



**CITY OF CORNING  
CITY COUNCIL AGENDA  
TUESDAY, APRIL 12, 2011  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 7:30 p.m.**

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by John Leach.**

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

**E. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS:**

**1. Proclamation: April 10 - 16, 2011 Public Telecommunications Week.**

Chief Spannaus and Chief Cardenas will be present to accept this Proclamation.

**2. Proclamation: April 2011 Child Abuse Prevention Month.**

Present to accept the two Proclamations will be Randy Wright of the Corning Exchange Club, and Lavonne Fawver, Child Abuse Prevention Council Coordinator for the Northern Valley Catholic Social Service.

**3. Proclamation: April 2011 Sexual Assault Awareness Month.**

Michelle Bouma from the Rape Crisis and Intervention Program will be present to accept the Proclamation.

**F. BUSINESS FROM THE FLOOR: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Council will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Council from taking formal action on the issue, however, unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.**

**G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience requests separate discussion and/or action.**

**4. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**

**5. Waive the Reading and Approve the Minutes of the March 22, 2011 City Council Meeting with any necessary corrections:**

**6. April 6, 2011 Claim Warrant - \$341,782.24.**

7. April 6, 2011 Business License Report.
8. March 2011 Building Permit Valuation - \$76,608.48.
9. March 2011 Wages and Salaries - \$314,707.62.
10. March 2011 – Treasurer’s Report.
11. City of Corning Wastewater Operation Summary Report – March 2011.
12. Approve Waiver of Recreational Use Fees for 4<sup>th</sup> Annual Westside American Legion Men’s Softball Tournament Fundraiser.
13. Recommend the following Appointments:
  - a) Councilman John Leach as City’s Representative to Senior Center Board;
  - b) Councilman Dave Linnet to Marijuana Advisory Ad-Hoc Committee; and
  - c) Planning Commissioner Doug Hatley to Marijuana Advisory Ad-Hoc Committee.
14. Approve the Memorandum of Understanding with the Corning Miscellaneous Unit for the Period July 1, 2011 through June 30, 2012 and the Sideletter to Continue Furloughs for another year through June 30, 2012.

**H. ITEMS REMOVED FROM THE CONSENT AGENDA:**

**I. PUBLIC HEARINGS AND MEETINGS:**

**J. REGULAR AGENDA:**

15. Approve Resolution No. 04-12-2011-01 Adopting Records Management Guidelines and Retention Schedule.
16. Approve Resolution No. 04-12-2011-02 Adopting Revisions to the City’s Conflict of Interest Code.
17. Approve a Design and Construction Phasing Plan for Corning Community Park.

**K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

**L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:**

- M. REPORTS FROM MAYOR AND COUNCIL MEMBERS:** City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

**Parkins:**  
**Leach:**  
**Dickison:**  
**Linnet:**  
**Strack:**

**N. ADJOURNMENT!:**

**POSTED: THURSDAY, APRIL 7, 2011**

## PROCLAMATION

### **PUBLIC SAFETY TELECOMMUNICATIONS WEEK APRIL 10, 2011 THROUGH APRIL 16, 2011**

**WHEREAS**, emergencies can occur in the City of Corning at any time that require police and fire services; and,

**WHEREAS**, when these emergencies occur, the prompt response of Law Enforcement Officers and Firefighters is critical to the protection of life and property; and,

**WHEREAS**, the safety of our Law Enforcement Officers and Firefighters is dependent upon the quality and accuracy of the information obtained from citizens using 9-1-1; and,

**WHEREAS**, the City of Corning Dispatchers are the critical first contact for citizens who need emergency services; and,

**WHEREAS**, City of Corning Dispatchers are the vital link for Police Officers and Firefighters by monitoring their activities by radio, providing them information and insuring their safety; and,

**WHEREAS**, each City of Corning Dispatcher has exhibited compassion, understanding, and professionalism during the performance of their duties in the past year;

**NOW, THEREFORE, I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DECLARE THE WEEK OF APRIL 10, 2011 THROUGH APRIL 16, 2011 AS NATIONAL TELECOMMUNICATIONS WEEK IN THE CITY OF CORNING** in honor of the men and women whose diligence and professionalism help keep our city and citizens safe.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 12<sup>th</sup> day of April 2011.

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Gary R. Strack, Mayor

**ATTEST:**

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Lisa M. Linnet, City Clerk

**PROCLAMATION**  
**APRIL 2011**  
**CHILD ABUSE PREVENTION MONTH**

**WHEREAS**, the future of Corning will be shaped by our most valuable, precious resource, our children; and

**WHEREAS**, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse and neglect; and

**WHEREAS**, the five protective factors listed here below have been proven to strengthen families and prevent child abuse and neglect:

- Parental resilience;
- Social connections;
- Knowledge of parenting and child development;
- Concrete support in times of need; and
- Social and emotional competence of children; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

**WHEREAS**, during the month of April, Citizens throughout the State and Nation are observing **CHILD ABUSE PREVENTION MONTH** in order to focus attention on the special needs of our children and their families;

**NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO HEREBY PROCLAIM THE MONTH OF APRIL 2011 AS CHILD ABUSE PREVENTION MONTH IN CORNING**, and urge the Community to join in the effort to eliminate the devastating effects of Child Abuse.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 12<sup>th</sup> day of April 2011.

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**GARY R. STRACK, MAYOR**

**PROCLAMATION  
APRIL 2011  
SEXUAL ASSAULT AWARENESS MONTH  
IN THE CITY OF CORNING**

**WHEREAS**, sexual assault is an intolerable violent crime with public health implications for every victim, survivor, their family members, significant others, neighbors and/or co-workers; and

**WHEREAS**, no one person, organization, agency or community can eliminate sexual assault on their own...we must work together to educate our entire population about what can be done to prevent sexual assault, how to support victims and survivors, and increase support to agencies providing services to victims and survivors; and

**WHEREAS**, over the past 37 years, Rape Crisis Intervention and Prevention has led the way in Corning by providing 24-hour hotline services to victims and survivors, responding to emergency calls, offering support and comfort to those impacted by sexual assault during medical exams, criminal proceedings, and empowering those impacted by sexual assault to chart their own course for healing; and

**WHEREAS**, ending sexual assault in Corning must include active public and private efforts in collaboration with Rape Crisis Intervention and Prevention to **END SEXUAL VIOLENCE**. This includes conversation about what sexual violence is, how to prevent it, how to help survivors connect with crucial counseling and other support services, and how every segment of our society can work together to better address sexual violence; and

**WHEREAS**, Rape Crisis Intervention & Prevention Staff and Volunteers offer sexual assault programs in Corning year round to encourage every person in the City to **END SEXUAL VIOLENCE** and to support survivors by providing prevention education and survivor empowerment information to schools, churches, civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding sexual assault issues; and

**WHEREAS**, Rape Crisis Intervention and Prevention has set an important example of how forging collaborative relationships between service agencies and organizations serve to improve the quality of service for those most profoundly and directly impacted by sexual violence, thus setting an important example for how the rest of the community might work together to speak out and find solutions to sexual violence.

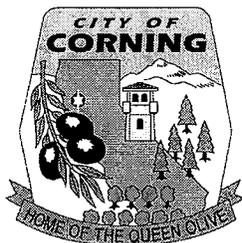
**WHEREAS**, Rape Crisis Intervention & Prevention requests public support and assistance as it continues its effort to bring real hope for freeing society from the tragedy of sexual violence and create a future where all women, men and children can live free from violence and exploitation;

**NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO HEREBY PROCLAIM THE MONTH OF APRIL 2011 AS SEXUAL ASSAULT AWARENESS MONTH IN THE CITY OF CORNING.**

**IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 12<sup>TH</sup> day of April 2011.**

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**GARY R. STRACK, MAYOR**



**CITY OF CORNING  
SPECIAL CLOSED SESSION MINUTES**

**TUESDAY, MARCH 22, 2011  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

All members of the Council were present except Councilor Parkins.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

**C. PUBLIC COMMENTS: None**

**D. ADJOURN TO CLOSED SESSION:**

- 1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:  
Agency Negotiator: William May, Labor Relations Consultant  
Miscellaneous Unit**
- 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subdivision  
(a) of Section 54956.9):  
People vs. Prather, Case No. 30441, 30418, 30434, 30667, et. seq.**

**E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION:**

- 1) Mayor Strack reported that Council met with the City's Labor Negotiator and gave him direction.
- 2) Mayor Strack reported that the Council met with the City's Legal Counsel and discussed the fines and citations and decided that the City would not pursue them further.

**F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.**

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**Lisa M. Linnet, City Clerk**



**CITY OF CORNING  
CITY COUNCIL MINUTES**

**TUESDAY, MARCH 22, 2011  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 7:30 p.m.**

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

All members of the Council were present except Councilor Parkins.

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by Mayor Strack.**

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

**E. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS: None.**

**F. BUSINESS FROM THE FLOOR:**

Ken Prather addressed the Council congratulating Darlene Dickison on her election to the Council and welcomed Dave Linnet to the City Council and congratulated him as well. He then asked the members of the City Council, former Council Members Becky Hill and Ross Turner, and City Staff members Steve Kimbrough, John Stoufer, Tony Cardenas and Mike Fitzpatrick to accept his sincere apology for the way he accepted information and followed the advice of his Attorney over the determinations and instructions given by all of you. He stated that the Judge presiding over this matter ruled in favor of the City and he stated that he respects that, although he did impose penalties for two infractions per citations per day when only one was to be charged by the City and that was done because of the way the citations were written. He stated that he now asks for the City's help in resolving two things:

1. With the pending citations against my daughter and myself which you have just informed me that you will and I thank you.
2. The second is to provide me with a letter of explanation that I can take to the Judge explaining that the City was imposing one infraction per citation per day so that it will help me try and get those punishments relieved a little bit.

Mayor Strack suggested that Ken meet with City Attorney Mike Fitzpatrick to discuss the citations and City Attorney Fitzpatrick suggested Ken request a copy of the minutes from the Clerk and stated that we had pointed out to the Judge that it wasn't the City's intention to impose two fines per day and he was aware of that. Mr. Fitzpatrick stated he would try to obtain a copy of the minutes for Mr. Prather. Kathy Prather also apologized to the Council and Staff and thanked them for their assistance.

**G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience requests separate discussion and/or action.**

1. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**

**THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER**

2. **Waive the Reading and Approve with any necessary corrections the Minutes of the following meetings:**
  - a. **March 1, 2011 Special City Council Meeting; and**
  - b. **March 8, 2011 Special City Council Meeting & Closed Session; and**
  - c. **March 8, 2011 Regular City Council Meeting.**
3. **March 16, 2011 Claim Warrant - \$154,005.11.**
4. **March 16, 2011 Business License Report.**
5. **Approve Progress Pay Estimate No. 8 for \$13,705.97 to Azevedo Construction for the 2010 Rodgers Theater Improvement Project.**
6. **Accept and Approve the Notice of Completion on the Rodgers Theater Improvement Project and Authorize Release of Retention in the Amount of \$21,308.08 to Azevedo Construction.**

**Councilor Leach moved to approve Consent Items 1-6 and Councilor Linnet seconded the motion. Ayes: Strack, Leach, Dickison and Linnet. Opposed: None. Absent: Parkins. Abstain: None. Motion was approved by a vote of 4-0 with Parkins absent.**

**H. ITEMS REMOVED FROM THE CONSENT AGENDA: None**

**I. PUBLIC HEARINGS AND MEETINGS: None.**

**J. REGULAR AGENDA:**

**7. New Street Name Sign Program – Approve Fee and Establish Revolving Fund.**

Mayor Strack introduced this item by title and Public Works Director John Brewer briefed the Council on the Program and the proposed need for the revolving fund. Mr. Brewer informed the Council that the total cost per north/south or east/west signage would be \$160. Mayor Strack confirmed that the cost of the new signs for the Solano Street/Marguerite Avenue intersection had been included in the traffic signal costs. **With no further discussion, Councilor Leach moved to authorize the establishment of the Street Name Sign Revolving Fund, and appropriate \$2,000 to Street Department 3000, account 7364, Sign Replacement. Councilor Dickison seconded the motion. Ayes: Strack, Leach, Dickison and Linnet. Opposed: None. Absent: Parkins. Abstain: None. Motion was approved by a vote of 4-0 with Parkins absent.**

**8. Approve Professional Services Agreement with Diaz & Associates for On-Call Planning Services and Environmental Document Preparation.**

Mayor Strack introduced this item by title. Planning Director John Stoufer informed Council that the City had received ten proposals from qualified candidates and of those Staff recommends the selection of Diaz & Associates. Mr. Stoufer stated that this contract is a year by year basis and outlined the need for this service.

**Councilor Dickison moved to approve the Professional Services Agreement with Diaz Associates to provide on-call planning services and environmental document preparation. Councilor Linnet seconded the motion. Ayes: Strack, Leach, Dickison and Linnet. Opposed: None. Absent: Parkins. Abstain: None. Motion was approved by a vote of 4-0 with Parkins absent.**

**9. Adopt Resolution No: 03-22-2011-01 Authorizing City Staff to Submit a Grant to Caltrans for the “Mid-Town Solano Street Master Plan”.**

Mayor Strack introduced this item by title and City Manager Kimbrough outlined the area the proposed Grant would encompass and the history behind the design. Mr. Kimbrough stated that the State now has funds via this Grant that, if approved, could fund this Plan that which would

then be on the shelf and ready to go when a funding source is available for such a project. He informed the Council that the matching funds would come from the Traffic Mitigation Fund, not the General Fund.

