



**CITY OF CORNING  
CITY COUNCIL AGENDA  
TUESDAY, APRIL 14, 2009  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

<b>Council:</b>	<b>Hill</b>
	<b>Turner</b>
	<b>Parkins</b>
	<b>Leach</b>
<b>Mayor:</b>	<b>Strack</b>

**C. INVOCATION AND PLEDGE OF ALLEGIANCE:**

**D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:**

- 1. Proclamation – May 6, 2009 “Tehama County Peace Officers’ Memorial Day”.** Present to accept the Proclamation will be Tehama County Deputy Coroner Kurt Lampe representing the Tehama County Peace Officers’ Association.
- 2. Proclamation – May 12, 2009 – May 18, 2009 “Public Telecommunications Week”.** Present to accept the Proclamation on behalf of the City of Corning Dispatchers will be Police Chief Tony Cardenas and Fire Chief Martin Spannaus.

**E. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:**

**F. BUSINESS FROM THE FLOOR:** If there is anyone in the audience wanting to speak on an item not already on tonight’s Agenda, if so, please come to the podium, identify yourself and briefly present your information to the Council. **A three-minute time limit will apply unless the Council makes an exception due to special circumstances.** If your matter will require more time or formal action by the Council, the law requires that it be placed on the printed Agenda for a future meeting so that interested members of the public will have the 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.

- 3. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 4. Waive the Reading and Approve the Minutes of the March 24, 2009 Meeting with any necessary corrections.**
- 5. April 8, 2009 Claim Warrant - \$414,949.71.**
- 6. March 2009 Wages and Salaries - \$334,359.10.**
- 7. March 2009 – Treasurer’s Report.**
- 8. March 2009 Building Permit Valuation - \$793,167.23.**
- 9. City of Corning Wastewater Operation Summary Report – March 2009.**

10. Recommend Appointment of Allen Turner to the Corning Recreation Commission.
11. Ratify Addendum to Employee Memorandum of Understanding Limiting Vacation and Administrative Time Accrual for Management Unit.
12. Waive Recreational Use Fee for 2<sup>nd</sup> Annual Westside American Legion Fundraiser.
13. Authorization to Seek Formal Bids to Prune 850 City Street and Park Trees beginning at Solano Street south from I-5 to East City Limits.
14. Approve Rodgers Theatre Grant Consulting Services by Michael P. Garofalo.
15. Approve Progress Pay Estimate No. 5 to Tom Williams Construction in the amount of \$31,650 for the Safe Route to School, Cycle 7 Project.
16. Authorization to Seek Edward Byrne Memorial Justice Assistance Grant.

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

I. **PUBLIC HEARINGS AND MEETINGS:** Any person may speak on items scheduled for hearing at the time the Mayor declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

17. Rezone 2009-1, Ordinance 634: An Ordinance of the City of Corning amending Section 16.18.010 (C) and Section 17.54.015 of the Corning Municipal Code.
18. Public Hearing: Receive Public Comments and Adoption of Community Development Block Grant (CDBG) Program Income Re-Use Plan.
19. Community Development Block Grant (CDBG) Program: First Public Hearing to discuss Fiscal Year 2009-2010 CDBG Program for the General Allocation and to Solicit Citizen Input.

J. **REGULAR AGENDA:**

20. Skateboard Park Progress Report.

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

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

M. **REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

21. Hill:
22. Turner:
23. Parkins:
24. Leach:
25. Strack:

N. **ADJOURNMENT!:**

POSTED: FRIDAY, APRIL 8, 2009

## **PROCLAMATION**

### **MAY 6, 2009 TEHAMA COUNTY PEACE OFFICERS' MEMORIAL DAY**

**WHEREAS**, the Community of Corning recognizes the important role our Police Officers have in maintaining a free and peaceful society; and

**WHEREAS**, the City of Corning recognizes that these dedicated men and women who serve in the law enforcement profession have made a commitment to preserving freedom and security though they face extraordinary risk and danger; and

**WHEREAS**, Wednesday, May 6, 2009, will be observed in the City of Corning and throughout Tehama County as Tehama County Peace Officers' Memorial Day in commemoration of those Peace Officers who have given their lives in the line of duty; and

**NOW, THEREFORE**, I, Gary R. Strack, Mayor of the City of Corning do **HEREBY PROCLAIM THAT WEDNESDAY, MAY 6, 2009, SHALL BE OBSERVED IN THE CITY OF CORNING AS: TEHAMA COUNTY PEACE OFFICERS' MEMORIAL DAY** in conjunction with National Police Week and California Peace Officers' Memorial Day.

**I DO FURTHER PROCLAIM** that the City Hall and Transportation Center flags will be flown at half-staff on this day in honor of all peace officers killed in the line of duty, and that this Proclamation will be posted at the Corning Police Department for all to see.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 14<sup>nd</sup> day of April 2009.

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**Gary R. Strack, Mayor**

## PROCLAMATION

### **PUBLIC SAFETY TELECOMMUNICATIONS WEEK APRIL 12, 2009 THROUGH APRIL 18, 2009**

**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 12, 2009 THROUGH APRIL 18, 2009 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 14<sup>th</sup> day of April 2009.**

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**GARY R. STRACK, MAYOR**

**ATTEST:**

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**LISA M. LINNET, CITY CLERK**



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, MARCH 24, 2009  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Hill  
Turner  
Parkins  
Leach  
Strack**

**Mayor:**

All Councilmembers were present.

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.

No comments were received in relation to the Closed Session.

**C. ADJOURN TO CLOSED SESSION: 6:31 p.m.**

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**

**Agency Negotiator: William May, Labor Relations Consultant  
Miscellaneous Employee Bargaining Unit  
Management Employee Bargaining Unit**

**CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation, Initiation of  
Litigation pursuant to subdivision (c) of section 54956.9.**

**City Attorney and Planning Director regarding possible litigation:  
Corning West Apartments.**

**D. RECONVENE AND REPORT ON CLOSED SESSION: 7:30 p.m.**

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**

**Agency Negotiator: William May, Labor Relations Consultant  
Miscellaneous Employee Bargaining Unit  
Management Employee Bargaining Unit**

Mayor Strack reported that the Council had met with the City's Labor Negotiator and gave him direction.

**CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation, Initiation of  
Litigation pursuant to subdivision (c) of section 54956.9.**

**City Attorney and Planning Director regarding possible litigation:  
Corning West Apartments.**

Mayor Strack reported that Council met with City Staff and the City Attorney and gave direction based upon the information presented.

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

**F. INVOCATION AND PLEDGE OF ALLEGIANCE:**

Councilor Leach gave the Invocation and City Manager Stephen Kimbrough led the Pledge of Allegiance.

**G. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:**

1. **Proclamation – April 2009 Sexual Assault Awareness Month and April 22, 2009 as “Denim Day California” in the City of Corning.** (Michelle Bouma, Counselor/Community Outreach for Rape Crisis Intervention and Prevention will be present to accept the Proclamation.)

Mayor Strack presented the Proclamation to Michelle Bouma, Counselor/Community Outreach for Rape Crisis Intervention and Prevention.

2. **Proclamation – Designating May 2009 as “Relay for Life Month” in the City of Corning.** (Present to accept the Proclamation will be Jean Anderson, Corning Representative of Relay for Life, and Richard Scheuler, Relay Events Coordinator.)

Mayor Strack presented the Proclamation to Jean Anderson Corning Representative of Relay for Life and Richard Scheuler, Relay Events Coordinator. Ms. Anderson stated that May 1<sup>st</sup> is “Paint Your Town Purple Day”. Councilor Hill challenged the Council and all City Staff to wear purple on May 1<sup>st</sup>.

**H. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:** Not present.

**I. BUSINESS FROM THE FLOOR:** None.

**J. 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.

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **Waive the Reading and Approve the Minutes of the March 10, 2009 Meeting with any necessary corrections.**
5. **March 18, 2009 Claim Warrant - \$210,951.57.**
6. **March 18, 2009 Business License Report.**
7. **Ratify Memorandum of Understanding between City and Operating Engineers Local #3 Representing City of Corning Public Safety Bargaining Unit.**
8. **Ratify Addendum to Employee Memorandum of Understanding Limiting Vacation and Compensatory Time Accrual for Miscellaneous Bargaining Units.**

Mayor Strack introduced the Consent Agenda Items by title and stated that he would like to pull Item 7 to address as a separate item.

With no further discussion on the remaining Consent Agenda Items, Councilor Turner moved to approve Consent Agenda Items 3-6 and 8. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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

**7. Ratify Memorandum of Understanding between City and Operating Engineers Local #3 Representing City of Corning Public Safety Bargaining Unit.**

Mayor Strack confirmed that the increased cost to the City in the first year of the MOU would be \$28,824 and \$68,000 in the two following years.

With no further discussion, Councilor Parkins moved to ratify the Memorandum of Understanding between the City of Corning and the Operating Engineers Local #3 representing the City of Corning Public Safety Employees Bargaining Unit. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

**L. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Mayor declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

**9. Continued Public Hearing and Action on Request for Disposal Service Rate Increase.**

Mayor Strack introduced this item by title adding that at the last Public Hearing two Councilmembers were appointed to meet with Tim Magill of Waste Management to discuss a reduction of the proposed CPI increase and the Public Hearing was continued to the next City Council Meeting (tonight). He then reopened the Public Hearing at 7:47 p.m.

Mayor Strack announced the proposed rate changes resulting from the meeting between Mayor Strack and Vice Mayor Hill, Tim Magill of Waste Management and City Staff. He stated that from this meeting, the proposed rate increase for this year would be 2.47% for CPI and 2% increase for fuel cost adjustment, for a total increase this year of 4.47% (with an additional 2% automatic deferred increase for CPI postponed until April 1, 2010).

With no further discussion, Councilor Hill moved to, having conducted the Public Hearing and receiving all protests, consider and approve the final rate increase by approving "Exhibit C Amended" effective April 1, 2009 reflecting a 2.47% Consumer Price Index Increase and a 2% fuel cost adjustment, for a total of 4.47% as reflected in the rate schedule and postponing a portion (2%) of the CPI to April 1, 2010, as also shown on the attached rate schedule in the right hand column. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, and Parkins. Opposed: Turner and Leach. Absent/Abstain: None. Motion was approved by a vote of 3-2 with Councilors Turner and Leach both opposing.**

**M. REGULAR AGENDA:**

**10. Presentation and Request for Approval of the Five-Year Regional Agency Integrated Waste Management Plan Review Report by Kristina Miller, Solid Waste Program Manager, Tehama County Sanitary Landfill Agency.**

Kristina Miller, Tehama County Sanitary Landfill Agency Solid Waste Program Manager presented the 5-year Regional Agency Integrated Waste Management Plan Review Report to the City Council outlining the content of the report.

With no discussion, Councilor Turner moved to approve the Five Year Regional Agency Integrated Waste Management Plan Review Report. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

**11. Presentation on the \$28,538 Department of Conservation Multi-Family Recycling Grant for the City of Corning by Kristina Miller, Solid Waste Program Manger, Tehama County Sanitary Landfill Agency.**

Kristina Miller, Tehama County Sanitary Landfill Agency Solid Waste Program Manager reported on the \$28,538 Department of Conservation Multi-Family Recycling Grant for the City of Corning. She provided the Council with an outline of the Recycling Grant stating that following submittal of this Agenda Item she had received a "Stop Notice" from the State due to a lack of funding.

**12. Presentation by D. Andrew Cox of the Tehama County Mosquito and Vector Control District's "End of Year Report – 2008".**

D. Andrew Cox presented the Tehama County Mosquito and Vector Control District's "End of the Year 2008" Report.

**13. Proposed Amendment to City Council Rules of Procedure (Vice Mayor).**

Mayor Strack introduced this item by title explaining that this is a revision to the existing Codes enabling, via a rotation schedule, each member of Council to serve as Vice Mayor.

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

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

**P. REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

**14. Hill:**

**15. Turner:** None.

**16. Parkins:** None

**17. Leach:** Reported on his attendance at the Tripartite Board and Tri-County Economic Development Meetings.

**18. Strack:** Reported on the Transportation Commission meeting. He then stated that he had presented Council and the City Attorney with a listing of placements on the Rodgers Theatre Board.

**Q. ADJOURNMENT!: 8:15 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 8, 2009

**SUBJECT:** Cash Disbursement Detail Report for the  
Tuesday, April 14, 2009 Council Meeting

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

A.	Cash Disbursements	Ending	03-31-09	\$	68,173.93
B.	Payroll Disbursements	Ending	03-26-09	\$	77,493.10
C.	Cash Disbursements	Ending	04-08-09	\$	222,356.23
D.	Payroll Disbursements	Ending	04-07-09	\$	46,926.45

**GRAND TOTAL** \$ 414,949.71

REPORT.: Mar 31 09 Tuesday  
 RUN...: Mar 31 09 Time: 14:04  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 03-09 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	Payment Information
008261	03/24/09	KLE00	KLEIN, DOREEN	-159.81	.00	-159.81	090306u	CK# 008261 Reversed	
008325	03/23/09	ALL01	ALLISON, MELVIN	140.00	.00	140.00	090306	OTS GRANT-CONFERENCE	
008326	03/23/09	JOU00	JOURDAN, JUSTIN BRYANT	140.00	.00	140.00	090306	OTS GRANT-CONFERENCE	
008327	03/25/09	ARA02	ARAMARK UNIFORM SRV. INC.	28.75	.00	28.75	4157500	Mat/Supplies-	
				28.75	.00	28.75	4160280	Mat/Supplies-	
Check Total.....:				57.50	.00	57.50			
008328	03/25/09	ATT13	AT&T/MCI	721.63	.00	721.63	090311	COMMUNICATIONS-	
008329	03/25/09	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0902518	ProfServices Water Dept	
008330	03/25/09	DAY03	DAY WIRELESS SYSTEMS	107.35	.00	107.35	956252	VEH REPL-POLICE	
008331	03/25/09	GAY02	GAYNOR TELESYSTEMS, INC	1703.75	.00	1703.75	000011004	COMMUNICATIONS-POLICE	
008332	03/25/09	GRA02	GRAINGER, W.W., INC	17.31	.00	17.31	985844468	BLD MAINT-FIRE	
008333	03/25/09	GRE03	GREG LARSON SPORTS	206.01	.00	206.01	453734	MAT & SUPPLIES-PARKS	
008334	03/25/09	LEH03	LEHR AUTO ELECTRIC	145.50	.00	145.50	01-027148	VEH REPL-POLICE	
008335	03/25/09	NOR10	NORTHERN FIRE PROTECTION	153.84	.00	153.84	2327	CERT EXTNG-BLD MAINT	
008336	03/25/09	NOR14	NORTHWOOD BACKFLOW SERV	523.46	.00	523.46	10185	PROF SVCS-WTR	
008337	03/25/09	OFF01	OFFICE DEPOT	107.80	.00	107.80	468200742	Office Supplies Policedis	
008338	03/25/09	PAC16	PACIFIC TELEMANAGEMENT	70.40	.00	70.40	104871	COMMUNICATIONS-GEN CITY	
				303.00	.00	303.00	105016	COMMUNICATIONS-GEN CITY	
Check Total.....:				373.40	.00	373.40			
008339	03/25/09	PGE2A	PG&E	48.79	.00	48.79	090318	ELECT-BLUE HERON CT	
008340	03/25/09	SUN01	SUNRISE ENVIRONMENTAL	324.54	.00	324.54	85095	SAFETY ITEMS-FIRE	
008341	03/25/09	TEH26	TEHAMA CO PUBLIC WORKS	897.99	.00	897.99	9102143	A/C CITYWIDE-STR PROJ	
008342	03/25/09	TRI02	TRI-COUNTY NEWSPAPERS	63.00	.00	63.00	02508270	Print/Advert. City Clerk	
				55.13	.00	55.13	02508271	Print/Advert. City Clerk	
				63.00	.00	63.00	025075580	Print/Advert. City Clerk	
				31.50	.00	31.50	025077980	Print/Advert. City Clerk	
				55.13	.00	55.13	025078390	Print/Advert. City Clerk	
				18.38	.00	18.38	025078590	Print/Advert. City Clerk	

