

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 JULY, 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.

THIS MEETING WILL BE HELD IN COUNCIL CHAMBERS, 3016 SIXTH STREET, BIGGS, CA

**AGENDA OF THE  
CITY COUNCIL  
CITY OF BIGGS**

**6:30 PM TUESDAY  
JULY 9, 2013  
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. Zoning Code Amendment ZCA2013-01 – 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 establish language specifically requiring that a fence permit be issued for most all fence-related actions and establishing the standards and conditions to be applied during the review of fence permits.

#### **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:** If draft Ordinance is determined by Council to be appropriate, introduce Ordinance by reading of title only.

Introduce Ordinance No. 398 by reading of title only, “AN ORDINANCE OF THE BIGGS CITY COUNCIL AMENDING THE BIGGS MUNICIPAL CODE TO MODIFY REGULATIONS IN SECTION 14.60.080 FENCES AND LANDSCAPING – GENERAL HEIGHT LIMITATIONS RELATING TO THE REQUIREMENT FOR FENCE PERMITS AND FENCE AND LANDSCAPING STANDARDS IN THE CITY OF BIGGS.”

B. Report of Delinquent Fees Related to Utility Charges for Collection on the Property Tax Roll.

**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:** Adopt Resolution No. 2013-22 by reading of title only, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AND CONFIRMING THE REPORT OF DELINQUENT UTILITY CHARGES AND AUTHORIZING THE CITY CLERK TO TAKE NECESSARY ACTIONS TO EFFECTUATE THE LEVY OF DELINQUENT CHARGES IDENTIFIED IN THE REPORT.”

**3. CONSENT CALENDAR:**

- A. Approval of Council Minutes for Regular Meeting of June 11, 2013 and Special Meeting of June 17, 2013.
- B. Acknowledge receipt of Gridley-Biggs Police Department Report for May, 2013.
- C. Approve Fiscal Year 2013-2014 Budget by Adopting Resolution No. 2013-18 and Resolution No. 2013-21 by reading of titles only.

Resolution No. 2013-18 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ADOPTING THE PROPOSED BUDGET FOR THE CITY OF BIGGS ENTITLED ‘2013-2014 BUDGET, CITY OF BIGGS’.”

Resolution No. 2013-21, “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ADOPTING THE ‘GANN’ APPROPRIATION LIMIT FOR FISCAL YEAR 2013-2014.”

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

#### 4. DEPARTMENT REPORTS:

##### A. Planning:

1. Department Activity Report – June / July 2013. (S. Friend)
2. **Discussion:** Zoning Code Amendment ZCA#2013-02 – Temporary Occupancy of Manufactured Homes and Recreational Vehicles.
3. **Discussion:** Night Heron / Bird Infestation.

##### B. Engineering:

1. Department Activity Report – June / July 2013. (S. Speights)
2. **Discussion/Action:** Wastewater Treatment Plant Phase 2, Application to State Revolving Fund (SRF).

The improvements required to the wastewater treatment plant to meet new discharge requirements from the RWQCB Permit cannot be funded through current city funds. An application for Phase 1 funding is being processed by the State Revolving Fund. The City must submit funding applications for Phase 2 to remain on schedule to meet permit requirements.

**Recommendation:** Approve Resolution No. 2013-23, Resolution No. 2013-24 and Resolution No. 2013-25 by reading of title only.

Resolution No. 2013-23 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS – AUTHORIZATION TO NEGOTIATE AND EXECUTE FINANCIAL ASSISTANCE AGREEMENT FOR WASTEWATER TREATMENT PLANT MODIFICATION – PHASE 2.”

Resolution No. 2013-24 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS DEDICATING A SOURCE OF NET REVENUES FOR CLEAN WATER STATE REVOLVING FUND FINANCING OF THE WASTEWATER TREATMENT PLANT MODIFICATIONS – PHASE 2.”

Resolution No. 2013-25 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS EXPRESSING EXPECTATION TO BE REIMBURSED FOR EXPENSES PAID PRIOR TO LOAN APPROVAL.”

3. **Discussion/Action:** MUN Study EIR Funding.

Regional Water Quality Control Board study of changing the designation of the receiving waters of the treatment plant effluent from Municipal (MUN) to agriculture is at the point of beginning the environmental phase.

**Recommendation:** Approve funding the \$15,000 share for the environmental work for the MUN study.

- 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 Administrator:

1. **Discussion/Action:** BCAV Request to Utilize Library Basement.

Biggs Community Action Volunteers (BCAV) have requested to utilize the basement of the Biggs library for storage.

**Recommendation:** Review and discuss the agreement, and direct staff.

2. **Discussion/Action:** Purchase Authorization for Substation Batteries.

The Electric Superintendent and the substation maintenance contractor advise the City to replace the entire bank of batteries in the substation that supply the energy to operate the substation switching gear.

**Recommendation:** Authorize the City Administrator to purchase the products and services necessary to replace the bank of substation batteries, not to exceed \$10,000.

3. **Discussion/Action:** A Resolution Confirming the Status of the Right of Way between First and Second Street in the City of Biggs.

The resolution will serve to memorialize the City’s intentions for the right of way while staff explores other methods to record the existence of the right of way.

**Recommendation:** Approve Resolution No. 2013-26, “A RESOLUTION OF THE CITY OF BIGGS CONFIRMING THE STATUS OF THE RIGHT OF WAY BETWEEN FIRST AND SECOND STREET IN THE CITY OF BIGGS.

4. **Discussion/Action:** Formulation of Responses to Grand Jury Report.

A Butte County Grand Jury report was issued June, 2013 which requires responses from the City of Biggs within 90 days.

**Recommendation:** Consider appointing one or more persons to draft responses to the Grand Jury report.

5. **Discussion/Action:** Consideration of City House Rental.

City employee James Pruitt is requesting to again rent the house at Ninth and B Streets from the City of Biggs.

**Recommendation:** Consider the request and direct staff.

6. **Discussion/Action:** PMC Agreement for Services – City Planner.

The City of Biggs has contracted with PMC for City Planning and Code Enforcement activities for many years. The attached agreement proposes to extend these services at the same costs for Fiscal Year 2013-2014.

**Recommendation:** Authorize the Mayor to sign the Agreement for Professional Consulting Services for Planning and Code Enforcement activities with PMC for the 2013-2014 fiscal year.

5. **INFORMATIONAL:**

6. **ADJOURNMENT:**

Presented by: \_\_\_\_\_ July 5, 2013  
Roben Dewsnup, City Clerk Date