Mayor Strack stated that he is not in favor of doing this utilizing the Traffic Mitigation Funds at this time due to the fact that the funding does not include paving Solano Street. He further stated that the City is sitting on a Plan dating from the 90's that is sitting on the shelf that would include paving Solano Street.

After further discussion and a lack of a motion, no action was taken on this item.

**K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.**

**L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.**

**M. REPORTS FROM MAYOR AND COUNCIL MEMBERS:** City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

**Parkins:** Absent.

**Leach:** Stated that last Thursday he attended a long meeting of the Community Action Board, the next meeting will be here on April 21<sup>st</sup>.

**Dickison:** Nothing.

**Linnet:** Nothing.

**Strack:** Mayor Strack asked about the status on Blackburn Avenue, John Stoufer responded stating that they will be moving forward now that Mr. Diaz is on Board and John Brewer stated that SHHIP is interested in moving forward with the construction of the low-income housing development as required in order to widen the Street. Mr. Brewer stated that we might be able to provide an incentive via the development fees. Mayor Strack suggested putting a notice on the water bill stating City would not be picking up brush.

**N. ADJOURNMENT!: 8:06 p.m.**

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Lisa M. Linnet, City Clerk



# MEMORANDUM

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** LORI SIMS  
ACCOUNTING TECHNICIAN

**DATE:** April 6, 2011

**SUBJECT:** Cash Disbursement Detail Report for the  
Tuesday, April 12, 2011 Council Meeting

**PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:**

A.	Cash Disbursements	Ending	03-23-11	\$	14,415.22
B.	Payroll Disbursements	Ending	03-23-11	\$	40,524.65
C.	Cash Disbursements	Ending	03-30-11	\$	36,216.84
D.	Payroll Disbursements	Ending	03-31-11	\$	32,543.28
E.	Cash Disbursements	Ending	03-31-11	\$	8,857.47
F.	Cash Disbursements	Ending	04-04-11	\$	18,611.58
G.	Cash Disbursements	Ending	04-05-11	\$	149,324.80
H.	Payroll Disbursements	Ending	04-05-11	\$	40,162.73
I.	Cash Disbursements	Ending	04-06-11	\$	1,125.67
<b>GRAND TOTAL</b>				<b>\$</b>	<b><u>341,782.24</u></b>

REPORT.: Mar 23 11 Wednesday  
 RUN....: Mar 23 11 Time: 11:15  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 03-11 Bank Account.: 1020

PAGE: 001  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
012161	03/23/11	DON05	DON AZEVEDO CONSTRUCTION,	12335.37	.00	12335.37	11-0323	THEATER RESTORATION-RODGE
012162	03/23/11	ATT13	AT&T	720.57	.00	720.57	110311	COMMUNICATIONS-
012163	03/23/11	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	1102652	ProfServices Water Dept
012164	03/23/11	COR11	CORNING SAFE & LOCK	51.64	.00	51.64	3097	MAT & SUPPLIES-PARKS
012165	03/23/11	INT00	INTERSTATE BATTERY SYSTEM	201.24	.00	201.24	618093	VEH OP/MAINT-POLICE
012166	03/23/11	LAM03	LAMBETH, TAMMY	76.00	.00	76.00	110317	REC INSTRUCTOR-REC
012167	03/23/11	MCD01	MCDANIEL SIGN COMPANY	116.59	.00	116.59	3185	SIGN REPLACEMENT-STR
				116.59	.00	116.59	3186	SIGN REPLACEMENT-STR
			Check Total.....:	233.18	.00	233.18		
012168	03/23/11	NEX02	NEXTEL	120.25	.00	120.25	086319112	COMMUNICATIONS-POLICE
012169	03/23/11	NOR01	NORTH VALLEY BARRICADE	156.96	.00	156.96	13996	SIGN REPLACEMENT-STR
012170	03/23/11	NOR31	NORM'S PRINTING	14.02	.00	14.02	009565	MAT & SUPPLIES-CITY COUNC
				6.77	.00	6.77	009593	OFFICE SUPPLIES-BLD & SAF
			Check Total.....:	20.79	.00	20.79		
012171	03/23/11	PIT03	PITNEY BOWES, INC	218.20	.00	218.20	878525	Office Supplies-
012172	03/23/11	QUI02	QUILL CORPORATION	195.02	.00	195.02	2941090	Office Supplies-
			Cash Account Total.....:	14415.22	.00	14415.22		
			Total Disbursements.....:	14415.22	.00	14415.22		
			Cash Account Total.....:	.00	.00	.00		

REPORT.: Mar 23 11 Wednesday  
 RUN....: Mar 23 11 Time: 11:15  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)  
 Check Listing for 03-11 Bank Account.: 1025

PAGE: 002  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
4931	03/23/11	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	B10322	POLICE OFFICER ASSOC
4932	03/23/11	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B10322	WITHHOLDING ORDER
4933	03/23/11	EDD01	EMPLOYMENT DEVELOPMENT	3638.34	.00	3638.34	B10322	STATE INCOME TAX
				1163.61	.00	1163.61	1B10322	SDI
			Check Total.....	4801.95	.00	4801.95		
4934	03/23/11	ICM01	ICMA RETIREMENT TRUST-457	200.00	.00	200.00	B10322	ICMA DEF. COMP
4935	03/23/11	OEU03	OPERATING ENGINEERS	500.00	.00	500.00	B10322	CREDIT UNION SAVINGS
4936	03/23/11	PERS1	PUBLIC EMPLOYEES RETIRE	24984.44	.00	24984.44	B10322	PERS PAYROLL REMITTANCE
4937	03/23/11	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	B10322	PERS DEF. COMP.
4938	03/23/11	PRE03	PREMIER WEST BANK	8145.48	.00	8145.48	B10322	HSA DEDUCTIBLE
4939	03/23/11	TEH15	TEHAMA CO SHERIFF'S DEPT	589.71	.00	589.71	B10322	WAGE ASSN # 43462
4940	03/23/11	VAL06	VALIC	789.61	.00	789.61	B10322	AIG VALIC P TAX
			Cash Account Total.....	40524.65	.00	40524.65		
			Total Disbursements.....	40524.65	.00	40524.65		

REPORT.: Mar 30 11 Wednesday  
 RUN...: Mar 30 11 Time: 11:34  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 03-11 Bank Account.: 1020

PAGE: 001  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
012173	03/23/11	ALL01	ALLISON, MELVIN	155.00	.00	155.00	110323	OTS GRANT-HOST TRAVEL
012174	03/23/11	DEP12	DEPT OF JUSTICE	70.00	.00	70.00	840756	PROF SVCS-POLICE
012175	03/23/11	HIL14	HILTON GARDEN INN - ROSEV	453.00	.00	453.00	110323	TRAINING/ED-POLICE
012176	03/23/11	NOR31	NORM'S PRINTING	51.42	.00	51.42	009589	PRINTING/ADV-POLICE
012177	03/23/11	PGE2A	PG&E	48.59	.00	48.59	110318	ELECT-BLUE HERON CT
012178	03/30/11	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	1102847	ProfServices Water Dept
012179	03/30/11	CAL38	CALIF PUBLIC EMPLOYEES RE	1800.00	.00	1800.00	00000826	LEGAL PROF.SERV/LEGAL SER
012180	03/30/11	COR22	CORNING MEDICAL ASSOC	229.50	.00	229.50	924	PROF.SVCS - POLICE
012181	03/30/11	DEP16	DEPT OF PUBLIC HEALTH	2480.00	.00	2480.00	1150686	REQ.PYMNTS.STATE - WTR
012182	03/30/11	GRA02	GRAINGER, W.W., INC	6.41	.00	6.41	949305320	MAT & SUPPLIES-STR
012183	03/30/11	KNI00	KNIFE RIVER CONSTRUCTION	848.41	.00	848.41	116364	MAT & SUPPLIES-
012184	03/30/11	LIN01	LINCOLN EQUIPMENT, INC.	1145.86	.00	1145.86	SI157781	MAT & SUPPLIES - POOL
				1026.57	.00	1026.57	SI157948	MAT & SUPPLIES - POOL
			Check Total.....	2172.43	.00	2172.43		
012185	03/30/11	NAP01	NAPA AUTO PARTS	12.94	.00	12.94	110321F	Veh Opr/Maint -FIRE
012186	03/30/11	NEX01	NEXTEL COMMUNICATIONS	564.61	.00	564.61	110329	COMMUNICATIONS-
012187	03/30/11	NOR31	NORM'S PRINTING	3.79	.00	3.79	009643	OFFICE SUPPLIES-BLD & SAF
012188	03/30/11	OFF01	OFFICE DEPOT	411.19	.00	411.19	132659645	EQUIP.MAINT - POLICE
012189	03/30/11	PAC16	PACIFIC TELEMAGEMENT SE	38.00	.00	38.00	261860	COMMUNICATIONS - GEN.CITY
012190	03/30/11	PGE01	PG&E	20558.99	.00	20558.99	110322	Electricity General City-
012191	03/30/11	TEH08	COUNTY OF TEHAMA	5057.76	.00	5057.76	110324	ELECTIONS - CITY CLERK
012192	03/30/11	USB01	US BANK	902.32	.00	902.32	173814021	Rents/Leases - GEN.CITY
012193	03/30/11	WAR05	WARREN, DANA KARL	266.48	.00	266.48	110328	REC.INSTRUCTOR - REC
			Cash Account Total.....	36216.84	.00	36216.84		
			Total Disbursements.....	36216.84	.00	36216.84		

REPORT.: Mar 31 11 Thursday  
 RUN....: Mar 31 11 Time: 14:21  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)  
 Check Listing for 03-11 Bank Account.: 1025

PAGE: 002  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
4941	03/31/11	AFL01	AMERICAN FAMILY LIFE	1550.90	.00	1550.90	B10331	AFLAC INS.PRE TAX
				81.06	.00	81.06	1B10331	AFLAC INS.AFTER TAX
			Check Total.....:	1631.96	.00	1631.96		
4942	03/31/11	BLU02	BLUE SHIELD OF CALIFORNIA	18655.00	.00	18655.00	B10331	MEDICAL INSURANCE
4943	03/31/11	CIT01	CITY OF CORNING	6.00	.00	6.00	B10331	CHGS FOR WAGE ATCHMT
4944	03/31/11	OEU01	OPERATING ENGINEERS #3	6043.00	.00	6043.00	B10331	MEDICAL INSURANCE
4945	03/31/11	OEU02	OPERATING ENG. (DUES)	294.00	.00	294.00	B10331	UNION DUES MGMNT
				611.00	.00	611.00	1B10331	UNION DUES POLICE
				294.00	.00	294.00	2B10331	UNION DUES DISPATCH
				440.00	.00	440.00	3B10331	UNION DUES-MISC
			Check Total.....:	1639.00	.00	1639.00		
4946	03/31/11	PRI04	PRINCIPAL	2889.14	.00	2889.14	B10331	DENTAL INSURANCE
				601.18	.00	601.18	1B10331	VISION INSURANCE
			Check Total.....:	3490.32	.00	3490.32		
4947	03/31/11	TRA03	TRANSAMERICA LIFE INS CO.	1078.00	.00	1078.00	B10331	LIFE INSURANCE
			Cash Account Total.....:	32543.28	.00	32543.28		
			Total Disbursements.....:	32543.28	.00	32543.28		

REPORT.: Mar 31 11 Thursday  
 RUN....: Mar 31 11 Time: 14:21  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 03-11 Bank Account.: 1020

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 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
012194	03/31/11	COR08	CORNING LUMBER CO INC	861.13	.00	861.13	110325	Mat/Supplies-
012195	03/31/11	GAL02	GALLS, AN ARAMARK COMPANY	389.02	.00	389.02	511254442	SAFETY ITEMS-POLICE
012196	03/31/11	HAT10	HATFIELD'S	265.82	.00	265.82	110325	Mat/Supplies-
012197	03/31/11	HIG00	HIGHT, MONTY W.	120.00	.00	120.00	11	OTS/DUI GRANT-PIO
012198	03/31/11	JES10	JESSEE HEATING & AIR, INC	244.00	.00	244.00	051210	MAT & SUPPLIES-BLD MAINT
012199	03/31/11	MCC01	MCCOY'S HARDWARE & SUPPLY	17.82	.00	17.82	110325	MAT & SUPPLIES-
012200	03/31/11	NAP01	NAPA AUTO PARTS	484.51	.00	484.51	110321	Veh Opr/Maint-
012201	03/31/11	NOR31	NORM'S PRINTING	223.33	.00	223.33	009609	OFFICE SUPPLIES-FINANCE
012202	03/31/11	PET03	PETTY CASH	255.57	.00	255.57	110331	MAT & SUPPLIES-
012203	03/31/11	PGE2B	PG&E	5166.38	.00	5166.38	110325	ELECT-WWTP
012204	03/31/11	RON03	RON DUPRATT FORD	418.71	.00	418.71	670669	VEH OP/MAINT-POLICE
012205	03/31/11	SCH01	LES SCHWAB TIRE CENTER	159.41	.00	159.41	442768	Veh Opr/Maint-POLICE
012206	03/31/11	\B046	BINGHAM, JIM	10.92	.00	10.92	000B10301	MQ CUSTOMER REFUND FOR BI
012207	03/31/11	\B047	COLDWELL BANKER,	9.88	.00	9.88	000B10301	MQ CUSTOMER REFUND FOR BU
012208	03/31/11	\C061	CROSS, TYLER	50.00	.00	50.00	000B10301	MQ CUSTOMER REFUND FOR CR
012209	03/31/11	\D016	DELERAY, LACEY	.98	.00	.98	000B10301	MQ CUSTOMER REFUND FOR DE
012210	03/31/11	\F027	FAS/FIELD ASSET SERVICES,	39.60	.00	39.60	000B10301	MQ CUSTOMER REFUND FOR FA
012211	03/31/11	\F028	FAS/FIELD ASSET SERVICES,	27.72	.00	27.72	000B10301	MQ CUSTOMER REFUND FOR FA
012212	03/31/11	\H030	HAAKE, SHIGE	26.23	.00	26.23	000B10301	MQ CUSTOMER REFUND FOR HA
012213	03/31/11	\M074	MANSOUR, ANTON	18.57	.00	18.57	000B10301	MQ CUSTOMER REFUND FOR MA
012214	03/31/11	\M075	MANSOUR, ANTON	25.53	.00	25.53	000B10301	MQ CUSTOMER REFUND FOR MA
012215	03/31/11	\P036	PRATHER, MAEGON	24.37	.00	24.37	000B10301	MQ CUSTOMER REFUND FOR PR
012216	03/31/11	\S088	SANCHEZ, JUAN	17.97	.00	17.97	000B10301	MQ CUSTOMER REFUND FOR SA
Cash Account Total.....:				8857.47	.00	8857.47		
Total Disbursements.....:				8857.47	.00	8857.47		