REPORT.: Mar 31 09 Tuesday  
 RUN.: Mar 31 09 Time: 14:04  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 03-09 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
008342	03/25/09	TR102	TRI-COUNTY NEWSPAPERS	57.75	.00	57.75	025079770	Print/Advert. City Clerk
				76.13	.00	76.13	025080120	Print/Advert. City Clerk
				70.88	.00	70.88	025081050	Print/Advert. City Clerk
				55.13	.00	55.13	025081470	Print/Advert. City Clerk
				63.00	.00	63.00	025081530	Print/Advert. City Clerk
			Check Total.....	609.03	.00	609.03		
008343	03/25/09	VER04	VERIZON BUSINESS	20.90	.00	20.90	67629684	COMMUNICATIONS-POLICE
008344	03/25/09	VER05	VERIZON BUSINESS	1.19	.00	1.19	67456040	COMMUNICATIONS-
				.04	.00	.04	67469052	CIOMMUNICATIONS-GEN CITY
			Check Total.....	1.23	.00	1.23		
008345	03/25/09	WAR03	WARD'S CONCRETE, INC	2090.00	.00	2090.00	6C	CONCRETE FOR BUS SHELTERS
				3061.50	.00	3061.50	7C	WOODSON PLAYGROUND-PARKS
			Check Total.....	5151.50	.00	5151.50		
008346	03/26/09	HIL01	BECKY HILL	187.68	.00	187.68	090326	CONF/MTGS-CITY COUNCIL
008347	03/27/09	HIL01	BECKY HILL	134.30	.00	134.30	090327	CONF/MTGS-CITY COUNCIL
008348	03/27/09	KOE01	KOEFERAN	250.00	.00	250.00	526269	PROF SVCS-ACO
008349	03/27/09	LIN02	LINNETS TIRE SHOP	104.68	.00	104.68	50244	Veh Opr/Maint-POLICE
008350	03/27/09	MCD01	MCDANIEL SIGN COMPANY	268.13	.00	268.13	2956	VEH REPL-POLICE
008351	03/27/09	NOR31	NORM'S PRINTING	208.18	.00	208.18	0066643	PRINTING/ADV-POLICE
008352	03/27/09	UNI02	UNIFORMS, TUXEDOS & MORE	323.85	.00	323.85	88550	CADET PROGRAM-POLICE
008353	03/27/09	USA01	USA BLUE BOOK	38.20	.00	38.20	779777	MAT & SUPPLIES-WTR
008354	03/31/09	ARA02	ARAMARK UNIFORM SRV.INC.	28.75	.00	28.75	4163018	Mat/Supplies-
008355	03/31/09	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	0902725	ProfServices Water Dept
008356	03/31/09	CLA01	CLARKS DRUG STORE	105.12	.00	105.12	30628	MAT & SUPPLIES-
008357	03/31/09	COR11	CORNING SAFE & LOCK	31.77	.00	31.77	2380	MAT & SUPPLIES-BLD MAINT
				3.10	.00	3.10	2386	MAT & SUPPLIES-WTR
				20.11	.00	20.11	2387A	VEH REPL-POLICE
			Check Total.....	54.98	.00	54.98		
008358	03/31/09	COR22	CORNING MEDICAL ASSOC	130.00	.00	130.00	090326	Emp Physicals-

REPORT.: Mar 31 09 Tuesday  
 RUN....: Mar 31 09 Time: 14:04  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
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PAGE: 003  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description	Payment Information
008359	03/31/09	DEP03	DEPT OF TRANS/CAL TRANS	75.48	.00	75.48	183934	Equip.Maint. St&Trf Light	
008360	03/31/09	GRA02	GRAINGER, W.W., INC	113.76	.00	113.76	986469065	SM TOOLS-MECH MAINT	
				1049.93	.00	1049.93	986469066	MAT & SUPPLIES-PARKS	
			Check Total.....	1163.69	.00	1163.69			
008361	03/31/09	HAT10	HATFIELD'S	164.05	.00	164.05	090325	Mat/Supplies-	
008362	03/31/09	JMB01	JMB OIL COMPANY	486.06	.00	486.06	174485	Veh Opr/Maint-	
008363	03/31/09	KME00	KME FIRE APPARATUS	15.77	.00	15.77	KCA9304	VEH OP/MAINT-FIRE	
008364	03/31/09	LIB03	LIBERTEL	108.32	.00	108.32	171038	COMMUNICATIONS-POLICE	
008365	03/31/09	LIN02	LINNETS TIRE SHOP	1058.37	.00	1058.37	50212	Veh Opr/Maint-	
008366	03/31/09	MCC01	MCCOY'S HARDWARE & SUPPLY	151.25	.00	151.25	090325	MAT & SUPPLIES-WTR	
008367	03/31/09	NAP01	NAPA AUTO PARTS	126.01	.00	126.01	090324	Veh Opr/Maint-	
				1978.47	.00	1978.47	090324A	Veh Opr/Maint-	
			Check Total.....	2104.48	.00	2104.48			
008368	03/31/09	NOR01	NORTH VALLEY BARRICADE	142.11	.00	142.11	11991	MAT & SUPPLIES-	
				37.54	.00	37.54	12014	SIGN REPLACEMENT-STR	
			Check Total.....	179.65	.00	179.65			
008369	03/31/09	OFF01	OFFICE DEPOT	19.08	.00	19.08	468617414	MAT & SUPPLIES-POLICE	
				135.09	.00	135.09	468617734	Office Supplies Policedis	
				176.04	.00	176.04	469098954	Office Supplies Policedis	
			Check Total.....	330.21	.00	330.21			
008370	03/31/09	PGE01	PG&E	18406.48	.00	18406.48	090320	Electricity General City	
008371	03/31/09	WIL10	TOM WILLIAMS CONSTRUCTION	30604.53	.00	30604.53	090401	SRTS-RETENTION	
			Cash Account Total.....	68173.93	.00	68173.93			
			Total Disbursements.....	68173.93	.00	68173.93			
			Cash Account Total.....	.00	.00	.00			

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
3894	03/24/09	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	A90324	POLICE OFFICER ASSOC
3895	03/24/09	EDD01	EMPLOYMENT DEVELOPMENT	3582.27	.00	3582.27	A90324	STATE INCOME TAX
				1168.00	.00	1168.00	1A90324	SDI
			Check Total.....	4750.27	.00	4750.27		
3896	03/24/09	ICM01	ICMA RETIREMENT TRUST-457	275.00	.00	275.00	A90324	ICMA DEF. COMP
3897	03/24/09	OEU03	OPERATING ENGINEERS	800.00	.00	800.00	A90324	CREDIT UNION SAVINGS
3898	03/24/09	PERS1	PUBLIC EMPLOYEES RETIRE	27883.82	.00	27883.82	A90324	PERS PAYROLL REMITTANCE
3899	03/24/09	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	A90324	PERS DEF. COMP.
3900	03/24/09	PRE03	PREMIER WEST BANK	7826.23	.00	7826.23	A90324	HSA DEDUCTIBLE
3901	03/24/09	TEH15	TEHAMA CO SHERIFF'S DEPT	495.57	.00	495.57	A90324	Wage Assignment
3902	03/24/09	VAL06	VALIC	925.00	.00	925.00	A90324	AIG VALIC P TAX
3903	03/26/09	AFL01	AMERICAN FAMILY LIFE	1290.10	.00	1290.10	A90331	AFLAC INS.PRE TAX
3904	03/26/09	BLU02	BLUE SHIELD OF CALIFORNIA	12009.00	.00	12009.00	A90331	MEDICAL INSURANCE
3905	03/26/09	CIT01	CITY OF CORNING	6.00	.00	6.00	A90331	CHGS FOR WAGE ATCHMT
3906	03/26/09	OEU01	OPERATING ENGINEERS #3	14202.00	.00	14202.00	A90331	MEDICAL INSURANCE
3907	03/26/09	OEU02	OPERATING ENG. (DUES)	215.00	.00	215.00	A90331	UNION DUES MGMT
				559.00	.00	559.00	1A90331	UNION DUES POLICE
				280.00	.00	280.00	2A90331	UNION DUES DISPATCH
				600.00	.00	600.00	3A90331	UNION DUES-MISC
			Check Total.....	1654.00	.00	1654.00		
3908	03/26/09	PRI04	PRINCIPAL	3057.99	.00	3057.99	A90331	DENTAL INSURANCE
				559.92	.00	559.92	1A90331	VISION INSURANCE
			Check Total.....	3617.91	.00	3617.91		
3909	03/26/09	TRA03	TRANSAMERICA LIFE INS CO.	1383.20	.00	1383.20	A90331	LIFE INSURANCE
			Cash Account Total.....	77493.10	.00	77493.10		
			Total Disbursements.....	77493.10	.00	77493.10		

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
008283	04/01/09	GOL03	GSFM / WFM	-646.64	.00	-646.64	I-025477u	Ck# 008283 Reversed
				-183.38	.00	-183.38	I-025566u	Ck# 008283 Reversed
Check Total.....				-830.02	.00	-830.02		
008388	04/01/09	BRE01	BREWER, JOHN	400.00	.00	400.00	000A904011	VEH OP/MAINT-
008389	04/01/09	CAR03	CARDENAS, ANTHONY	400.00	.00	400.00	000A904011	ProfServices PoliceServic
008390	04/01/09	COR07	CORBIN WILLIITS SYSTEMS	729.72	.00	729.72	000A904011	Finance Dept.
008391	04/01/09	COR09	CORNING CHAMBER OF COMM.	1600.00	.00	1600.00	000A904011	CngChamberComm. Economic
008392	04/01/09	HAL05	HALL, ROBERT	104.70	.00	104.70	000A904011	ProfServices FireDepartme
008393	04/01/09	KEN00	KEN VAUGHAN & SONS	904.17	.00	904.17	000A904011	Landscape Maint-Parks
008394	04/01/09	KEN01	KEN VAUGHAN & SONS	800.00	.00	800.00	000A904011	Janitorial
008395	04/01/09	PIT01	PITNEY BOWES	241.84	.00	241.84	000A904011	Rents/Leases Finance Dept
008396	04/01/09	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000A904011	K-9 PROGRAM-POLICE
008397	04/01/09	TLD01	TEDC	1666.66	.00	1666.66	000A904011	Economic Devel
008398	04/01/09	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000A904011	Prof. Svcs.-Fire Dept.
008399	04/01/09	ATT02	AT&T	1419.05	.00	1419.05	534865	COMMUNICATIONS-
008400	04/01/09	COR08	CORNING LUMBER CO INC	931.51	.00	931.51	090325	Mat/Supplies-
008401	04/01/09	COR11	CORNING SAFE & LOCK	26.75	.00	26.75	2391	SAFETY ITEMS-POLICE
008402	04/01/09	DEP12	DEPT OF JUSTICE	315.00	.00	315.00	728487	PROF SVCS-POLICE
008403	04/01/09	HEN03	HENRY SCHEIN INC.,	189.18	.00	189.18	670462401	MAT & SUPPLIES-FIRE
008404	04/01/09	NOR31	NORM'S PRINTING	121.56	.00	121.56	006674	PRINTING/ADV-POLICE
				54.99	.00	54.99	006680	OFFICE SUPPLIES-FINANCE
Check Total.....				176.55	.00	176.55		
008405	04/01/09	OEU01	OPERATING ENGINEERS #3	1578.00	.00	1578.00	090401	Health Insurance Payable
008406	04/01/09	PAT02	PATTERSON ELECTRIC,	102.37	.00	102.37	1517	MAT & SUPPLIES-PARKS
008407	04/01/09	PGE2B	PG&E	5326.20	.00	5326.20	090325	ELECT-WWTP
008408	04/01/09	SEI01	SEILER, ROY R., CPA	470.40	.00	470.40	23198	ProfServices Finance Dept

REPORT.: Apr 08 09 Wednesday  
 RUN . . . : Apr 08 09 Time: 14:38  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 04-09 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description	Payment Information
008409	04/01/09	TEH13	TEHAMA CO AUDITOR	78.00	.00	78.00	090401	PkngCiteToCnty PoliceServ	
008410	04/01/09	TEH34	TEHAMA COUNTY PROBATION D	250.00	.00	250.00	090327	EQUIP MAINT-GEN CITY	
008411	04/01/09	WAS01	WASTE MANAGEMENT OF	96884.19	.00	96884.19	090331	WASTE MGMT PYMT-SOLID WAS	
008412	04/02/09	ACC00	ACCESS INFORMATION	40.00	.00	40.00	51494	EQUIP MAINT-GEN CITY	
008413	04/02/09	AND01	ED ANDERSON	3610.00	.00	3610.00	090401	DESIGN ENG-BLKBURN IMPROV	
008414	04/02/09	CAM02	CAMELLIA VALLEY SUPPLY	43.42	.00	43.42	0709057	MAT & SUPPLIES-WTR	
008415	04/02/09	CHE02	CHEM QUIP, INC.	1039.80	.00	1039.80	2051360IN	MAT & SUPPLIES-WTR	
008416	04/02/09	COR01	CORNING VETERINARY	86.80	.00	86.80	20088	ProfServices ACO	
008417	04/02/09	COR03	CORNING RENTALS	10.00	.00	10.00	31135	MAT & SUPPLIES-WTR	
			Check Total.....	30.00	.00	30.00			
008418	04/02/09	FIR00	FIRST BANKCARD	500.00	.00	500.00	090327	CONF/MTGS-CITY COUNCIL	
008419	04/02/09	FIR01	FIRST BANKCARD	1714.13	.00	1714.13	090327	CONF/MTGS-	
008420	04/02/09	FIR02	FIRST BANKCARD	17.16	.00	17.16	090327	SAFETY ITEMS-POLICE	
008421	04/02/09	FIT01	FITZPATRICK LAW OFFICES	474.86	.00	474.86	090401	City Actny Srvs LegalServ	
008422	04/02/09	KNI00	KNIFE RIVER CONSTRUCTION	665.32	.00	665.32	95256	MAT & SUPPLIES-STR	
008423	04/02/09	MID05	MID-VALLEY VETERINARY HOS	210.00	.00	210.00	104445	SPAY/NEUTER VOUCHER PROGR	
008424	04/02/09	NEX01	NEXTEL COMMUNICATIONS	524.44	.00	524.44	090329	COMMUNICATIONS-	
008425	04/02/09	NOR03	NCCSIF	33692.00	.00	33692.00	2009110	WORKMENS COMP-GEN CITY	
008426	04/02/09	NOR25	NORTHERN LIGHTS ENRGY, INC	2580.46	.00	2580.46	346	VEH OP/MAINT-	
			Check Total.....	-2580.46	.00	-2580.46	346u	Ck# 008426 Reversed	
008427	04/02/09	THO01	THOMES CREEK ROCK CO	75.94	.00	75.94	42881	Mat/Supplies-WTR	
008428	04/02/09	VAL01	VALLEY INDUSTRIAL COMM.	15.00	.00	15.00	96704	COMMUNICATIONS-FIRE	
008429	04/02/09	VAL07	VALLEY VETERINARY CLINIC	70.00	.00	70.00	47963	SPAY/NEUTER VOUCHER PROGR	
008430	04/03/09	ARA02	ARAMARK UNIFORM SRV. INC.	28.75	.00	28.75	4165769	Mat/Supplies-	

