

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 Planner Scott Friend, City Engineer Brian Martin and City Clerk Roben Dewsnup.

**1. COMMUNITY PARTICIPATION:** None

City Administrator Mark Sorensen asked council to add an item to the agenda regarding purchase authority for Jurisdictional Delineation for the WWTP Phase 2 Waste Water Treatment Plant Project.

Motion/Second to add the item to the agenda. (Frith/Busch, MCU)

**2. PUBLIC HEARINGS:**

A. Zoning Text Amendment ZCA#2013-03.

City Planner Scott Friend stated this item was an amendment to the Biggs Municipal Code addressing density bonuses, emergency shelter, farm work housing, single room occupancy, and supportive and transition housing.

Mayor Frith opened the hearing to the public.

With no public comment, the hearing was closed to the public.

Motion/Second to determine the project is Categorically Exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) and meets the requirements of Section 15305, Minor Alterations in Land Use Limitations of the State CEQA Guidelines as a Class 5 exemption. (Frith/Sheppard, MCU)

Motion/Second to approve the first reading of Ordinance No. 400 (AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIGGS AMENDING VARIOUS SECTIONS OF TITLE 14, ZONING OF THE BIGGS MUNICIPAL CODE ACCORDING TO THE IMPLEMENTATION STRATEGIES OF THE 2009-2014 HOUSING ELEMENT OF THE BIGGS GENERAL PLAN AND STATE LAW) approving ZCA #2013-03, an amendment to Title 14, adding definitions and eliminating a definition in Chapter 14.010, adding Chapter 14.170 Affordable Housing Incentives/Residential Density Bonuses, amending Section 14.100.030 Residential Use Table, and amending Section 14.140.030 Industrial Use Table of the Biggs Municipal Code. (Frith/Sheppard, MCU)

B. Zoning Text Amendment ZCA#2014-01

Mr. Friend stated this text amendment would change the regulations for accessory structures and add a new definition to Chapter 14.10, Definitions. The new code would allow a maximum height of 12 feet in lots smaller than ½ acre and 20 feet for lots over ½ acre. There would be no exemptions for lots which abut an alley. The height limit for front yards would be 6 foot with the exception of garages. A new standard would cap the maximum amount of lot coverage in the backyard to 50%. The code covers detached structures.

Mayor Frith opened the hearing to the public.

Resident Mary Frith asked if an existing structure falls down, does the homeowner need to comply with the new regulations and Mr. Friend stated new structures must comply with new codes, but if remodeling a structure, it may fall under the pre-existing/non-conforming use.

Mayor Frith closed the hearing to the public.

Council discussed side yard versus back yard coverage.

Motion/Second that the City Council determines the project is Categorically Exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) and meets the requirements of Section 15305, Minor Alterations in Land Use Limitations of the State CEQA Guidelines as a Class 5 exemption. (Frith/Arnold, MCU)

Motion/Second to approve the first reading of Ordinance No. 401 (AN ORDINANCE OF THE BIGGS CITY COUNCIL AMENDING THE BIGGS MUNICIPAL CODE TITLE 14, ZONING; ADDING A DEFINITION TO CHAPTER 14.10, DEFINITIONS; AND MODIFYING REGULATIONS RELATING TO ACCESSORY STRUCTURES IN SECTION 14.60.040, ACCESSORY BUILDING – DETACHED) approving ZCA #2014-01, an amendment to Title 14, Zoning of the Biggs Municipal Code amending Section 14.60.040, Accessory Buildings – Detached, and adding a definition to Chapter 14.10, Definitions. (Frith/Thompson, MCU)

**3. CONSENT CALENDAR:**

- A. Approval of Council Minutes for Regular Meeting of December 10, 2013.
- B. Approval of warrants: #8450 – 8460; Z00958 – Z00976, and 27556 – 27606 for the month of December 2013 in the amount of \$339,950.87.
- C. Acknowledge receipt of Gridley-Biggs Police Department Report for the months of November and December 2013.
- D. Acknowledge receipt of Gridley-Biggs Animal Control Report for the months of November and December 2013.
- E. Acknowledge receipt of Biggs Fire Department Report for the month of December 2013.  
**Action:** It is recommended items “A” through “E” be acted on simultaneously unless separate actions are requested by a Councilmember or a member of the audience.  
**MOTION** to approve the consent calendar.

Motion/Second to approve the Consent Calendar as presented. (Thompson/Frith, MCU)

**4. UTILITY LATE FEES:**

Mr. Sorensen stated Council Member Thompson had requested a review and consideration of the assessment of Utility Late Fees. He asked council if they would like to review the procedure or make changes.

Council Member Thompson stated a citizen asked council to review the process of adding and waving late fees.

Mayor Frith stated he would like to review the policy and make changes if necessary.

Council would come back in the near future with possible changes.

**5. HOMETOWN CELEBRATION:**

Resident Brian Bassett asked to table this discussion and possibly discuss at a later date.

**6. DEPARTMENT REPORTS:**

A. Planning:

1. Planning / Code Enforcement: Mr. Friend reviewed the Activity Report for December 2013 / January 2014.
2. Certification of a Final Environmental Impact Report for the Biggs Wastewater Treatment Plant Enhancement Project.