REPORT.: Apr 04 11 Monday  
 RUN...: Apr 04 11 Time: 12:34  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 04-11 Bank Account.: 1020

PAGE: 001  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
012217	04/01/11	COR07	CORBIN WILLITS SYSTEMS	729.72	.00	729.72	000B104011	Finance Dept.
012218	04/01/11	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000B104011	CngChamberComm. Economic
012219	04/01/11	FIT01	FITZPATRICK LAW OFFICES	910.00	.00	910.00	000B104011	Consulting Serv LegalServ
012220	04/01/11	HAL05	HALL, ROBERT	104.70	.00	104.70	000B104011	ProfServices FireDepartme
012221	04/01/11	KEN00	KEN VAUGHAN & SONS	950.00	.00	950.00	000B104011	LANDSCAPE MAINT-
012222	04/01/11	PIT01	PITNEY BOWES	192.92	.00	192.92	000B104011	Rents/Leases Finance Dept
012223	04/01/11	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000B104011	K-9 PROGRAM-POLICE
012224	04/01/11	TLD01	TEDC	208.33	.00	208.33	000B104011	Economic Development
012225	04/01/11	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000B104011	PROF. SVCS-FIRE DEPT
012226	04/01/11	WHI05	WHITE GLOVE CLEANING SERV	2800.00	.00	2800.00	000B104011	JANITORIAL SVCS-
012227	04/04/11	BAS01	BASIC LABORATORY, INC	647.00	.00	647.00	1103005	ProfServices Water Dept
				142.00	.00	142.00	1103022	ProfServices Water Dept
			Check Total.....	789.00	.00	789.00		
012228	04/04/11	CLE04	CLEMENTI, MARK A., PH.D.	585.00	.00	585.00	3-28-11	ProfServices PoliceServic
012229	04/04/11	COM01	COMPUTER LOGISTICS, INC	25.00	.00	25.00	52405	COMMUNICATIONS-POLICE
				116.67	.00	116.67	52406	COMMUNICATIONS-POLICE
				250.00	.00	250.00	52407	COMMUNICATIONS-POLICE
			Check Total.....	391.67	.00	391.67		
012230	04/04/11	GAY02	GAYNOR TELESYSTEMS, INC	1737.10	.00	1737.10	000017732	COMMUNICATIONS-POLICE
012231	04/04/11	JES10	JESSEE HEATING & AIR, INC	290.00	.00	290.00	051401	MAT & SUPPLIES-BLD MAINT
012232	04/04/11	KNI00	KNIFE RIVER CONSTRUCTION	2449.37	.00	2449.37	116433	MAT & SUPPLIES-STR
012233	04/04/11	LIN02	LINNETS TIRE SHOP	106.78	.00	106.78	52580	Veh Opr/Maint-POLICE
				106.78	.00	106.78	52581	Veh Opr/Maint-POLICE
			Check Total.....	213.56	.00	213.56		
012234	04/04/11	NOR01	NORTH VALLEY BARRICADE	261.97	.00	261.97	14026	SIGN REPLACEMENT-STR
012235	04/04/11	NOR25	NORTHERN LIGHTS ENRGY, INC	2574.25	.00	2574.25	40379	MAT & SUPPLIES-
012236	04/04/11	NOR40	NORTHSTATE AGGREGATE, INC	180.00	.00	180.00	51442	MAT & SUPPLIES-STR

REPORT.: Apr 04 11 Monday  
 RUN...: Apr 04 11 Time: 12:34  
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CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 04-11 Bank Account.: 1020

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
012236	04/04/11	NOR40	NORTHSTATE AGGREGATE, INC	180.00	.00	180.00	51450	MAT & SUPPLIES-STR
Check Total.....:				360.00	.00	360.00		
012237	04/04/11	PGE01	PG&E	375.77	.00	375.77	110330	ELECT-
012238	04/04/11	SCH01	LES SCHWAB TIRE CENTER	333.91	.00	333.91	442712	Veh Opr/Maint-
				821.15	.00	821.15	442885	Veh Opr/Maint-POLICE
Check Total.....:				1155.06	.00	1155.06		
012239	04/04/11	TEH13	TEHAMA CO AUDITOR	87.50	.00	87.50	110331	PkngCiteToCnty PoliceServ
012240	04/04/11	TEH28	TEHAMA CO HEALTH AGENCY	28.90	.00	28.90	11-0404	EMP PHYSICALS-PW ADMIN
012241	04/04/11	THO01	THOMES CREEK ROCK CO	162.06	.00	162.06	110331	Mat/Supplies-STR
Cash Account Total.....:				18611.58	.00	18611.58		
Total Disbursements.....:				18611.58	.00	18611.58		

REPORT.: Apr 05 11 Tuesday  
 RUN...: Apr 05 11 Time: 14:46  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 04-11 Bank Account.: 1020

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
012242	04/05/11	AND04	ANDERSON, IAN MATTHEW	330.00	.00	330.00	110404	TRAINING/EDUCATION-POLICE
012243	04/05/11	COM01	COMPUTER LOGISTICS, INC	20.00	.00	20.00	52404	Equip.Maint.-GEN CITY
012244	04/05/11	COR01	CORNING VETERINARY CLINIC	391.70	.00	391.70	29550	ProfServices-ACO
				199.00	.00	199.00	29631	ProfServices-ACO
			Check Total.....:	590.70	.00	590.70		
012245	04/05/11	COR03	CORNING RENTALS	36.00	.00	36.00	33685	BLD MAINT-FIRE
012246	04/05/11	MCD01	MCDANIEL SIGN COMPANY	995.18	.00	995.18	3152	MAT & SUPPLIES-BLD MAINT
012247	04/05/11	NOR03	NCCSIF	27748.25	.00	27748.25	2011088	WORKMENS COMP-GEN CITY
012248	04/05/11	NOR25	NORTHERN LIGHTS ENRGY, INC	3468.01	.00	3468.01	40336	VEH OP/MAINT-
				736.03	.00	736.03	40380	VEH OP/MAINT-FIRE
			Check Total.....:	4204.04	.00	4204.04		
012249	04/05/11	RON03	RON DUPRATT FORD	125.05	.00	125.05	671055	VEH OP/MAINT-POLICE
012250	04/05/11	SEI01	SEILER, ROY R., CPA	957.60	.00	957.60	24321	ProfServices Finance Dept
012251	04/05/11	WAS01	WASTE MANAGEMENT OF	102813.23	.00	102813.23	110328	WASTE MGMT PYMT-SOLID WAS
012252	04/05/11	XER00	XEROX CORPORATION	91.06	.00	91.06	054209240	EQUIP MAINT-POLICE
012253	04/05/11	AND01	ED ANDERSON	4042.99	.00	4042.99	11-0405	ProfServices-
012254	04/05/11	ATT02	AT&T	1094.65	.00	1094.65	2242001	COMMUNICATIONS-
012255	04/05/11	BLU03	BLUEGRASS PLAYGROUNDS INC	181.00	.00	181.00	110401	MAT & SUPPLIES-PARKS
012256	04/05/11	FLI00	FLIGHT LIGHT, INC.	336.23	.00	336.23	36546	MAT & SUPPLIES-AIRPORT
012257	04/05/11	GEO01	GEO PLUS	1640.00	.00	1640.00	763	CLARK PARK WELL-WTR IMPRO
012258	04/05/11	JOH05	JOHNSON, DELBERT	515.00	.00	515.00	5334	MAT & SUPPLIES-STR
012259	04/05/11	PAT02	PATTERSON ELECTRIC, INC.	1701.75	.00	1701.75	2293	SMALL TOOLS-MECH MAINT
				114.99	.00	114.99	2294	MAT & SUPPLIES-WTR
				202.17	.00	202.17	2304	MAT & SUPPLIES-PARKS
			Check Total.....:	2018.91	.00	2018.91		
012260	04/05/11	PGE04	PG&E	384.93	.00	384.93	110331	TranspFacility-
012261	04/05/11	PGE05	PG&E	926.43	.00	926.43	110331	FIRE-ELECT & GAS

REPORT.: Apr 05 11 Tuesday  
 RUN....: Apr 05 11 Time: 14:46  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 04-11 Bank Account.: 1020

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 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
012262	04/05/11	PGE2A	PG&E	110.01	.00	110.01	110331	ELECT-MARTINI,MCDONALD &
012263	04/05/11	QUI02	QUILL CORPORATION	121.53	.00	121.53	3218316	Office Supplies-
012264	04/05/11	WES02	WESTERN BUSINESS PRODUCTS	42.01	.00	42.01	028260	Equip.Maint.-FIRE DISPATC
Cash Account Total.....:				149324.80	.00	149324.80		
Total Disbursements.....:				149324.80	.00	149324.80		
Cash Account Total.....:				.00	.00	.00		

REPORT.: Apr 05 11 Tuesday  
 RUN....: Apr 05 11 Time: 14:46  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)  
 Check Listing for 04-11 Bank Account.: 1025

PAGE: 003  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
4950	04/05/11	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	B10405	POLICE OFFICER ASSOC
4951	04/05/11	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B10405	WITHHOLDING ORDER
4952	04/05/11	EDD01	EMPLOYMENT DEVELOPMENT	3689.25	.00	3689.25	B10405	STATE INCOME TAX
				1148.14	.00	1148.14	1B10405	SDI
			Check Total.....:	4837.39	.00	4837.39		
4953	04/05/11	ICM01	ICMA RETIREMENT TRUST-457	200.00	.00	200.00	B10405	ICMA DEF. COMP
4954	04/05/11	OEU03	OPERATING ENGINEERS	500.00	.00	500.00	B10405	CREDIT UNION SAVINGS
4955	04/05/11	PERS1	PUBLIC EMPLOYEES RETIRE	25035.89	.00	25035.89	B10405	PERS PAYROLL REMITTANCE
4956	04/05/11	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	B10405	PERS DEF. COMP.
4957	04/05/11	PRE03	PREMIER WEST BANK	7696.67	.00	7696.67	B10405	HSA DEDUCTIBLE
4958	04/05/11	TEH15	TEHAMA CO SHERIFF'S DEPT	589.71	.00	589.71	B10405	WAGE ASSN # 43462
4959	04/05/11	VAL06	VALIC	789.61	.00	789.61	B10405	AIG VALIC P TAX
			Cash Account Total.....:	40162.73	.00	40162.73		
			Total Disbursements.....:	40162.73	.00	40162.73		

REPORT.: Apr 06 11 Wednesday  
 RUN....: Apr 06 11 Time: 12:45  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 04-11 Bank Account.: 1020

PAGE: 001  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
012265	04/06/11	AIR00	AIRGAS NCN	52.72	.00	52.72	102993613	MAT & SUPPLIES-FIRE
012266	04/06/11	CAL35	CALIFORNIA BUILDING STAND	28.80	.00	28.80	11-0406	SB 1473-BLD & SAFETY
012267	04/06/11	FIR00	FIRST NATIONAL BANK	322.92	.00	322.92	110330	CONF/MTGS-CITY ADMIN
012268	04/06/11	FIR01	FIRST NATIONAL BANK	125.00	.00	125.00	11-0224	TRAINING/ED-WTR
012269	04/06/11	PGE03	PG&E	39.44	.00	39.44	110401	Mat/Supplies PoliceServic
012270	04/06/11	PGE2A	PG&E	26.48	.00	26.48	110401	ELECT-CLELAND PROP
012271	04/06/11	RED14	RED BLUFF OUTDOOR POWER,	221.86	.00	221.86	009812	MAT & SUPPLIES-
012272	04/06/11	REV01	REVIVAL ANIMAL HEALTH	247.97	.00	247.97	90392238	MAT & SUPPLIES-ACO
012273	04/06/11	TEH12	TEHAMA CO ASSESSOR	60.48	.00	60.48	110404	MAT & SUPPLIES-PLANNING
Cash Account Total.....:				1125.67	.00	1125.67		
Total Disbursements.....:				1125.67	.00	1125.67		