Check Number	Check Date	Vendor Name	Check Number	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
008431	04/03/09	CALIFORNIA BUILDING STAND	CAL35	50.40	.00	50.40	090403	SB1473/BLD SAFETY
008432	04/03/09	CORNING VETERINARY	COR01	490.00	.00	490.00	20092	SPAY/NEUTER VOUCHER PROGR
008433	04/03/09	CORNING SAFE & LOCK	COR11	1.88	.00	1.88	2393	MAT & SUPPLIES-WTR
008434	04/03/09	CORNING ELECTRONICS	COR20	2.15	.00	2.15	10080520	MAT & SUPPLIES-WTR
008435	04/03/09	DEPT OF CONSERVATION	DEP09	53.84	.00	53.84	090403	StrongMotion Bldg & Safet
008436	04/03/09	ENPLAN	ENP01	3500.00	.00	3500.00	0309194/0	GIS PLNG-GIS PLNG
008437	04/03/09	LYNDON JOHNSON MOTORS, INC	LYN01	1468.57	.00	1468.57	161002	Veh Opr/Maint-
008438	04/03/09	NORTH VALLEY BARRICADE	NOR01	82.37	.00	82.37	12027	SAFETY ITEMS-PW ADMIN
008439	04/03/09	PGE	PGE01	267.04	.00	267.04	090327	Electricity-SWR
008440	04/03/09	PHIL'S AUTOMOTIVE	PHI01	55.00	.00	55.00	33426	Veh Opr/Maint-PARKS
008441	04/03/09	RED TRUCK ROCK YARD, LLC	RED15	128.70	.00	128.70	582059	MAT & SUPPLIES-STR
008442	04/03/09	US BANCORP	USB01	938.58	.00	938.58	120687462	Rents/Leases-GEN CITY
008443	04/06/09	AIRGAS NCN	AIR00	44.63	.00	44.63	102393393	MAT & SUPPLIES-FIRE
008444	04/06/09	AMERIGAS	AME15	127.74	.00	127.74	010064108	NATURAL GAS-ACO
008445	04/06/09	AT&T/MCI	ATT10	1.83	.00	1.83	T9327742	COMMUNICATIONS-POLICE
008446	04/06/09	BASIC LABORATORY, INC	BAS01	86.00	.00	86.00	0902980	ProfServices Water Dept
008447	04/06/09	COMPUTER LOGISTICS, INC	COM01	42.00	.00	42.00	45210	COMMUNICATIONS-
				24.00	.00	24.00	45211	COMMUNICATIONS-FIRE
				277.00	.00	277.00	45212	COMMUNICATIONS-POLICE
				343.00	.00	343.00		
				128.45	.00	128.45	13124	Veh Opr/Maint-FIRE
008448	04/06/09	CORNING FORD MERCURY, INC	COR12	128.45	.00	128.45	13124	Veh Opr/Maint-FIRE
008449	04/06/09	IMAGE SALES	IMA01	16.08	.00	16.08	19261	MAT & SUPPLIES-POLICE
008450	04/06/09	NORTHERN LIGHTS ENRGY, INC	NOR25	334.59	.00	334.59	394	VEH OP/MAINT-FIRE
				-334.59	.00	-334.59	394u	Ck# 008450 Reversed
				.00	.00	.00		
				305.79	.00	305.79	800601669	MAT & SUPPLIES-WTR
008451	04/06/09	REXEL INC.	REX01	305.79	.00	305.79	800601669	MAT & SUPPLIES-WTR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Description
008452	04/06/09	SUB01	SUBURBAN PROPANE	926.37	.00	926.37	183775	PROPANE-AIRPORT
008453	04/06/09	TEH14	TEHAMA CO SECRET WITNESS	1020.00	.00	1020.00	090401	Secret Witness PoliceServ
008454	04/06/09	TEH15	TEHAMA CO SHERIFF'S DEPT	24.50	.00	24.50	090402	PROF SVCS-POLICE
008455	04/06/09	TEH28	TEHAMA CO HEALTH AGENCY	135.42	.00	135.42	090403	PROF SVCS-POLICE
008456	04/06/09	TRI02	TRI-COUNTY NEWSPAPERS	26.25	.00	26.25	69037	Print/Advert. City Clerk
008457	04/06/09	XER00	XEROX CORPORATION	301.26	.00	301.26	039610070	EQUIP MAINT-POLICE
008458	04/08/09	AIR00	AIRGAS NCN	169.88	.00	169.88	102399830	MAT & SUPPLIES-FIRE
008459	04/08/09	ALL01	ALLISON, MELVIN	67.56	.00	67.56	090407	VEH REPL-POLICE
008460	04/08/09	ALL05	ALL METALS SUPPLY	258.47	.00	258.47	227744	MAT & SUPPLIES-STR
008461	04/08/09	COR10	CORNING GLASS & MIRROR	94.52	.00	94.52	28525	MAT & SUPPLIES-POLICE
				52.80	.00	52.80	28577	MAT & SUPPLIES-PAL
			Check Total.....	147.32	.00	147.32		
008462	04/08/09	COR20	CORNING ELECTRONICS	37.32	.00	37.32	10080654	MAT & SUPPLIES-POLICE
008463	04/08/09	DEP12	DEPT OF JUSTICE	17.00	.00	17.00	732479	PROF SVCS-POLICE
008464	04/08/09	FIT01	FITZPATRICK LAW OFFICES	59.78	.00	59.78	090407	BOOKS/PERIODICS-LGL
008465	04/08/09	INT01	INTERLAND BUSINESS SUPPLY	492.51	.00	492.51	090407	Office Supplies-
008466	04/08/09	NOR25	NORTHERN LIGHTS ENRGY, INC	2322.87	.00	2322.87	334	VEH OP/MAINT-
				1284.21	.00	1284.21	363	MAT & SUPPLIES-
				94.03	.00	94.03	364	VEH OP/MAINT-FIRE
			Check Total.....	3701.11	.00	3701.11		
008467	04/08/09	PGE03	PG&E	16.82	.00	16.82	090402	Mat/Supplies PoliceServic
008468	04/08/09	PGE04	PG&E	617.17	.00	617.17	090401	TranspFacilit-
008469	04/08/09	PGE05	PG&E	1362.52	.00	1362.52	090401	FIRE-ELECT & GAS
008470	04/08/09	PGE2A	PG&E	97.64	.00	97.64	090401	ELECT-MARTINI, MCDONALD &
				26.32	.00	26.32	090402	ELECT-CLELAND PROP
			Check Total.....	123.96	.00	123.96		
008471	04/08/09	RED15	RED TRUCK ROCK YARD, LLC	129.90	.00	129.90	56	MAT & SUPPLIES-STR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
008472	04/08/09	REY01	REYNOLDS, DONALD C.P.A	540.00	.00	540.00	22277	PROF SVCS-FINANCE
008473	04/08/09	SWM00	SWMC SERVICES, INC.	44156.20	.00	44156.20	16618	PROF SVCS-WWTP
				2640.67	.00	2640.67	16619	PRETREATMENT PROG-SWR
			Check Total.....:	46796.87	.00	46796.87		
008474	04/08/09	USA03	USA MOBILITY WIRELESS, INC	29.88	.00	29.88	S0159912D	COMMUNICATIONS-POLICE
008475	04/08/09	VAL01	VALLEY INDUSTRIAL COMM.	265.72	.00	265.72	96867	COMMUNICATIONS-FIRE
008476	04/08/09	VCA00	VCA GATEWAY ANIMAL HOSPIT	70.00	.00	70.00	090408	SPAY/NEUTER VOUCHER PROGR
008477	04/08/09	WAL05	WALKER STREET VET CLINIC	70.00	.00	70.00	208671	SPAY/NEUTER VOUCHER PROGR

Cash Account Total.....: 222356.23 .00 222356.23

Total Disbursements.....: 222356.23 .00 222356.23

Cash Account Total.....: .00 .00 .00

REPORT.: Apr 08 09 Wednesday  
 RUN....: Apr 08 09 Time: 14:38  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report - Payroll Vendor Payment (s)  
 Check Listing for 04-09 Bank Account.: 1025

PAGE: 006  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Description
3914	04/07/09	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	A90407	POLICE OFFICER ASSOC
3915	04/07/09	EDD01	EMPLOYMENT DEVELOPMENT	4245.06	.00	4245.06	A90407	STATE INCOME TAX
				1295.47	.00	1295.47	1A90407	SDI
			Check Total.....	5540.53	.00	5540.53		
3916	04/07/09	ICM01	ICMA RETIREMENT TRUST-457	275.00	.00	275.00	A90407	ICMA DEF. COMP
3917	04/07/09	OEU03	OPERATING ENGINEERS	800.00	.00	800.00	A90407	CREDIT UNION SAVINGS
3918	04/07/09	PERS1	PUBLIC EMPLOYEES RETIRE	29451.12	.00	29451.12	A90407	PERS PAYROLL REMITTANCE
3919	04/07/09	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	A90407	PERS DEF. COMP.
3920	04/07/09	PRE03	PREMIER WEST BANK	9064.23	.00	9064.23	A90407	HSA DEDUCTIBLE
3921	04/07/09	TEH15	TEHAMA CO SHERIFF'S DEPT	495.57	.00	495.57	A90407	Wage Assignment
3922	04/07/09	VAL06	VALIC	925.00	.00	925.00	A90407	AIG VALIC P TAX
Cash Account Total.....				46926.45	.00	46926.45		
Total Disbursements.....				46926.45	.00	46926.45		

**CITY OF CORNING****MARCH 2009****TREASURERS REPORT**

<b>AGENCY</b>	<b>BALANCE</b>	<b>RATE</b>	<b>MATURES ON</b>
LOCAL AGENCY INVESTMENT FUND	2,325,079.77	2.54	
PREMIER WEST BANK	193,771.79	2.67	03/28/09
PREMIER WEST BANK	173,554.68	2.67	04/20/09
<b>TRUST ACCOUNTS</b>			
PREMIER WEST BANK RIDELL TRUST	203,451.15	2.52	06/13/10

Respectfully Submitted

Pala Cantrell  
City Treasurer

**CITY OF CORNING**  
**PERMITS ISSUED (sort by Permit #)**  
**For the Period 3/1/2009 thru 3/31/2009**

Owner and Address	Parcel Number	Issued On	Valuation
RAMON HERNANDEZ 2051 BLOSSOM AVE CORNING CA 96021 <b>Permit Description:</b> NEW RSSIDENCE WITH ATTACHED GARAGE	7120516  <b>Site Street Address:</b> 2051 BLOSSOM AVE	3/4/2009	188,850.00
AARON FURBEE 2035 BLOSSOM AVE CORNING CA 96021 <b>Permit Description:</b> AARON FURBEE	7120518  <b>Site Street Address:</b> 2035 BLOSSOM AVE	3/4/2009	188,850.00
JUSTIN REYNOLDS 2011 BLOSSOM AVE CORNING CA 96021 <b>Permit Description:</b> NEW RESIDENCE WITH ATTACHED GARAGE	7120521  <b>Site Street Address:</b> 2011 BLOSSOM AVE	3/4/2009	188,850.00
TERRI JAMISON 412 THIRD ST CORNING CA 96021 <b>Permit Description:</b> 8X12 STORAGE ADDITION	7105611  <b>Site Street Address:</b> 412 THIRD ST	3/6/2009	600.00
TIM DEVINE 1513 TEHAMA ST CORNING CA 96021 <b>Permit Description:</b> CHANGE OUT HVAC UNITS	7104403  <b>Site Street Address:</b> 1513 TEHAMA ST	3/6/2009	6,000.00
PACIFIC LIVING PROPERTIES 240 EDITH AVE #216 CORNING CA 96021 <b>Permit Description:</b> CHANGE OUT WATER HEATER	6926031  <b>Site Street Address:</b> 240 EDITH AVE #216	3/11/2009	350.00
HOME LINK REALTY 1219 PEAR ST CORNING CA 96021 <b>Permit Description:</b> REPLACE HVAC	7315101  <b>Site Street Address:</b> 1219 PEAR ST	3/12/2009	2,900.00

CITY OF CORNING  
PERMITS ISSUED (sort by Permit #)  
For the Period 3/1/2009 thru 3/31/2009

Owner and Address	Parcel Number	Issued On	Valuation
PACIFIC LIVING PROPERTIES 240 EDITH AVE #210 CORNING CA 96021 <b>Permit Description:</b> CHANGE OUT WATER HEATER	6918081 <b>Site Street Address:</b> 240 EDITH AVE #210	3/12/2009	3,000.00
HOMELINK REALTY 1527 WEST ST CORNING CA 96021 <b>Permit Description:</b> ADD 1/2 BATH & WALL	7126212 <b>Site Street Address:</b> 1527 WEST ST	3/13/2009	500.00
JIM SARKISIAN 227 MCLANE CIRCLE CORNING CA 96021 <b>Permit Description:</b> CHANGE OUT 100 AMP SERVICE	7305502 <b>Site Street Address:</b> 227 MCLANE CIRCLE	3/13/2009	550.00
MARIA ESQUIVEL 2089 DONOVAN AVE CORNING CA 96021 <b>Permit Description:</b> 4 FT FRONT CHAIN LINK FENCE	7120426 <b>Site Street Address:</b> 2089 DONOVAN AVE	3/27/2009	250.00
		3/4/2009	0.00
CORNING CA 96021 <b>Permit Description:</b>	<b>Site Street Address:</b>		
WILLIAM JAMES 1109 SIXTH AVE CORNING CA 96021 <b>Permit Description:</b> REMOVE & RESIDE EXTERIOR	7117209 <b>Site Street Address:</b> 1109 SIXTH AVE	3/19/2009	1,400.00
VIVIAN HAHN 1964 ELIZABETH AVE CORNING CA 96021 <b>Permit Description:</b> COMPLETE REDUCTING	7121110 <b>Site Street Address:</b> 1964 ELIZABETH AVE	3/26/2009	2,207.00
LARRY GIFFORD 1424 SIXTH AVE CORNING CA 96021 <b>Permit Description:</b> CHANGE OUT 100 AMP ELECT SERVICE	7126303 <b>Site Street Address:</b> 1424 SIXTH AVE	3/20/2009	1,200.00

CITY OF CORNING  
PERMITS ISSUED (sort by Permit #)  
For the Period 3/1/2009 thru 3/31/2009

Owner and Address	Parcel Number	Issued On	Valuation
TERRI JAMISON 414 THIRD ST CORNING CA 96021 <b>Permit Description:</b> ADD HVAC	7105611 <b>Site Street Address:</b> 414 THIRD ST	3/26/2009	1,758.23
FRANK LANGLEY 730 MARGUERITE AVE CORNING CA 96021 <b>Permit Description:</b> RESIDE EXTERIOR OF HOME	7321201 <b>Site Street Address:</b> 730 MARGUERITE AVE	3/23/2009	700.00
KEN SMITH 1610 SOLANO ST CORNING CA 96021 <b>Permit Description:</b> WOOD WINDOW AWNINGS	7115107 <b>Site Street Address:</b> 1610 SOLANO ST	3/23/2009	1,500.00
JOHN ELLER 740 SOLANO ST CORNING CA 96021 <b>Permit Description:</b> CHANGE MEDICAL BUILD TO DAY CARE	7301056 <b>Site Street Address:</b> 740 SOLANO ST	3/26/2009	200,002.00
RONALD NELSON 760 EL PASO AVE CORNING CA 96021 <b>Permit Description:</b> TEAR OFF & REROOF	7322029 <b>Site Street Address:</b> 760 EL PASO AVE	3/25/2009	950.00
ROSIE MARTINEZ 220 MARTY CT CORNING CA 96021 <b>Permit Description:</b> TEAR REROOF & REPLACE WATER HEATER	7324015 <b>Site Street Address:</b> 220 MARTY CT	3/27/2009	2,600.00
LISA LINNET 1973 TAFT AVE CORNING CA 96021 <b>Permit Description:</b> MOVE SIDE YARD FENCE	7119237 <b>Site Street Address:</b> 1973 TAFT AVE	3/27/2009	150.00

22 Permits Issued from 3/1/2009 Thru 3/31/2009 FOR A TOTAL VALUATION OF \$ 793,167.23

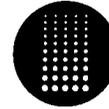
\*\*\* END OF REPORT \*\*\*

**RECEIVED**

**APR 03 2009**

CITY OF CORNING

Item No.: G-9



**SouthWest  
Water Company**

P.O. Box 230  
25010 Gardiner Ferry Rd.  
Corning, CA 96021  
Phone 530.824.5863  
Fax 530.824.5769  
www.swwc.com

**CITY OF CORNING  
WASTEWATER OPERATION SUMMARY REPORT  
March 2009**

Below is a summary of the Monthly Operations Report that will be available for City review on April 14, 2009.

- 1) Filled out monthly reports.
- 2) Performed monthly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Sent vehicle report to Texas.
- 5) Wasted to thickener.
- 6) Pumped to beds from thickener and EQ.
- 7) Worked on Maintain it program.
- 8) North State Elect repaired and installed gearbox on #3 aerator.
- 9) Safety meeting.
- 10) Repaired office toilet.
- 11) Cleaned up shop.
- 12) Inspected eyewash and emergency showers.
- 13) Unloaded chlorine truck.
- 14) Changed chart on analyzer.
- 15) Exercised generator.
- 16) Cleaned So2 pump.

- 17) Replaced fan on control panel in back room.
- 18) Cleaned chlorine building.
- 19) Took out trash.
- 20) Tested all chlorine and So<sub>2</sub> sensors.
- 21) River samples.
- 22) Temperature chart recorder for bioassay stopped working.
- 23) Patterson Elect removed motor in heating unit of SO<sub>2</sub> room.
- 24) Checked all fire extinguishers.
- 25) Cleaned probe at lift station.
- 26) Chart recorder for So<sub>2</sub> analyzer not working, called Tel-Star.
- 27) Calibrated So<sub>3</sub> analyzer.
- 28) Inspected truck washes in city limits and took samples.
- 29) Received truck wash lab results. (All passed)
- 30) Worked on plant SOP's.
- 31) Started Bioassay test.
- 32) Tested alarms with Fire Dept.
- 33) Mowed lawn.
- 34) Finished Bioassay testing.
- 35) Ordered new temperature chart recorder for bioassay testing.
- 36) Sprayed weeds around plant.
- 37) Received bags for Helseive unit.
- 38) Pick up fish for Bioassay testing.
- 39) Jones Trucking hit main gate at plant. Bell-Carter paid for repair.

**ITEM NO: G-10  
RECOMMEND APPOINTMENT OF ALLEN  
TURNER TO THE CORNING RECREATION  
COMMISSION  
APRIL 14, 2009**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING**

**FROM: GARY R. STRACK, MAYOR**

**SUMMARY:**

Mayor Strack has reviewed Allen Turner's Commission application and recommends Council appoint Mr. Turner to the Recreation Commission.

**BACKGROUND:**

The City has received the attached application from Allen Turnerr for appointment to the Corning Recreation Commission. Mr. Turner and his family are residents of the City and he is currently employed as a baker at the local Sav-Mor Foods Store. He has 20 years experience in business and is active in Church Leadership Programs.

