

Call To Order

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

1. COMMUNITY PARTICIPATION: None

2. NEW BUSINESS:

Annual Financial Audit: City Auditor Don Reynolds presented the city financial statements and the independent auditor's report to council. It was his opinion the financial statements did reflect the financial position and the results of operation for the City of Biggs fairly, in accordance with the Generally Accepted Accounting Principles for the year ended June 30, 2011. The city does suffer from the lack of separation of duties; however, there is not budget to resolve this but the city has done an excellent job creating mitigating controls. He saw healthy financial management.

Mayor Frith asked if volunteers could be used to help with separation of duties. Mr. Reynolds stated qualified volunteers could be used with an adequate level of oversight to ensure proper workflow.

Councilmember Bottorff suggested accepting the results of the financial audit. Council concurred.

5. K. 2. Mayor Frith asked to move the Introduction of the Draft Policy for Use of Volunteers forward. Council agreed.

Mr. Carr stated this was an introduction of draft policy for the use of volunteers. He discussed traditional uses of volunteers and suggested addition volunteer opportunities such as office work, grant searching, historic document collection and archiving, parks maintenance, system technology, on-call graffiti removal, or library maintenance and upgrades.

Mr. Carr reviewed best practices for volunteers and implementing work-like supervision, as well as challenges and concerns.

Resident Mary Frith stated her interest in this program. She knew of BCAV members and other individuals who would like to help the city.

Officer Dean Price suggested other opportunities for volunteer use included in the city contract such as animal control, RSVP's, chaplains, or interns.

Council concurred this was a good idea and asked Mr. Carr to come back with more information.

3. ORDINANCES:

A. Council was asked to consider changing the schedule for regular monthly meetings to the second Tuesday of the month at 6:30 p.m.

FIRST READING OF ORDINANCE NO. 393 “AN ORDINANCE OF THE CITY OF BIGGS AMENDING THE REGULAR DAY AND THE STANDRAD HOUR FOR THE COMMENCEMENT OF REGULAR COUNCIL MEETINGS”. (Bottorff/Arnold, MCU; Absent: Thompson)

- B. City Attorney Greg Einhorn stated at the last council meeting, council was asked to consider the potential amendments to the Biggs Municipal Code regarding Abatement of Nuisance: Medical Marijuana. This would limit the growth to patients and limit the growth to a safe and secure location, not inside the house and not outside. At the last meeting, council suggested cultivation be prohibited 500 feet of school, churches and parks, but staff suggested the prohibition be 300 feet. The option of a greenhouse should be stricken from the ordinance.

Mayor Frith asked to include in the ordinance a requirement that the City of Biggs receive information from the police department on marijuana citations. He also asked a height limitation on the growing structure be included in the ordinance.

Councilmember Arnold suggested cultivation be prohibited 500 feet of school, churches and parks.

Motion/Second to keep the prohibition at 500 feet. (Arnold/Bottorff, MCU; Absent: Thompson)

Council concurred that the ordinance should include language that opens communication between the police department and the city with every citation issued for medical marijuana violation. The ordinance should also include the reference to the structure size.

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of January 23, 2012.
- B. Approval of warrants: #25889 - 26002; #8102 - 8117; Z00581 - Z00598 for month of January 2012 in the amount of \$493,807.47.
- C. Acknowledge receipt of Police Department Report for January 2012.
- D. Acknowledge receipt of Gridley-Biggs Animal Control Officer Report for January 2012.
- E. Acknowledge receipt of Biggs Fire Department Report for January 2012 and Final Statistics report for 2011.
- F. Acknowledge receipt of accountant's Monthly Cash and Investments Report for December 2011 and January 2012, Recap of Discretionary Funds, and Funds with Restricted Uses.
- G. Adopt Proclamation, “CONGENITAL HEART DEFECT AWARENESS WEEK FEBRUARY 7 - 14, 2012.”
- H. Approve Policy for Retiree Health Benefits.
- I. Approve Policy for Sale of Surplus Assets.
- J. AB 2514: Publicly Owned Utilities - Energy Storage Systems
Consideration and Direction to Staff: Initiate process to determine appropriate targets, if any, to procure viable and cost-effective energy storage systems pursuant to the above-referenced legislation.

Mayor Frith asked to remove items H and I from the consent calendar for further discussion later in the meeting.

Motion/Second to approve the balance of the consent calendar. (Bottorff/Sheppard, MC; Absent: Thompson)

5. DEPARTMENT REPORTS:

A. Engineering:

1. City Engineer Steve Speights stated the activity report in the agenda packet was out of date. The NEPA document for the Sixth Street Bridge Replacement had been received from Caltrans.

The plan check had been completed for the Phase 2 Improvement Plans at SunWest Mill and the deed had been recorded for the lot line adjustment.