Date.: Apr 6, 2011  
Time.: 1:07 pm  
Run by: LORI

CITY OF CORNING  
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1  
List.: NEWB  
Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
CORNING AUTO CENTER	1820 SOLANO ST	CORNING, CA 96021	KING JAMES	AUTO REPAIR & SMOG STATION	03/17/11	(530)824-1357
MAGICAL DREAMS	1744 SIXTH AVE	CORNING, CA 96021	HERRICK HELEN	ONLINE RETAIL SALES. CLOTHING, CANDLES,	03/22/11	(530)366-6106

CITY OF CORNING  
PERMITS ISSUED (sort by Permit #)  
For the Period 3/1/2011 thru 3/31/2011

Item No.: G-8

Owner and Address	Parcel Number	Issued On	Valuation
RITA CRAWFORD 1215 MARIN ST CORNING CA 96021 <b>Permit Description:</b> ADD 8' X 8' MASTER BATH	7117302 <b>Site Street Address:</b> 1215 MARIN ST	3/15/2011	18,000.00
REBECCA JOHNSON 342 RIO VISTA CORNING CA 96021 <b>Permit Description:</b> REPLACE HEATING SYSTEM	7135035 <b>Site Street Address:</b> 342 RIO VISTA	3/3/2011	1,881.86
SHARON JOHNSON 1108 FIFTH AVE CORNING CA 96021 <b>Permit Description:</b> REROOF OVER 1 LAYER OF EXISTING	7117206 <b>Site Street Address:</b> 1108 FIFTH AVE	3/1/2011	1,500.00
ERIC ALMQUIST 1306-1310 SOLANO ST CORNING CA 96021 <b>Permit Description:</b> SECURE EXISTING WALL TO EXISTING TRUSSE	7113105 <b>Site Street Address:</b> 1306-1310 SOLANO ST	3/2/2011	600.00
GLENDIA CAHOON 1518 LINK ST CORNING CA 96021 <b>Permit Description:</b> WALL FURNACE	7126206 <b>Site Street Address:</b> 1518 LINK ST	3/14/2011	1,591.42
JOHN GRAMONT 1165 FIG ST. CORNING CA 96021 <b>Permit Description:</b> REPLACE HVAC	7311610 <b>Site Street Address:</b> 1165 FIG ST.	3/10/2011	4,242.00
SURESH PATEL 910 HIGHWAY 99W CORNING CA 96021 <b>Permit Description:</b> REPLACE POLE SIGN & ADD MONUMENT SIGN	6922009 <b>Site Street Address:</b> 910 HIGHWAY 99W	3/14/2011	17,500.00

PERMITS ISSUED (sort by Permit #)  
For the Period 3/1/2011 thru 3/31/2011

Owner and Address	Parcel Number	Issued On	Valuation
EPIFANIO PAREZ 284 E SOLANO ST CORNING CA 96021 <b>Permit Description:</b> INSTALL 4' WROUGHT IRON FENCE FRONT & S	7302045  <b>Site Street Address:</b> 284 E SOLANO ST	3/14/2011	470.00
LOVE'S TRAVEL STOPS INC. 2120 SOUTH AVE. CORNING CA 96021 <b>Permit Description:</b> REPLACE EXISTING DIGITAL SIGN WITH NEW I	8705039  <b>Site Street Address:</b> 2120 SOUTH AVE.	3/15/2011	22,500.00
ANNA SHENNUM 1320 BUTTE ST CORNING CA 96021 <b>Permit Description:</b> REPLACE WALL FURNACE	7111112  <b>Site Street Address:</b> 1320 BUTTE ST	3/30/2011	2,023.20
LELA WERNETT 1584 MARGUERITE AVE CORNING CA 96021 <b>Permit Description:</b> INSTALL WALL FURNACE	7318209  <b>Site Street Address:</b> 1584 MARGUERITE AVE	3/28/2011	1,500.00
CORNING INTERPRISES 250 DIVISADERO AVE CORNING CA 96021 <b>Permit Description:</b> INSTALL ADA SHOWER	7302042  <b>Site Street Address:</b> 250 DIVISADERO AVE	3/30/2011	4,800.00
		3/28/2011	0.00

Site Street Address:

Permit Description:

13 Permits Issued from 3/1/2011 Thru 3/31/2011 FOR A TOTAL VALUATION OF \$ 76,608.48  
 \*\*\* END OF REPORT \*\*\*

**CITY OF CORNING****MARCH 2011****TREASURERS REPORT**

<b>AGENCY</b>	<b>BALANCE</b>	<b>RATE</b>	<b>MATURES ON</b>
LOCAL AGENCY INVESTMENT FUND	1,261,057.41	.46	
PREMIER WEST BANK	198,935.46	.85	03/28/11
PREMIER WEST BANK	178,455.23	.85	04/20/11
<b>TRUST ACCOUNTS</b>			
PREMIER WEST BANK RIDELL TRUST	211,383.41	.90	12/13/11

Respectfully Submitted

Pala Cantrell  
City Treasurer

RECEIVED

APR 01 2011

CITY OF CORNING

Item No.: G-11



**SouthWest  
Water Company®**

SWWC Services, Inc.  
P.O Box 230  
25010 Gardiner Ferry Rd  
Corning, CA 96021  
Phone 530.824.5863  
Fax 530.824.5769  
[www.swwc.com](http://www.swwc.com)

**CITY OF CORNING  
WASTEWATER OPERATION SUMMARY REPORT  
MARCH 2011**

Below is a summary of the Monthly Operations Report that will be available for City review on MARCH 2011

- 1) Filled out monthly reports.
- 2) Performed weekly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Sent vehicle report to Texas.
- 5) Wasted to EQ basin
- 6) Staff meeting on plant operations and issues.
- 7) Changed chart on So3 analyzer.
- 8) Safety meeting.
- 9) Winn Benbow worked on lift station communications
- 10) Inspected eyewash and emergency showers.
- 11) Unloaded chlorine truck.
- 12) Cleaned So2 pump.
- 13) Checked storm water discharge sites at WWTP and airport.
- 14) Cleaned distiller.
- 15) Tested all chlorine and So2 sensors

- 16) Cleaned probe at lift station.
- 17) Tested alarms with Fire Dept.
- 18) Inspected Corning Olive Oil
- 19) Pretreatment inspections
- 20) Repaired roof soffit on office
- 21) Exercised emergency generator.
- 22) Held employee training.
- 23) IIPP plant inspection.
- 24) Reviewed MSDS in shop
- 25) Collected storm water samples
- 26) Checked all fire extinguishers.
- 27) Tested high level alarm at lift station
- 28) Sprayed weeds
- 29) Mowed lawns
- 30) Downloaded data logger from effluent chart record
- 31) Annual fit testing for escape mask
- 32) North State Electric pulled gear box on # 1 aerator to rebuild
- 33) Submitted work plan for Salinity and Constituent studies
- 34) EPA and Regional Board Inspection
- 35) Repaired valves on drying beds

- 36) Cleaned drying beds
- 37) Completed SSO report
- 38) River samples

**March 2011**

Domestic Flow = 777,903 GPD

**February 2011**

Domestic Flow = 678,892 GPD

ITEM NO: G-12  
APPROVE WAIVER OF RECREATIONAL USE  
FEES FOR 4<sup>th</sup> ANNUAL WESTSIDE AMERICAN  
LEGION MEN'S SOFTBALL TOURNAMENT  
FUNDRAISER  
APRIL 12, 2011

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER  
LISA M. LINNET, CITY CLERK



**SUMMARY:**

Troy McIntyre has placed a request to City Council to waive the Recreational Use Fee for the use of Yost Park for the 4<sup>th</sup> Annual Westside American Legion Fundraiser. This is a Community based, Non-Profit Event that is scheduled to take place on May 21<sup>st</sup> and 22<sup>nd</sup>.

**BACKGROUND:**

Staff requests Council approval to waive all recreational fees normally charged (\$100 refundable fees and \$166 non-refundable fees) for the Westside American Legion Fundraiser.

\$ 75 Cleanup deposit.  
\$ 25 Key deposit  
\$100 Refundable

\$ 16 Weekend Field Light Fee  
\$150 Weekend Use Fee  
\$166 Non-Refundable

**RECOMMENDATION:**

**MAYOR AND COUNCIL WAIVE RECREATIONAL USE FEES FOR THE 4<sup>th</sup> ANNUAL WESTSIDE AMERICAN LEGION MEN'S SOFTBALL TOURNAMENT FUNDRAISER.**

# 4th Annual Westside American Legion Fundraiser

## Men's Softball Tournament

### May 21st & 22nd

### Yost Park

### Corning Ca.

- \* Entry Fee \$250.00 / Deadline May 15th
- \* Home Run Derby \$10.00 (Winner takes half)
- \* Double Elimination
- \* Three Home Runs then equalizer
- \* Championship shirts
- \* 10 Teams

Contact: Troy McIntyre - 824-0608 (H)  
624-0572 (C)

Make Check Payable To:

WESTSIDE AMERICAN LEGION



ITEM NO: G-13  
RECOMMEND APPOINTMENT OF  
COUNCILMAN JOHN LEACH AS CITY'S  
REPRESENTATIVE TO SENIOR CENTER  
BOARD AND COUNCILMAN LINNET AND  
PLANNING COMMISSIONER HATLEY TO CITY'S  
MARIJUANA ADVISORY AD-HOC COMMITTEE  
APRIL 12, 2011

TO: HONORABLE MAYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING

FROM:  GARY STRACK, MAYOR

**SUMMARY:**

**Senior Center:**

Per Section 8-a ("Representative on Board") of the Senior Center Lease Agreement between the City of Corning and Corning Senior Center, Inc., Lessor (City) shall at all times be entitled to have one voting member on Lessee's (Corning Senior Center, Inc., a California Non-Profit Public Benefit Corporation) Board of Director's subject to election by Lessee's membership.

Mayor Strack recommends the appointment of Councilman John Leach to serve as the City's representative on the Senior Center Board of Directors subject to election by the Lessee's membership.

**Marijuana Advisory Ad Hoc Committee:**

A "Marijuana Ad-Hoc Committee" was formed to work with City Staff to review information and language to formulate an Ordinance to regulate Marijuana Dispensaries, Collectives and Cooperatives. This committee consisted of two members of the City Council and two members of the Planning Commission.

Two vacancies were created on the Ad Hoc Committee following the resignations of former Councilwoman Becky Hill and Planning Commissioner Jesse Lopez. The remaining members of this Committee are Mayor Gary Strack and Planning Commissioner Ryan Reilly.

Mayor Strack now recommends the appointment of Councilman Dave Linnet and Planning Commissioner Doug Hatley to fill the vacant positions on the Marijuana Advisory Ad Hoc Committee.

**RECOMMENDATION:**

**MAYOR AND COUNCIL MAKE THE FOLLOWING APPOINTMENTS:**

- **COUNCILMAN JOHN LEACH TO REPRESENT THE CITY ON THE SENIOR CENTER'S BOARD OF DIRECTORS; AND**
- **COUNCILMAN DAVE LINNET AND PLANNING COMMISSIONER DOUG HATLEY TO SERVE ON THE CITY'S MARIJUANA ADVISORY BOARD.**

ITEM NO.: G-14  
APPROVE MEMORANDUM OF UNDERSTANDING  
AND SIDELETTER TO CONTINUE FURLOUGHS  
FOR ANOTHER YEAR THROUGH JUNE 30, 2012  
FOR THE MISCELLANEOUS UNIT.  
APRIL 12, 2011

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER



**SUMMARY:**

The City of Corning has reached agreement with the employees of the Corning Miscellaneous Unit as reflected in the attached Agreement, known under California Law as a "Memorandum of Understanding". As with the Management Unit, this is a significant agreement which reduces future retirement benefits for all Miscellaneous Unit new hires. It will reduce the cost of retirement by almost 3.5% of salary per year and increase the retirement age from 2% @ 55 to 2% @ 60 for Miscellaneous Unit Employees. The savings will occur over time as new employees are hired, but it represents an important start.

The Miscellaneous Unit sought no pay or benefit increases during the term of the agreement, and in a separate side letter, the Association agreed to the continuation of the furloughs for another year and a half through June 30, 2012!

The City Council set the limits of the bargaining and agreed that the continuation of the terms of the furloughs would contain a clause promising no lay-offs. The Council has repeatedly expressed their appreciation to the City Employees for their commitment to reducing City costs by cutting pay by 10% during what is now called "The Great Recession".

**MEMORANDUM OF UNDERSTANDING:**

Here are the key elements of the proposed new Agreement:

1. This is a 1-Year Agreement (July 1, 2011 through June 30, 2012); and
2. For existing Miscellaneous Unit Employees, the City will continue to provide retirement benefits under a contract with the California Public Employee Retirement System (PERS) as follows:
  - (a) For current PERS Miscellaneous Members, the City will continue the 2% at 55 Plan and will pay 7% of the "Employee Contribution"; and
3. The City and the Miscellaneous Unit agree to implement the following changes for new hires as soon as administratively feasible under PERS procedures:
  - (a) For PERS Miscellaneous members the City will provide the 2% at 60 formula with three (3) year average salary.
  - (b) New Miscellaneous Unit Employees hired after the date the City Council approves the Memorandum of Understanding (MOU) will pay 3.5% of the 7% employee share of the retirement cost; and
  - (c) Current regular employees who are laid off after the second retirement tier is adopted to return to the 2% @ 55 formula with the highest single year if re-employed by the City in less than one (1) year subject to being in compliance with PERS Rules.

**SIDE LETTER EXTENDING FURLOUGHS:**

The attached "Sideletter" mutually agreed-to this year restates the existing agreement from last year and extends the furloughs for a third year through June 30, 2012.

