

MINUTES OF THE CITY OF BIGGS
REGULAR COUNCIL MEETING
COUNTY OF BUTTE, STATE OF CALIFORNIA

March 12, 2013

Call To Order

The regular council meeting was called to order at 6:30 p.m. by Mayor Frith. Vice Mayor Sheppard, Council Members Arnold, Busch and Thompson were present. Staff present: City Administrator Mark Sorensen, City Attorney Greg Einhorn, City Engineer Steve Speights, City Planner Scott Friend and City Clerk Roben Dewsnup.

1. **COMMUNITY PARTICIPATION:** Residents Melody Thomas and Jon Crawford commented on a letter they received in the mail.
2. **NEW BUSINESS:** Auditor Don Reynolds presented the Annual Audit of Fiscal Year ending June 30, 2012 to council and gave an unqualified opinion, saying the information was fairly stated in all material respects in relation to the financial statements as a whole.
3. **PUBLIC HEARINGS:**

- A. CDBG Grant Application – City Administrator Mark Sorensen requested council prioritize potential grant-funded projects, and authorize him to proceed with the application process. He suggested the city submit a revised version of its 2011 PTA Alternative Energy Park Plan which included land use considerations and consider a second PTA for analysis of options to resolve the water quality issue at the C Street well which is too high in manganese.

Mayor Frith opened the hearing to the public and asked for comment. With no public comment, he closed the hearing to the public.

Motion/Second to approve projects as PTA grant objectives and authorize City Administrator to work with 3CORE to prepare grant applications on behalf of City for this funding cycle at a cost of not more than \$2000. (Frith/Arnold, MCU)

- B. Zoning Code Amendment – Mobile Sale of Locally-Grown Produce. City Planner Scott Friend presented a Zoning Ordinance text amendment (ZCA2013-03) to Section 14.120.030, Commercial use table of the Biggs Municipal Code to allow for the mobile vending of locally-grown produce in the General Commercial Zoning District by-right as a Permitted Principal Use and in the Downtown Commercial and Office Commercial Zoning Districts with the issuance of a Use Permit and the establishment of farmers markets as a use requiring the issuance of a Use Permit in all three of the City's existing Commercial zone districts.

Mayor Frith opened the hearing to the public.

Resident Mary Frith asked if there would be some type of control to know who is selling what? Mr. Friend stated there were controls in place. Staff member Marlee Mattos asked if there would be one use permit per farmers market or would each person in the market need a use permit and Mr. Friend stated one permit per market.

Mayor Frith closed the hearing to the public.

Motion/Second to introduce Ordinance No. 396 by reading of title only, "AN ORDINANCE OF THE CITY COUNCIL OF THE 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 HANDICRAFTS GOODS IN THE COMMERCIAL ZONING DISTRICTS OF THE CITY OF BIGGS." (Thompson/Sheppard, MCU)

- C. City of Biggs Municipal Code Amendment – Fences. City of Biggs Municipal Code Amendment – Temporary Occupancy of Manufactured Homes and Recreational Vehicles. No action was taken on these two items. Continued to a later date.

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Special Meeting of February 8, 2013 and Regular Meeting of February 12, 2013.
- B. Approval of warrants: #8320 – 8333; Z00788 – Z00803, and 26896– 26960 for the month of February 2013 in the amount of \$321,873.17.
- C. Acknowledge receipt of Biggs Fire Department Report for February 2013.
- D. Acknowledge receipt of Police Department Report for February 2013.
- E. Acknowledge receipt of Accountant's Compilation Report as of January 31, 2013 and Monthly Cash and Investments Report for January 2013.
- F. Authorization to Write Off Old Utility Bills.

Motion/Second to approve the consent calendar. (Thompson/Sheppard, MCU)

5. DEPARTMENT REPORTS:

A. Planning:

- 1. City Planner Scott Friend reviewed the Planning Activity Report included in the agenda packet.
- 2. Mr. Friend presented the City of Biggs 2012 General Plan and Housing Element Annual Report.

Motion/Second to direct city planner to submit the City of Biggs 2012 General Plan and Housing Element Annual Report to the Governor's Office of Planning and Research and the Department of Housing and Community Development.
(Frith/Thompson, MCU)

B. Engineering:

- 1. City Engineer Steve Speights gave a verbal report regarding current city projects which included the Sixth Street Bridge Project, Wastewater Treatment Plant Phase 1 Design, and Wastewater Treatment Plant Phase 1 Funding.
- 2. Wastewater Treatment Plant Application.