**RECOMMENDATION:**

**MAYOR AND COUNCIL REVIEW THE ATTACHED APPLICATION AND APPOINT ALLEN TURNER TO THE CITY OF CORNING RECREATION COMMISSION EFFECTIVE IMMEDIATELY.**



CITY OF CORNING

RECEIVED

MAR 27 2009

APPLICATION FOR COMMISSION APPOINTMENT CORNING CITY CLERK

Date: March 27 2009

- Commission:  Planning Commission  
 Recreation Commission  
 Library Commission  
 Airport Commission

Name: Allen Turner

Home Address: 1204 5th Ave  
Corning Ca 96021

Phone No.: 530-824-1160

Business Address: Solano -

Saw-mor

Phone No.: 824-5807

Occupation: Baker

Do you reside within the City of Corning? Yes  No

What qualifications do you have that will assist the Commission of your choice in fulfilling its functions? I will be there! 20 year in Business - Church leadership youth programs

Have you served on other Boards, Committees, or Commissions? Yes  No

If so, please list them: Just Church leader positions

Have you researched the time and travel commitments associated with serving on this Commission? Yes  No

Can you meet those commitments? Yes  No

Please comment on your reasons for seeking this appointment.

Need to serve! and learn

Allen Turner

Signature

STATE LAW REQUIRES THAT APPOINTMENTS TO BOARDS AND COMMISSIONS BE CONSIDERED BY THE CITY COUNCIL IN OPEN SESSION AND YOU MAY BE ASKED TO BE PRESENT FOR AN INTERVIEW.

ITEM NO. G-11  
RATIFY AN ADDENDUM TO THE EMPLOYEE  
MEMORANDUM OF UNDERSTANDING LIMITING  
VACATION AND ADMINISTRATIVE LEAVE ACCRUAL FOR  
MANAGEMENT ASSOCIATION AND EXEMPT EMPLOYEES  
MARCH 24, 2009

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER



**SUMMARY:**

This Addendum to the current Memorandum of Understanding with the "Management Employees" Unit standardizes the administration of Vacation and Administrative Leave accrual for City Employees. Agreement was reached with the Employee organization within the City Council parameters given to the City Manager and City Negotiator.

Vacation saved by any employee will be limited to a maximum of 120 hours as of December 31 of each year. Any amount over this maximum will be paid off.

Administrative Leave is paid in recognition of the added work hours required Managers and Department heads who work as many hours as required and receive no overtime compensation. They receive 80 hours of leave per year and must use it all during that year. ***This addendum will allow Management Employees to retain a maximum of 100 hours "on the books" at any time.***

**BACKGROUND:**

The City had several different administrative policies in the existing Agreements probably due to the evolution of bargaining in Corning from the time when there was only one bargaining unit. There was a clear need to standardize the language and administration and most importantly to set limits on the total amount of Vacation that each employee could "save" in their "account".

There is no change in the amount of vacation accrued, in other words, no increase in benefits.

**FINANCIAL IMPACT:**

The Adopted Annual Budget has in the past been able to absorb the cash payment for accrued leave. There are three employees that exceed the new vacation limit.

**RECOMMENDATION:**

**MAYOR AND COUNCIL RATIFY THE ADENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORNING AND THE CITY OF CORNING MANAGEMENT EMPLOYEES LIMITING VACATION TIME ACCRUAL AND SETTING A LIMIT FOR THE ALLOWED ADMINISTRATIVE LEAVE HOURS FOR THE MANAGEMENT EMPLOYEES**



# City of Corning

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

ADDENDUM TO  
MANAGEMENT UNIT  
Re: Vacation Accumulation  
March 30, 2009

Vacation: Article 16, Section 16.1

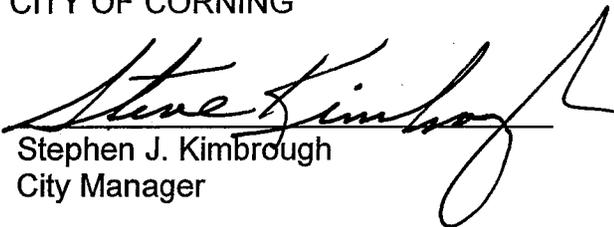
Employees shall earn vacation according to the following:

- A) Employees shall earn vacation with pay at the rate of one hundred twenty (120) hours per year after one (1) year and during the first seven (7) years of City employment.
- B) Employees shall earn vacation with pay at the rate of one hundred sixty (160) hours per year after completion of seven (7) years of City employment.
- C) Employees shall earn vacation with pay at the rate of two hundred (200) hours per year after twelve (12) years of City employment.
- D) 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, twenty (120) hours.
- E) 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.

Vacation: Article 16, Section 16.2

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

CITY OF CORNING

  
Stephen J. Kimbrough  
City Manager

William May  
Chief Consultant

  
Lisa M. Linnet  
City Clerk

OPERATING ENGINEERS LOCAL  
UNION NO. 3 AFL-CIO

  
Art Frolli  
OE-3 Business Representative

  
Anthony F. Cardenas  
Employee Representative



# City of Corning

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

ADDENDUM TO  
MANAGEMENT UNIT  
Re: Administrative Leave  
March 30, 2009

Administrative Leave: Article 11

Section 11.1 Each employee in the Unit shall receive eighty (80) hours Administrative Leave per year credited on July 1 of each year.

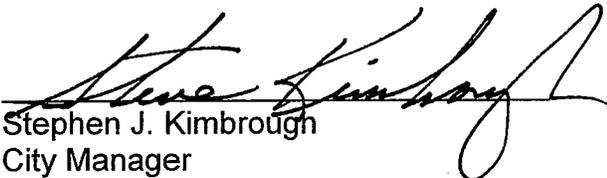
Section 11.2 Administrative Leave time may be carried into the following year, but at no time can it exceed one hundred (100) hours.

Section 11.3 Administrative Leave in excess of one hundred (100) hours shall be paid.

Section 11.4 Employees shall be allowed to convert up to fifty (50%) percent of Administrative Leave hours each fiscal year to paid days. Department heads shall plan for such conversion in their annual budget proposals.

Section 11.5 Unused Administrative Leave shall be paid upon termination.

CITY OF CORNING

  
Stephen J. Kimbrough  
City Manager

William May  
Chief Consultant

  
Lisa M. Linnet  
City Clerk

OPERATING ENGINEERS LOCAL  
UNION NO. 3 AFL-CIO

  
Art Frolli  
OE-3 Business Representative

  
Anthony F. Cardenas  
Employee Representative

ITEM NO: G-12  
WAIVE RECREATIONAL USE FEE FOR 2<sup>ND</sup>  
ANNUAL WESTSIDE AMERICAN LEGION  
FUNDRAISER  
APRIL 14, 2009

TO: HONORABLE AMYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER  
JOHN BREWER, DIRECTOR OF PUBLIC WORKS  
KIMBERLY BECK, RECREATION SUPERVISOR

*WCB VE*  
*JB*  
*KB*

**SUMMARY:**

Troy McIntyre has placed a request to City Council to waive the Recreational Use Fee for the use of Yost Park for the 2<sup>nd</sup> Annual Westside American Legion Fundraiser. This is a community based, non-profit event.

**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 FEE FOR 2<sup>ND</sup> ANNUAL  
WESTSIDE AMERICAN LEGION FUNDRAISER.

# 2nd Annual Westside American Legion Fundraiser

## Men's Softball Tournament

### May 16th & 17th

### Yost Park

### Corning Ca.

- \* Entry Fee \$250.00 / Deadline May 8th
- \* 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  
PERMISSION TO SEEK FORMAL  
BIDS FOR THE PRUNING OF  
CITY STREET & PARK TREES**

**APRIL 14, 2009**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING**

**FROM: JOHN L. BREWER, AICP; DIRECTOR OF PUBLIC WORKS**



**SUMMARY:**

Staff requests Council authorization to seek formal bids for the pruning of City street & park trees for fiscal year 2008/2009. Assistant Public Works Director Carl Crain has identified 850 City trees of various sizes and species. The trees are located throughout the City beginning at Solano Street south from I-5 to the East City Limits and including the 256 trees located at the City Parks.

Pending the outcome of the bidding process the Public Works Department will have as many of the 850 identified trees pruned as the 2008/2009 Budget funding will permit.

**BACKGROUND:**

Every spring the Public Works Department requests Council approval to seek bids for the pruning of City trees within the City Limits. Last spring Bill's Tree Service pruned 565 palm trees and 383 shade trees.

The 2008/2009 City Budget has allowed for a total of \$30,000 to fund the pruning of City trees. The funding is budgeted under Public Works Street Projects, Tree Trimming item numbers 001-8002-3001 (\$12,000) and 114-8002-3001 (\$18,000).

**RECOMMENDATION:**

**MAYOR AND COUNCIL AUTHORIZE STAFF TO GO TO BID FOR THE PRUNING OF CITY STREET & PARK TREES WITHIN THE CITY LIMITS UNDER BUDGET ITEM NUMBERS 001-8002-3001 AND 114-8002-3001.**

ITEM NO: G-14  
APPROVE RODGERS THEATRE GRANT  
CONSULTING SERVICES BY MICHAEL P.  
GAROFALO.  
APRIL 14, 2009

TO: HONORABLE AMYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER

*STEVES*

**SUMMARY:**

As a part of the adopted action plan for Rodgers Theatre, the City Council directed the City Manager to seek proposals from qualified grant writers. City Staff sent out four Requests for Proposals (RFP) to known grant writers and received one response from Michael P. Garofalo, M.S., Green Way Research in Red Bluff.

Mr. Garofalo is well qualified and is actually the grant writer we hoped would assist us with this project. He is currently the part-time District Librarian for Corning Union Elementary School District and has written a number of successful grants benefiting our community and the region.

In the attached letter, Mr. Garofalo first notes that he could not start until after mid June, but his rates are quite reasonable. He proposes a \$250 fee to cover the initial research and meeting, and then charges \$35 per hour. Because grant applications vary greatly, depending upon the perimeters set by the foundation or government agency, City Staff is reluctant to put a not to exceed amount, but we would expect the final cost to be reasonable based upon his past performance with other agencies.

City Staff would appreciate Council's authorization for the City Attorney and City Manager to finalize a consulting agreement with Mr. Garofalo and allow the City Manager to execute the Agreement.

**FINANCIAL:**

The expected cost of the initial services should be within \$1,500 and \$2,000. Additional help may be needed from the City Engineer and others, and for this reason, Staff would appreciate a budget appropriation of \$5,000 from the Rodgers Theatre Fund.

**RECOMMENDATION:**

**MAYOR AND COUNCIL APPROVE THE USE OF MR. MICHAEL P. GAROFALO, M.S. AS CITY GRANT CONSULTANT, AUTHORIZE THE CITY MANAGER AND CITY ATTORNEY TO FINALIZE AND EXECUTE THE STANDARD CONSULTING SERVICES AGREEMENT, AND APPROPRIATE \$5,000 TO RODGERS THEATRE ACCOUNT NO. 402-6300-6125.**

RECEIVED

MAR 26 2009

March 24, 2009

CORNING CITY CLERK

Michael P. Garofalo, M.S.  
Green Way Research  
23005 Kilkenny Lane  
Red Bluff, CA 96080  
Home Phone: 530-528-2054  
Cell Phone: 530-200-3546  
Email: [gwr91@egreenway.com](mailto:gwr91@egreenway.com)

Mr. Stephen J. Kimbrough  
City Manager  
794 Third St.  
City of Corning, CA 96021

Dear Mr. Kimbrough,

Thank you for asking me to provide you with a proposal for grant writing services. I have successfully written dozens of grants for the Corning Union Elementary School District, and some for the Red Bluff Union Elementary School District. While I was a Library Administrator for the County of Los Angeles Public Library I wrote scores of grants and funding proposals, and led fundraising efforts for 18 libraries in the East San Gabriel Valley. My resume is available online: <http://www.egreenway.com/resume.htm>.

I charge \$250 to get started on any grant for reading, research, and an initial one hour meeting. I charge \$35.00 per hour for any subsequent writing, editing, research, meetings, photography, travel time, or website development on a grant project. I expect to be paid before the final draft of a grant application is given to the client. I do not charge, for non-profit organizations, any percentage of the indirect costs of an awarded grant.

I have a number of projects that I have currently agreed to complete as a grant writer, researcher, webmaster, or web publisher. Consequently, I could not take on the Rogers Theatre project until after mid-June of 2009.

Best wishes with your projects.

Sincerely,



ITEM NO: G-15  
APPROVE PROGRESS PAY  
ESTIMATE NO. 5 IN THE AMOUNT OF  
\$31,650 TO THOMAS WILLIAMS  
CONSTRUCTION FOR THE SAFE  
ROUTE TO SCHOOL, CYCLE 7  
PROJECT.

APRIL 14, 2009

TO: HONORABLE MAYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER  
JOHN L. BREWER, AICP; DIRECTOR OF PUBLIC WORKS

STEVE  
JB

**SUMMARY:**

Attached for City Council review is a copy of Partial Pay Estimate No. 5 requesting payment of \$31,650 for the Safe Route To School, Cycle 7 Project. The Pay Estimate lists the original contract amount, any change orders/adjustments, work completed to date, retention amount and current amount due to the Contractor.

**BACKGROUND:**

The Project Engineer and the Director of Public Works have reviewed and approved this request.

Original Construction Contract	\$307,710.00
Contract Change Order No. 1 & 2	+ \$136,228.00
Total Adjusted Contract Amount	\$443,938.00
Proposed Partial Payment Estimate No.	\$ 31,650.00
Retention To Be Held (10% contract)	- \$ 3,165.00
Current Amount Due To Contractor	\$ 28,485.00
Previously Paid Payments	\$328,544.00
Previous Retention Held (10% per contract)	\$ 2,500.00

**RECOMMENDATION:**

MAYOR AND COUNCIL APPROVE PROGRESS PAY ESTIMATE NO. 5 IN THE AMOUNT OF \$31,650 TO THOMAS WILLIAMS CONSTRUCTION, INC. FOR THE SAFE ROUTES TO SCHOOL, CYCLE 7 PROJECT.

City Of Corning  
Partial Payment Request

Contractor: Thomas H. Williams		Date: 4/8/09		Purchase Order No.:					
Address:		Project No.:		Application No.: 1					
Project: Corning High School Safe Routes to School CCO2		From: 3/25/09		To: 4/10/09					
Item No.	Description	Estimated Contract Quantity	Previous Quantity To Date	Quantity To Date	Unit	Unit Cost	Total To Date	% Complete	Remarks
	<b>BASE BID</b>								
1	Roadway Excavation	200	0.00	50.00	CY	\$ 26.00	\$ 1,300.00	25%	
2	Curb Gutter and Sidewalk Excavation	275	0.00	250.00	CY	\$ 28.00	\$ 7,000.00	91%	
3	8 Inches of Aggregate Base	260	0.00	40.00	TON	\$ 36.00	\$ 1,440.00	15%	
4	2 Inches of Asphalt Concrete	5,320	0.00	0.00	SF	\$ 3.80	\$ 0.00	0%	
5	Rolled Curb and Gutter	1,240	0.00	0.00	LF	\$ 24.00	\$ 0.00	0%	
6	4 Foot Concrete Sidewalk	4,960	0.00	0.00	SF	\$ 4.20	\$ 0.00	0%	
7	Curb Return	1	0.00	0.00	EA	\$ 1,650.00	\$ 0.00	0%	
8	Truncated Dome	1	0.00	0.00	EA	\$ 350.00	\$ 0.00	0%	
9	Crosswalk	1	0.00	0.00	EA	\$ 950.00	\$ 0.00	0%	
10	15-inch Storm Drain	280	0.00	280.00	LF	\$ 48.00	\$ 13,440.00	100%	
11	S-7 Drop Inlet	2	0.00	0.00	EA	\$ 2,800.00	\$ 0.00	0%	
12	S-6 Drop Inlet	1	0.00	1.00	EA	\$ 2,800.00	\$ 2,800.00	100%	
13	Pedestrian Signs	4	0.00	0.00	EA	\$ 300.00	\$ 0.00	0%	
14	Sawcut AC	1,240	0.00	0.00	LF	\$ 3.00	\$ 0.00	0%	
15	Headwall at Tehama Street Ditch	1	0.00	1.00	LS	\$ 5,670.00	\$ 5,670.00	100%	
16	Sacked Rip-Rap at Butte Street Ditch	1	0.00	0.00	EA	\$ 1,480.00	\$ 0.00	0%	

*Serry Toford 4/9/09*

Total Amount Earned to Date: \$ 31,650.00  
 10% Retention: \$ 3,165.00  
 Retention Released: \$ 0.00  
 Net Amount Retained: \$ 3,165.00  
 Total Less Net Retention: \$ 28,485.00  
 Amount Previously Paid: \$ 0.00  
 Total Amount Payable: \$ 28,485.00

**RECEIVED**

**APR 09 2009**

**CITY OF CORNING**

**PARTIAL PAYMENT ESTIMATE**

Corning Safe Route to School Project, Cycle 7  
(Including Marguerite Overlay)

Progress Payment Estimate No. 5

OWNER:

City of Corning

CONTRACTOR:

Thomas Williams Construction

PERIOD OF ESTIMATE:

FROM: Feb 3, 2009 to April 9, 2009

**CONTRACT CHANGE ORDER SUMMARY**

**ESTIMATE**

No.	Approval Date	Amount		
		Additions	Deductions	
1	11-18-08	\$6,300.00		1. Original Contract..... \$307,710.00
2	2-10-09	\$129,928.00		2. Change Orders..... \$136,228.00
				3. Revised Contract (1+2)..... \$443,938.00
				4. Work Completed (90%)... \$362,695.34
				5. Stored Materials ..... 0
				6. Subtotal (4+5)..... \$362,695.34
				7. Retainage .....10%..... \$ 5,665.00
				8. Previous Payments..... \$328,544.74
				9. Amount Due (6-7-8)..... \$ 28,485.00
TOTALS		\$136,228.00		
NET CHANGE		+136,228.00		

**CONTRACT TIME**

Original (days) 120  
Revised 90  
Remaining 0

On Schedule  Yes  
 No

Starting Date: Oct. 20, 2008  
Projected Completion: June 1, 2009

**CONTRACTOR'S CERTIFICATION:**

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.