The engineer was attending meetings with other communities that discharge wastewater to agriculture drains.

2. Mr. Speights asked council to approve funding for a Safe Routes to School Program application. The project limit was \$500,000 with a \$45,000 match from the city. The cost to prepare the application would be \$6,500.

Motion/Second to expend \$6,500 for use in preparation of application.
(Arnold/Bottorff, MC; Noes: Frith; Absent: Thompson)

3. Mr. Speights asked for direction on four different items relating to the Waste Water Treatment Plant Project. First: What type of loan to apply for? Second: The schedule for raising sewer rates. Third: Whether the city wished to be reimbursed the Sewer Improvement Fund for \$400,000 already expended on the project. He suggested about \$200,000 be reimbursed into the fund. Fourth: How the city planned to continue funding the Waste Water Treatment Plant project? Mr. Speights reviewed five options for financing the project.

Mr. Speights recommended option 4 which results in the lowest cost of the project over the life of the loan, i.e. payment of principal and interest, and requires the smallest rate increase. Option 4 includes a combined USDA grant and loan and a loan from the State Revolving Fund. It also includes a contribution of \$200,000 of City General Fund monies, but reimburses the Sewer Improvement Fund about \$200,000. Option 4 requires the City to continue funding the project with a loan from the electric utility reserve and not using a bridge loan.

Motion/Second to opt for option 4 and direct staff to move forward. (Frith/Sheppard, MCU; Absent: Thompson)

B. Planning:

1. City Planner Scott Friend reviewed the Activity Report for January 2012 – February 2012 included in the agenda packet.
2. Mr. Friend presented a follow-up to modifying the fence code. Two basic aspects to the code would require a fence permit and an encroachment permit. The applicant would also sign an acknowledgement stating the fence was being placed on city property.

Councilmember Arnold asked that the agreement go along with the property in a legal agreement that would be notarized and a recording fee paid.

Mr. Friend would bring back an administrative package explaining the procedure.

- C. Public Safety. Assistant Chief Price explained when 10 or more individuals assemble in public, a permit must be obtained from the police department.
- D. Sutter Butte Flood Control: Nothing to report.
- E. Pubic Works: Councilmember Arnold reported on a sewer line repair at Sixth and Aleut Streets.
- F. Electric. Mayor Frith explained the consent calendar item referring to Publicly Owned Utilities – Energy Storage Systems. LEC is on or ahead of schedule.
- G. BCAG/Air Quality: Noting to report.
- H. Solid Waste: Nothing to report.
- I. Mosquito Abatement. Councilmember Sheppard reported the mosquito population has increased. There are two new trustee members.
- J. Other commission reports. None
- K. City Administrator.

Mr. Carr requested Council approve a share of costs for participation in a new project to provide database systems for the Public Benefits Program. The cost would be \$2,175 this fiscal year and \$2,200 in each of the following five fiscal years. Much of the cost is already imbedded in NCPA Commission-approved budgets for this fiscal year. A portion of the cost is to offset NCPA's agency cost and place the cost burden more squarely on the responsibility of those members who are participating. The cost to Biggs above the already imbedded costs come to \$4,480.70 spread over the six years.

Motion/Second to direct staff to participate in this program. (Bottorff/Sheppard, MCU; Absent: Thompson)

4. CONSENT CALENDAR: Items H and I further discussion

- H. Retiree Health Benefits Policy: Mayor Frith felt council should take a better look at the policy and suggested bringing this item back. He was concerned about the surviving spouse benefit as well as the administration fee.
- I. Policy for Sale of Surplus Assets: Mayor Frith felt the draft policy should be further studied.

Motion/Second to bring items H & I back with further clarification. (Arnold/Bottorff, MCU; Absent: Thompson)

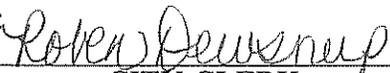
6. INFORMATIONAL:

Mr. Carr asked if council should continue sending out the EcoHome Brochures. He stated he would not renew unless he heard positive comments. Council members expressed no opinions on it, but did ask if a more local publication was available.

Mr. Carr informed council he had received three responses on the RFP for the city server. Should he bring this back to council or should he make a decision on his own. Mr. Einhorn did not believe the city would be obligated to take the lowest bid on this issue. Mr. Carr would bring this back for council consideration.

Mr. Carr stated the only way the city can qualify for the Super NOFA was to update the city's income survey. The city has a part-time employee who is willing to complete this survey as an additional project.

7. **ADJOURNMENT:** Meeting was adjourned at 9:50 p.m.

ATTEST: 
Roben Dewsnup, CITY CLERK

APPROVED: 
Roger L. Frith, MAYOR