



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, AUGUST 10, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. **ROLL CALL:**

Council:

Vacant
Ross Turner
Toni Parkins
John Leach
Gary Strack

Mayor:

C. **PLEDGE OF ALLEGIANCE:**

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

1. Presentation of City Pool Picture by Mayor Strack to Premier West Bank Assistant Vice President & Branch Manager Kyle Lauderdale in appreciation for the Bank sponsoring the "Free Swim Fridays" at the City Pool.
2. **Proclamation: August 2010 as Honor Flight Northern California Month.** Christine Sullivan, representative of Honor Flight Northern California, Inc. will be present to accept the Proclamation.

E. **BUSINESS FROM THE FLOOR:** If there is anyone in the audience wanting to speak on an item not already on tonight's Agenda, please come to the podium, identify yourself and briefly present your information to the Council. If an item is already on the agenda, please wait until that item comes up for discussion and then obtain the Mayor's attention so you will be allowed to speak. **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.

F. **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 following Minutes of City Council Meetings with any necessary corrections:**
 - (a) June 24, 2010 Special City Council Meeting; and
 - (b) July 13, 2010 City Council Meeting; and
 - (c) July 27, 2010 City Council Meeting.
5. **August 4, 2010 Claim Warrant - \$179,995.65.**
6. **August 4, 2010 Business License Report.**
7. **July 2010 Building Permit Valuation - \$116,100.**

8. July 2010 – Treasurer’s Report.
9. July 2010 Wages and Salaries - \$511,288.90 (3 Payperiods in July).
10. City of Corning Wastewater Operation Summary Report – July 2010.
11. Approve Addition of “Children’s Musical Theater” to the City’s Recreation Programs.
12. Approve Final Payment in the amount of \$15,719 to Wadell Engineering Corporation for Professional Engineering Services on the Airport Improvement Project.
13. Approve Contract Change Order No. 2 Reducing the Contract Amount for the Airport Runway Improvement Project by \$39,803.43.
14. Approve Progress Pay Estimate No. 5 (Final) in the amount of \$36,441.57 to Teichert Construction for the Airport Improvement Project.
15. Approve Teichert Construction Request for Release of half of the 10% Retention and Authorize Payment of \$105,093.27 to Teichert Construction for the Airport Runway Improvement Project.
16. Award Bid for Three-year Janitorial Services Agreement with White Glove Cleaning Service at a cost of \$33,600 per year and appropriate funding.
17. Award Bid for the 2010 Street Improvement Project in the Amount of \$142,505.15 to Northwest Paving.

G. ITEMS REMOVED FROM THE CONSENT AGENDA:

H. 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.

I. REGULAR AGENDA:

18. Review Proposed League of California Cities Resolutions to be Agendized for Discussion and Council Action on August 24, 2010.
19. Approve Dave Demo’s Plan to Install U.S. Flags and Brackets on Solano Street Light Poles.

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

20. Turner:
21. Parkins:
22. Leach:
23. Strack:

M. ADJOURNMENT!:

POSTED: FRIDAY, AUGUST 6, 2010

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER

PROCLAMATION
AUGUST 2010
HONOR FLIGHT NORTHERN CALIFORNIA MONTH

WHEREAS, the National World War II Memorial in Washington, D.C. was dedicated to the public on May 29, 2004; and

WHEREAS, the National World War II Memorial pays tribute to the 16 million men and women who served in the United States Armed Forces during World War II, including more than 400,000 who made the ultimate sacrifice in the name of freedom, and the millions of people on the home front who supported the efforts of our military; and

WHEREAS, many WWII Veterans are physically or financially unable to personally visit this Memorial built in their honor; and

WHEREAS, the Honor Flight Northern California was established to help our Veterans realize their dreams of visiting the Memorial safely and free of charge; and

WHEREAS, The Honor Flight Northern California Program provides support to the Veterans who are Corning residents, in particular Buck Bordeau who returned from last October's flight, and Veterans in the Northern State of California who have given so much of themselves to protect and defend our Country; and

WHEREAS, the 65th Anniversary of the end of WWII is on August 14th, and it would be appropriate and fitting to recognize their valor and courage.

NOW, THEREFORE BE IT PROCLAIMED, that I Gary R. Strack, as Mayor of the City of Corning, hereby declare August 2010 as "HONOR FLIGHT NORTHERN CALIFORNIA MONTH", and encourage all Corning residents to join together in support of our Veterans and the Honor Flight Northern California Organization.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 11th day of May 2010.

