts.

E-Civis had provided a \$3600 proposal for online grant research information.

There are new opportunities to implement a PEG (Public Education in Government) fee on Comcast Cable bills to acquire video equipment and televise council meetings. Vice Mayor Thompson didn't think there would be enough community interest. Mayor Frith suggested bringing back information Mr. Carr receives on this matter.

Wells Fargo has provided a proposal to change banks and services with a potential for savings in fees.

Mr. Lattemore asked if the city offered online bill pay and was it free. There were options to cut the amount of incoming bills in the office. Ms. Mattos stated the city does offer online bill pay provided by a third-party provider but there was a convenience fee.

6. INFORMATIONAL:

7. **EXECUTIVE SESSION:** Council adjourned to executive session at 8:51 p.m.

- A. Pursuant to Government Code §54957.6 Conference with Labor Negotiators.
Designated Negotiators: Pete Carr; Greg Einhorn
Contractor: City of Gridley/Police Services Contract

- B. Pursuant to Government Code §54957 Leave of Absence: Code Enforcement.

MINUTES OF THE CITY OF BIGGS
REGULAR COUNCIL MEETING

March 21, 2011

C. Pursuant to Government Code §54957 Public Employee Performance Evaluation: City Administrator.

8. **RESUME REGULAR MEETING:** Council resumed the regular council meeting at 10:42p.m. Nothing to report.

9. **ADJOURNMENT:** Meeting was adjourned at 10:42 p.m.

ATTEST:



Roben Dewsnap, CITY CLERK

APPROVED:



Roger L. Frith, MAYOR