

Call To Order

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

1. COMMUNITY PARTICIPATION: None

2. CONSENT CALENDAR:

- A. Approval of Council Minutes for regular meeting of November 10, 2015.
- B. Approval of warrants: 28617, 30575 – 30643, Z01393 – Z01411, for the month of November in the amount of \$484,238.70.
- C. Acknowledge receipt of Police Reports for October 2015.
- D. Acknowledge receipt of Animal Control Report for October 2015.
- E. Acknowledge receipt of Accountant's Reports for September and October 2015.

Motion/Second to approve the consent calendar. (Thompson/Busch, MCU)

3. DEPARTMENT REPORTS:

A. Planning:

- 1. Department Activity Report – November / December 2015. City Planner Scott Friend reviewed the planning/code enforcement activity report.
- 2. Medical Marijuana Cultivation and Medical Marijuana Delivery within the City of Biggs.

City Attorney Greg Einhorn stated the City currently permits personal medical marijuana cultivation under strict conditions. All cultivation must be within an approved structure to avoid nuisance.

He stated the State of California has recently developed a law that is intended to regulate medical marijuana cultivation and delivery. If the city does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under principles of permissive zoning or chooses not to administer a conditional permit program pursuant to this section, then commencing March 1, 2016, the state shall be the sole licensing authority for medical marijuana cultivation applicants in that city.

Council has the option of banning the cultivation of medical marijuana 100% and thereby avoiding the possibility of losing the City's local control with respect to cultivation.

Mr. Einhorn stated a second issue is medical marijuana deliveries which refers to the commercial side. Currently, the City's zoning bans medical marijuana dispensaries. Mr.

Einhorn stated if it is the intent of the City to ban dispensaries, he suggested amending the term "dispensaries" to the term "deliveries".

County resident, Robert Miller, was concerned with residents smoking marijuana in public places.

Residents Jack and Amy Brown stated their concerns about drug use at the family park and felt there should be more signage stating rules.

Council consensus was to completely ban marijuana growth in the City of Biggs and second, under the current zoning, modify the “deliveries” issue.

Mr. Einhorn stated a first reading of an ordinance with the proposed code changes will come before Council at the January 12th meeting and the second reading will take place at a special meeting later in January.

B. Engineering:

1. Department Activity Report – November / December 2015. City Engineer Trin Campos reviewed the activity report included in the agenda packet.
2. Phase 1 Wastewater Treatment Improvement Project, City Project Number 14-100.

Mr. Campos reported to Council that Phase 1 Wastewater Treatment Improvement Project had been completed.

Motion/Second to authorize the City Administrator to accept the Phase 1 Wastewater Treatment Improvement Project by approving Resolution No. 2015-30, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT THE CONSTRUCTION CONTRACT ON BEHALF OF THE CITY FOR THE PHASE 1 WASTEWATER TREATMENT IMPROVEMENT PROJECT, CITY PROJECT NUMBER 14-100” and also issue relief of maintenance to the contractor. (Frith/Sheppard, MCU)

- C. Public Safety. Mayor Firth gave a verbal update of police issues in the City and reported the Christmas decorations at the City’s pocket park had been vandalized last night.

Police Chief Dean Price gave a verbal police report.

Fire Captain Todd Tindill reported the retired firetruck had been sold. He also stated if anyone in the community is in need of a smoke detector, the fire station would give them one or would install it for them.

Resident Jack Brown stated his frustration with vagrants at the family park and the police response. Chief Dean Price suggested signing a complaint when the police respond to calls. It is important to keep calling the police and reporting these issues.

- D. Sutter Butte Flood Control Agency (SBFCA). Verbal report by Vice Mayor Sheppard.

- E. Public Works. Council discussed current tree trimming on B Street.

- F. Electric. Verbal report by Mayor Frith.

- G. BCAG. Verbal report by Councilmember Busch.

- H. Air Quality. Verbal report by Councilmember Thompson.

- I. Solid Waste. No report.

- J. Mosquito Abatement. Verbal report by Vice Mayor Sheppard.

- K. SCORE. No report.

MINUTES OF THE CITY OF BIGGS
REGULAR COUNCIL MEETING

December 8, 2015

L. LAFCo. Verbal report by Councilmember Busch.

M. Other commission reports. There will be a Ground Water Sustainability Meeting on Friday. Mayor Frith, Mr. Sorensen and Mr. Campos will attend.

N City Administrator.

1. Second Phase Agreement for Renewable Energy Power Purchase Agreement with Northern California Power Agency (NCPA).

Mr. Sorensen was seeking Council authority to enter into a second phase agreement with NCPA. The cost for the Second Phase shall not exceed \$1,500.

Motion/Second to adopt Resolution 2015-28, "A RESOLUTION OF THE CITY OF BIGGS CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SECOND PHASE AGREEMENT FOR RENEWABLE ENERGY POWER PURCHASE AGREEMENT WITH THE NORTHER CALIFORNIA POWER AGENCY." (Thompson/Frith, MCU)

2. Designating Workman's Compensation Coverage for Certain Volunteers.

Mr. Sorensen stated SCORE recently inquired as to member cities intentions as to a person who performs voluntary service without pay for a public agency and recommends that if Council so desires, that a resolution is recommended as allowed by Labor Code Section 3363.5.

Motion/Second to adopt Resolution 2015-29, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS DESIGNATING PERSONS PERFORMING AUTHORIZED VOLUNTARY SERVICES WITHOUT PAY AS EMPLOYEES FOR THE LIMITED PURPOSE OF QUALIFYING FOR WORKERS' COMPENSATION INSURANCE COVERAGE UNDER CALIFORNIA LABOR CODE SECTIONS 3200, ET. SEQ." (Sheppard/Busch, MCU)

Councilmember Arnold left the room.

3. Purchase Authority – Capacitor Bank.

Mr. Sorensen stated the Electric department recommends the installation of (9) 100Var capacitors to form a 900 kVar bank to serve as a distribution power factor correction feeding 3 industrial users and thereby reduce distribution system losses.

Motion/Second to authorize the City Administrator to purchase (9) 100Var capacitors not to exceed \$10,000. (Sheppard/Busch, MCU; Absent from room: Arnold)

Mr. Arnold returned.

4. INFORMATIONAL: None.

5. ADJOURNMENT: Council adjourned the regular meeting at 8:57 p.m.

ATTEST:


Roben Dewsnap, CITY CLERK

APPROVED:


Roger L. Frith, MAYOR