Gary Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk



**CITY OF CORNING
SPECIAL COUNCIL MEETING MINUTES**

**THURSDAY, JUNE 24, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 5:00 p.m.

B. ROLL CALL:

Council:

Vacant

Ross Turner

Toni Parkins

John Leach

Mayor:

Gary Strack

All Councilmembers were present.

C. PLEDGE OF ALLEGIANCE: Led by John Brewer, Public Works Director.

Mayor Strack announced that City Manager Stephen Kimbrough was out of town attending a meeting at Beale Air Force Base and has gotten caught up in security which is why he is not here tonight.

D. BUSINESS FROM THE FLOOR: None.

E. REGULAR AGENDA:

- 1. Adopt Resolution 06-22-10-01 to Ratify Sideletters Accepting the Furlough Plan for Each of the Individual Employee Bargaining Units and Set Office Furlough Closure Days.**

Councilor Turner stated that he is not in favor of this total package, but we have to do what is best for the City, Employees and Tax Payers of the City of Corning. Any money saved is a net, so lets roll the dice, walk from the table and recoup as much as we can in this period of time hopefully with no layoffs before June 30, 2011, when we can save approximately \$280,000, therefore he moved to adopt Resolution 06-22-10-01 to Ratify Sideletters Accepting the Furlough Plan for Each of the Individual Employee Bargaining Units and Set Office Furlough Closure Days.

Mayor Strack asked if there was any more discussion on this item. Councilor Leach responded stating that he is glad that we have a group of employees that like to work together. He is not in favor of the layoff terms that state if one employee is laid off prior to June 30, 2010 the furloughs will end for all bargaining units, however after a lot of discussion on the money saved that the City needs, he is changing his vote.

Mayor Strack stated that there has been a motion made and called for a second. Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council. Mayor Strack then thanked the City Employees for volunteering to take the cut.**

H. ADJOURNMENT!: 5:05 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JULY 13, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:	Vacant
	Ross Turner
	Toni Parkins
	John Leach
Mayor:	Gary Strack

All Councilmembers were present except Councilor Turner.

C. PLEDGE OF ALLEGIANCE: Led by City Manager.

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS: None.

E. BUSINESS FROM THE FLOOR:

Carol Currey of Family Resource Center announced that the Youth Fair would be held on August 14th at Northside Park. She also stated that they have started a food program feeding children 18 years and younger, Monday through Friday at Corning Family Resource Center and Spring Mountain Apts.

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

1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
2. Waive the Reading and Approve the Minutes of the June 9, 2010 City Council Meetings with any necessary corrections: Removed from the Agenda.
3. July 7, 2010 Claim Warrant - \$432,185.70.
4. July 7, 2010 Business License Report.
5. June 2010 Building Permit Valuation - \$68,202.40.
6. City of Corning Wastewater Operation Summary Report – June 2010.
7. Second Reading and Adoption of Ordinance 641 repealing Chapter 17.56 and adding Chapter 15.10 to the Corning Municipal Code regarding the issuance of a Certificate of Occupancy for Buildings and Vacant Land within the City of Corning.
8. Second Reading and Adoption of Ordinance 642, an Ordinance referencing the 2007 Edition of the California Fire Code as a Technical Code in the Corning Municipal Code.

9. **Interim Ordinance No. 637; Authorize Mayor to Sign Report Issued to the City Council Pursuant to Section 65858 (d) of the California Government Code Pursuant to Interim Ordinance No. 637.**
10. **Approve Resolution No. 07-13-10-05 Authorizing the Tehama County Sanitary Landfill Agency to Submit A Regional Used Oil Payment Grant Application for FY 2010/2011.**
11. **Designation of Voting Delegate and Alternate for 2010 League Annual Conference September 15-17th.**
12. **Approve Services Agreement with Henderliter De Llamas and Associates, to Provide Sales Tax Analysis and Auditing Services.**
13. **Approve Services Agreement with MGT, to Provide Comprehensive State Mandated Cost Claiming Services.**

Councilor Parkins asked for further discussion on Item 11, specifically questioning if we really need a voting delegate since, because of the budget crisis, we do not plan on sending anyone to the League Conference. Mayor Strack stated that he thinks it would be good to designate someone, preferably the City Manager and Mayor. It was explained by the Mayor and City Manager that should it become necessary for a representative of the City to cast a vote, the voting delegate would be acting on direction by the entire Council as a whole.