City Engineer Steve Speights stated as part of the city application for grant and loan to the State Revolving Fund, the City is required to demonstrate the ability to repay any loans, identify the source of those funds and commit those funds to the repayment of any loans. The commitment is in the form of a resolution.

Motion/Second to approve Resolution No. 2013-07 "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 UPGRADE-PHASE 1."
(Frith/Sheppard, MCU)

3. Sixth Street Bridge Right of Way.

Mr. Speights asked council to authorize by resolution, the City Administrator to accept on behalf of the City, grants of right of way and temporary construction easements required for the construction of the Sixth Street Bridge Replacement Project.

Motion/Second to approve Resolution No. 2013-08 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT GRANTS OF RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENTS ON BEHALF OF THE CITY FOR THE SIXTH STREET BRIDGE REPLACEMENT PROJECT."

(Busch/Arnold, MCU)

- C. Public Safety. Mayor Frith had been in contact with Fire Chief Mike Brown concerning the new fire engine.

Assistant Police Chief Dean Price reported on police activity in the City of Biggs.

- D. Sutter Butte Flood Control Agency (SBFCA). Vice Mayor Sheppard stated SBFCA continues to purchase land along the levee. Construction bid documents were sent out.

- E. Pubic Works. No report.

- F. Electric. Mayor Frith reported on items related to electric in the City of Biggs.

- G. BCAG. No Report

- H. Air Quality. Councilmember Thompson reported she was elected Chair of Butte County Air Quality Management District again.

- I. Solid Waste. No report.

- J. Mosquito Abatement. Vice Mayor Sheppard stated Mosquito Awareness Week is April 21-27 of this year.

- K. Other commission reports.

- L. City Administrator:

1. Clayton – Substitution of Trustee and Deed of Reconveyance.

Motion/Second to adopt Resolution No. 2013-05, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SUBSTITUTION OF TRUSTEE AND DEED OF RECONVEYANCE." (Thompson/Frith, MCU)

2. Waters – Substitution of Trustee and Deed of Reconveyance.

Motion/Second to adopt Resolution No. 2013-06, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SUBSTITUTION OF TRUSTEE AND DEED OF RECONVEYANCE." (Thompson/Sheppard, MCU)

3. NCPA Electric Public Benefits Participation.

Mr. Sorensen asked Council to consider the level of Biggs's participation with the NCPA Public Benefits Committee. The committee will be meeting monthly again, which will exceed the four hours per month agreed upon by council in a prior resolution.

Motion/Second to continue with the existing resolution for allocation of time and the MOU process. (Frith/Sheppard, MCU)

4. Computer Server and Workstation Maintenance Contract.

Mr. Sorensen asked council to consider expanding the purchasing authority for the maintenance contract for the city server and certain specified workstations.

Motion/Second to authorize the City Administrator to upgrade the computer maintenance contract with PacifiCom at up to \$250 per quarter. (Sheppard/Frith, MCU)

5. Budget Modification.

Mr. Sorensen asked council to approve a budget modification to shift a \$21,000 budgeted expense from CDBG Fund 170 to CDBG Fund 165.

Motion/Second to approve the use of funds from CDBG Fund 165 rather than CDBG Fund 170 to purchase the property at 3069 Eighth Street and to modify the budget by moving the \$21,000 budgeted expense from Fund 170 to Fund 165. (Thompson/Arnold, MCU)

6. Budget Cost Allocation Error Correction.

Mr. Sorensen asked Council to approve a budget modification to correct an error in the application of the 2012-2013 Budget Cost Allocations.

Motion/Second to approve the proposed budget modification to correct an error in the application of the 2012-2013 Budget Cost Allocations. (Frith/Sheppard, MCU)

6. **INFORMATIONAL:** Councilmember Busch asked Mr. Sorensen to attend the SCORE Meeting and Councilmember Thompson to attend the BCAG Meeting for him due to an upcoming surgery.

Resident Mary Frith stated April 20th would be the library celebration.

7. **CLOSED SESSION:** Council adjourned to Closed Session at 9:12 p.m.

8. **RESUME REGULAR MEETING:** The Regular Meeting was resumed 10:20 p.m. with no announcement.

9. **ADJOURNMENT:** The meeting was adjourned at 10:20p.m.

ATTEST:


Roben Dewsnap, CITY CLERK

APPROVED:


Roger L. Frith, MAYOR