Mr. Friend stated staff was seeking Council action to certify the Final Environmental Impact Report for the Biggs Wastewater Treatment Plant Enhancement Project and make findings and a Statement of Overriding Consideration in support of the action. The City did receive four comment letters.

Mr. Friend asked council to slightly amend the statement and motion from what was included in the agenda packet.

Motion/Second to adopt Resolution No. 2014-01 (RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 2013042029), ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING THE PROPOSED PROJECT AND AUTHORIZING STAFF TO SUBMIT APPLICATIONS IN CONTINUED PURSUIT OF THE PROJECT) and make the Findings of Fact and Statement of Overriding Considerations (attachment B and Noted below), and certifying that the Final EIR (EIR10-001 State Clearinghouse No. 2013042029) is adequate for the Biggs Wastewater Enhancement Project; has been completed in compliance with the California Environmental Quality Act; reflects the independent judgment of the lead agency; approving the wastewater land disposal project and directing staff to continue its pursuit of such; directing staff to file the Notice of Determination for the project; and authorizing staff to submit applications supporting the continued pursuit of the project. (Busch/Frith, MCU)

2. a. Purchase Authority for Jurisdictional Delineation for the WWTP Phase 2 Waste Water Treatment Plant Project. Mr. Sorensen asked council to grant authority to him to contract for professional services for a Jurisdictional Delineation.

Motion/Second to authorize the City Administrator to contract for professional services to produce a Preliminary Wetland Delineation Report for the South Option parcels, not to exceed \$6,000. (Sheppard/Arnold, MCU)

- B. Engineering: City Engineer Brian Martin reviewed the Department Activity Report – December 2013 / January 2014.
- C. Public Safety: Interim Police Chief Dean Price reported there was an increase in arrests in the last month.

Fire Captain Todd Tindill reported Chief George Morris had retired in December and Greg McFadden took his place.

Mayor Frith asked that a proclamation be written for Chief Morris's retirement.

Resident Carrie Wheeler stated her concerns about the increase in arrests and questioned what the reason was. Chief Price stated there was an increase in patrol in focus areas.

- D. Sutter Butte Flood Control Agency (SBFCA). Nothing to report.
- E. Pubic. Nothing to report.
- F. Electric. Mayor Frith reported on electric issues pertaining to the City of Biggs.
- G. BCAG. Council Member Busch reported on the BCAG meeting he attended and stated fare increases had been approved.
- H. Air Quality. Council Member Thompson reported there would be a public hearing at the Chico fairgrounds tomorrow regarding a wood stove replacement program.
- I. Solid Waste. Council Member Arnold asked if there should be a time limit for use of the extra yard waste bins.

Resident Mary Frith stated Waste Management was doing an excellent job in the community of cleaning up extra trash.

- J. Mosquito Abatement. Nothing to report.
- K. Other commission reports. None.
- M. City Administrator.

1. Authorization to Replace Two Light Trucks.

Mr. Sorensen asked council to consider authorizing the sale of two trucks and to purchase two replacement light trucks.

Council Member Busch was in favor of repairing the F-150 for \$8,000 because that cost was less than the \$25,000 replacement cost. He felt there should be more than one repair estimate.

Council Member Arnold would like to replace the trucks. Vice Mayor Sheppard would like to see more than one estimate.

Resident Mary Frith stated the city qualifies for purchasing either from GSA or the State of California.

Motion/Second to authorize the replacement of two trucks. (Arnold/Thompson, MC; Noes: Busch & Sheppard) Council Member Busch asked the record to reflect he voted "no" because of the position Council was placed in.

The Public Works Committee could discuss the type of trucks needed.

2. Water Meter Purchase Authorization and Budget Modification.

Mr. Sorensen asked council to consider authorizing him to purchase 20 water meters for the CHIP Project and to make corresponding budget modifications.

Motion/Second to authorize the City Administrator to purchase (20) 1" Badger E-Series water meters at a cost not to exceed \$7000. (Sheppard/Arnold, MCU)

3. Waste Water Treatment Plant Upgrade Project Installment Sale Agreement.

Mr. Sorensen asked council to consider adopting a resolution authorizing the Mayor to execute a Project Installment Sale Agreement.

Motion/Second to approve Resolution No. 2014-02, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS – AUTHORIZATION TO EXECUTE INSTALLMENT SALE AGREEMENT." (Thompson/Sheppard, MCU)

4. City Attorney Request for Proposal Process.

Mr. Sorensen stated the City had received 8 proposals. Council had stated they would like to form an ad hoc committee to screen the applications. Vice Mayor Sheppard and Council Member Busch would like to serve on the committee with Council Member Thompson as the alternate. The City Administrator and Attorney would also serve on the committee.

5. Potential Council Correspondence Regarding Biggs-Gridley Memorial Hospital Name Change.

Council Member Arnold felt the council should write a letter on behalf of the citizens of Biggs voicing displeasure of the hospital name change.

Mr. Sorensen would draft a letter.

7. **INFORMATIONAL:** None

8. **CLOSED SESSION:** Council adjourned to closed session at 9:15 p.m. for conference with real property negotiators.

9. **RESUME REGULAR SESSION:** Council resumed regular session at 10:22 p.m. with no announcement.

10. **ADJOURNMENT:** The regular meeting was adjourned at 10:22 p.m.

ATTEST:

  
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Roben Dewsnup, CITY CLERK

APPROVED:

  
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Roger L. Frith, MAYOR