With no further questions, Councilor Parkins moved to approve Consent Items 1 through 13. Councilor Leach seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

H. 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.

14. **Consider Adoption of Resolution 07-13-10-04, the Resolution to Re-adopt the 2009-2014 Housing Element Update.**

Mayor Strack introduced this item by title and Planning Director John Stoufer briefed the Council on the process to date and the changes required by the State. The Mayor and Mr. Stoufer stated that the City must comply with the State on the Housing Element in order to qualify for grant monies. Mayor Strack then opened the Public Hearing. With no comment he then closed the Public Hearing.

Councilor Parkins moved to adopt Resolution No. 07-13-10-04; the Resolution to re-adopt the 2009-2014 Housing Element with revisions pursuant to review by the California Department of Housing and Community Development. Councilor Leach seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

15. **Approve Engineers Report and Adopt Resolution No. 07-13-10-01 Setting the Fiscal-Year 2010-2011 Assessment at \$63.09 per Parcel for Landscaping and Lighting District 1, Zone 1.**

Mayor Strack introduced this item by title and then opened the public hearing. With no comment he then closed the public hearing. Councilor Parkins noted that the City had received one letter in opposition and asked if the City Manager or Public Works Director could explain why the Landscape and Lighting District was initiated. Mr. Brewer provided a brief explanation. Councilor Leach clarified that the amount has not been increased since it's beginning. Councilor Parkins moved to approve the Engineers Report and adopt Resolution No. 07-13-10-01 setting the Fiscal

Year 2010-2011 Assessment at the \$63.09 per parcel for Landscaping and Lighting District 1, Zone 1. Councilor Leach seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

16. Approve Engineers Report and Adopt Resolution No. 07-13-10-02 Setting the Fiscal-Year 2010-2011 Assessment at \$142.10 per Parcel for Landscaping and Lighting District 1, Zone 3.

Mayor Strack introduced this item by title. He then declared the Public Hearing open; with no public comment he closed the Public Hearing. Public Works Director John Brewer announced the location of this District and explained the numbering system of the District. Councilor Leach moved to approve the Engineers Report and adopt Resolution No. 07-13-10-02 setting the Fiscal Year 2010-2011 Assessment at \$142.10 per parcel for Landscaping and Lighting District 1, Zone 3. Councilor Parkins seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

17. Approve Engineers Report and Adopt Resolution No. 07-13-10-03 Setting the Fiscal-Year 2010-2011 Assessment at \$4,772.90 per Parcel for Landscaping and Lighting District 1, Zone 4.

Mayor Strack introduced this item by title stating the location and property included within this District. Mayor Strack then opened the Public Hearing; with no comments he then closed the public hearing. Councilor Parkins moved to approve the Engineers Report and adopt Resolution No. 07-13-10-03 setting the Fiscal Year 2010-2011 assessment at \$4,772.90 per parcel for Landscaping and Lighting District 1, Zone 4. Councilor Leach seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

I. REGULAR AGENDA:

18. Adopt Resolution No. 07-13-10-06; Authorizing the Acquisition of a USDA Rural Development Loan for a New Water Well and Associated Water System Improvements at Clark Park.

Mayor Strack introduced this item by title. Councilor Leach asked how close the City was to be awarded this loan; Public Works Director Brewer stated that we are close. He then asked what the timeline was; City Engineer Ed Anderson stated once approved it should be online by the first of the year. The loan timeline will be 40 years and the loan amount is \$613,000. Councilor Parkins moved to adopt Resolution No. 07-13-10-06; the Resolution authorizing and providing for the incurrence of indebtedness for the purpose of acquiring a USDA Loan for a new water well at Clark Park and associated water system improvements. Councilor Leach seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

19. Adopt Resolution No. 07-13-10-07 and Accept Flood Mitigation Assistance Grant of \$50,580 from California Emergency Management Agency (Cal EMA).

Mayor Strack introduced this item by title and City Manager Kimbrough gave a brief explanation of the proposed grant. Councilor Leach moved to accept the Flood Mitigation Assistance Grant of \$50,580 from California Emergency Management Agency and approve Resolution No. 07-13-10-07 authorizing the City Manager to execute the Grant Agreement and retain the services of Jan Rogala and Associates. Councilor Parkins seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: None. Absent: Turner. Abstain: None. Motion was approved by a 3-0 vote with Turner absent and one vacancy remaining on the Council.**

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None

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

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

20. **Turner:** None

21. **Parkins:** Announced that she has a solid waste meeting next week and surgery the next day.

