

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

June 10, 2014

Call To Order

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

1. **COMMUNITY PARTICIPATION:** Resident Mary Frith stated her concerns about the service she had received at the Ord Ranch Road Transfer Station in Gridley.

Mayor Frith asked council for agreement to add two closed session items to the agenda:

1. Closed session pursuant to Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Assessor parcel numbers 022-140-004
Agency negotiator: Mark Sorensen
Negotiating parties: M. Robert & Phyllis J. Ching
2. Closed session pursuant to Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Assessor parcel numbers 022-140-009, 022-140-010, 022-140-011
Agency negotiator: Mark Sorensen
Negotiating parties: Biggs Business Trust, United States Bankruptcy Court.

Council agreed to add these two items to the agenda.

2. PUBLIC HEARING: GENERAL PLAN AMENDMENT GPA#2014-02

City Planner Scott Friend stated the purpose of this public hearing was to adopt the 2014-2022 Housing Element. Council would be asked to consider a General Plan Amendment because the Housing Element was an element of the General Plan and the General Plan must be amended to adopt a new Housing Element.

Mayor Frith opened the hearing to the public.

Proponents: None

Opponents: None

Mayor Frith closed the hearing to the public.

Motion/Second to adopt Resolution No. 2014-10 by reading of title only, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS ADOPTING AN ADDENDUM TO THE GENERAL PLAN CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH#2012072025) FOR GENERAL PLAN AMENDMENT #2014-01 AND APPROVING GENERAL PLAN AMENDMENT #2014-02 ADOPTING THE 2014-2022 GENERAL PLAN HOUSING ELEMENT UPDATE." (Frith/Thompson, MCU; Absent: Arnold)

Public Safety: Fire Captain Todd Tindill introduced the new Battalion Chief, John Sprague.

3. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of May 13, 2014.
- B. Approval of warrants: #8507 – 8517; Z01053 – Z01071, and 27893 – 27955 for the month of May 2014 in the amount of \$265,145.71.
- C. Acknowledge receipt of Biggs Fire Department Report for the month of May 2014.

- D. Acknowledge receipt of the Accountant's Compilation Report as of April 30, 2014 and Monthly Cash and Investment Report for April 2014.
- E. Authorize the City Administrator to sign a contract with R&DB Associates for annual testing and maintenance of the City of Biggs Electric Substation, with the cost not to exceed \$11,000.
- F. Authorize the City Administrator to sign a contract with Donald Reynolds CPA for annual audit services for fiscal year 2013-2014, with the cost not to exceed \$10,500.
- G. Authorize the City Administrator to purchase the required sewer line replacement services of \$7,827 from Able Plumbing.

Motion/Second to approve the Consent Calendar. (Thompson/Sheppard, MCU; Absent: Arnold)

4. DEPARTMENT REPORTS:

B. Engineering

- 1. City Engineer Brian Martin reviewed the Department Activity Report – May 2014 / June 2014.
- 2. Phase I Wastewater Treatment Plant Improvement Project.

Mr. Martin stated the city received three bids for this project and the bids had been opened on May 13, 2014. Mr. Martin informed Council he had just received a protest letter from the International Brotherhood of Electrical Workers and felt he needed more time to analyze the issue.

Council agreed to pull this item from the agenda for further consideration.

Andrew Meredith, a representative of the International Brotherhood of Electrical Workers stated his concerns about the contractor Cal Electro Inc.

Mayor Frith stated this matter would be examined.

A. Planning:

- 1. Planning / Code Enforcement: Mr. Friend reviewed the Activity Report for May 2014 / June 2014.
- 2. Code Interpretation/Code Discussion - Carports.

Mr. Friend stated that Council Member Arnold, on behalf of a resident, has requested that staff engage Council in a discussion regarding the City's zoning code requirements relative to the use and location of metal or pre-fabricated carports in a front yard area. Mr. Friend stated that the City of Biggs does not permit pre-fabricated metal carports in the front yard; however, they are allowed in a side or back yard if setbacks are met. The resident had been informed the front yard carport was not allowed.

Council agreed the code was being followed correctly. The resident does have the right to petition council to change the code and there are costs associated with this process.

C. Public Safety: Chief Dean Price gave a police department report.

D. Sutter Butte Flood Control Agency (SBFCA). Vice Mayor Sheppard stated Biggs still needs to appoint someone to the Citizen's Advisory Committee.

E. Pubic Works. Nothing to report.

F. Electric. Mayor Frith reported on electric issues related to the City of Biggs.

G. BCAG. No report.

H. Air Quality. No report.

I. Solid Waste. No report.

J. Mosquito Abatement. Vice Mayor Sheppard reported on the meeting he attended.

K. Other commission reports.

Vice Mayor Sheppard reported members of the LDS Church recently painted the inside of the Biggs Community Hall as a service project. Council expressed their appreciation.

L. City Administrator.

1. Consider acceptance of a sculpture donation and placement.

Mary Frith reported resident Troy Cummings constructed a metal sculpture of a large bird and wished to donate it to the City.

Motion/Second to accept the sculpture as a donation and a plaque from BCAV as a donation. (Busch/Thompson, MCU; Absent: Arnold)

Mr. Sorensen, BCAV and the City Park's representatives would decide where the sculpture should be installed.

2. Designation of League of California Cities Voting Delegates.

Motion/Second to appoint Council Member Arnold as the voting delegate and Vice Mayor Sheppard and Council Member Thompson as alternates. (Frith/Busch, MCU; Absent: Arnold)

3. Purchase Authority – Surveying Services.

Mr. Sorensen stated Council was asked to consider granting purchase authority for surveying services on the right-of-way associated with the Second Street Well. The right-of-way location would allow staff the ability to consider the concept of expanding the well house to create a better location for well equipment. The surveyor would also set monuments.

Motion/Second to authorize the City Administrator to purchase survey services and pay County fees not to exceed a total of \$6,000. (Sheppard/Thompson, MCU; Absent: Arnold)

4. Approval of Amendment No. 1 to the Third Amended and Restated NCPA MSS Aggregator Agreement.

MINUTES OF THE CITY OF BIGGS
REGULAR COUNCIL MEETING

June 10, 2014

Motion/Second to adopt and approve Amendment No. 1 to the MSSA Agreement to ensure that the MSSA Agreement is made to be consistent with changes attributed to CAISO's implementation of the FMM. (Frith/Thompson, MCU; Absent: Arnold)

Motion/Second to authorize the Mayor to execute Amendment No. 1 to the MSSA Agreement on behalf of the City. (Frith/Thompson, MCU; Absent: Arnold)

Motion/Second to adopt Resolution No. 2014-11 by reading of title only, "RESOLUTION OF THE CITY OF BIGGS, APPROVAL OF AMENDMENT NO. 1 TO THE THIRD AMENDED AND RESTATED NCPA MSS AGGREGATOR AGREEMENT." (Frith/Thompson, MCU; Absent: Arnold)

5. INFORMATIONAL: None

6. CLOSED SESSION: Council adjourned to closed session at 8:25 p.m.

7. RESUME REGULAR SESSION: Council resumed regular session at 9:00 p.m.

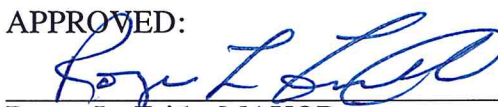
8. ADJOURNMENT: The regular meeting was adjourned at 9:00 p.m.

ATTEST:



Roben Dewsnup, CITY CLERK

APPROVED:



Roger L. Frith, MAYOR