

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 and Busch were present. Council Member Thompson was absent. Staff present: City Administrator Mark Sorensen, City Attorney Greg Einhorn, City Engineer Steve Speights, City Planner Scott Friend and City Clerk Roben Dewsnap.

- 1. COMMUNITY PARTICIPATION:** Resident April Rodriguez asked council to consider an amendment for sale of food and beverage such as portable food carts. She provided ordinances from other cities pertaining to street and sidewalk food sales.

Resident Mary Frith stated BCAA has purchased a movie projector and screen to start showing movies to children and others in the city.

- 2. PRESENTATION:** Bill Mantle with Butte County Public Works Solid Waste Division gave an update to council on the strategic plan of the landfill for the next ten years.
- 3. NEW BUSINESS:** CalFire Battalion Chief Mike Brown stated the county was providing a new fire engine to the City of Biggs. He asked council to consider what they would like to do with the current fire engine – keep or sale. If the engine was kept, there would be maintenance costs to consider. He would come back at the June council meeting with maintenance cost estimates.

3. PUBLIC HEARINGS:

- A.** City Planner Scott Friend introduced the Zoning Code Amendment ZCA2013-01 – Fences which adds one new paragraph stating when a fence permit is or is not needed.

Mayor Frith opened the hearing to the public.

Proponent – None.

Opponent – None.

Mayor Frith closed the hearing to the public.

Mayor Frith asked what could be done with the existing, nonconforming fences that have been built next to sidewalks. He asked how the homeowner could be educated that they had a non-conforming fence. Mr. Friend stated he could write something into the ordinance that addresses the issue of existing non-conforming fences.

This item would be re-advertized as a public hearing for the June meeting.

- B.** Mr. Friend stated Zoning Code Amendment ZCA2013-02 referred to temporary occupancy of manufactured homes and recreational vehicles. He presented to council a proposed modification to the text of Section 14.70.030. Mr. Friend stated the current code allows for recreational vehicles to be occupied on residential lots for up to 14 days by-right; up to 30 days with the approval of an administrative use permit; and greater than 30 days with the approval of a use permit by the City Council. The code allows for recreational vehicles to be occupied on non-residential lots for temporary replacement of a damaged business and as a residence for security purposes.

Mr. Friend proposed single occupancy events be limited to 10 consecutive days without a permit; up to 21 days with the approval of an administrative use permit; and up to 100 days of occupancy per calendar year with City Council approval. Standards for water, sewer and electric connections would be increased as well as setbacks.

Proposed changes for non-residential areas would specify when recreational vehicles would be allowed and the same standards as residential districts. No rent or consideration would be charged to occupant and a fee would be charged to cover costs associated with the provision of municipal utilities services.

Mayor Frith opened the hearing to the public.

Proponents – None.

Opponents – Resident Jon Crawford stated his concern about placing more restrictions on personal property. He asked council to consider the long term impact of this ordinance change. Since recreational vehicles are self-contained, he did not feel residents should be required to install a sewer connection for someone visiting with a recreational vehicle. He stated the proposed seasonal events were undetermined and that residential and commercial lots should have the same rights. He disagreed with the proposed time-frames.

Proponent's rebuttal – Resident Mary Frith felt the proposed ordinance was what the City needed and agreed with the proposed ordinance change as written.

Opponent's rebuttal – None.

Mayor Frith closed the hearing to the public.

After much discussion, council asked to separate manufactured home from recreational vehicles and keep the original time frame. Mr. Friend would bring this item back as a study session next month.

4. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of April 9, 2013 and Special Meeting of April 12, 2013.
- B. Approval of warrants: #8347– 8360; Z00821 – Z00836, and 27034 – 27115 for the month of April 2013 in the amount of \$285,298.78.
- C. Acknowledge receipt of Biggs Fire Department Report for April 2013.
- D. Acknowledge receipt of Police Department Report for April 2013.
- E. Approve second reading of 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."
- F. Authorize the City Administrator to sign the contract for services between 3CORE, Inc and the City of Biggs for Economic Planning and Coordination Activities, and expend funds in the amount of \$4,000.
- G. Approve Resolution No. 2013-17, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION AGREEMENT (2CA02158) FOR SERVICES FROM JULY 1, 2013 TO JUNE 30, 2014."

Motion/Second to approve the consent calendar as presented. (Busch/Sheppard, MCU; Absent: Thompson)

5. DEPARTMENT REPORTS:

A. Planning:

1. Mr. Friend gave a brief review of the Planning Activity Report included in the agenda packet.
2. Mr. Friend and PMC requested addition funds in the amount of \$11,900 for the wastewater land application project.