22. **Leach:** None.

23. **Strack:** Thanked the two Council candidates for showing up.

M. **ADJOURNMENT!:** 8:00 p.m.

Lisa M. Linnet, City Clerk



CITY OF CORNING
CITY COUNCIL MINUTES
Tuesday, July 27, 2010
WOODSON ELEMENTARY SCHOOL GYMNASIUM
150 NORTH TOOMES AVENUE

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

B. **ROLL CALL:** Council: Vacant
Ross Turner
Toni Parkins
John Leach
Mayor: Gary Strack

All Councilmembers were present with one vacancy remaining on the Council.

C. **PLEDGE OF ALLEGIANCE:** Led by City Manager Stephen Kimbrough.

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

E. **BUSINESS FROM THE FLOOR:**

City Clerk Lisa Linnet requested to add to the Agenda as an urgency item due to the July 31st deadline, a Public Hearing to accept public comments regarding the Annual Grantee Performance Report for the fiscal year 2009-2010 Community Development Block Grant (CDBG) Program Income. She informed the Council that a notice had been published in the local paper stating that a Public Hearing would be held on this date at the City Council Meeting to accept public comments.

Councilor Turner moved to add to the Agenda a Public Hearing to accept public comments regarding the Annual Grantee Performance Report for the fiscal year 2009-2010 Community Development Block Grant (CDBG) Program Income. Councilor Leach seconded the motion.

Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None.

Motion was approved by a vote of 4-0 with one vacancy remaining on the Council. Mayor Strack announced that this item would be added to the Agenda as the first item under Public Hearings

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

1. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
2. **July 21, 2010 Claim Warrant - \$175,190.41.**
3. **July 21, 2010 Business License Report.**
4. **June 2010 Wages and Salaries - \$346,082.13**
5. **June 2010 – Treasurer's Report.**
6. **Waive Recreational Use Fee for 2nd Annual Tucker Mesker Memorial Scholarship Softball Tournament Fundraiser.**

7. **Waive Lifeguard Fee for the Use of the City Pool for the High School Cross Country Running Team.**
8. **Award Bid and Authorize City Manager to Sign 3-year Landscape and Turf Maintenance Agreement with Ken Vaughan & Sons at a cost of \$10,800 per year.**
9. **Approve and Accept the Notice of Completion for the Airport Runway Improvement Project.**
10. **Approve and Accept Landscape and Turf Maintenance Amendment #1 to add Landscaping Services at North and Fourth Streets (301 Fourth St.).**
11. **Authorize Staff to Seek Bids for Re-roofing and Energy Efficiency Improvements to Rodgers Theater.**
12. **Authorization to fill Maintenance Worker Vacancy.**

Mayor Strack introduced each item on the Consent Agenda by title.

Councilor Turner moved to approve Consent Agenda Items 1-12. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA: None

H. 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.

13. **Public Hearing to accept public comments regarding the Annual Grantee Performance Report for the fiscal year 2009-2010 Community Development Block Grant (CDBG) Program Income.**

City Manager Kimbrough introduced this item and briefly explained the program stating that a Public Hearing to accept public comments is a condition of the grant process. Mayor Strack then opened the Hearing for public comments. With no comments received the Mayor then closed the public hearing. **No Council Action other than conducting the Public Hearing is required.**

14. **Consider Extending Interim Ordinance No. 637; Prohibiting Medical Marijuana Dispensaries, Collectives or Cooperatives within any Zoning District in the City of Corning for 1 year.**

Planning Director John Stoufer explained that this is an extension of the current Ordinance and requires a 4-5 approval vote by the Council for the Ordinance to be extended and this is the last time the Ordinance can be extended. He provided background information on the existing Ordinance, information on the proposed ballot measure relating to marijuana cultivation and use, explained the Ordinance's proposed findings and conditions, and stated that the City is still awaiting the court opinion on the Anahiem ruling.

Councilor Turner clarified that the Ordinance proposed tonight relates only to zoning, not sale or cultivation of marijuana.