Contractor Thomas Williams Construction

By \_\_\_\_\_

Date \_\_\_\_\_

**ARCHITECT OR ENGINEER'S CERTIFICATION:**

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

Architect or Engineer Ed Anderson

By \_\_\_\_\_

Date: April 9, 2009

**APPROVED BY OWNER:**

Owner City of Corning

By \_\_\_\_\_

Date \_\_\_\_\_

**Unit Price Breakdown to Accompany Progress Pay Estimate No. 5**  
**CITY OF CORNING**  
**SAFE ROUTE TO SCHOOL (CYCLE 7) AND MARGUERITE AVENUE OVERLAY**

Item No.	Description	Contract			This Period		Total to Date		%	
		Quantity	Unit	Unit Price	Total	Quantity	Amount	Quantity		Amount
<b>BASE BID (SRTS, Cycle 7)</b>										
1	Excavate for new sidewalk	14,106	SF	\$1.80	\$25,390.80	827.00	\$1,488.60	14387.00	\$25,896.60	102%
2	Furnish/Install sidewalk	14,106	SF	\$4.20	\$59,245.20	827.00	\$3,473.40	14387.00	\$60,425.40	102%
3	Remove/Replace curb & gutter	638	LF	\$25.00	\$15,950.00	114.00	\$2,850.00	654.00	\$16,350.00	103%
4	Instal new curb & gutter	15	LF	\$30.00	\$450.00	0.00	\$0.00	18.00	\$540.00	120%
5	Remove/Replace sidewalk	1,082	SF	\$6.00	\$6,492.00	1,099.50	\$6,597.00	1939.50	\$11,637.00	179%
6	Install driveway	180	SF	\$7.50	\$1,350.00	21.00	\$157.50	201.00	\$1,507.50	112%
7	Remove/Replace Driveway	684	SF	\$7.50	\$5,130.00	180.00	\$1,350.00	864.00	\$6,480.00	126%
8	Remove concrete driveway	48	SF	\$3.00	\$144.00	0.00	\$0.00	72.00	\$216.00	150%
9	Remove concrete driveway	740	SF	\$2.50	\$1,850.00	60.00	\$150.00	740.00	\$1,850.00	100%
10	Remove/Replace water meter	1	EA	\$150.00	\$150.00	0.00	\$0.00	1.00	\$150.00	100%
11	Remove/Replace water valve box	2	EA	\$150.00	\$300.00	0.00	\$0.00	2.00	\$300.00	100%
12	Paint Thermo-Plastic striping crosswalk	17	EA	\$350.00	\$5,950.00	17.00	\$5,950.00	17.00	\$5,950.00	100%
13	Paint Thermo-Plastic stop bar	3	EA	\$250.00	\$750.00	3.00	\$750.00	3.00	\$750.00	100%
14	Paint thermo-plastic STOP symbols	11	EA	\$150.00	\$1,650.00	11.00	\$1,650.00	11.00	\$1,650.00	100%
15	Remove/Replace existing signs	4	EA	\$300.00	\$1,200.00	4.00	\$1,200.00	4.00	\$1,200.00	100%
16	Remove/Trim Hedge	1	EA	\$500.00	\$500.00	0.00	\$0.00	1.00	\$500.00	100%
17	Remove/Repair fence	1	EA	\$250.00	\$250.00	0.50	\$125.00	1.00	\$250.00	100%
18	Remove/Relocate church sign	1	EA	\$500.00	\$500.00	0.00	\$0.00	1.00	\$500.00	100%
19	Remove/Replace roof drain line	1	EA	\$150.00	\$150.00	0.00	\$0.00	1.00	\$150.00	100%
20	Remove/Replace S-6 drop inlet	1	EA	\$3,000.00	\$3,000.00	0.00	\$0.00	1.00	\$3,000.00	100%
21	Install pedestiran sign	21	EA	\$300.00	\$6,300.00	21.00	\$6,300.00	21.00	\$6,300.00	100%
22	Grind sidewalk joints	13	EA	\$50.00	\$650.00	13.00	\$650.00	13.00	\$650.00	100%
23	Remove/Rplace AC & Agg. Base	750	SF	\$8.00	\$6,000.00	0.00	\$0.00	750.00	\$6,000.00	100%
24	Saw cut existing AC	300	LF	\$3.00	\$900.00	0.00	\$0.00	300.00	\$900.00	100%
25	Remove steel posts	2	EA	\$100.00	\$200.00	0.00	\$0.00	2.00	\$200.00	100%
26	Traffic control	1	LS	\$15,000.00	\$15,000.00	0.20	\$3,000.00	1.00	\$15,000.00	100%
ADD	Retaining Wall and Steps	102		\$26.00	\$2,652.00	102.00	\$2,652.00	102.00	\$2,652.00	100%
<b>TOTAL BASE BID</b>					<b>\$159,452.00</b>		<b>\$38,343.50</b>		<b>\$171,004.50</b>	<b>107%</b>



SAFE ROUTE TO SCHOOL, CYCLE 7: CONTRACT CHANGE ORDER #2 TO INCLUDE EAST STREET

Item No.	Description	Quantity	Unit	Contract		This Period		Total to Date		%
				Unit Price	Total	Quantity	Amount	Quantity	Amount	
<b>ADDITIVE BID #1 (Marguerite Ave.)</b>										
CCO2-1	Roadway Excavation	200	CY	\$26.00	\$5,200.00	50.00	\$1,300.00	50.00	\$1,300.00	25%
CCO2-2	CG&S Excavation	275	CY	\$28.00	\$7,700.00	250.00	\$7,000.00	250.00	\$7,000.00	91%
CCO2-3	8" of Aggregate Base	260	TON	\$36.00	\$9,360.00	40.00	\$1,440.00	40.00	\$1,440.00	15%
CCO2-4	2" of Asphalt Concrete	5320	SF	\$3.80	\$20,216.00		\$0.00		\$0.00	0%
CCO2-5	Rolled Curb & Gutter	1240	LF	\$24.00	\$29,760.00		\$0.00		\$0.00	0%
CCO2-6	4' Concrete Sidewalk	4,960	SF	\$4.20	\$20,832.00		\$0.00		\$0.00	0%
CCO2-7	Curb Return	1	EA	\$1,650.00	\$1,650.00		\$0.00		\$0.00	0%
CCO2-8	Truncated Dome	1	EA	\$350.00	\$350.00		\$0.00		\$0.00	0%
CCO2-9	Crosswalk	1	EA	\$950.00	\$950.00		\$0.00		\$0.00	0%
CCO2-10	15" Storm Drain	280	LF	\$48.00	\$13,440.00	280.00	\$13,440.00	280.00	\$13,440.00	100%
CCO2-11	S-7 Drop Inlet	2	EA	\$2,800.00	\$5,600.00		\$0.00		\$0.00	0%
CCO2-12	S-6 Drop Inlet	1	EA	\$2,800.00	\$2,800.00	1.00	\$2,800.00	1.00	\$2,800.00	100%
CCO2-13	Pedestrian Signs	4	EA	\$300.00	\$1,200.00		\$0.00		\$0.00	0%
CCO2-14	Sawcut AC	1,240	LF	\$3.00	\$3,720.00		\$0.00		\$0.00	0%
CCO2-15	Headwall @ Tehama St. Ditch	1	LS	\$5,670.00	\$5,670.00	1.00	\$5,670.00	1.00	\$5,670.00	100%
CCO2-16	Stacked Rip-Rap @ Butte St. Ditch	1	EA	\$1,480.00	\$1,480.00		\$0.00		\$0.00	0%
<b>TOTAL BASE BID CCO #2</b>					\$129,928.00		\$31,650.00		\$31,650.00	24%

**ITEM NO: G-16  
AUTHORIZATION TO SEEK  
EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT  
APRIL 14, 2009**

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS  
OF THE CITY OF CORNING**

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER  
ANTHONY F. CARDENAS, POLICE CHIEF**

**SUMMARY:**

The City of Corning is eligible to apply to the U.S. Department of Justice for funding under the Recovery Act for an Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$24,090.00. These funds will be one-time awards to be used for law enforcement programs. Applications for this program must be submitted to the U.S. Department of Justice by May 18, 2009.

The Police Department is seeking authorization to prepare and submit an application to the Department of Justice for a JAG Program Grant.

**BACKGROUND:**

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009. One of its elements provided the U.S. Department of Justice with funding for grants to assist State, Local and Tribal Law Enforcement agencies. Applicants are limited to the units of local government listed in the Recovery Act JAG allocation list, in which the City of Corning is included.

The City of Corning is currently applying for funding of a police officer through the Office of Community Oriented Policing Services (COPS Office) under the COPS Hiring Recovery Program. If funded, this officer will be assigned to work as a School Resource Officer with the Corning Union Elementary School District, in addition to working other specialized details. The funds under the COPS Hiring Recovery Program are only to be used to hire sworn law enforcement personnel, and are not to supplant existing funding. If the City of Corning is awarded this grant, we will need to equip the officer accordingly. Part of the equipment required will be to ensure the officer has a police patrol vehicle available.

The Police Department proposes to use the JAG Program funds to purchase an additional patrol vehicle. Based upon the most recent purchase of a patrol vehicle in January 2009, the cost of the vehicle, excluding after market emergency equipment, was \$24,591.64. The City would be responsible for the additional cost of equipping the vehicle beyond the grant funds awarded through the JAG Program. These funds would come from the Police Department's Capital Replacement funds.

**RECOMMENDATION:**

**MAYOR AND COUNCIL AUTHORIZE THE POLICE DEPARTMENT TO PREPARE AND SUBMIT AN APPLICATION FOR THE U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL ASSISTANCE GRANT FUNDS.**

**ITEM NO. I-17  
REZONE NO. 2009-1; ORDINANCE NO. 634;  
AN ORDINANCE OF THE CITY OF CORNING  
AMENDING SECTIONS 16.18.010 (C) AND 17.54.015  
OF THE CORNING MUNICIPAL CODE.**

**APRIL 14, 2009**

**TO: HONORABLE MAYOR AND CITY OF CORNING COUNCIL MEMBERS**

**FROM: JOHN STOUFER, PLANNING DIRECTOR**

**BACKGROUND:**

On February 17, 2009 staff discussed, and sought direction from the Planning Commission, through Study Matter 2009-1, on amending Section 16.18.010 of the Corning Municipal Code (CMC) regarding the extension of tentative maps pursuant to recent state mandates enacted with the passage of Senate Bill No. 1185.

On July 15, 2008 the Governor signed into legislation Senate Bill No. 1185, an act to amend Sections 66452.6 and 66463.5 of, to add Section 66452.21 to, and to amend and renumber Sections 66452.11 and 66452.12 of, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

The Subdivision Map Act provides that when a tentative map is required, an approved or conditionally approved tentative map must expire 24 months after its approval or conditional approval, or after any additional time period as prescribed by local ordinance, not to exceed an additional 12 months. Section 16.18.010 (A) of the Corning Municipal Code (CMC) states that, "*an approved or conditionally approved tentative map shall expire twenty-four months after its approval or conditional approval.*" The CMC does not provide for an additional 12 months as an option.

Section 66452.21 (a) added by SB 1185 reads as follows, "*The expiration date of any tentative or vesting tentative subdivision map or parcel map for which a tentative or vesting tentative map, as the case may be, has been approved that has not expired on the date that the act that added this section became effective and that will expire before January 1, 2011, shall be extended by 12 months.*" This section automatically extended the life of 8 different tentative subdivision maps within the city.

Section 16.18.010 (C) of the CMC allows a subdivider, prior to the expiration of a tentative map, to file for an extension of the tentative map for a period or periods not exceeding two years. SB 1185 allows the subdivider to file an application to extend the time at which the map will expire for a period or periods not to exceed a total of 6 years. By adding to the procedures officials in counties and cities must follow the bill imposed a state-mandated local program.

After discussing this issue with the Planning Commission staff developed the following language for amending Section 16.18.010 (C) of the CMC:

**Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for an initial period of two years. Additional extensions, upon application of the subdivider, are available for a period or periods not to exceed the limits established by Section 66452.6 (e), or any amendments thereto, of the California Government Code. If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the legislative body within fifteen days after the advisory agency denied the extension.**

With this ordinance staff is also proposing to amend the title and language in Section 17.54.015 of the CMC. The current title and language of this section reads as follows:

*Nontransferable. A conditional use permit is nontransferable. When the owner of the use permitted transfers ownership to another, the new owner must apply for and receive a new conditional use permit.*

This language presents some problems in tracking conveyance of parcels and the possibility of the denial of a use permit for an existing use on the property like a duplex or the Flying J Truck stop. Staff feels that this language could have a negative effect when trying to sell, finance or refinance property with a use granted by a use permit. Therefore, staff as part of this ordinance is proposing that the title and language of Section 17.54.015 be amended to read as follows:

**Transfer of property ownership. An approved or conditionally approved use permit is issued for a specific use on a parcel or parcels as identified on the permit. The permitted use is valid when ownership of the parcel or parcels transfers. The new owner must adhere to the terms and conditions as specified in the approval of the use permit.**

**PROPOSED ORDINANCE:**

ORDINANCE NO. 634

AN ORDINANCE OF THE CITY OF CORNING  
AMENDING SECTIONS 16.18.010 (C) AND 17.54.015  
OF THE CORNING MUNICIPAL CODE REGARDING THE  
EXTENSIONS OF TENTATIVE MAPS AND THE TRANSFER OF  
PROPERTY GRANTED A USE PURSUANT TO A USE PERMIT

The City Council of the City of Corning, having conducted a public hearing in accordance with state law, on \_\_\_\_\_, and having approved the findings recommended by the Planning Commission, does hereby ordain as follows:

To amend Section 16.18.010 (C) of the Subdivision & Planning Code of the City of Corning to read as follows:

**Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for an initial period of two years. Additional extensions, upon application of the subdivider, are available for a period or periods not to exceed the limits established by Section 66452.6 (e), or any amendments thereto, of the California Government Code. If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the legislative body within fifteen days after the advisory agency denied the extension.**

To amend and re-title Section 17.54.015 of the Zoning Code of the City of Corning to read as follows:

**Transfer of property ownership. An approved or conditionally approved use permit is issued for a specific use on a parcel or parcels as identified on the permit. The permitted use is valid when ownership of the parcel or parcels transfers. The new owner must adhere to the terms and conditions as specified in the approval of the use permit.**

\* \* \* \* \*

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning, held on \_\_\_\_\_ and adopted at a regular meeting of the City Council of the City of Corning, held \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

Abstain:

It shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of Council persons voting for and against the same, in a newspaper of general circulation in the County of Tehama.

\_\_\_\_\_  
Gary R. Strack, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

PUBLISH: \_\_\_\_\_

**ENVIRONMENTAL:**

The California Environmental Quality Act (CEQA) Section 15061 (b) (3) states: "a project is exempt from CEQA if: The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA."

This section is based on the idea that CEQA applies jurisdictionally to activities which have the potential for causing environmental effects. Where an activity has no possibility of causing a significant effect, the activity will not be subject to CEQA. This approach has been noted with approval in a number of appellate court decisions including the State Supreme Court opinion in *No Oil, Inc. v. City of Los Angeles*.

**STAFF RECOMMENDATION:**

Staff recommends the following Subfindings, Findings and Action for consideration by the City Council:

**Subfinding #1**

Ordinance No. 634 will amend Sections 16.18.010 (C) and 17.54.015 of the Corning Municipal Code to comply with state mandates for the extensions of tentative maps and clarify that Use Permits are valid when parcels are conveyed.

