

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 16th DAY OF MARCH, 2012, 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
MARCH 19, 2012
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 HEARINGS:

A. APPLICATION FOR 2012 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT.

Council will consider citizen comments on the proposed application for CDBG funding, and will consider approving the application by resolution.

Public Hearing Procedures:

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

Recommendation: Receive comments, then approve the proposed CDBG grant application by adopting Resolution 2012-01 by reading of title only and authorize staff to submit the application to the State.

RESOLUTION NO. 2012-01 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE GENERAL/NATIVE AMERICAN ALLOCATION OF THE STATE CDBG PROGRAM.”

B. ZONING CODE AMENDMENT Z2012-01 – FRONT YARD DECORATIVE FENCES

Staff has prepared a Zoning Ordinance text amendment to Section 14.60.080, Fences and landscaping – General height limitations of the Biggs Municipal Code to allow for the placement of decorative fences meeting the proposed standards within the public right-of-way in the front or street side yard area.

Public Hearing Procedures:

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

Recommendation: Move that the proposed action is exempt from CEQA pursuant to State of California Code Section 15305; move to approve *FIRST READING and INTRODUCTION* of ordinance by reading of title only, an amendment to Section 14.60.080 of the Biggs Municipal Code regarding the placement of decorative fences.

ORDINANCE NO. 394 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING THE BIGGS MUNICIPAL CODE TO MODIFY REGULATIONS IN SECTION 14.06.080 RELATING TO THE PLACEMENT OF A FENCE WITHIN THE PUBLIC RIGHT-OF-WAY AND MAKING MINOR EDITS RELATED TO REGULATION CONSISTENCY AND APPLICABILITY.”

3. ORDINANCE: Review of Potential Amendments to Biggs Municipal Code (BMC) Provisions Regarding Abatement of Nuisance: Medical Marijuana.

City Attorney will review proposed amendments to the BMC provisions regarding abatement of outdoor cultivation of marijuana as a nuisance.

- A. Staff report. B. Public comment. C. Council discussion.

Recommendation: Move for *FIRST READING and INTRODUCTION* of ordinance to amend BMC Chapter 6.25 by reading of title only.

ORDINANCE NO. 395, “AN ORDINANCE OF THE CITY OF BIGGS AMENDING CHAPTER 6.25 (HEALTH AND SAFETY AND NEIGHBORHOOD NUISANCE

ABATEMENT) OF THE BIGGS MUNICIPAL CODE REGARDING MEDICAL
MARIJUANA CULTIVATION.”

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of February 27, 2012.
- B. Approval of warrants: #26003 - 26088; #8122 - 8138; Z00599 - Z00615 for month of February 2012 in the amount of \$470,689.09.
- C. Acknowledge receipt of Police Department Report for February 2012.
- D. Acknowledge receipt of Gridley-Biggs Animal Control Officer Report for February 2012.
- E. Acknowledge receipt of Biggs Fire Department Report for February 2012.

- F. Acknowledge receipt of accountant’s Monthly Cash and Investments Report for February 2012.
- G. Adopt Proclamation, “PROCLAIMING APRIL AS CHILD ABUSE PREVENTION MONTH.”
- H. Second Reading and Adoption of Ordinance No. 393 “AN ORDINANCE OF THE CITY OF BIGGS AMENDING THE REGULAR DAY AND THE STANDARD HOUR FOR THE COMMENCEMENT OF REGULAR COUNCIL MEETINGS.”
- I. Approve dissolution of the Butte Basin Water Users Association and authorize Mayor to sign letter indicating same to County.

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:

A. Engineering:

Activity Report and Project Updates – February 2012. (S. Speights)

B. Planning:

Department Activity Report – February / March 2012. (S. Friend)

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. Mosquito Abatement – Verbal update. (B. Sheppard)

J. Other commission reports. (Council)

K. City Administrator:

1. **Consideration/Action:** Server Replacement.

Council is asked to award the contract for replacement of the City's aging computer system server, and associated system maintenance.

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

Recommendation: Authorize city administrator to replace the system server within \$8,000 budget of Fund 011, and to establish a maintenance service contract for at least one year.

2. **Discussion/Action:** Purchase of Replacement Street Sweeper.

Council will consider purchase of a street sweeper to replace the city's current aged unit.

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

Recommendation: Authorize additional appropriation from Fund 11 and purchase of recommended sweeper at a negotiated price.

6. CLOSED SESSION:

A. Closed session pursuant to Government Code Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Assessor parcel numbers 022-140-007-000, 022-160-059-000, 022-140-003-000, 022-140-004-000, 022-140-002-000, 022-140-001-000

Agency negotiator: Pete Carr and Myra Cooper Holmes

Negotiating parties: Person(s) with whom agency negotiator(s) may negotiate.

- B. Closed session pursuant to Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Annual)
Title: City Administrator

7. RESUME REGULAR MEETING:

- A. 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.)

- B. **Discussion/Action:** Adjustment to Compensation

Position: City Administrator

8. INFORMATIONAL:

9. ADJOURNMENT:

Presented by: _____ March 16, 2012
Roben Dewsnup, City Clerk Date