## **FINANCIAL**

Under the proposed Agreement, the City will incur no additional retirement costs for current employees, however the City will experience substantial retirement cost savings on Miscellaneous Unit Employees hired after the date of ratification of this agreement.

## **RECOMMENDATION:**

**MAYOR AND COUNCIL APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE CORNING MISCELLANEOUS UNIT FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012 AND THE SIDELETTER CONTINUING FURLOUGHS FOR ANOTHER YEAR THROUGH JUNE 30, 2012.**

**MEMORANDUM OF UNDERSTANDING**

**Between**

**CITY OF CORNING**

**And**

**OPERATING ENGINEERS UNION LOCAL NO. 3**

**Of the**

**INTERNATIONAL UNION OF OPERATING  
ENGINEERS AFL-CIO**

**For**

**MISCELLANEOUS UNIT**

**Effective: July 1, 2011 - June 30, 2012**

**Ratified March 31, 2011  
Approved by City Council: April 12, 2011**

**THIS MEMORANDUM OF UNDERSTANDING** is made and entered into between **OPERATING ENGINEERS LOCAL UNION NO. 3**, of the International Union of Operating Engineers, AFL-CIO, hereinafter referred to as "Union", and the designated representatives of the **CITY OF CORNING**, hereinafter referred to as the "City", pursuant to the provisions of the Meyers-Milias-Brown Act (Government Code Sections 3500, et seq). This Memorandum of Understanding supersedes and replaces all previous Memorandum of Understanding between the parties.

## **ARTICLE 1 GENERAL PROVISIONS - DEFINITIONS**

1.1 A. **Employer**: The term "Employer", as used herein, shall refer to the City of Corning.

B. **Union**: The term "Union", as used herein, shall refer to the Operating Engineers Local No. 3 of the International Union of Operating Engineers, AFL-CIO.

C. **Employee**: The term "Employee", as used herein, shall mean all Employees of the Miscellaneous Unit as Employee Relations Policy of the City of Corning.

D. **Employee Anniversary Date**: The term "employment anniversary date", as used herein, shall mean the anniversary date of the employee's employment with the City.

E. **Step Anniversary Date**: The term "step anniversary date", as used herein, shall mean the date upon which an employee has finished serving the requisite amount of time in order to be eligible for a salary step increase. A new time period for such requisite service shall commence upon the occurrence of any of the following events: promotion; reclassification; implementation of a Memorandum of Understanding provision or Side Letter of Understanding specifying a movement into a new step or an increase in the rate paid for the step currently held by the employee.

## **ARTICLE 2 RECOGNITION**

2.1 The Employer hereby recognizes the Union as the only Organization entitled to meet and confer on matters within the scope of representation.

## **ARTICLE 3 HIRING PROVISIONS**

3.1 No Employee covered by this Memorandum of Understanding shall be discriminated against by the Employer, or by the Union, by reason of race, color, religion, sex, age or national origin.

3.2 The Employer shall not discharge, or otherwise discriminate against any Employee by reason of Union activities not interfering with the proper performance of his work.

## **ARTICLE 4 CHECK OFF**

4.1 The Employer agrees to deduct from the wages of its Employees initiation fees and dues and to transmit the monies so deducted to the Financial Secretary of the Union. An Employee desiring to have such deduction or deductions made shall sign a proper assignment form authorizing such deductions.

4.2 The employer agrees to deduct from the wages of its Employees Operating Engineers Local Union No. 3 Credit Union deductions and to transmit the monies so deducted to the Credit Union. An Employee desiring to have such a deduction or deductions made shall sign a proper assignment form authorizing such deduction.

4.3 Such deductions shall not be made more often than once per month.

## **ARTICLE 5 MANAGEMENT RIGHTS**

5.1 The Employer retains the exclusive right to manage the City. All the rights, powers, functions and authority of the Employer which it had prior to the time the Union became certified as representative of the Employees of the Employer and which are not limited or modified by specific provisions of the Memorandum are retained by the Employer. The Employer specifically retains the right to manage and supervise its Employees as follows:

(A) To hire, promote, transfer, assign, classify positions, retain employees, and to suspend, demote, discharge or take other disciplinary action against employees.

(B) To lay-off or demote Employees from duties because of lack of work, lack of funds, in the interest of economy, or other legitimate reasons.

(C) To determine the policies, standards, procedures, methods, means and personnel by which City operations are to be conducted.

(D) To take whatever actions may be necessary to carry out the City in situations of emergency.

(E) To limit or prohibit the right of Employees in certain positions or classes of positions from forming, joining, or participating in employee organizations as provided in the California Government Code, and designating such employees in the current Schedule of Department and Authorized Positions adopted by resolution.

(F) Nothing in this policy shall be construed to interfere with the City's right to manage its operations in the most economical and efficient manner consistent with the best interests of all City citizens, taxpayers, and employees.

## **ARTICLE 6 UNION RIGHTS**

6.1 The Union recognizes its obligation to cooperate with the Employer to assure maximum service of the highest quality and efficiency to the citizens of the City of Corning consistent with its obligations to the Employees it represents.

6.2 Employer and Union affirm the principle that harmonious employer-employee relations are to be promoted and furthered. When a person is hired in any of the covered job classifications, the City shall notify that person that the Union is the certified representative for the Employees and shall notify the Union of such hiring.

6.3 The Employer shall provide the Union space to erect a bulletin board in each area where Employees covered by this Memorandum are assigned.

6.4 Business representatives of the Union shall have reasonable access to Employees, provided such access does not interfere with City business. Department heads and first-line supervisors will be notified by the Employer of the provisions of this Section. Solicitation for membership shall not be conducted during working time.

6.5 Business representatives of the Union shall have access to any Employee or Employees presenting a grievance; and Employees have the right to have the Union business representative represent the Employee at all stages of disciplinary action.

6.6 The Union may select one (1) Employee as Union Steward.

6.7 In addition to his regularly assigned work, the Union Steward shall be permitted reasonable time during working hours to notify the business representative of any violations of this Memorandum. Employees are authorized to contact their Union Steward during working hours to report a grievance or violation of this Memorandum.

## **ARTICLE 7 PEACEFUL PERFORMANCE**

7.1 The parties to this Memorandum of Understanding recognize and acknowledge that the services performed by the City Employees covered by this Memorandum of Understanding are essential to the public health, safety and general welfare of the residents of the City of Corning. The Union agrees that under no circumstances will the Union recommend, encourage, cause or permit its members to initiate, participate in, nor will any member of the bargaining unit take part in, any strike, sit-down, stay-in, sick-out, slow-down or picketing (hereinafter collectively referred to as work-stoppage), in any office or department of the City, nor to curtail any work or restrict any production, or interfere with any operation of the City. In the event of any such work stoppage by any member of the bargaining unit, the City shall not be required to negotiate on the merits of any dispute, which may have given rise to such work stoppage until said work stoppage has ceased.

7.2 In the event of any work stoppage during the term of this Memorandum of Understanding, whether by the Union or by any member of the bargaining unit, the Union, by its officers, shall immediately declare in writing and publicize that such action is illegal and unauthorized, and further direct its members in writing to cease the said conduct and resume work. Copies of such written notice shall be served upon the City. If in the event of any work stoppage, the Union promptly and in good faith, performs the obligations of this paragraph, and providing the Union has not otherwise authorized, permitted or encouraged such work stoppage, the Union shall not be liable for any damages caused by the violation of this provision. However, the City shall have the right to discipline, including discharge, any employee who instigates, participates in, or gives leadership to, any work stoppage activity herein prohibited, and the City shall also have the right to seek full legal redress including damages, as against any such employee.

## **ARTICLE 8 PAYMENTS**

8.1 This Memorandum is intended to cover all aspects of wages, hours, and working conditions for Employees covered herein; therefore, nothing in this Memorandum shall prevent the Employer from modifying any fringe benefits or benefit plans not specifically provided for in this Memorandum such as retirement plans, salary continuation plans, etc., subject to meet and confer.

8.2 If an Employee covered by this Memorandum is permanently assigned work of a substantially new or different nature so as to constitute a new job classification, the Employer and the Union shall determine the wage rate through the established procedures.

8.3 Employees will be paid bi-weekly, no later than five (5) days following the end of the preceding payroll period. If the fifth day is a holiday, Employees will be paid on the preceding day.

## ARTICLE 9 PREVAILING RIGHTS

9.1 This Memorandum of Understanding contains all of the covenants, stipulations and provisions agreed upon by the parties. It is understood that all items relating to Employees' wages, hours, and other terms and conditions of employment not covered in this Memorandum of Understanding shall remain the same, except as specifically mentioned in this Memorandum of Understanding; therefore, for the life of this Memorandum of Understanding, neither party shall be compelled to bargain with the other concerning any mandatory bargaining issues, whether specifically bargained about prior to the execution of this Memorandum of Understanding or which may have been omitted in the bargaining which led up to the execution of this Memorandum of Understanding, except by mutual agreement of the parties or as specifically mentioned in this Memorandum of Understanding.

## ARTICLE 10 CLASSIFICATIONS AND WAGES

10.1 For the period of this agreement, Employees will be paid in accordance with the monthly salary schedule and effective dates as shown in Exhibit "A". **Employees will be eligible for step increases on their step anniversary date. Employees may advance to the next step in the pay schedule after satisfactory completion of the required time in the lower step.** The time required between step A and B shall be (6) six months. Advancement from step B to C, C to D and D to E shall be (12) twelve months between each step.

10.2 **At the time of employment placement in Step 1 through 5 of the salary range within each classification shall be determined by the City.** The Employees agree to abide by the City's decision.

10.3 Employees will be eligible for LONGEVITY PERFORMANCE INCENTIVE pay under the following conditions:

(A) Annual satisfactory performance evaluations will be required to receive and maintain annual pay increase.

(B) A performance evaluation will be made 30 days before the employee's anniversary date.

(C) Qualifying employees will receive a longevity performance incentive pay increase to be added to their base rate as follows:

1. 2 1/2% after 15 years, effective first pay period after anniversary date.
2. 5% after 20 years, effective first pay period after anniversary date, (not compounded with 2 1/2%).

(D) In the event the employee is denied a longevity performance incentive pay increase, the employee may request the City Manager (or Council if City Manager is part of evaluation process) for review and to make final determination. The matter may not be filed under any other grievance procedure.

(E) This plan will be implemented for all eligible, 30 days after ratification of MOU, to allow for an initial evaluation increase to be effective the first pay period following the 30-day period. Such increase will remain in effect to the employee's next anniversary date prior to which time a reevaluation is required.

## **ARTICLE 11 OUT OF CLASSIFICATION PAY**

11.1 A Public Works field employee who is assigned, by the Director of Public Works and with prior approval by the City Manager, to work out of Classification in a higher level Class for one (1) hour or more shall be paid at Step 1 of higher Salary rate of the assigned Classification, or 5% above the Employee's permanent pay step rate which ever is higher.

- (A) When assigned by the Director of Public Works and with prior approval by the City Manager, to work out of Classification as an Equipment Operator, a Maintenance Worker shall be paid for the operation of the following equipment: Backhoe, Loader, Motor Grader, Roller, Tree Pruning Tower, Paving Machine.
- (B) When a Maintenance Worker is assigned by the Director of Public Works and with prior approval by the City Manager, to work out of Classification as a "Journey Level Carpenter", the Employee shall be paid 5% above the Employee's permanent pay step rate.

11.2 Upon the recommendation of the Director of Public Works and prior approval by the City Manager, an Employee in the Classification of Public Works Maintenance Worker, Equipment Operator, and Equipment Mechanic/Maintenance Worker shall receive Specialty Pay in accordance with the following:

- (A) For holding a valid State of California Water Treatment Operator Grade I Certificate, the Employee shall receive Specialty Pay of 2 1/2% above their current pay step rate.
- (B) For holding a valid State of California Water Treatment Operator Grade II Certificate, the Employee shall receive Specialty Pay of 5% above their current pay step rate. This rate is not to be compounded for those employees holding a Water Treatment Operator Grade I Certificate. The maximum premium pay for both certificates is 5%.
- (C) For holding a valid State of California Certified Distribution Operator D-2 Certificate the Employee shall receive Specialty Pay of 5% above their current pay step rate.
- (D) An employee designated by the Public Works Director and approved by the City Manager, holding a valid State of California Herbicide and Pesticide Silver Card Certificate the Employees shall receive Specialty Pay of 2 1/2% above their current pay step rate.
- (E) An employee designated by the Public Works Director and approved by the City Manager, holding a valid State of California Herbicide and Pesticide Brown Card License, the Employees shall receive Specialty Pay of 5% above their current pay step rate. The maximum premium rate for holding both certificates is 5%.

11.3 An employee who is assigned the temporary duties of a superior position for fifteen (15) days or more by the City Manager and/or his/her designee shall receive premium pay of five percent (5%) above his/her present salary beginning on the sixteenth (16<sup>th</sup>) day and continuing for the length of such service.

11.4 **Bi-lingual Pay:** The City agrees to provide an additional two and one-half percent (2 ½%) base pay for up to three employees for the incidental duties related to the assignment under the following conditions:

- (A) An employee must be certified as bi-lingual and assigned the duties by the City Manager.
- (B) The City Manager will establish standards for qualifying employees and for an ongoing review of skills. The City Manager will require that employees demonstrate the ability to converse in Spanish sufficient to serve the needs of the City.
- (C) The City Manager shall terminate the assignment if the ongoing use of the bi-lingual skills are no longer required and/or the employee fails to perform the duties at a skill level which meets the established standards.