**Finding #1**

The changes to Sections 16.18.010 (C) and 17.54.015 of the Corning Municipal Code, as proposed in Ordinance No. 634, will not cause a significant effect on the environment and is therefore exempt from CEQA pursuant to Section 15061 (b) (3)

**Subfinding #2**

SB 1185 allows the subdivider to file an application to extend the time at which the map will expire for a period or periods not to exceed a total of 6 years. By adding to the procedures officials in counties and cities must follow the bill imposed a state-mandated local program.

**Finding #2**

Ordinance No. 634 will amend Section 16.18.010 (C) to comply with the state-mandated requirements of SB 1185 signed by the governor on July 15, 2008.

**Subfinding #3**

The existing title and language in Section 17.54.015 imposes unfair requirements for parcels that have an established use permitted by the approval of a Use Permit. This language could have a negative effect when trying to sell, finance or refinance these parcels.

**Finding #3**

Amending the title and language in Section 17.54.015 will clarify that an established use permitted by a use permit must adhere to the applicable conditions of the use permit when the property is conveyed from one owner to another.

**Subfinding #4**

On March 17, 2009 the City of Corning Planning Commission held a Public Hearing on Rezone 2009-1 and Ordinance 634.

**Finding #4**

The City of Corning Planning Commission voted 3:0:2, with Commissioner's Hatley and Robertson absent, to recommend that the City Council adopt the subfindings & findings as presented in the staff report and adopt Ordinance 634, the ordinance to implement Rezone No. 2009-1.

**ACTION**

**1. MOVE TO ADOPT THE SUBFINDINGS AND FINDINGS AS PRESENTED IN THE STAFF REPORT FOR REZONE 2009-1 AND ORDINANCE NO. 634.**

**(PLEASE NOTE : PRIOR TO ADOPTING THE RECOMMENDED SUBFINDINGS & FINDINGS THE COUNCIL HAS THE ABILITY TO MODIFY OR REMOVE ANY OF THE SUBFINDINGS AND FINDINGS IF DEEMED APPROPRIATE BY A MAJORITY OF THE COUNCIL)**

**VOTE OF THE COUNCIL**

**2. MOVE TO WAIVE THE FIRST READING OF ORDINANCE NO. 634, THE ORDINANCE TO IMPLEMENT REZONE NO. 2009-1.**

**VOTE OF THE COUNCIL**

**OR:**

**3. MOVE TO DENY REZONE 2009-1, AND DENY THE ADOPTION OF ORDINANCE 634.**

**ATTACHMENTS:**

Exhibit "A" Section 16.18.010 of the CMC

Exhibit "B" Senate Bill No. 1185

Exhibit "C" Residential Project List

Exhibit "D" Section 17.54.015 of the CMC

Exhibit "E" CEQA Section 15061

# EXHIBIT "A" 16.18.010--16.18.030

## Sections: (Continued)

- 16.18.170 Preparation of maps--Certificate regarding tax lien.
- 16.18.180 Preparation of maps--Other documents.
- 16.18.190 Action on final map by city engineer.
- 16.18.200 Approval by city council.
- 16.18.210 Public improvement agreement.
- 16.18.220 Disapproval by city council.
- 16.18.230 Recordation.
- 16.18.240 Amending maps after recordation.

16.18.010 Filing final map. A. An approved or conditionally approved tentative map shall expire twenty-four months after its approval or conditioned approval.

B. The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed without first processing a new tentative map.

C. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of two years. If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the legislative body within fifteen days after the advisory agency has denied the extension. (Ord. 550 (part), 1994).

16.18.020 Fees. At the time of filing of the final or parcel map, the subdivider shall pay a filing fee to the planning department. Said fee shall be prescribed by resolution of the city council. (Ord. 550 (part), 1994).

16.18.030 Data to accompany final map. Prior to or at the time of submitting the final or parcel map to the planning department, the subdivider shall submit therewith the following documents:

A. Traverse Sheets. Calculation and traverse sheets in a form approved by the city engineer giving bearings and distance and coordinates of the boundary of the subdivision and blocks and lots therein shown on the final or parcel map;

B. Public Improvement Plans. The original tracings of detailed plans, cross-sections and profiles of public street improvements and of all other improvements proposed to be installed as required by the provisions of this title and of all other improvements proposed to be installed by the subdivider in, on, over or under any street, right-of-way, easement or parcel of land dedicated by the map or

# EXHIBIT "B"

Senate Bill No. 1185

## CHAPTER 124

An act to amend Sections 66452.6 and 66463.5 of, to add Section 66452.21 to, and to amend and renumber Sections 66452.11 and 66452.12 of, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 15, 2008. Filed with  
Secretary of State July 15, 2008.]

### LEGISLATIVE COUNSEL'S DIGEST

SB 1185, Lowenthal. Land use: subdivision maps.

(1) The Subdivision Map Act establishes a statewide regulatory framework for controlling the subdividing of land. It generally requires a subdivider to submit, and have approved by, the city, county, or city and county in which the land is situated a tentative or vesting tentative map, which confers a vested right to proceed with development in substantial compliance with specified ordinances, policies, and standards. The act provides for the expiration of tentative or vesting tentative maps, after specified periods of time, and specifically extends by 12 months the expiration date of any tentative or vesting tentative map or parcel map for which a tentative or vesting tentative map has been approved that had not expired on May 15, 1996. This extension is in addition to any other extension of the expiration date provided for in specified provisions of the act. Any legislative, administrative, or other approval by any local agency, state agency, or other political subdivision of the state that pertains to a development project included in a map that is extended is to be extended by 12 months under specified conditions.

This bill would extend the applicable expiration date to 12 months, as specified, for any vesting tentative map, in addition to a tentative map, generally, that has not expired as of the date adding these provisions and that will expire, as specified, before January 1, 2011. By adding to the procedures officials in counties, cities, and cities and counties must follow, this bill would impose a state-mandated local program.

(2) The Subdivision Map Act provides that when a tentative map is required, an approved or conditionally approved tentative map must expire 24 months after its approval or conditional approval, or after any additional time period as prescribed by local ordinance, not to exceed an additional 12 months. A subdivider may file with the appropriate legislative body, prior to the expiration of the approved or conditionally approved tentative map, an application to extend the time at which the map will expire for a period or periods not to exceed a total of 5 years.

This bill instead would allow the subdivider to file an application to extend the time at which the map will expire for a period or periods not to exceed a total of 6 years. By adding to the procedures officials in counties, cities, and cities and counties must follow, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 66452.6 of the Government Code is amended to read:

66452.6. (a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months. However, if the subdivider is required to expend one hundred seventy-eight thousand dollars (\$178,000) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 36 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2005, and each calendar year thereafter, the amount of one hundred seventy-eight thousand dollars (\$178,000) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) The length of time specified in paragraph (1) shall be extended for up to three years, but in no event beyond January 1, 1992, during the pendency of any lawsuit in which the subdivider asserts, and the local agency which approved or conditionally approved the tentative map denies, the existence or application of a development moratorium to the tentative map.

(3) Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(c) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(d) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the legislative body without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(e) Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. The period of extension specified in this subdivision shall be in

addition to the period of time provided by subdivision (a). Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(f) For purposes of this section, a development moratorium includes a water or sewer moratorium, or a water and sewer moratorium, as well as other actions of public agencies which regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a final or parcel map. A development moratorium shall also be deemed to exist for purposes of this section for any period of time during which a condition imposed by the city or county could not be satisfied because of either of the following:

(1) The condition was one that, by its nature, necessitated action by the city or county, and the city or county either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action prior to expiration of the tentative map.

(2) The condition necessitates acquisition of real property or any interest in real property from a public agency, other than the city or county that approved or conditionally approved the tentative map, and that other public agency fails or refuses to convey the property interest necessary to satisfy the condition. However, nothing in this subdivision shall be construed to require any public agency to convey any interest in real property owned by it. A development moratorium specified in this paragraph shall be deemed to have been imposed either on the date of approval or conditional approval of the tentative map, if evidence was included in the public record that the public agency which owns or controls the real property or any interest therein may refuse to convey that property or interest, or on the date that the public agency which owns or controls the real property or any interest therein receives an offer by the subdivider to purchase that property or interest for fair market value, whichever is later. A development moratorium specified in this paragraph shall extend the tentative map up to the maximum period as set forth in subdivision (b), but not later than January 1, 1992, so long as the public agency which owns or controls the real property or any interest therein fails or refuses to convey the necessary property interest, regardless of the reason for the failure or refusal, except that the development moratorium shall be deemed to terminate 60 days after the public agency has officially made, and communicated to the subdivider, a written offer or commitment binding on the agency to convey the necessary property interest for a fair market value, paid in a reasonable time and manner.

SEC. 2. Section 66452.11 of the Government Code, as added by Section 6 of Chapter 612 of the Statutes of 2007, is amended and renumbered to read:

66452.14 (a) Pursuant to the provisions of subparagraph (E) of paragraph (2) of subdivision (a) of Section 66427.1, the subdivider shall give written notice of the intent to convert 180 days prior to the termination of tenancy in the form outlined in subdivision (b), to each tenant of the subject property.

(b) The notice shall be as follows:

“To the occupant(s) of

\_\_\_\_\_ :  
(address)

The owner(s) of this building, at (address), plans to convert this building to a (condominium, community apartment, or stock cooperative project). This is a notice of the owner’s intention to convert the building to a (condominium, community apartment, or stock cooperative project).

A tentative map to convert the building to a (condominium, community apartment, or stock cooperative project) was approved by the City on \_\_\_\_\_. If the City approves a final map, you may be required to vacate the premises, but that cannot happen for at least 180 days from the date this notice was served upon you.

Any future notice given to you to terminate your tenancy because of the conversion cannot be effective for at least 180 days from the date this notice was served upon you. This present notice is not a notice to terminate your tenancy; it is not a notice that you must now vacate the premises.

\_\_\_\_\_  
(signature of owner or owner’s agent)

\_\_\_\_\_  
(date)”

The written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail.

SEC. 3. Section 66452.12 of the Government Code, as added by Section 7 of Chapter 612 of the Statutes of 2007, is amended and renumbered to read:

66452.15 (a) Pursuant to subparagraph (F) of paragraph (2) of subdivision (a) of Section 66427.1, the subdivider shall give written notice within five days after receipt of the subdivision public report to each tenant of his or her exclusive right for at least 90 days after issuance of the subdivision public report to contract for the purchase of his or her respective unit in the form outlined in subdivision (b).

(b) The notice shall be as follows:

“To the occupant(s) of

\_\_\_\_\_ :  
(address)

The owner(s) of this building, at (address), have received the final subdivision report on the proposed conversion of this building to a (condominium, community apartment, or stock cooperative project). Commencing on the date of issuance of the subdivision public report, you have the exclusive right for 90 days to contract for the purchase of your rental unit upon the same or more favorable terms and conditions than the unit will initially be offered to the general public.

---

(signature of owner or owner's agent)

---

(date)"

The written notices to tenants required by this section shall be deemed satisfied if the notices comply with the legal requirements for service by mail.

SEC. 4. Section 66452.21 is added to the Government Code, to read:

66452.21. (a) The expiration date of any tentative or vesting tentative subdivision map or parcel map for which a tentative or vesting tentative map, as the case may be, has been approved that has not expired on the date that the act that added this section became effective and that will expire before January 1, 2011, shall be extended by 12 months.

(b) The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.11, 66452.13, or 66463.5.

(c) Any legislative, administrative, or other approval by any state agency that pertains to a development project included in a map that is extended pursuant to subdivision (a) shall be extended by 12 months if this approval has not expired on the date that the act that added this section became effective. This extension shall be in addition to any extension provided for in Section 66452.13.

(d) For purposes of this section, the determination of whether a tentative subdivision map or parcel map expires before January 1, 2011, shall count only those extensions of time pursuant to subdivision (e) of Section 66452.6 or subdivision (e) of Section 66463.5 approved on or before the date that the act that added this section became effective and any additional time in connection with the filing of a final map pursuant to subdivision (a) of Section 66452.6 for a map that was recorded on or before the date that the act that added this section became effective. The determination shall not include any development moratorium or litigation stay allowed or permitted by Section 66452.6 or 66463.5.

SEC. 5. Section 66463.5 of the Government Code is amended to read:

66463.5. (a) When a tentative map is required, an approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months.

(b) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within the tentative map shall be filed without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(c) Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. Prior to the expiration of an approved or conditionally approved tentative map, upon the application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(d) (1) The period of time specified in subdivision (a) shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) Once a moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(e) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (c), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is, or was, pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(f) For purposes of this section, a development moratorium shall include a water or sewer moratorium or a water and sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a parcel map.

(g) Notwithstanding subdivisions (a), (b), and (c), for the purposes of Chapter 4.5 (commencing with Section 66498.1), subdivisions (b), (c), and (d) of Section 66498.5 shall apply to vesting tentative maps prepared in connection with a parcel map except that, for purposes of this section, the time periods specified in subdivisions (b), (c), and (d) of Section 66498.5 shall be determined from the recordation of the parcel map instead of the final map.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

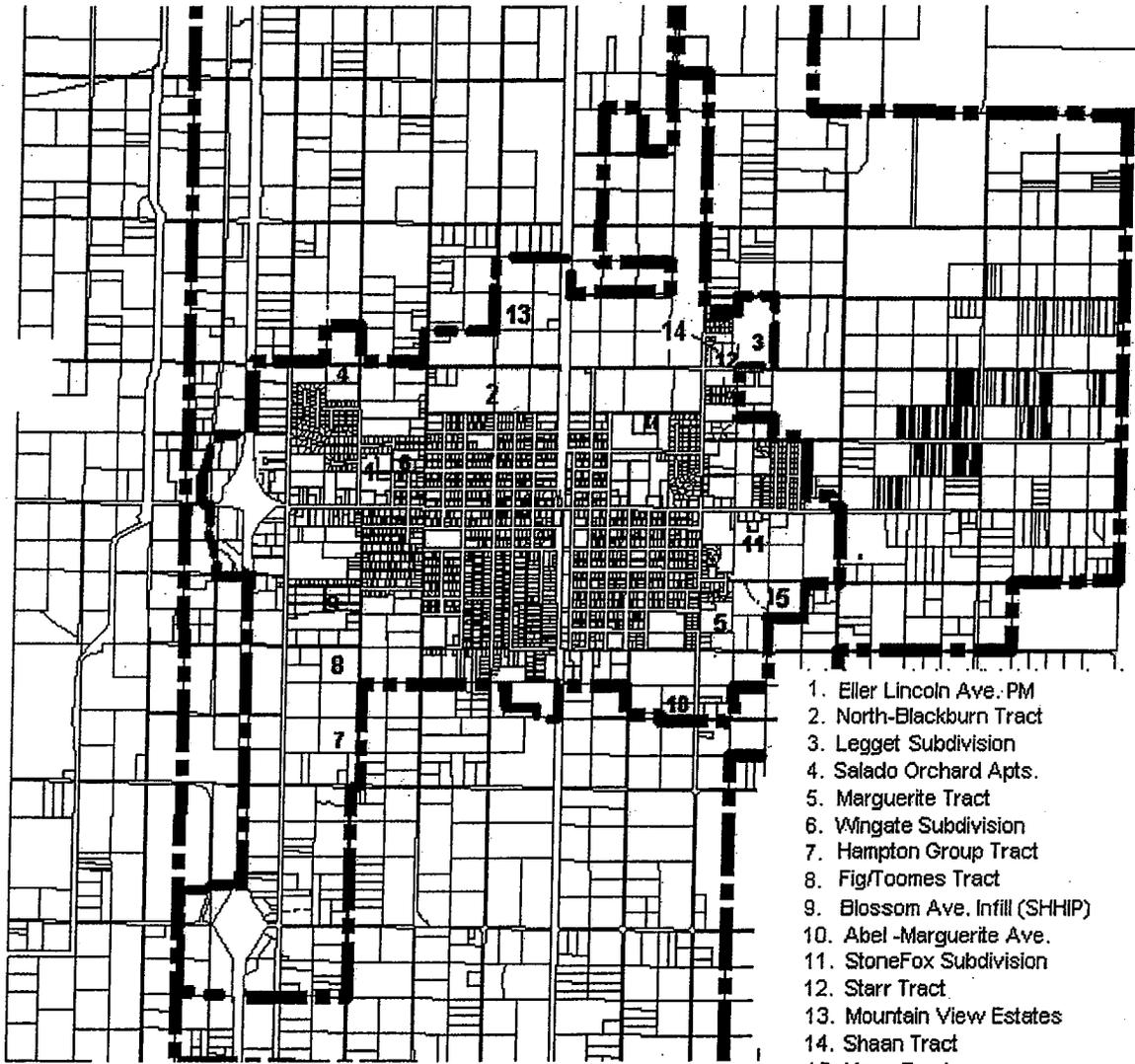
SEC. 7. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to permit cities, counties, and a city and county to preserve development applications that are set to expire and that cannot be processed presently due to prevailing adverse economic conditions in the construction industry, it is necessary that this act take immediate effect.