Motion/Second to approve amendment #1, a request for additional funding in the amount of \$11,900 for the preparation of Cultural Resource and Biological Resource in support of the City of Biggs Wastewater Land Application project.
(Sheppard/Arnold, MCU; Absent: Thompson)

B. Engineering:

1. City Engineer Steve Speights reviewed the Department Activity Report – March 2013/ April 2013 which included the Sixth Street Bridge Project and the Wastewater Treatment Plant Phase 1 Design and Funding.

2. Mr. Speights asked for approval of a Bennett Amendment for \$12,064.

Motion/Second to approve the Sixth Street Bridge Right of Way Amendment to Bennett Agreement for \$12,064. (Frith/Sheppard, MCU; Absent: Thompson)

3. Mr. Speights asked for approval of a Bennett Amendment for \$18,204.

Motion/Second to approve the Sixth Street Bridge Preliminary Engineering Amendment to the Bennett Agreement for \$18,204. (Sheppard/Frith, MCU; Absent: Thompson)

4. Mr. Speights asked for approval to advertise for construction and construction management of the Sixth Street Bridge to the Bennett Agreement.

Motion/Second to approve the plans and specification for the construction of the Sixth Street Double Box Culvert, direct staff to advertise for construction bids, pending receipt of Caltrans approval to proceed to the construction phase, and approve the Bennett Amendment for Construction Engineering for \$175,667.
(Arnold/Sheppard, MCU; Absent: Thompson)

5. Mr. Speights asked council to approve a Bennett Amendment for \$8,380 and \$13,444.

Motion/Second to approve the Bennett Amendments for \$8,380 for the Work Plan for Method of Compliance and \$13,444 for the Pollution Prevention Plan.
(Sheppard/Frith, MCU; Absent: Thompson)

6. Mr. Speights asked council to approve a Bennett Amendment for \$16,220.

Motion/Second to approve the Bennett Amendment for \$16,220 to prepare Phase 2 funding applications. (Arnold/Frith, MCU; Absent: Thompson)

- C. Public Safety. Mayor Frith commended the fire department for the way they fought the fire in Biggs few weeks ago.

- D. Sutter Butte Flood Control Agency (SBFCA). Vice Mayor Sheppard gave a brief report of the SBFCA meeting he attended.
- E. Pubic Works. Council Member Arnold reported on the Public Works Committee Meeting which included discussion of the Sixth Street Bridge and the house on Eighth Street.
- F. Electric. Mayor Frith stated he would be attending a meeting in Healdsburg next week.
- G. BCAG. Council Member Busch reported on the BCAG meeting he attended.
- H. Air Quality. No report.
- I. Solid Waste. Council Member Arnold reported he would be attending a Solid Waste meeting on the 21st.
- J. Mosquito Abatement. Vice Mayor Sheppard reported testing had begun for West Nile Virus.
- K. Other commission reports. None.
- L. City Administrator:

- 1. City Administrator Mark Sorensen asked council to consider approval of resolutions authorizing the city administrator to execute Caltrans project documents.

Motion/Second to approve Resolution No. 2013-15 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS, CALIFORNIA APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE CALTRANS PROGRAM SUPPLEMENT AGREEMENT NO. 002-N1 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 03-5128R."
(Frith/Busch, MCU; Absent: Thompson)

Motion/Second to approve Resolution No. 2013-16 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS, CALIFORNIA, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE PROJECT DOCUMENTS UPON REQUEST BY CALTRANS REGARDING ANY CITY-APPROVED CONTRACT." (Frith/Sheppard, MCU; Absent: Thompson)

- 2. Mr. Sorensen asked council to consider future uses of land and facilities located at City owned parcels at 3069 and 3005 Eighth Street and possibly storing the 1939 fire engine at one of the sites.

Council agreed to dispose of the house at 3069 Eighth Street and storing/displaying the engine at the old City Hall. Mr. Sorensen stated the door would also need to be replaced on the building.

- 3. Mr. Sorensen stated council previously approved of declaring the 1976 GMC truck and auger unit as surplus and disposing of the item. Since that time the City of Gridley has expressed interest in acquiring the truck. Council agreed to give the truck back to the City of Gridley.
- 4. Mr. Sorensen provided a brief overview of the mid-year status of the major operating funds as of March 31, 2013.

6. **INFORMATIONAL:** None
7. **CLOSED SESSION:** Council adjourned to closed session at 9:40 p.m.
8. **RESUME REGULAR MEETING:** The Regular Meeting was resumed 10:50 p.m. with no announcement.
9. **ADJOURNMENT:** The meeting was adjourned at 10:50 p.m.

ATTEST:



Roben Dewsnup, CITY CLERK

APPROVED:



Roger L. Frith, MAYOR