## **ARTICLE 12 HEALTH AND WELFARE INSURANCE**

**12.1 All Employees and their eligible dependents may participate in the Operating Engineers Public Employees' Health and Welfare Plan, with the City contributing to the cost of such plan up to \$1,083.50 per month towards the rate. The employee shall pay any remaining costs of insurance.**

Future increases shall be divided equally between the City and the employee.

12.2 Employees who are not members of the Union are required to pay a service fee in the same amount as the monthly Union dues in order to participate in the Union's Health and Welfare Plan.

**12.3 The City shall continue to pay the life insurance premium. Life insurance for employees shall be seventy thousand dollars (\$70,000).**

12.4 The City shall have the option of replacing the Operating Engineers Public Employees Health and Welfare Plan with a plan of the City's choosing. If the City exercises this option, the City shall maintain coverage that is comparable and substantially equivalent to that provided currently under the present plan.

12.5 A Health Plan Review Committee, consisting of one employee from each bargaining unit, will be established and coordinated by the City Manager, to review alternate health plans. A non-binding Committee Report will be made to the City and the Union. The committee will study both the health plan and the short-term disability and "cafeteria" plans.

Upon receipt of the committee's report, the City or the Union, upon the request of either, will meet and confer on the recommendations of the committee.

**ARTICLE 13  
WORKDAY AND WORKWEEK**

13.1 The regular workday shall be eight (8) hours, exclusive of mealtime. The regular workweek shall not exceed forty (40) hours per week on duty. Workweeks shall be scheduled by the Employer to provide for five (5) consecutive days on duty and two (2) consecutive days off duty. All time worked in excess of the regular workday or workweek shall be considered overtime. The City shall have the right to assign employees to five (5) consecutive days on duty, which includes Saturday and/or Sunday, provided that those days are part of the five (5) consecutive days on duty.

**ARTICLE 14  
OVERTIME**

14.1 Overtime shall be compensated therefore at the rate of time and one-half the Employee's regular pay rate, which will be paid in the same manner as other wages.

14.2 The Employee shall, on termination of employment, be entitled to be paid all accumulated overtime, together with the Employee's normal wage.

14.3 All cash payments for overtime worked will be made on the regular salary check in the next succeeding pay period in which it was earned. The only exception is holiday pay. (See Article 19)

**14.4 Compensatory Time in Lieu of Overtime (CTO): Members of the bargaining unit may accrue up to a maximum of one hundred (100) hours annually upon the Department Head's discretionary authority. CTO time may be carried into the following year, but at no time can it exceed one hundred hours (100) hours. Management shall approve when employees can take time off taking into consideration the desire of the employees and the operational needs of the department. The Department Head and employees may mutually agree to pay out any or all CTO time. All unused CTO shall be paid upon termination. All CTO in excess of one hundred (100) hours shall be paid.**

**ARTICLE 15  
STAND-BY COMPENSATION**

15.1 When the Employer requires an Employee to remain available for call back at any time, the Employee shall receive stand-by pay.

15.2 When an Employee is required to stand-by, he/she shall be compensated for such stand-by time at the rate of two (2) hours of straight-time compensation by cash for each accumulated eight (8) hours of stand-by.

15.3 The City reserves the right to close the Corporation Yard or any other facility if the City determines, in its sole discretion, that the facility need not be open. The Union acknowledges that Employees do not have the right or privilege to stand-by at non-public City facilities without the express consent of the City.

**ARTICLE 16  
CALLBACK COMPENSATION**

16.1 When the Employer, due to an emergency, requires an Employee to return to work other than his regularly scheduled workday, the Employee shall be entitled to call-back compensation.

16.2 The Employer shall compensate the Employee a minimum of two (2) hours of overtime compensation irrespective of the actual time worked when an Employee is called back to perform an emergency task. In the event the task exceeds two (2) hours duration, the total overtime compensation shall be for the hours actually worked.

## ARTICLE 17 SICK LEAVE

17.1 Sick leave is available to an employee to use in case of illness, bodily injury, exposure to a contagious disease, medical or dental appointment or attendance upon seriously ill member of employee's immediate family, as defined by these rules. An employee may take paid sick leave after the first month of employment. Every effort by the employee shall be made to schedule appointments during non-work hours.

17.2 Sick leave with pay shall be granted to all employees. Sick leave shall be earned at the rate of eight (8) hours per calendar month of service, not to exceed a total maximum accumulation of one thousand nine hundred twenty (1920) hours. No sick leave shall be earned once the maximum accrual is reached.

17.3 The City agrees to pay fifty percent (50%) of Employee's unused accumulated sick leave upon retirement or death. Upon reduction in force, the City shall pay twenty-five percent (25%) of Employee's unused accumulated sick leave.

17.4 Employees who have less than thirty-six (36) days of sick leave accumulated may, in lieu of taking vacation, bank said vacation time under sick leave.

17.5 Family Leave shall be administered in accordance with applicable State and Federal law.

17.6 **Bereavement Leave:** In the event of a death in the immediate family, the Employee may take off up to four (4) days. The immediate family shall be defined as husband, wife, child, mother, father, brother, sister, grandparents and grandchildren. Such leave shall be charged to sick leave.

17.7 When an employee is off work as a result of a valid on-the-job injury sustained in the service of the City, the employee is entitled to use their accrued Sick Leave during the period of disability to make up the difference between their regular pay and the Workers Compensation Temporary Disability Payments. The City shall pay only that amount necessary to make up the difference between the employee's monthly rate and the amount payable to the employee as temporary disability payments from the Worker's Compensation Insurance Plan of the City. To take advantage of this benefit, the employee must forward their Temporary disability check to the City.

17.8 The City may require verification of the necessity for sick leave. Such verification may be in the form of a written statement from a doctor or a personal affidavit from the Employee. The City reserves the right to specify which of the two verification procedures will be required in any particular situation. If the City requires verification from a physician, the City shall pay for the cost of such verification to the extent such cost is not reimburse by the Employee's health insurance.

17.9 If the City determines that an Employee has abused the provisions of the sick leave policy, the Employee shall be subject to disciplinary action.

**17.10 Sick Leave Conversion Upon Retirement:** Effective July 1, 2008, in lieu of a cash-out of sick leave, an employee, upon retirement under PERS, may choose as an option to convert a percentage of the dollar value of the sick leave at the employee's current hourly base rate of pay as of the date of retirement, to pay the pre-paid health insurance premium up for a period of time up to age 65 according to the following conversion plan:

<u>Employee's years of Service with City</u>	<u>Percentage value of employee's accrued Sick Leave</u>
Through 15 years	50%
16 through 19 years	70%
20 or more years	80%

(A) Following is the procedure to account for the percentage value of converted sick leave. At the written request of the retiring employee, the City Staff will compute the dollar value of the accrued sick leave according to the percentages shown above and maintain an accounting in the employee's name deducting the amount of monthly City health insurance premium for the "balance".

(B) The value of sick leave does not accrue in a cash fund for each employee, therefore no actual funds are held in trust. The City simply agrees to pay the retiree's premium for a period of time until the balance value of the conversion is depleted.

(C) Should a retired employee want to stop their insurance premium payments under the Section, the employee must notify the City Manager in writing, giving the date payments should end, and City Staff will do an accounting of the actual dollar amount paid out. Should this amount still be less than the fifty percent (50%) value provided for in the sick leave payoff provisions of this MOU, Section 17.3 the balance will be paid to the employee.

(D) Should a retired employee die prior to fully using this benefit, any dependents covered under the health insurance may if permitted to continue insurance coverage by the insurance carrier, receive the continuation of this benefit until fully expended. The benefit shall have no cash value to the employee's estate nor can the City accept any claim for payoff by heirs.

(E) Employees not choosing to remain in the City's offered health plan may use the benefits set out in these sections, to be applied to the cost of a private health plan. The retired employee will be reimbursed, on a quarter year basis, such amounts as provided in these sections, upon submission of a written claim and proof of a paid premium by the retired employee. The form, manner of claim, and proof will be as prescribed by the City.

## **ARTICLE 18 UNIFORM ALLOWANCE**

18.1 The City agrees to furnish, at no cost to the Employees, necessary foul weather gear and safety items required and determined by the City.

18.2 For Public Works Crewmembers, the City may furnish two (2) coveralls per week to each Employee desiring coveralls. Upon City determination, the City agrees to provide either short or long sleeve safety shirts, rubber boots and gloves.

18.3 For Public Works Crewmembers, the City shall allow \$175 per year towards safety field boots subject to verification that the boots purchased meet CAL OSHA Standards (the boots must meet American National Standards Institute [ANSI] Z41-PT99 or American Society for Testing & Materials [ASTM] F24113-05). The allowance will be paid during January of each year.

18.4 For Full Time Community Service Officers, the City shall furnish, upon initial employment and maintain during employment a total of five (5) uniform shirts and three (3) pairs of pants. The City also allows \$75 per year allowance for the purchase of shoes/boots meeting the standards prescribed by the Police Chief. The initial allowance will be paid on January 1, 2009. Replacement of damaged uniform items is subject to Department Policy.

## **ARTICLE 19 HOLIDAYS AND HOLIDAY PAY**

19.1 The employees shall receive the following scheduled holidays off with pay:

(1)	<b>January 1</b>	<b>New Years Day</b>
(2)	<b>February, 3rd. Monday</b>	<b>President's Day</b>
(3)	<b>May, last Monday</b>	<b>Memorial Day</b>
(4)	<b>July 4</b>	<b>Independence Day</b>
(5)	<b>September, 1st. Monday</b>	<b>Labor Day</b>
(6)	<b>November 11</b>	<b>Veterans Day</b>
(7)	<b>November, last Thursday</b>	<b>Thanksgiving Day</b>
(8)	<b>November, last Friday</b>	<b>Post Thanksgiving Day</b>
(9)	<b>December 24</b>	<b>Christmas Eve Day</b>
(10)	<b>December 25</b>	<b>Christmas Day</b>

Effective July 1, 1994, in addition to the scheduled Holidays above, each employee shall be credited with 14 hours of floating Holidays on January 1 and July 1 of each year. Floating Holidays shall be taken in the calendar year credited, at a time and manner mutually agreed to by the employee and the Department Head.

(A) Employees accrue 14 hours of Floating Holiday on January 1<sup>st</sup> and July 1<sup>st</sup> giving each employee 28 hours per calendar year to be used before December 31<sup>st</sup> of that year or they lose these hours.

(B) To receive Floating Holiday hours a new employee must be hired within the first quarter in which the accrual takes place. The employee must have a hire date before April 1<sup>st</sup> to receive 14 hours for January 1<sup>st</sup> or the hire date must be before October 1<sup>st</sup> to receive 14 hours for July 1<sup>st</sup>.

19.2 An Employee who is regularly scheduled to work on a holiday shall be granted a day off at a time mutually agreeable to the Employee and the Employer.

19.3 An Employee who is called back to work on a holiday, which is also his day off, shall be granted a day off at a time mutually agreeable to the Employer and the Employee, plus time and one-half for the actual hours worked. This Section shall be applied in addition to Article 14.

19.4 If a holiday falls on an Employee's day off, the Employer shall compensate the Employee by either eight (8) hours compensatory time off, or eight (8) hours straight-time pay, at the Employee's option.

19.5 Veterans Day (November 11<sup>th</sup>) will be celebrated on the nearest Monday or Friday which will create a three-day weekend. The Christmas Eve Holiday will be celebrated either on Christmas Eve or the day after Christmas; whichever will create a four-day weekend.

## **ARTICLE 20 RETIREMENT**

20.1 The City provides retirement benefits under a Contract with the Public Employees Retirement System (PERS). The City shall pay the employee share of 7% in addition to the City share for miscellaneous members.

The City and the Miscellaneous Unit agree to implement the following changes for new hires as soon as administratively feasible under PERS procedures after the City Council approves the Memorandum of Understanding (MOU).

20.2 For PERS Miscellaneous Members the 2% @ 60 formula with three (3) years average salary.

20.3 New Miscellaneous Unit employees hired after the date the City Council approves the Memorandum of Understanding (MOU) will pay 3.5% of the full 7% of the employees' share of retirement costs.

20.4 Retirement tier for laid off employees: Current regular employees who are laid off after the second retirement tier is adopted are to return to the 2% @ 55 formula with the highest single year if re-employed by the City in less than one (1) year subject to being in compliance with PERS Rules.

## **ARTICLE 21 VACATION**

21.1 Employees shall earn vacation according to the following:

- (A) Employees shall earn vacation with pay at the rate of eighty (80) hours per year after one (1) year of City employment;
- (B) Employees shall earn vacation with pay at the rate of one hundred twenty (120) hours per year after five (5) years of City employment;
- (C) Employees shall earn vacation with pay at the rate of one hundred sixty (160) per year after ten (10) years of City employment;
- (D) Employees shall earn vacation with pay at the rate of two hundred (200) hours per year after fifteen (15) years of City employment;
- (E) The maximum number of vacation hours employees may carry over or have in a vacation account at the start of each new calendar year is one hundred and twenty (120) hours; and
- (F) Employees who have more than one hundred twenty (120) hours in their vacation account will have the excess vacation time paid off at the close of each calendar year.

21.2 The Employee shall have the option of converting up to fifty percent (50%) of unpaid accumulated vacation to cash payment in lieu of taking vacation. The Employee may exercise the payoff option only one (1) time per fiscal year with five (5) working days notice to payroll.

## **ARTICLE 22 PROBATION PERIOD AND EVALUATION**

22.1 All Employee evaluations should be made by the Employee's immediate supervisor or the Employee's Department Head when possible. In the event the immediate supervisor or Department Head is unable to complete the evaluation, the City Manager may complete the evaluation. The City reserves the right to conduct formal evaluation summaries every six (6) months. Nothing contained herein should be construed to limit the right of the City to continually monitor and assess Employee performance and provide feedback to the Employee regarding the Employee's performance.