CITY OF CORNING  
CURRENT RESIDENTIAL PROJECT LIST  
MARCH 1, 2008



# EXHIBIT "C"



1. Eller Lincoln Ave. PM
2. North-Blackburn Tract
3. Legget Subdivision
4. Salado Orchard Apts.
5. Marguerite Tract
6. Wingate Subdivision
7. Hampton Group Tract
8. Fig/Toomes Tract
9. Blossom Ave. Infill (SHHIP)
10. Abel -Marguerite Ave.
11. StoneFox Subdivision
12. Starr Tract
13. Mountain View Estates
14. Shaan Tract
15. Kaye Tract

# EXHIBIT "D" 17.54.015--17.54.030

17.54.015 Nontransferable. A conditional use permit is nontransferable. When the owner of the use permitted transfers ownership to another, the new owner must apply for and receive a new conditional use permit. (Ord. 560 (part), 1996).

17.54.020 Uses. A. The following uses, where permitted within a zone by the Corning zoning ordinance, shall only be permitted when a conditional use permit is first obtained:

1. Alcohol, on premises serving and consumption, whether a bar or a restaurant;
2. Live entertainment, as a primary use or as a secondary use associated with a commercial establishment;
3. Billiard parlor, pool hall and similar recreational uses;
4. Game arcades, including any business established with more than six arcade games as an incidental or accessory use;
5. Games, skill game business, including video and skill game arcades;
6. Lodges, meeting halls and social clubs;
7. Commercial recreation facilities open to the public;
8. Massage parlors;
9. Tattoo parlors.

(Ord. 610 §2(part), 2004; Ord. 560 (part), 1996).

17.54.030 Burden of proof. Before any conditional use permit is granted, the applicant shall show, to the satisfaction of the commission or the council, the existence of the following facts:

A. That the site for the proposed use is adequate in size, shape, topography and circumstances; and

B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and

C. That the proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare. (Ord. 560 (part), 1996).

# EXHIBIT "E"

California Office of  
Administrative Law

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14 CCR § 15061

Cal. Admin. Code tit. 14, § 15061

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 14. NATURAL RESOURCES  
DIVISION 6. RESOURCES AGENCY  
CHAPTER 3. GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT  
ARTICLE 5. PRELIMINARY REVIEW OF PROJECTS AND CONDUCT OF INITIAL STUDY

This database is current through 2/27/09, Register 2009, No. 9

§ 15061. Review for Exemption.

(a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.

(b) A project is exempt from CEQA if:

(1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).

(2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.

(3) The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

(4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).

(5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.

(c) Each public agency should include in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt. This listing should be used in preliminary review.

(d) After determining that a project is exempt, the agency may prepare a notice of exemption as provided in Section 15062. Although the notice may be kept with the project application at this time, the notice shall not be filed with the Office of Planning and Research or the county clerk until the project has been approved.

**ITEM NO: I-18  
PUBLIC HEARING AND ADOPTION OF  
COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROGRAM INCOME RE-USE PLAN  
APRIL 14, 2009**

**TO: HONORABLE AMYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING**

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER**

*STEVE*

**SUMMARY:**

Over the years the City of Corning has been the recipient of a number of Community Development Block Grants. The Grants funded loan programs which provided needed public improvements and infrastructure necessary to support new commercial development and housing rehab loan programs for low income residents who needed repairs to their homes.

Each of these programs produced "Program Income" from loan payments. The Program Income was accounted for in separate funds and became available to reloan.

The "Program Income Re-Use Plan" establishes the City Policy and Procedures for the administration of this program income. This new Re-Use Plan proposed for adoption includes the Housing Rehabilitation Revolving Loan Funds "to assist low income households to rehabilitate single family residential units that are owner occupied and to provide for public improvements in support of new construction". The Re-Use Plan has been expanded to include the reuse of program income from the new "First Time Homebuyer Loan Program".

**BACKGROUND:**

The City's Re-Use Plan has been in existence for almost 20-years and has been periodically updated as programs and regulations change. Former City Consultant, James Norval wrote the current plan; this new plan has been written for us by JoAnn Anders, the City's grants administrator.

The draft plan being considered now has received a full review by the California Department of Housing and Community Development and they confirmed in their letter dated March 18, 2009 that the plan is in compliance with current requirements and ready for City Council consideration.

**RECOMMENDATION:**

**MAYOR AND COUNCIL CONDUCT THE PUBLIC HEARING TO SEEK ANY PUBLIC INPUT AND ADOPT THE CITY OF CORNING CDBG PROGRAM INCOME RE-USE PLAN.**

**CITY OF CORNING**

**CDBG PROGRAM INCOME REUSE PLAN**

**Date this Plan Was Adopted:** \_\_\_\_\_

A Reuse Plan Governing Program Income from CDBG-Assisted Activities

The purpose of plan is to establish guidelines on the policies and procedures for the administration and utilization of program income received as a result of activities funded under the State Community Development Block Grant (CDBG) Program.

**Need for Plan Governing Reuse of Program Income.** This Reuse Plan is intended to satisfy the requirements specified in Federal statute and regulation at Section 104 (j) of the Housing and Community Development Act ("the Act"), as amended in 1992 and 24 CFR 570.489 (e) (3). These statutory and regulatory sections permit a unit of local government to retain program income for CDBG-eligible community development activities. Under federal guidelines adopted by the State of California's CDBG program, local governments are permitted to retain program income so long as the local government has received advance approval from the state of a local plan that will govern the expenditure of the program income. This plan updated Reuse Plan replaces the City of Corning's June 2006 Plan. This Reuse Plan may be formally adopted by the City Council after a properly noticed public hearing has been held and public comment on the Plan has been taken per Federal Regulations at 24 CFR 570.486.

**Program Income Defined.** Program Income is defined in federal regulation at 24 CFR 570.489 (e) which specify that program income is the gross income received by the jurisdiction that has been directly generated from the use of CDBG funds. (For those program income-generating activities that are only partially funded with CDBG funds, such income is prorated to reflect the actual percentage of CDBG participation). Examples of program income include: payments of principal and interest on housing rehabilitation or business loans made using CDBG funds; interest earned on program income pending its disposition, and interest earned on funds that have been placed in a revolving loan account; net proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds; income (net of costs that are incidental to the generation of the income) from the use or rental of real property that has been acquired, constructed or improved with CDBG funds and that is owned (in whole or in part) by the participating jurisdiction or subrecipient.

If the total amount of income generated from the use of CDBG funds (and retained by the City) during a single program year (July 1 through June 30) is less than \$25,000, then these funds shall not be deemed to be program income and shall not be subject to these polices and procedures. However, Quarterly and Annual Program Income Reports must be submitted regardless of whether the \$25,000 threshold is reached or not.

**Portfolio Management Costs.** Costs of managing the portfolio of CDBG funded loans

may be charged to PI under general administration or activity delivery within the allowable limits set by HCD.

**General Administration (GA) Cost Limitation.** Up to eighteen percent (18%) of the total program income expended on all activities during a single program year may be used for CDBG general administration expenses.

**Reuses of Program Income.** Program income must be: a) disbursed for an activity funded under an open grant prior to drawing down additional Federal funds; b) forwarded to the State of California, Department of Housing and Community Development (Department); or c) distributed to one or more Revolving Loan Accounts (RLAs) according to this Program Income Reuse Plan after adoption of the plan by the City and approval by the Department. Eligible activities and National Objective requirements are specified in Federal Statute at Section 105(a) and in Federal Regulations at 24 CFR 570.482 and 24 CFR 570.483.

The City reserves the option of utilizing program income to fund/augment a CDBG funded activity included in an open grant agreement which is not the same as one of the RLA activities in this plan. In order to exercise this option the City must first follow the citizen participation process, hold a public hearing, obtain a governing body resolution, and obtain approval from the State to commit the PI funds. If an open grant activity is the same a RLA activity under this plan, then local program must be spent first prior to drawing down any open grant funds through the State.

**Planning Activities.** The City reserves the option of utilizing program income, within the 18 percent general administration annual cap, to fund planning for CDBG-eligible activities. Such planning activities may include: cash match for a State CDBG Planning and Technical Assistance Grant; environmental reviews or other studies necessary for CDBG-eligible projects or programs; or application preparation for CDBG or other loans to supplement funding for CDBG-eligible activities. The costs of such planning activities may be charged to an RLA if the planning is for the same activity as the RLA. Otherwise, PI may only be expended on planning activities in conjunction with an open CDBG Planning and Technical Assistance grant.

**Distribution for Reuse of Program Income.** The City of Corning's Program Income that has not been committed to open grant activities will be distributed into three RLA accounts as follows:

1. Fifty percent (50%) of all Housing Program Income will be deposited in the Housing Acquisition Revolving Loan Account.
2. Fifty percent (50%) of all Housing Program Income will be deposited in the Housing Rehabilitation Revolving Loan Account.
3. One Hundred percent (100%) of all other Program Income will be deposited in the Public Improvements in Support of New Housing Construction Revolving Loan Account.

Funds shall not be transferred between RLAs or to an open grant activity without conducting a properly noticed CDBG Citizen Participation public hearing. However, the transfer of program income between RLAs and to grant-funded activities during the program year in the aggregate amount of \$5,000 or less will not be subject to the citizen

participation requirement to hold a properly noticed public hearing. If it becomes necessary to transfer funds between RLAs we will consider revising the above distribution formula.

### **Reporting and Federal Overlay Compliance.**

The City shall comply with all State CDBG reporting requirements, including submittal of a single annual Grantee Performance Report that reports on all of the City's RLAs, and the required Quarterly and Annual Program Income Reports, which shows combined PI receipts and actual PI expenditures for all RLAs and grants on one report.

The City shall ensure that the use of program income under this Reuse Plan complies with all CDBG program requirements, including citizen participation, environmental review, equal opportunity, Section 3 employment, lead-based paint, labor standards, acquisition and relocation, procurement, property management, and maintenance of adequate accounting and recordkeeping systems. To ensure ongoing compliance with CDBG requirements, the City shall utilize the latest available State CDBG Program Grant Management Manual for guidance on compliance procedures and policies. The City shall obtain the Department's written approval before proceeding with any PI-funded activity.

**Revising this plan.** The City Council has the authority to amend this document with a properly noticed Council meeting and approval by the State Department of Housing and Community Development (HCD).

**Revolving Loan Accounts (RLA).** The purposes and allowed uses of funds under the City's RLAs are, as follows:

#### **Housing Acquisition Revolving Loan Account.**

This fund will be principally used for the purpose of making loans to assist low income families purchase a single-family housing unit. A low-income family has an annual income which is 80% or less of the county's median income. At least 51 percent of the funds expended for the activity funded under this RLA during the program year shall be used on revolving activities (i.e., loans).

General administration costs for this activity is limited to 18% of all RLA funds spent annually. In any event, the total expended for non-revolving activities (activity delivery costs, and general administration) shall not exceed 49 percent of the total funds actually expended during the program year (July 1 thru June 30).

The review and funding of requests for CDBG loan or grant assistance under this RLA shall be conducted under the First-Time Homebuyer Program Guidelines that have been adopted by the City (**Attachment A**). All assistance provided for activities under this RLA shall be made for activities that are located within the City's jurisdiction.

If the activities funded under the RLA are for the same activities as those funded under an open State CDBG grant agreement, then the funds available in this RLA shall be

expended prior to drawing down funds from the State CDBG program. No funds can be expended under this RLA until the State has issued a written release of funds letter for the activity.

### **Housing Rehabilitation Revolving Loan Account.**

This fund will be principally used for the purpose of making loans to assist low-income households rehabilitate single family residential units that are owner-occupied by households which have an annual income which is 80 percent (80 percent) or less of the county's median income. At least 51 percent of the funds expended for the activity funded under this RLA during the program year shall be used on revolving activities (i.e., loans).

No more than eighteen percent of the total amount of PI expended annually may be expended for general administrative costs related to this RLA activity. In any event, the total expended for non-revolving activities (activity delivery costs, and general administration) shall not exceed 49 percent of the total funds actually expended during the program year (July 1 thru June 30).

The review and funding of requests for CDBG loan or grant assistance under this RLA shall be conducted under the Housing Rehabilitation Program Guidelines that have been adopted by the City (**Attachment B**). All assistance provided for activities under this RLA shall be made for activities that are located within the City's jurisdiction.

If the activities funded under the RLA are for the same activities as those funded under an open State CDBG grant agreement, then the funds available in this RLA shall be expended prior to drawing down funds from the State CDBG program. No funds can be expended under this RLA until the State has issued a written release of funds letter for the activity.

### **Public Improvements in Support of New Construction Revolving Loan Account**

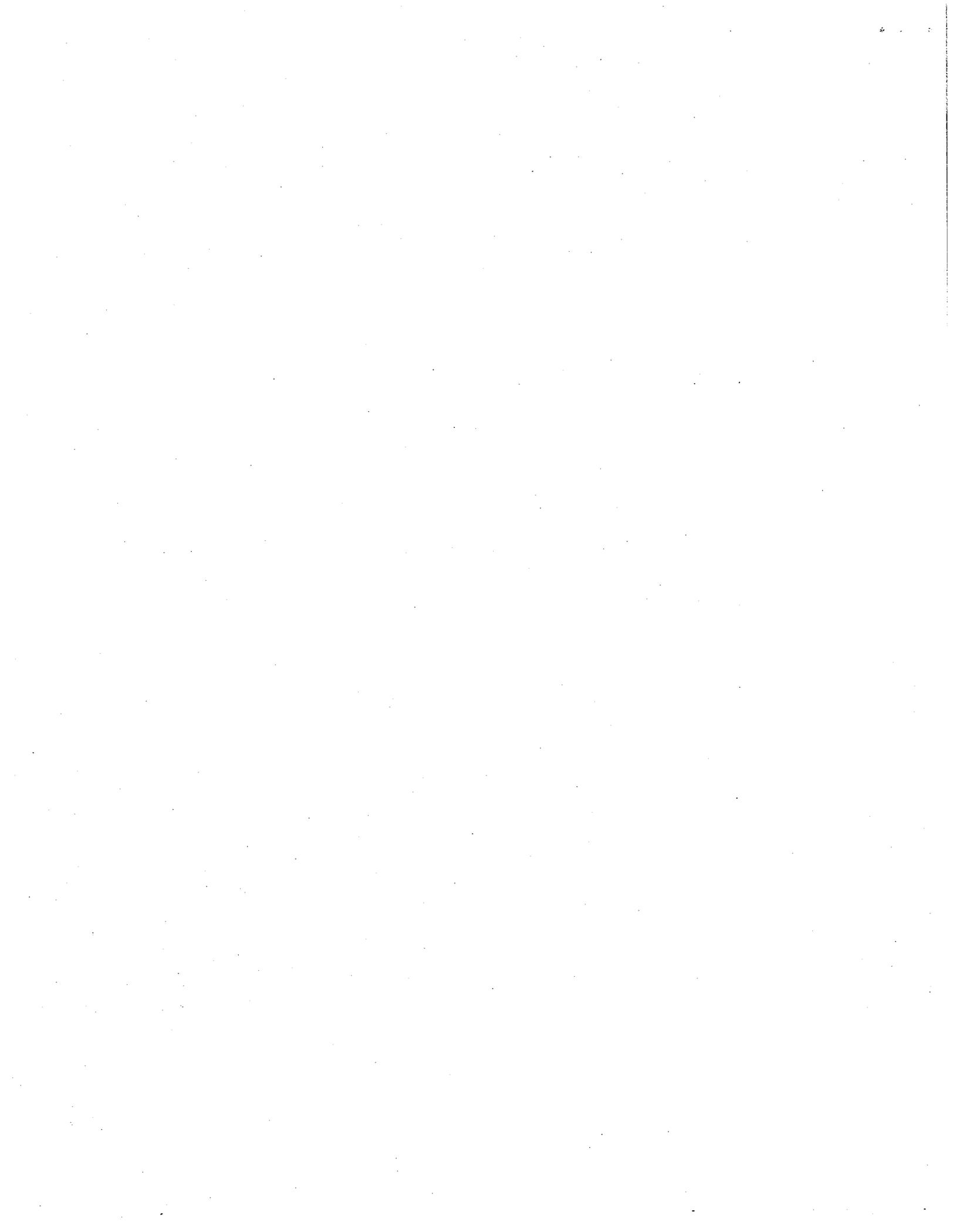
This fund will be used to provide "gap" financing for non-profit or for-profit corporations that can document the need for CDBG assistance and that will develop new housing that will be principally occupied by members of households that have an annual income that is eighty percent (80%) or less than the county's median household income, adjusted for household size. At least 51 percent of the funds expended for the activity funded under this RLA during the program year shall be used on revolving activities (i.e., loans).

