

THIS AGENDA WAS POSTED ON THE BULLETIN BOARD OR WINDOW IN FRONT OF CITY HALL BY 5:00 PM ON THE 5<sup>th</sup> DAY OF APRIL, 2013, 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.

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THIS MEETING WILL BE HELD IN COUNCIL CHAMBERS, 3016 SIXTH STREET, BIGGS, CA	
<b>AGENDA OF THE CITY COUNCIL CITY OF BIGGS</b>	<b>6:30 PM TUESDAY APRIL 9, 2013 REGULAR MEETING</b>

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## **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. CONSENT CALENDAR:**

- A. Approval of Council Minutes for Regular Meeting of March 12, 2013 and Special Meetings of March 27, 2013 and April 1, 2013.
- B. Approval of warrants: #8334 – 8346; Z00804 – Z00820, and 26961– 27033 for the month of April 2013 in the amount of \$269,986.08.
- C. Acknowledge receipt of Biggs Fire Department Report for March 2013.
- D. Acknowledge receipt of Police Department Report for March 2013.
- E. Acknowledge receipt of Accountant's Compilation Report as of February 28, 2013 and Monthly Cash and Investments Report for February 2013.
- F. Accept Annual Audit of Fiscal Year ending June 30, 2012.
- G. Approve Resolution No. 2013-09, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING BY RESOLUTION INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND."
- H. Approve second reading of Ordinance No. 396 by reading of title only, "AN ORDINANCE OF THE CITY COUNCIL OF CITY OF BIGGS AMENDING THE BIGGS MUNICIPAL CODE TO MODIFY REGULATIONS IN SECTION 14.120.030 RELATING TO THE REGULATION OF THE MOBILE VENDING OF LOCALLY GROWN PRODUCE AND TEMPORARY SALES OF PRODUCE AND HANDI-CRAFTS GOODS IN THE COMMERCIAL ZONING DISTRICTS OF THE CITY OF BIGGS." This item has been determined to be exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305.

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

### 3. PROCLAMTIONS:

- A. “A PROCLAMATION CELEBRATING 105 YEARS OF CONTINUOUS OPERATION OF THE BIGGS CARNEGIE LIBRARY.”
- B. “PROCLAIMING APRIL AS CHILD ABUSE PREVENTION MONTH.”

### 4. NEW BUSINESS:

**Discussion/Action:** Consideration of a Resolution in Support of the Second Amendment.

**Recommendation:** Consider approval of Resolution No. 2013-10, by reading of title only, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS IN SUPPORT OF THE SECOND AMENDMENT AND THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS.”

### 5. PUBLIC HEARINGS:

- A. Sewer Rate Adjustment Hearing.

Council will hear and receive written protests to the proposed sewer rate increases.

**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:** Hold Public Hearing, if a majority protest has not occurred, the council may consider an Ordinance affecting rate increase.

Introduce ORDINANCE NO. 397 by reading of title only, “AN ORDINANCE REPEALING AND REPLACING SECTION 10.05.240 OF THE BIGGS MUNICIPAL CODE (CITY SEWER SYSTEM) TO INCREASE SEWER SERVICE FEES, RATES AND CHARGES.”

- B. City of Biggs Municipal Code Amendment – Fences. Continued to a later date.
- C. City of Biggs Municipal Code Amendment – Temporary Occupancy of Manufactured Homes and Recreational Vehicles. Continued to a later date.

### 6. DEPARTMENT REPORTS:

- A. Planning:

Department Activity Report – March 2013 / April 2013. (S. Friend)



B. Engineering:

1. Department Activity Report – March 2013/ April 2013. (S. Speights)
2. **Discussion/Action:** Addendum to the Adopted Mitigated Negative Declaration (MND) for the Biggs Wastewater Improvement Project.

The City Planner in accordance with CEQA Guidelines prepared an Addendum to the adopted MND to address the location change of the “headworks” from the plant as described in the MND, to the Corp Yard as now planned.

**Recommendation:** Adopt Resolution No. 2013-12 by reading of title only, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ADOPTING AN ADDENDUM TO THE ADOPTED MITIGATED NEGATIVE DECLARATION FOR THE BIGGS WASTEWATER IMPROVEMENT PROJECT.”

3. **Discussion/Action:** Reclamation District 833 Agreement.

Construction on the Sixth Street Bridge Replacement Project requires an agreement with RD 833 to work in their channel.

**Recommendation:** Approve the agreement with RD 833 and authorize Mayor to sign the agreement to allow the construction of the Sixth Street Bridge Replacement Project.

4. **Discussion/Action:** Wastewater Treatment Plant Application for State Revolving Fund Loan Operating Budget Projections for Financing the Wastewater Treatment Plant Upgrade Phase 1.

State Revolving Fund has requested a projection of operating expenses in future years to demonstrate the ability to repay any loans.

**Recommendation:** Approve Resolution No. 2013-13 by reading of title only, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING PROJECTED SEWER ENTERPRISE OPERATING BUDGETS FOR CLEAN WATER STATE REVOLVING FUND FINANCING OF THE WASTEWATER TREATMENT PLANT UPGRADE – PHASE 1.”

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

D. Flood Control – Verbal update. (B. Sheppard)

E. Public Works – Verbal update. (D. Arnold)

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

G. BCAG – Verbal update. (J. Busch)

H. Air Quality – Verbal update. (A. Thompson)

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

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

K. Other commission reports. (Council)

L. City Attorney.

City Attorney Greg Einhorn will discuss Smith v. City of San Jose, et al. The Public Records Act and personal digital devices.

M. City Administrator:

1. **Discussion/Action:** Purchasing Authority for Services from PMC.

Council is asked to approve purchasing authority for services from PMC to complete CDBG program income tasks and HOME program tasks.

**Recommendation:** Authorize City Administrator purchasing authority for services from PMC to complete CDBG program income tasks and HOME program tasks not to exceed \$4,000.

2. **Information:** Mid-Year Finance Information

Council is asked to review a brief overview of mid-year status of the major operating funds as of December 31, 2012.

3. **Discussion/Action:** Request for Proposals for Demolition and Debris Removal Services at 3069 Eighth Street, Biggs, CA.

In 2012 Council authorized the purchase of the parcel at 3069 Eighth Street for the purposes of blight removal and to prepare the site for future redevelopment. Staff now requests Council approval to issue an RFP for Demolition and Debris Removal Services.

**Recommendation:** Authorize the City Administrator to issue a Request for Proposals for Demolition and Debris Removal Services at 3069 Eighth Street, Biggs, CA.

4. **Discussion/Action:** Purchase authorization for services from a Bond Council.

The application for funding of the Phase 1 Waste Water Treatment Plant requires that a state recognized bond council review the current and future revenues, expenses and debts of the waste water system and make certain satisfactory certifications to the State Water Resources Control Board.

**Recommendation:** Authorize the City Administrator to contract with and purchase services of a bond council necessary to satisfy the State Water Resources Control Board, not to exceed \$4,000.

7. **INFORMATIONAL:**

8. **ADJOURNMENT:**

Presented by: Roben Dewsnap April 5, 2013  
Roben Dewsnap, City Clerk Date