22.2 All new, promoted, and reclassified Employees are on probation for six (6) months. Current City Employees accepting a promotion to a higher classification retain the right to return to their former classification if the City determines they are unable to satisfy the requirements of the new classification.

## **ARTICLE 23 LAY-OFF POLICY**

23.1 The City may lay off Employees whenever it becomes necessary because of lack of work or funds, or whenever it is deemed advisable in the interests of economy to reduce the force in a department or office.

23.2 Persons shall be laid off in the following order:

- (A) All extra help, temporary and provisional Employees in the same department and within the same job classification shall be laid off before any regular Employee is laid off.
- (B) When it becomes necessary to reduce the force in any department or office by lay-off of regular Employees, seniority shall be the determining factor. In the case where seniority is equal, ability shall govern.

The determination of ability shall be the exclusive responsibility of the Department Head, provided that in making such determination, consideration shall be given to skill, efficiency, knowledge, physical fitness, training and attitude toward fellow Employees.

23.3 Seniority shall be measured from the Employee's initial appointment to City service, but shall not include any period during which such Employee was on leave without pay, or not actually in City employment because of the Employee's voluntary termination, lay-off or other cause; provided that, for any Employee who is re-employed after being discharged, seniority shall be measured from the date of the most recent appointment.

23.4 The City shall send written notice by certified mail, postage prepaid, return receipt requested, and correctly addressed to the last known mailing address of the Employee as found in the Employee's personnel file. In lieu of the above, the City may serve notice by personal service. Notice of lay-off shall be made at least thirty (30) days prior to the effective date of the action.

23.5 In lieu of being laid off, a regular Employee may elect demotion and displacement in the same department to a classification previously held by said Employee with substantially the same or lower salary step and/or to a classification in which said Employee meets the minimum qualifications. Demotion and displacement rights to specify classifications shall be applicable only within the department and subject to lay-off list provisions in this Article based on seniority and ability. Employees wishing demotion and displacement in lieu of lay-off must notify the City Manager in writing of this election no later than seven (7) calendar days after receiving notice of layoff.

## **ARTICLE 24 SPECIAL PROVISIONS**

24.1 The Employees designated by the Public Works Director shall have their D.M.V. physical paid for by the City.

**ARTICLE 25  
SAVINGS CLAUSE**

25.1 If any Article section, subsection, paragraph, sentence, clause or phrase of this Memorandum of Understanding shall, for any reason, be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portion of the Memorandum, it being expressly provided that this Memorandum and each Article section, subsection, paragraph, sentence, clause or phrase hereof would have been adopted irrespective of the fact that any one or more Articles, sections, subsections, paragraphs, sentences, clauses or phrases shall be declared invalid or unconstitutional.

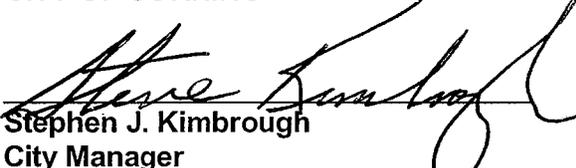
**ARTICLE 26  
TERM OF AGREEMENT**

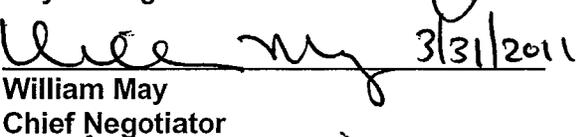
26.1 This Memorandum of Understanding shall be effective July 1, 2011, upon adoption by the City Council of the City of Corning and shall remain in effect until June 30, 2012.

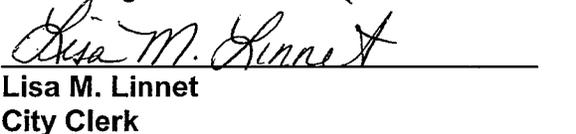
26.2 This Memorandum of Understanding may be extended by mutual agreement of the parties if additional time is required to consummate a new Memorandum.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding this 31 day of March, 2011.

**CITY OF CORNING**

  
Stephen J. Kimbrough  
City Manager

  
William May  
Chief Negotiator

  
Lisa M. Linnet  
City Clerk

**OPERATING ENGINEERS LOCAL  
UNION NO. 3/AFL-CIO**

  
Art Froli  
OE-3 Business Representative

  
Dawn Grine  
Employee Representative

  
Chris Demo  
Employee Representative

**SALARY STEPS**  
January 2011

	<u>CLASSIFICATIONS</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
1	CITY MANAGER	7060	7432	7823	8235	8668
<b>CONFIDENTIAL</b>						
1	ADMINISTRATIVE ASSISTANT	2864	3015	3174	3341	3517
<b>MANAGEMENT UNIT</b>						
1	POLICE CHIEF	5938	6251	6580	6926	7291
1	PUBLIC WORKS DIRECTOR	5610	5905	6216	6543	6887
1	FIRE CHIEF	5514	5804	6109	6431	6769
1	PLANNING DIRECTOR	5184	5457	5744	6046	6364
1	BUILDING OFFICIAL	4685	4931	5190	5463	5750
1	ASST. PUBLIC WORKS DIRECTOR	4089	4304	4530	4768	5019
1	ADMINISTRATIVE SERVICES MANAGER	3540	3726	3922	4128	4345
<b>POLICE UNIT</b>						
3	POLICE SERGEANT	4335	4563	4803	5056	5322
1	POLICE DETECTIVE	4114	4331	4559	4799	5052
10	POLICE OFFICER	3835	4037	4249	4473	4708
<b>DISPATCH UNIT</b>						
1	POLICE COMMUNICATIONS SUPRV.	3658	3850	4053	4266	4490
4	FIRE DISPATCH	2867	3018	3177	3344	3520
5	POLICE DISPATCH	2867	3018	3177	3344	3520
<b>MISCELLANEOUS UNIT</b>						
1	RECREATION SUPERVISOR	3683	3877	4081	4296	4522
1	BUILDING/PW INSPECTOR	3328	3503	3687	3881	4085
1	EQUIPMENT MECHANIC	3175	3342	3518	3703	3898
2	ACCOUNTING TECHNICIAN	3080	3242	3413	3593	3782
2	EQUIPMENT OPERATOR	3068	3229	3399	3578	3766
6	MAINTENANCE WORKER I	2692	2834	2983	3140	3305
1	SECRETARY - CHIEF OF POLICE	2668	2808	2956	3112	3276
1	PUBLIC WORKS SECRETARY	2668	2808	2956	3112	3276
2	COMMUNITY SERV OFFICER	2581	2717	2860	3010	3168
1	ACCOUNTING ASSISTANT	2519	2652	2792	2939	3094
<b>UNREPRESENTED CLASSIFICATIONS</b>						
0	POLICE TRAINEE	2186				
<b>PART-TIME CLASSIFICATIONS</b>						
		<b>HOURLY</b>	<b>RATES</b>	<b>FOR</b>	<b>PART</b>	<b>TIME</b>
1	OFFICE ASSISTANT II - PT	10.85	11.42	12.02	12.65	13.32
0	HEARING OFFICER	25.50				
1	RECREATION COORDINATOR P/T					
2	DISPATCHERS PT	equiv.	to top	step	full	time
1	COMMUNITY SERVICE OFFICER P/T	10.32	10.84	11.38	11.95	12.55
1	POOL MANAGER	12.66	13.29	13.95	14.65	15.38
1	ASSISTANCE POOL MANAGER	11.44	12.06	12.66	13.29	13.95
3	LIFEGUARD II	9.00	9.45	9.92	10.42	10.94
6	LIFEGUARD	8.15	8.56	9.00	9.45	9.92
15	<b>TOTAL PART TIME EMPLOYEES</b>					
52	<b>TOTAL FULL TIME EMPLOYEES</b>					
<u>67</u>	<b>TOTAL EMPLOYEES - SUMMER MONTHS ( IF ALL POSITIONS FILLED)</b>					
<u>52</u>	<b>TOTAL EMPLOYEES - WINTER MONTHS</b>					



# City of Corning

794 Third St. Corning, CA 96021 (530) 824-7020 Fax (530) 824-2489

## CONTINUATION OF SIDE LETTER OF AGREEMENT

BETWEEN  
CITY OF CORNING

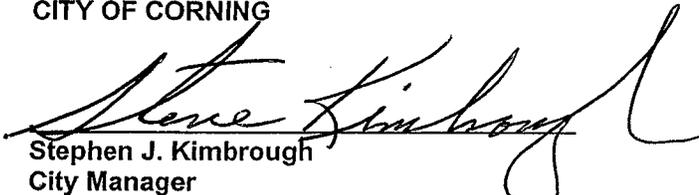
AND  
MISCELLANEOUS UNIT

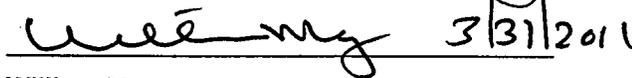
Re: Furloughs  
March 23, 2011

Furloughs began on October 4, 2009 and would have ended June 30, 2010. Prior to expiration the parties met and agreed to continue the furloughs through June 30, 2011. This new side letter extends furloughs through June 30, 2012. The City and the Miscellaneous Unit agree to staff furloughs as follows:

1. All regular full-time members of the Miscellaneous Unit shall be furloughed eight (8) hours each pay period with a corresponding loss of pay.
2. Furloughs will continue beginning July 1, 2011 and run through June 30, 2012.
3. Should the City layoff any regular full time City employee, furloughs will be discontinued and hours and salaries will be adjusted back to their normal pre-furlough hours and salaries effective the start of the pay period closest to the date the lay off(s) actually occur; and  
Regular full time City employees who are actually laid off shall receive one month's severance pay at their normal pre-furlough rate.
4. City Hall and the Yard shall continue to be closed every other Friday concluding with the end of furlough days on June 30, 2012.
5. Miscellaneous Unit members work schedules shall consist of five (5), eight (8) hour days per week Monday through Friday alternating with four(4), eight (8) hour days Monday through Thursday for a total of seventy-two (72) hours worked during a pay period.
6. Overtime shall be paid after eight (8) hours in a day, or forty (40) hours in a workweek; or, after eight (8) hours in a day or thirty-two (32) hours in a workweek, dependent upon the workweek schedule.
7. The Community Services Officers workweek shall meet the needs of the Police Department and be based upon the schedule developed by the Police Chief.

CITY OF CORNING

  
Stephen J. Kimbrough  
City Manager

 3/31/2011

William May  
Chief Consultant



Lisa M. Linnet  
City Clerk

OPERATING ENGINEERS LOCAL  
UNION NO. 3 AFL-CIO

 3/31/2011  
Art Frolli  
OE-3 Business Representative



Dawn Grine  
Employee Representative



Chris Demo  
Employee Representative

ITEM NO: J-15  
ADOPT RESOLUTION NO. 04-12-2011-01,  
ADOPTING RECORDS MANAGEMENT  
GUIDELINES AND RETENTION  
SCHEDULE  
APRIL 12, 2011

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER  
LISA M. LINNET, CITY CLERK *lmc*  
MICHAEL C. FITZPATRICK, CITY ATTORNEY *MCF*

**SUMMARY:**

Staff seeks formal approval of the Records Management Guidelines and Retention Schedule on file and available for review in the City Clerk's Office.

**BACKGROUND:**

In matters of records retention, the City currently references a prepublication edition of the "Local Government Records Retention Guidelines" dated August 1999 endorsed by resolution of the General Assembly of the League of California Cities and the City Clerks Association of California. This document was developed by a Committee from the City Clerks Association and endorsed by the Secretary of State and approved by the State Legislature as Senate Bill 742 in the 1998-99 Session.

Staff is now seeks formal authorization to replace the Records Retention Guidelines currently used with the updated California State Archives 2002 Version.

Adoption of these Guidelines and Retention Schedule by the Council will provide a set standard for maintaining the City's records and ensure consistency with State Guidelines.

**RECOMMENDATION:**

**MAYOR AND COUNCIL ADOPT RESOLUTION NO. 04-12-2011-01, A RESOLUTION ADOPTING RECORDS MANAGEMENT GUIDELINES AND RETENTION SCHEDULE FOR THE CITY OF CORNING.**

**RESOLUTION 04-12-2011-01**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF CORNING  
ADOPTING RECORDS MANAGEMENT GUIDELINES  
AND RETENTION SCHEDULE**

**WHEREAS**, the City has a need to adopt guidelines which specify the length of time that the City retains documents which are in its possession; and

**WHEREAS**, State and Federal law contain numerous requirements which mandate that certain kinds of documents be retained by cities for specified minimum lengths of time; and

**WHEREAS**, the City of Corning has been following certain guidelines developed by the City Clerks' Association of California and the League of California Cities for many years but has not formally adopted those guidelines; and

**WHEREAS**, it is important for the City to formalize the procedures it wishes to follow with respect to the length of time it retains various types of public documents;

---

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Corning officially adopts the "Local Government Records Management Guidelines" dated February 2006 and attachments thereto developed by the California Secretary of State and incorporates the provisions thereof, and future amendments thereto, by reference as its own guidelines and requirements; and

The City Council acknowledges that by this action it has, together with other provisions, specifically adopted by reference the 2002 version of the Local Government Retention Schedule Guidelines contained therein, and future amendments thereto; and

The City Council also confirms that, in taking this action, it is not replacing or superseding other previously adopted guidelines which govern the retention of e-mails and other forms of electronic communication, the subject of which has been addressed separately.

