

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 Thompson were present. Council Member Busch was absent. 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: None

2. PUBLIC HEARINGS:

- A. City Planner Scott Friend stated at the direction of the City Council, and based upon the direction provided at the June Council meeting, staff has re-written Section 14.60.080, Fences and Landscaping – General Height Limitations. Staff has focused on streamlining and simplifying the language of this section. The revised draft requires that all new fences and any structural modification or movement of an existing fence receive a fence permit with the exception of painting or replacing fence boards.

Mayor Frith opened the hearing to the public.

Proponent – None.

Opponent – None.

Mayor Frith closed the hearing to the public.

Motion/Second to 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.” (Frith/Thompson, MCU; Absent: Busch)

- B. City Administrator Mark Sorensen stated approval of a resolution would allow the City to forward delinquent utility fees to Butte County to be included in property tax levies.

Mayor Frith opened the hearing to the public.

Proponent – None.

Opponent – None.

Mayor Frith closed the hearing to the public.

Motion/Second to 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 ACTION TO EFFECTUATE THE LEVY OF DELINQUENT CHARGES IDENTIFIED IN THE REPORT.” (Thompson/Sheppard, MCU; Absent: Busch)

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.”

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

4. DEPARTMENT REPORTS:

A. Planning:

1. City Administrator Scott Friend gave a brief review of the Planning Activity Report included in the agenda packet.
2. Mr. Friend asked council several questions to receive specific direction for Zoning Code Amendment ZCA#2013-02 Temporary Occupancy of Manufactured Homes and Recreational Vehicles.

Staff understood council wished to:

- a. Maintain existing three level permit approval structure with current timeframes.
 - b. Require connection to City utility systems for all temporary occupancy of manufacture homes but not for recreational vehicles in a residential district.
 - c. “Temporary” would be defined as 45 days for residential and 180 days for non-residential.
 - b. There would be no prohibition on charging rent or monetary consideration in non-residential districts.
 - e. Maximum number of RVs or mobile homes would be one per lot in residential and one manufactured home and four recreational vehicles in non-residential.
 - f. Site development standards would remain as written.
3. Mr. Friend addressed the Night Heron / Bird Infestation issue. Mr. Friend stated these birds are protected under the Migratory Bird Treaty Act and are listed as a protected species in California during the period of time they are actively nesting which generally occurs between February and August. Typical techniques used to encourage the bird to move from an existing nest includes removal of the nests upon the culmination of nesting period, vegetation management, netting trees and noise making.

Council would like a representative of the Department of Fish and Wildlife to attend the next council meeting to discuss this issue.

B. Engineering:

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

Mr. Speights stated due to the time of year and the delay of approval, it would be better to start the Sixth Street Bridge Project next spring. Council agreed.

2. Mr. Speights stated 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. To remain on schedule to meet Permit requirements requires the City submit funding application for Phase 2.

Motion/Second to approve Resolution No. 2013-23 by reading of title only, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS – AUTHORIZATION TO NEGOTIATE AND EXECUTE FINANCIAL ASSISTANCE AGREEMENT FOR WASTEWATER TREATMENT PLANT MODIFICATIONS – PHASE 2." (Frith/Arnold, MCU; Absent: Busch)

Motion/Second to approve Resolution No. 2013-24 by reading of title only, "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." (Frith/Sheppard, MCU; Absent: Busch)

Motion/Second to approve Resolution No. 2013-25 by reading of title only, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS EXPRESSING EXPECTATION TO BE REIMBURSED FOR EXPENSES PAID PRIOR TO LOAN APPROVAL." (Arnold/Thompson, MCU; Absent: Busch)

3. Mr. Speights asked council to consider participating with three other cities in a MUN Study.

Motion/Second to participate in the MUN Study at a cost each year of \$7,500 for a total of \$15,000. (Sheppard/Frith, MCU; Absent: Busch)

C. Public Safety.

Council discussed vandalism and items stolen at various locations in the City. Assistant Chief Dean Price urged residents to report these issues to police.

D. Sutter Butte Flood Control Agency (SBFCA). No report.

E. Pubic Works. Public works items were discussed earlier.

F. Electric. Mayor Frith gave a verbal report on City electric issues.

G. BCAG. Council Member Thompson reported on the BCAG meeting she attended.

H. Air Quality. Council Member Thompson reported on the Air Quality meeting she attended.

I. Solid Waste. No report.

J. Mosquito Abatement. Not report.

K. Other commission reports. Not report.

L. City Administrator:

1. City Administrator Mark Sorensen stated Biggs Community Action Volunteers (BCAV) had requested to utilize the basement of the Biggs library for storage.

Staff drafted a Property Use Agreement and presented the agreement at the June meeting. He stated BCAV and Council requested a less formal agreement that is included in the agenda packet which can be used for any non-profit organization.

Council concurred the agreement would be appropriate for the library basement use.

2. Mr. Sorensen asked council to authorize him to purchase batteries for the substation.

Motion/Second to authorize the City Administrator to purchase the products and services necessary to replace the bank of substation batteries, not to exceed \$10,000. (Sheppard/Frith, MCU; Absent: Busch)

3. Mr. Sorensen stated the Second Street well is located in a ROW (right of way) that was dedicated circa 1889. Complete records and map of the 1889 Right of Way dedication could not be located at the County or local title companies. A property title researcher could not find any evidence of a recorded legal description of ROW but there was sufficient information that could be used to create an accurate legal description of the dedication. Mr. Sorensen stated a resolution had been drafted to recognize and memorialize the Right of Way.

Council Member Arnold would like to see the legal description re-written because he felt it was poorly written. City Attorney Greg Einhorn stated this resolution would not be recorded.

Motion/Second to approve Resolution No. 2013-26 by reading of title only, "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." (Frith/Sheppard, Noes: Arnold, MC; Absent: Busch)

4. Mr. Sorensen stated the resent Grand Jury Report requires responses to three different findings and one recommendation.

Council agreed to appoint Mr. Sorensen and Mr. Einhorn to draft responses to the Grand Jury report and bring back for review at the August Council meeting.

5. Mr. Sorensen stated City Employee James Pruitt would like to re-rent the City house at the Family Park.

Mayor Frith and Vice Mayor Sheppard did not want to rent the house.

Council Member's Thompson and Arnold would like to have the house occupied to avoid vandalism.

Council agreed to bring this item back to the next council meeting when all council members were present.

6. Mr. Sorensen presented PMC's Agreement for City Planning Services and Code Enforcement. The terms are identical to the last fiscal year.

Council expressed concerns with the Code Enforcement Services and Mr. Friend asked council to give him time to resolve this issue.

Motion/Second to 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 in addition council would research the Code Enforcement portion. (Thompson/Arnold, Noes: Sheppard, MC; Absent: Busch)

5. **INFORMATIONAL:** None

6. **ADJOURNMENT:** The meeting was adjourned at 9:25 p.m.

ATTEST:



Roben Dewsnup, CITY CLERK

APPROVED:



Roger L. Frith, MAYOR