

**1. Call To Order**

The special meeting of the Biggs City Council was called to order at 6:00 p.m. by Mayor Frith. Vice Mayor Crawford and Councilors Arnold, Busch and Thompson were present. Staff present: City Administrator Pete Carr, City Attorney Greg Einhorn, City Engineer Dave Swartz, Engineering Staff Mike Vasquez and Pauline Palmer and City Clerk / Finance Director Deanna Carbajal.

**2. SPECIAL MEETING COMMUNITY PARTICIPATION: None.**

City Administrator Pete Carr asked to add an emergency action item, a Preferable Purchases Policy, to the agenda. Motion/Second to add this item to the agenda. (Crawford/Thompson, MCU) Mayor Frith asked to defer this new item to the end of the meeting.

**3. SPECIAL BUSINESS:**

A. Appeal of HOME Loan Committee Decision. Pete gave background information on the loan.

Cathi Smith stated she was not disputing the fact that she was behind on her loan payments; she was surprised at the three options the loan committee had given her when she asked for a loan deferral. She assumed the committee would give a “yes” or “no” answer to her request for deferral.

Mayor Frith asked if Cathi would be able to meet the timeline of January 16, 2009 to bring the loan balance current and she stated she would try.

To reduce the hardship on the Smith’s, Councilor Thompson suggested that perhaps they could be allowed to double their monthly payments to pay off the current balance rather than coming up with \$17,000 now.

Mayor Frith stated after 13 years, the loan should be brought current.

Councilor Arnold felt the city should work with Cathi and give her more time to repay the \$17,000.

Councilor Busch stated council should look at every option before foreclosing.

Vice Mayor Crawford suggested the Smiths borrow against their 401K to bring the loan current.

Cathi asked for two to four weeks to accomplish option 1 (Cure the default).

Council agreed to allow Cathi to come back to the regular January 26<sup>th</sup> council meeting with an update on her achievement of option 1. If needed, council would act at that time.

B. Sutter Butte Flood Control Joint Powers Agency Study Session.

Interim Director of the Sutter Butte Flood Control Agency, Bill Edgar, gave a presentation to council about the status of the agency's projects and latest information on regional flood insurance requirements. He stated the agency had been in existence for a year. He stated FEMA requires affirmative proof that a levee is structurally sound and can manage seepage underneath or through the levee. If the data proving levee stability and strength is not available, then FEMA assumes the levee does not exist at all.

Bill gave four alternatives for fixing the levees:

1. Fix in Place. The agency felt an incremental approach to Fix in Place made sense.
2. Ring levees. This alternative puts ring levees around urban areas. The board was not happy with this approach.
3. J-levee. This alternative fixes the west bank of the Feather River and surrounding Yuba City.
4. New bypass. This alternative would be very expensive.

The board was concerned about public safety, the possibility of losing the opportunity of state funding, and the cost of flood insurance.

- C. Public Works Service Line Issue. Pete stated the public works department found a sewer problem on C Street, between Sixth and Seventh Streets. It was confirmed there was a collapsed line; also, the sewer pipe had been breached by boring for waterlines when the waterline project was installed last year. The question was how to correct this problem and were the other lines installed correctly or not?

Public Works Superintendant Paul Pratt showed council a diagram of the breaches and collapsed pipe.

Engineering Staff Mike Vasquez said the responsibility of taking care of the issue was on the contractor who installed the water service. This issue was not a warranty issue but a defective construction issue. Mike stated there was about \$350,000 in retention funds that had not been paid to the contractor. There would be a request sent in writing to the contractor to: 1. Inform them what happened. 2. Request an immediate meeting at the city to discuss the situation. 3. Request the contractor bear the cost to video all the sewer and storm drain lines where the waterline was installed. The cost of this (staff, legal, technical, etc) would be the contractor's responsibility. The bonding company would be made aware of this due to the contractor filing bankruptcy.

Mike said there was also a concern with what to do if the contractor had to cut into the new pavement. Mayor Frith felt there should be a complete grind and repave from curb to curb.

Mike stated he would forward the letter to the contractor and then keep the mayor updated. Mayor Frith asked Mike to request a response time to the letter. Council agreed.

4. *RESOLUTION 2009-01* "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS AUTHORIZING EMPLOYER PICKUP RESOLUTION PRE-TAX PAYROLL DEDUCTION PLAN FOR SERVICE CREDIT PURCHASES (CONTRIBUTION CODE 14)". (Crawford/Busch, MCU)

MINUTES OF THE CITY OF BIGGS  
SPECIAL COUNCIL MEETING

January 7, 2009

5. EPPP Policy. Pete stated he was notified that afternoon that an EPPP Policy must be on file to apply for a recycled tire grant. The policy requested the city purchase environmentally preferable purchases whenever practical. Pete was required to provide a list of items the city would purchase.

Motion/Second to adopt the City of Biggs EPPP Policy. (Busch/Thompson, MCU)

6. **ADJOURNMENT:** Meeting adjourned at 8:33 p.m.

ATTEST:

APPROVED:

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Deanna Carbajal  
City Clerk

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Roger Frith  
Mayor, City of Biggs