**PASSED AND ADOPTED** by the City Council of the City of Corning on April 12, 2011 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**Gary Strack, Mayor**

**ATTEST:**

---

**Lisa Linnet, City Clerk**

ITEM NO.: J-16  
RESOLUTION NO. 04-12-2011-02  
ADOPTING REVISIONS TO THE CITY'S  
CONFLICT OF INTEREST CODE  
APRIL 12, 2011

TO: HONORABLE MAYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER *Steve*  
MICHAEL C. FITZPATRICK, CITY ATTORNEY *Mike*  
LISA M. LINNET, CITY CLERK *LML*

**SUMMARY:**

As Form 700's are filed this year by persons required to file these "conflict of interest" statements, it has come to the City Clerk's attention that some of commissioners now filing statements should not have to do so. Since State law does not require them to file, the City can amend its own laws to remove this requirement thus saving both the commissioners and the City Clerk significant time and effort.

**BACKGROUND:**

State law requires the City to review its Conflict of Interest Code every two years in even numbered years to ensure that it is current. We did so last year and will need to do so in 2012 again. However, it would be helpful to make the changes proposed in the attached resolution now rather than waiting in order to avoid having to complete these forms once again for 2011.

The proposed revisions to the Code are attached to this report as Appendix A to the Resolution. For clarity, a strikeout version of Appendix A is attached as Attachment 2 for your reference.

**RECOMMENDATION:**

**MAYOR AND CITY COUNCIL MOVE TO ADOPT THE RESOLUTION MAKING REVISIONS TO THE EXISTING CITY OF CORNING CONFLICT OF INTEREST CODE.**

**RESOLUTION NO. 04-12-2011-02**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF CORNING  
ADOPTING REVISIONS TO ITS CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act, Government Code Section 81000 et. Seq., requires state and local government agencies to adopt Conflict of Interest Codes and to review those Codes periodically to ensure that they are current; and

**WHEREAS**, the Conflict of Interest Code now in effect in the City of Corning has been reviewed and there are revisions needed to reflect current conditions with respect to those persons who should be required to file annual Form 700s; and

**WHEREAS**, the City's Conflict of Interest Code only needs to require the filing of such statements by employees with positions within the City "which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest" of the employee (Gov't Code section 87302(a); and

**WHEREAS**, a review of the decisions made by Recreation Commissioners, Library Commissioners and Airport Commissioners in the City reveals that none of the decisions they make would "foreseeably have a material financial effect" on their own financial interests; and

**WHEREAS**, there are no Business Improvement District directors currently serving;

**NOW, THEREFORE, BE IT RESOLVED**, that:

The list of designated employees required to file Statements of Economic Interest is hereby amended to include all those officers and employees as set forth in amended "Appendix A", which is attached hereto and incorporated herein by this reference. "Appendix B" which is attached remains in full force and effect, unchanged.

(Recreation Commissioners, Library Commissioners, Airport Commissioners and BID Directors have been removed.)

This Resolution shall take effect upon its adoption.

The foregoing Resolution was passed and adopted at a regular meeting of the City Council of the City of Corning, held on April 12, 2011, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**GARY R. STRACK, MAYOR**

**ATTEST:**

---

**LISA M. LINNET, CITY CLERK**

## APPENDIX A

<u>Category Position</u>	<u>Disclosure</u>
City Manager	Note 1, below
City Attorney	Note 1, below
City Treasurer	Note 1, below
City Clerk	1
Deputy City Clerk	1
Finance Officer	Note 1, below
Public Works Director	2, 3, 4
Assistant Public Works Director	2, 3, 4
Planning Director	2, 3, 4
Building Inspector	2, 3, 4
Wastewater Treatment Plant Operator (SWWC Incorporated)	2, 3, 4
Police Chief	2, 3
Fire Chief	2, 3
Recreation Supervisor	2, 3
Mayor	Note 1, below
City Council Members	Note 1, below
Planning Commissioners	Note 1, below
Consultants	Note 2, below

1. Although listed here, this position does not fall into the category of "designated employee" because it is a position identified in Government Code, Section 87200 and the Government Code itself specified the filing requirements for this position.
2. Consultants shall be included in the lists of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirement. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

## **APPENDIX B**

### **General Provisions**

When a designated employee is required to disclose investments and sources of income, he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

### **DISCLOSURE CATEGORIES**

#### **Category 1: Officials and employees whose duties are broad and indefinable:**

- a) Investments, business positions, and income from sources located in or doing business in the City.
- b) Interests in real property located in the jurisdiction, including property located within a two mile radius of any property owned or used by the City.

#### **Category 2: Officials and employees whose duties involve contracting or purchasing:**

- a) Investments, business positions, and sources of income of the type which:
- b) Provide services, supplies, materials, machinery or equipment of the type utilized by the City.

#### **Category 3: Agencies with regulatory powers:**

- a) Investments, business positions, and sources of income of the type which:
- b) Are subject to the regulatory, permit or licensing authority of the City.

#### **Category 4: Designated employees whose decisions may affect real property interests:**

- a) Investments, business positions, and sources of income of the type which:
- b) Engage in land development, construction or the acquisition or sale of real property.
- c) Interests in real property located within the City, including property located within a two mile radius of any property owned or used by the City.

#### **Category 5: Agencies which provide pooled self-insurance benefits:**

- a) Interests in real property located within the City, including property located within a two mile radius of any property owned or used by the City.
- b) Investments, business positions, and sources of income of the type which:
- c) The City is empowered to invest its funds.
- d) Provide services, supplies, materials, machinery or equipment of the type utilized by the City.
- e) Engaged in the business of insurance including, but not limited to, insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers and actuaries.
- f) Financial institutions including, but not limited to; Banks, Savings and Loan Associations and Credit Unions.
- g) Have filed a claim, or have a claim pending, against the City.

#### **Category 6: Joint Power Authorities:**

- a) Interests in real property located within the City including property located within a two mile radius of any property owned or used by the City.
- b) Investments, business positions, and sources of income from the type which:
- c) The City is empowered to invest its funds.
- d) Contracted with the City to provide services supplies, materials or equipment.
- e) Are Insurance Companies, carriers, holding companies, underwriters, agents, solicitors, or brokers.
- f) Have filed a claim or have a claim pending, against the City.

**APPENDIX A**

<b><u>Category Position</u></b>	<b><u>Disclosure</u></b>
City Manager	Note 1, below
City Attorney	Note 1, below
City Treasurer	Note 1, below
City Clerk	1
Deputy City Clerk	1
Finance Officer	Note 1, below
Public Works Director	2, 3, 4
Assistant Public Works Director	2, 3, 4
Planning Director	2, 3, 4
Building Inspector	2, 3, 4
Wastewater Treatment Plant Operator (SWWC Incorporated.)	2, 3, 4
Police Chief	2, 3
Fire Chief	2, 3
Recreation Supervisor	2, 3
Mayor	Note 1, below
City Council Members	Note 1, below
Planning Commissioners	Note 1, below
<del>Recreation Commissioners</del>	<del>1</del>
<del>Library Commissioners</del>	<del>1</del>
<del>Airport Commissioners</del>	<del>1</del>
Consultants	Note 2, below
<del>Business Improvement District Directors</del>	<del>1</del>

1. Although listed here, this position does not fall into the category of “designated employee” because it is a position identified in Government Code, Section 87200 and the Government Code itself specified the filing requirements for this position.
2. Consultants shall be included in the lists of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The City Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirement. The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

~~Strikeout~~ = Job title removed.

**ITEM NO. J-17  
APPROVE A TWO PHASE DESIGN AND  
CONSTRUCTION PLAN FOR DEVELOPMENT  
OF THE CORNING COMMUNITY PARK**

**APRIL 12, 2011**

**TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS**  
**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER**  
**ED ANDERSON, CITY ENGINEER**  
**JOHN STOUFER, PLANNING DIRECTOR**



**SUMMARY:**

The escrow has closed, and the City now owns the property. Once the surveying and topographic maps are completed, City Engineer Ed Anderson will begin preparing final design and engineered plans for construction of the park. Due to the significant amount of engineering involved, Staff recommends designing and constructing the park in two phases; this will expedite both processes and allow construction to commence in Phase I while the design and engineering of Phase II is completed.

Attached (Exhibit "A") is the conceptual plan of the park showing the proposed phases of development. The Park is naturally divided by Jewett Creek. Phase I would be that portion west of the creek including the bike and skateboard park, hard court, playground and amphitheater. Phase II would be east side of the creek and include the lighted soccer fields, playground, entrance road and parking lot.

By phasing the designing, engineering and construction of the Park, the City Engineer believes that he would be able to have plans completed so the City could go out to bid this summer with construction of Phase I commencing in late summer or early fall of 2011.

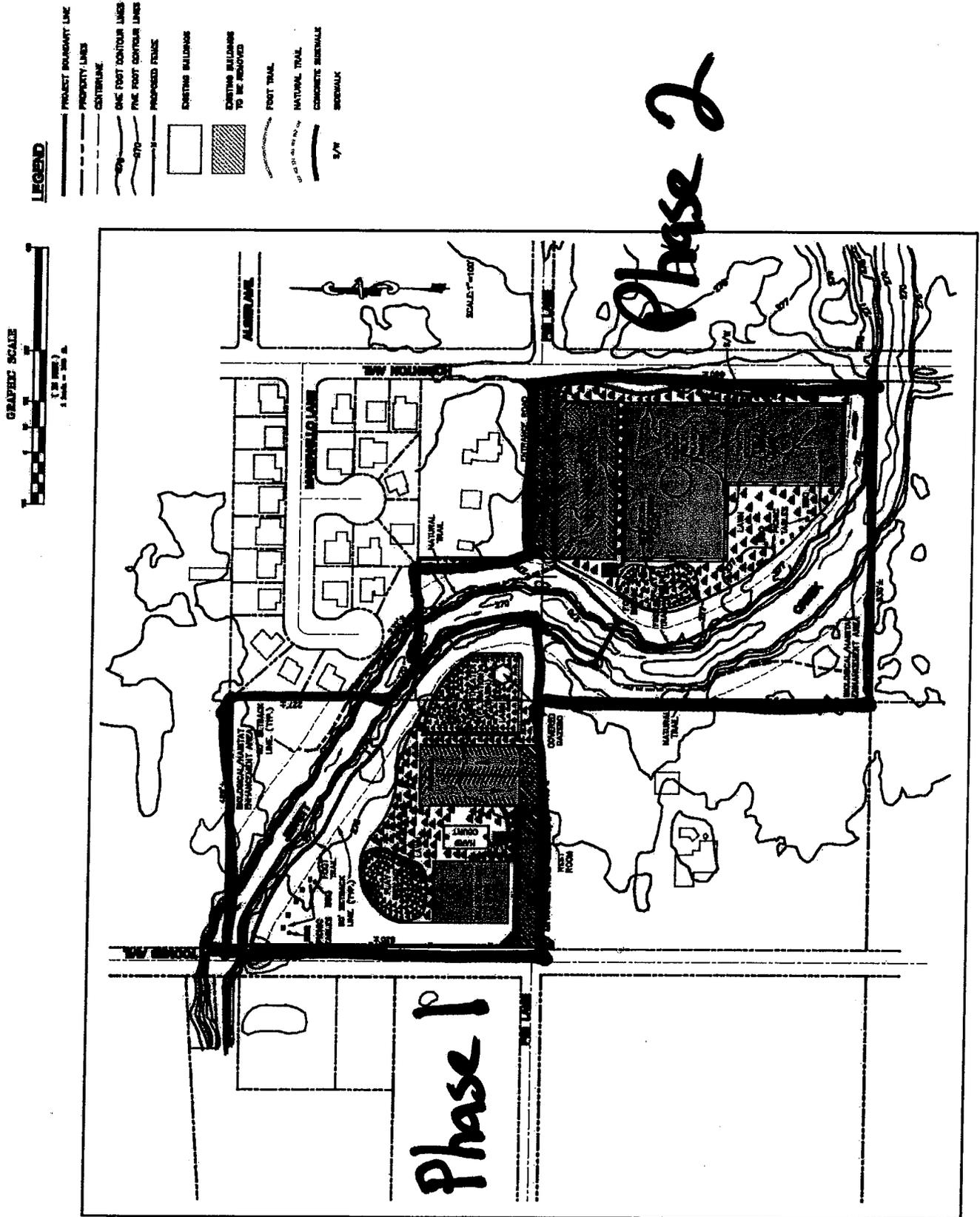
He could then complete the plans for Phase II during the fall and winter of 2011. The City would be able to seek bids and commence construction of Phase II in the spring of 2012.

The Park & Recreation Commission also reviewed the Phasing Plan and agreed that the Phasing Plan, as recommended by Staff, was the appropriate method for development of the park.

**RECOMMENDATION:**

**MAYOR AND CITY COUNCIL APPROVE THE DESIGN AND PHASING PLAN FOR DEVELOPMENT OF THE CORNING COMMUNITY PARK AND DIRECT STAFF TO COMMENCE WITH PREPARING THE PLANS AND EXECUTE A CONTRACT WITH THE CALIFORNIA STATE PARKS, OFFICE OF GRANTS AND LOCAL SERVICES, FOR THE DEVELOPMENT OF PHASE 1 OF THE CORNING COMMUNITY PARK.**

# Exhibit "A"



Conceptual Site Plan Prepared By Ed Anderson, Civil Engineer.



FIGURE 5 – COMMUNITY PARK CONCEPTUAL SITE PLAN