No more than eighteen percent of the total amount of PI expended annually may be expended for general administrative costs related to this RLA activity. In any event, the total expended for non-revolving activities (activity delivery costs, and general administration) shall not exceed 49 percent of the total funds actually expended during the program year (July 1 thru June 30).

Guidelines for application of funds have been adopted by the City (**Attachment C**). All assistance provided for activities under this RLA shall be made for activities that are

located within the City's jurisdiction.

If the activities funded under the RLA are for the same activities as those funded under an open State CDBG grant agreement, then the funds available in this RLA shall be expended prior to drawing down funds from the State CDBG program. No funds can be expended under this RLA until the State has issued a written release of funds letter for the activity.



**ITEM NO: I-19  
PUBLIC HEARING; FISCAL YEAR 2009-  
2010 COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) APPLICATION**

**APRIL 14, 2009**

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS**

**FROM: STEVE KIMBROUGH, CITY MANAGER  
JOHN STOUFER; PLANNING DIRECTOR**

**BACKGROUND:**

This is the first of two required Public Hearings on the Fiscal year 2009-2010 Community Development Block Grant program and to solicit citizen input.

Maximum award limits normally include a total of \$800,000 per year from the General and Economic Development Components combined. Up to \$500,000 per application per year may be awarded from the General and also the Economic Development component. Grants up to \$70,000 per year from the General Planning and Technical Assistance allocation and \$70,000 per year from the Economic Development Planning and Technical Assistance allocation may be awarded and do not count toward the normal \$800,000 per year cap.

The major activity categories are General and Economic Development Planning and Technical Assistance; Housing-Acquisition; Housing – New Construction; Housing – Rehabilitation; Community Facilities/Public Services; Public Works; and Economic Development. Projects funded with CDBG funds must meet at least one of the following National Objectives: Benefit to Targeted Income Group (TIG) persons, elimination of slums and blight or emergency and urgent need.

**ALTERNATIVES/OPTIONS:**

This is an on-going State/Federal program that offers the City the opportunity to apply annually for community development grant funds, or apply on behalf of a single business (Over-the Counter Application). There are other project specific or targeted grant programs available from the Department of Housing & Community Development. The City may not qualify for all programs, or rank well for limited competitive funding.

**RECOMMENDATION/REQUESTED ACTION:**

Discussion only, no action is required. This public hearing is the first of two required by the State Department of Housing & Community Development (H & CD) prior to submittal of a grant application.

**ITEM NO: J-20  
SKATEBOARD PARK PROGRESS  
REPORT  
APRIL 14, 2009**

**TO: HONORABLE AMYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING**

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER**

**SUMMARY:**

Mayor Strack, Councilman Leach and City Staff met with the Skateboard Design Consultants who helped the other northern California Cities Self Insurance Authority Members develop their Skateboard Parks. By the end of the meeting it was clear that this firm had the capability to assist Corning in our skateboard development process.

The Design Consultants are preparing a formal proposal for presentation to the City Council.

**BACKGROUND:**

The design firm is "Land Image – Landscape Architects and Planners" from Chico. The Firm's Principal, Greg Milton is a licensed Landscape Architect who has designed most of the northstate Skateboard Parks that we have already reviewed. Their approach to the process and their fees are excellent.

Though City Staff has not yet received their proposal and costs, they propose two phases that will allow the City Council to control project cost throughout the process.

- **First Phase:** Hold a kick-off meeting followed by two public workshops to work with Volunteers to develop the Master Plan. Once the Master Plan is completed and presented to the Council, the Council would then decide to whether to proceed to the final phase, producing the construction drawings.

The first phase would be broken into two parts. The Landscape Architects would first create a Concepts Schematic Plan laying out the minimal requirements for the Skateboard Park access, spectator area, open space, utilities, and parking. This schematic plan could be used on any site to be considered by the City. It would give us a target to define the needed space and facilities and provide a starting place for the public discussions.

Following City Council review and approval, the Landscape Architects would begin the Skateboard Park Master Plan with an initial public kick-off meeting, followed by the two public workshops prior to presenting the City Council with a final Skateboard Park Master Plan.

The Consultants are recommending that we also consider incorporating bicycle access into the plan.

The completed Master Plan would then allow the City to move forward to define the funding and possibly seek grants.

➤ **Second Phase:** Design of the Park.

Their one page outline is attached for information. Available for review at City Hall are a number of their successful project summaries complete with color photos.

**DECIDING ON A LOCATION:**

A recommended location for the Skateboard Park is still being researched. Ideas thus far include some vacant land near Clark Park, the orchard property north of Yost Field which would also allow for the development of stormwater detention basins and soccer fields/baseball practice fields, and a site on land owned by the New Life Assembly off Peach Street. Thus far, each of the sites has its drawbacks. The Church site for example, will need to satisfy concerns of residents to the west and concerns by the owners of the Eller Commercial Park about placing a heavily used recreation facility next to a professional office park. For your information, John Eller has been great: rather than just opposing the location, he has been reviewing vacant land around the City in order to offer his thoughts on other possible locations for consideration. At this point, City Staff is open to ideas.

**COMMUNITY SUPPORT:**

Currently the active community support consists of Mayor Gary Strack, Councilman John Leach, John Brewer, Steve Kimbrough and Kimberly Beck. Though a number of Skateboarders came to the first outreach meeting that the Mayor and Councilman organized, they are not "beating down our doors" to maintain contact. No supporters showed up at the Recreation Commission Meeting even though the Skateboard Park Discussion was on the Agenda. At this time the Recreation Commission has no recommendation on the Park.

The City Council's Staff Team recognizes the importance of active volunteer leadership on projects such as a Skateboard Park. Strong volunteer commitment has always been the key to Corning City Council commitment of funds to a project such as a Skateboard Park.

The Student Recreation Activities Survey can be used to support the need for the Skateboard Park. The **Middle School Students** were asked in question number 19 to list the three recreational opportunities that they would like to see in Corning, such as facilities, programs, or camps. One hundred and forty eight (148) students said that they would like a Mall in town, 119 students said they would like a Skateboard Park, and 73 said they would like a Movie Theater, and 56 said they would like a Theater. In question 16, they were asked to identify their favorite sport, 168 students listed soccer, 157 listed basketball, 72 listed football, 58 listed baseball or softball, 47 listed volleyball, 27 students listed wrestling and only 15 listed skateboarding as their favorite sport.

The **High School Students** were asked in question number 21 to list the three recreational opportunities that they would like to see in Corning, such as facilities, programs, or camps. One hundred and forty four (144) students said that they would like a Skateboard Park in town, 62 students said they would like a Theater Program, and 41 said they would like a Movie Theater. In question 18, they were asked to identify their favorite sport, 259 students listed soccer, 129 listed football, 111 listed basketball, and only 13 listed skateboarding as their favorite sport.

**COSTS:**

The typical sizes in communities similar to Corning are about 10,000 to 12,000 square feet. The Red Bluff Park is 19,500 square feet, the Oroville Park is 16,000 square feet, and the Placerville Skateboard Park is 21,000 square feet. The Quincy Park at 11,500 square feet cost about \$300,000 to build, not including initial flat work which was donated, nor the price of the land. The Placerville Park at 21,000 square feet with about half of the effort contributed by Volunteers cost \$800,000.

As an interesting aside, the Landscape Architect suggested that Corning should consider increasing its park development cost estimates from our existing \$100,000 per acre for a Turf Park to \$300,000 per acre, which is now the realistic park development cost.

**WHERE DO WE GO FROM HERE:**

If the City Council wishes to continue the effort to build support and leadership within the community for the Skateboard Park, Staff recommends that we consider the proposal that will be presented by the Landscape Architects.

City Council may also wish to consider the Skateboard Park as a new capital priority as a part of the long-range capital improvement program which will be coming to the Council in May as a part of the budget process. This will allow the City Council to weigh its priority along side of all of the Parks and City facility priorities. The current adopted Parks Capital Improvement Program and Public Works Building Maintenance Capital Program are included for information.

**RECOMMENDATION:**

**MAYOR AND COUNCIL RECEIVE THE REPORT AND PROVIDE GUIDANCE AND DIRECTION TO CITY STAFF.**

**DEPARTMENT OF PUBLIC WORKS**  
**2008/2009**  
**PARKS CAPITAL IMPROVEMENT PROGRAM**

Park Maintenance is provided by the Public Works Department and includes Maintenance of all grounds, trees, restroom facilities, Swimming Pool, all City Parks and both baseball fields, located at Yost and Clark Parks. Public Works also maintains the lawns at the Fire Department.

**Future Park Improvement Costs:**

• Yearly Park Improvement funding for approved projects	\$25,000
• Replace playground equipment in Woodson Park	\$30,000
• Replace playground equipment in Edith Park	\$30,000
• Replace playground equipment in Yost Park	\$30,000
• Install playground equipment in Clark Park	\$30,000
• Replace playground equipment in Flournoy Memorial Park	\$30,000
• Reconstruct tennis courts at North side Park	\$30,000
• Repave and stripe parking lot at Clark Park	\$50,000
• Purchase 10-acre parcel east of Clark Park for Park expansion	\$250,000
• Replace picnic tables in all City Parks	\$40,000
• New lighting for Clark Park Little League field	\$150,000
• New lighting for Yost Park ball field	\$150,000
• Skateboard Park	\$150,000
• Install basketball court at Woodson Park	\$20,000
• New trash receptacles in all parks	\$15,000
• Replace restrooms at Woodson Park	\$40,000
• New restrooms facilities at Clark Park	\$40,000
• Install restrooms at Senior Center Park at 4 <sup>th</sup> Street	\$45,000
• Construct six new concrete horseshoe pits at Clark Park	\$3,500
• Replace playground equipment at North side Park	\$30,000
• Construct new office facilities for Recreation Coordinator	\$60,000
• Purchase recreation equipment for Recreation Department	\$5,000
<b>Total:</b>	<b>\$1,253,500</b>

Five years ago both pools at Northside Park were completely reconstructed. This consisted of replacement of all of the concrete decking, replastering of both pool surfaces, replacement of lifeguard chairs, and new electrical and plumbing throughout the pool and the filtering system.

Every couple of years the Joint Powers Authority (JPA) of the NCCSIF, the Risk Management Consultants from Bragg and Associates inspect our Parks and playground equipment. They work with each City in relation to the improvements/upgrades of Park playground equipment to ensure that they are safe for public use. These inspections have been taking place for about nine years and have helped reduce the liability claims in all of our City Parks. Each year the inspectors are quite pleased with the safety improvements we have made in our Parks.

Every year a licensed and insured Contractor harvests the olives at Woodson Park. The same contractor also prunes the olive trees with the funds received from the sale of the olives.

The seven maintained City Parks are: Clark Park; Yost Park; Woodson Park; Northside Park; Flournoy Memorial Park; Children's Memorial Park and Martini Plaza.

In 2004, Council approved the funding of \$7,880 to be used for improvement to City Parks by the Volunteer Park Committee. The Recreation Commission and City Council approved the projects after reviewing project lists presented by the Recreation Commission and a Citizens Volunteer Group. City Council appropriated funding for the approved improvements.

The City was also awarded a State Recreation Grant, which was completed and applied for by the Corning Police Department and our Recreation Coordinator. The \$40,000 Grant was successful and the funds from the grant were used to replace the playground equipment in the kiddy park area and construct a new restroom facility at the north end of the pool parking lot.

Another completed project at North side Park was the joint effort of the Corning Rotary Club and Public Works in replacing the old wooden bleachers located on the north side of the pool. The Rotarians striped off the old lumber and replaced it with new. Public Works removed all of the old metal brackets and replaced them along with repairs to the existing concrete blocks. The project was completed in the spring of 2004 prior to the beginning of the summer swim season. The Rotary Club furnished the lumber, nuts and bolts. Public Works furnished the metal for the brackets and installed them.

Included in this section is the maintenance and wages for the summer (June through August) operations of the swimming pool. In past years one of the Public Works Maintenance Workers served as the Pool Manager, however due to a shortage in Public Works personnel and increasing workload, Public Works could no longer afford to reassign a Maintenance Worker to fill the Pool Manager position. For the past four years we have advertised for and hired a qualified Pool Manager.

**No projects were completed this year in the Parks other then general maintenance.**

**Parks Fiscal Year Budget: \$164,940.**

In May of 2005, Council approved Resolution No. 5-24-05-06 amending the Parkland Development Fees and Bedroom Tax for Parks & Recreation. The following are the increased fees:

Use		Fee
Residential, Multifamily & Mobile Home Parks	<b>Parkland Development Fee</b>	\$875 per EDU
Residential, Multifamily & Mobile Home Parks	<b>Bedroom Tax for Parks &amp; Recreation</b>	\$200 + \$100/Bedroom over 1

**NOTE: EDU = Equivalent Dwelling Units**

## PUBLIC WORKS BUILDING MAINTENANCE

2008/2009

### CAPITAL IMPROVEMENT PROGRAM

Building Maintenance provides for Capital Improvement and repairs to City buildings. These buildings are City Hall, Police Department, Corporation Yard, and Library. All other buildings are funded as separate departments. Public Works employees perform a majority of the maintenance work. The formal bid process is utilized for large projects.

#### Future Capital Improvement Costs:

- Projector Screen for Council Chambers. \$2,000
- Electronic Reader Board for northeast corner of the Park & Ride. \$16,000
- Reconstruct front counter in City Hall. \$2,500
- Install new electrical service panels for City Hall.  
\$15,000
- Install Air Conditioning and Heating at Rogers Theatre \$30,000
- Remodel Theatre to new standards at prevailing wage  
\$450,000
- Expand west wall of Library. \$120,000
- Remove and replace curb and gutter at City Hall. \$8,000
- Paint interior of City Hall offices. \$15,000
- Replace lighting fixtures in City Hall offices. \$5,000
- Mural for the west end of the Museum building. \$3,000
- New roof replacement for City Hall. \$125,000
- Property purchase for future Community Center. \$250,000
- Funding for construction of Community Center. \$1,250,000
- Future relocation of Police Department.  
\$1,000,000
- Future relocation of Corporation Yard.  
\$1,000,000
- Future relocation of Animal Shelter.  
\$600,000
- New carpet City Hall.  
\$30,000

**Total of future improvements: \$4,921,000**

Janitorial Services for City Hall, Police Department, Library, Corporation Yard, the Transportation Center bus terminal waiting area, and the Martini Plaza restrooms are provided for by contract. Building Maintenance is funded entirely by the General Fund. **Yearly Janitorial Contract costs: \$19,650.**

The renter of each facility within the building provides janitorial Services for the Transportation Center. All offices spaces have their own electrical and gas meters and are responsible for their own utilities.

Landscape Maintenance is provided by contract for the Library, Fire Department, City Hall, Transportation Center and Martini Plaza. **Yearly Landscape Maintenance cost: \$8,450.**

#### Capital Improvement items completed 2007/2008 fiscal year:

Nothing was in this fiscal year budget other than general maintenance for Building Maintenance. Public Works completed improvements at the Library and the Riddell Trust provided the funding for the materials.

**Steve Kimbrough**

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**From:** "Gregory V. Melton" <greg@elandimage.com>  
**To:** <stevek@coming.org>  
**Cc:** <shawn@elandimage.com>; <kbeck@corning.org>; <jbrewer@corning.org>;  
<gcstrack@sbcglobal.net>  
**Sent:** Monday, April 06, 2009 2:53 PM  
**Subject:** Corning Skate Park

Steve,

Good speaking with you today and getting updated on the latest site options. We are looking forward to designing your skate park for you and the kids. We will be following up with a detailed agreement that will explain each task we are proposing along with the costs we have agreed upon. They will follow this outline:

Phase 1 - Our concept will be a schematic plan laying out the minimal requirements for the skatepark, access, spectator area, openspace, utilities and parking. This schematic plan can be used on any site we are researching to make sure we have enough space and that the park elements and needs are met

Phase 2 - Skate and Bike park master plan. This plan will be created through a public process incorporating staff, parents, skaters, bikers and all potential users. The end result will be a plan, located on the proper site with a cost estimate. This plan will help market the idea and to go after grants.

We are excited about your project and look forward to working with you and your community.

Sincerely,



**GREG MELTON, ASLA**

Principal



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4/7/2009



## Skate and Bike Park Course of Action

City of Corning

March 27, 2009

Task 1 Kick Off Meeting - Land Image, City Staff, Skate and Bike park user groups

Task 2 Site Analysis and Feasibility Study

Task 3 Public Workshop 1 - Brainstorm with local skaters

Task 4 Preliminary Site Plan and Cost Estimate

Task 5 Public Workshop 2 - Review preliminary plan with skaters, bikers, neighbors

Task 6 Final Skate and Bike Park Master Plan

Task 7 Construction Drawings

Task 8 Bid Project

Task 9 Skate and Bike Park Construction

Task 10 Grand Opening

Note: All necessary City Council and Recreation Department approvals to be administered throughout design and construction.