

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 DECEMBER, 2014, 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**

**6:00 PM TUESDAY  
DECEMBER 9, 2014  
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. CLOSED SESSION:** To begin at 6:00 p.m.

Conference with Real Property Negotiators Pursuant to Govt. Code Section 54956.8

City Negotiator(s): McElhern/Einhorn/Sorensen

Property and Negotiating Parties: 06-007 Biggs Business Trust, Et Al. (APN 022-140-009, -010 & -011)

### **3. RESUME REGULAR SESSION:** To begin at 6:30 p.m.

### **4. SPECIAL BUSINESS:** Declare Election Results and Seat New Council Members.

A. Adopt Resolution by reading of title only.

***RESOLUTION NO. 2014-24, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS RECITING THE FACT OF THE CONSOLIDATED GENERAL ELECTION HELD ON NOVEMBER 4<sup>TH</sup>, 2014, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW."***

B. Swearing-in Ceremony: City Clerk Roben Dewsnup will administer oath of office to Angela Thompson, Doug Arnold and Bo Sheppard.

- C. Selection of Mayor and Vice Mayor.
- D. Commission and Committee Appointments.

**5. PRESENTATION:** Green House Gas Inventory Report.

**6. PUBLIC HEARING:** Consider Adopting Resolution of Necessity for Acquisition of Property Interests from Butte County APNs 022-140-009, -010 & -011 (06-007 Biggs Business Trust, Et Al.)

The acquisition of the property interests are necessary for the City’s Wastewater Treatment Plant Enhancement Project.

**Public Hearing Procedures:**

- A. Staff comments.
- B. Open the hearing to the public.
  - 1. Proponents.
  - 2. Opponents.
  - 3. Proponents rebuttal.
  - 4. Opponents rebuttal.
- C. Close hearing to the public.
- D. Council discussion.

**Recommendation:** Staff recommends Council adopt **RESOLUTION NO. 2014-25** by reading of title only, **“A RESOLUTION OF THE CITY OF BIGGS DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR CONSTRUCTION, INSTALLATION, REPAIR, AND MAINTENANCE OF THE WASTERWATER TREATMENT PLANT ENHANCEMENT PROJECT (CODE CIV. PROC. § 1245.230).”**

**7. CONSENT CALENDAR:**

- A. Approval of warrants: 8576 – 8586, Z01167 – Z01185, and 28291 – 28348 for the month of November 2014 in the amount of \$312,867.31.
- B. Acknowledge receipt of Biggs Fire Department Report for the month of November 2014.
- C. Acknowledge receipt of Accountant’s Reports for July, August and September 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.

**8. DEPARTMENT REPORTS:**

- A. Planning:
  - 1. Planning Department / Code Enforcement Activity Report – November/December 2014.
  - 2. **Discussion/Action:** Municipal Services Review/Sphere of Influence Update.

Pacific Municipal Consultants (PMC) is presenting a proposal to update the City’s Municipal Services Review (MSR) document in support of a request to the Butte Local Agency Formation Commission to expand the City’s Sphere of Influence.

**Recommendation:** Review proposal and authorize the mayor to sign an agreement with PMC to update the City’s MSR document.

B. Engineering:

1. Department Activity Report – November 2014.

2. **Discussion/Action:** Proposal for City Mapping Services.

The City’s current water, sewer, storm drainage and electrical system maps do not reflect the many changes to the City’s infrastructure facilities.

**Recommendation:** Direct staff.

3. **Discussion/Action:** Task Order No. 27 to the Engineering Services Agreement dated June 11, 2011.

The State has directed the California Rural Water Association to work with the City of Biggs in preparing and presenting a water rate study for the City.

**Recommendation:** Authorize the city administrator to execute Task Order No. 27 for technical assistance in the preparation of a water rate study for the City in the amount of \$4,875.

C. Public Safety: Verbal report.

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. City Attorney:

**Discussion/Action:** Conflicts Waiver By and Between the City of Biggs and Downey, Brand.

Council is asked to consider approving a conflicts waiver by and between the City and Downey, Brand.

**Recommendation:** Approve waiver and authorize the mayor and city attorney to sign.

L. Other commission reports. (Council)

M. City Administrator:

1. **Discussion/Action:** Biggs Municipal Code (BMC) Section 8.15 Parking.

Council is asked to review BMC 8.15 regarding parking regulations and direct staff regarding desired changes.

**Recommendation:** Direct Staff.

2. **Discussion/Action:** Rio Bonito Park Lease Expiration.

The City's lease of Rio Bonito Park expires in May 2015. Council is asked to consider the terms of the lease, operation and maintenance costs, public benefit.

**Recommendation:** Direct Staff.

3. **Discussion/Action:** JustServe Participation.

Council consideration of participation in JustServe volunteer organization service.

**Recommendation:** Direct Staff.

4. **Discussion/Action:** Contract for Legal Services with Downey, Brand.

Council is asked to consider authorizing a contract for Legal Services with Downey, Brand.

**Recommendation:** Approve contract and authorize the mayor and city administrator to sign the contract for legal services.

## 9. INFORMATIONAL:

## 10. ADJOURNMENT:

Roben Dewsnup, City Clerk

Date