Mayor Strack then declared the public hearing open:

Pastor Ken Killingel spoke noting the recent loss of a Corning School teacher who was hit by a car driven by someone under the influence of marijuana and stated that he hopes the City keeps this Ordinance in place.

Lois Cosby spoke also citing the recent incident where a local teacher was struck down and killed by a driver under the influence of marijuana. She stated that a decision regarding this Ordinance

is not hard for the Council, or a decision on the legality of this should not be hard for the voters present here tonight. She urged the Council to consider the consequences before they vote encouraging them to extend the ban.

Ken Prather: Stated that the loss of Corning's School Teacher is tragic, stating that we all feel that loss. He stated that individuals must be held accountable and responsible for their actions, whether they have a Doctors recommendation or not. Mr. Prather stated that the predictions of John Stoufer regarding vandalism, increased crime, etc. have not come true. He stated that recently he and his wife have approached the Foster Care Program to obtain legal rights to care for two of their grandchildren and have passed their extensive screening program.

Mr. Prather stated that to date the City has made no effort to legally zone an area within the City for a Marijuana Dispensory or Cooperative.

Mayor Strack stated that he disagrees with Mr. Prather on his statement that the City has made no effort to legally zone an area within the City Limits. Mayor Strack stated that a Committee has been set up to discuss this and the City has approved a Cultivation Ordinance.

Toni Parkins: Stated that she has spoken with people on both sides of this issue, many in favor of allowing a Dispensary, however the majority of those she has spoken with does not want this type of business in our town and on our Main Street.

With no further comment, Mayor Strack closed the public hearing. Councilor Parkins moved to adopt the seven (7) Factual Subfindings and Legal Findings as presented in the Staff Report and Extend Interim Ordinance 637, an Interim Ordinance of the City of Corning prohibiting the operation of profit or non-profit Medical Marijuana Dispensaries, Collectives or Cooperatives within any Zoning District in the City of Corning for 1 year until August 6, 2011 pursuant to Section 65858 (a) of the California Government Code. Councilor Turner seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

I. REGULAR AGENDA:

15. Approve Agreement for Temporary City Manager Services between the City of Corning and Stephen J. Kimbrough.

Mayor Strack introduced this item by title and Stephen Kimbrough stated that the information has been presented to the Council. Councilor Leach stated that through information he has received from other parties, most part-time employees only receive certain benefits paid such as FICA, MICA and Unemployment Insurance. City Manager Kimbrough stated that private and public employment are different, and in this case you have a full-time City Manager and Police Chief that looked at the budget and tried to find a way to save the City money, as close to \$200,000 as possible, and protect the City's reserve, that was the inspiration behind this move to retire 3-years prematurely. The question here is, is it of value to the City for the City Manager and City Police Chief to go to part-time?

Councilor Turner asked if the association he belongs to as City Manager highly recommends against part-time City Managers; Mr. Kimbrough stated that they have been highly critical of the Bell retirement. He also asked that if there were any legal statute that limits the benefits for part-time employment. Mr. Kimbrough stated that there are no legal prohibitions or statute either way it is left to the discretion of the City Council. He further stated that he had planned, and believed he had told the Council over the years that he planned to retire in July of 2013. Mr. Turner stated he believed that Mr. Kimbrough told him this when he came back on the Council.

Mayor Strack: Mayor Strack stated that what it really comes down to is the City saves \$93,000 with this proposal. He also stated that many of the suggestions brought by Concerned Citizens

have been acted upon such as Public Works Director and Police Chief's Auto Allowance which has been removed, the Building Official going to part-time, etc.

Mr. Kimbrough stated it was important for people to recognize that sick leave, retirement, etc. all stop upon retirement. Mr. Kimbrough stated that nothing in this contract changes the terms for removal of the City Manager.

Councilor Turner clarified the terms relating to the removal of the City Manager after 90 days of a new election. So if following the election and being seated they would have to wait a minimum of 90 days to take any action to remove the City Manager.

Councilor Turner commended Steve and Tony both for their offer; however without the Health Insurance payment by the City you could round that out to \$100,000 and that would be greatly appreciated. Mayor Strack stated if he was asking about the \$13,000 for Health Insurance for both the City Manager and Police Chief's Insurance, why can't he give up \$30, the 10% of his Council pay?

Parkins moved for Mayor and Council to recognize the commitment of City Manager Stephen J. Kimbrough to the City of Corning by approving this temporary City Management Services Agreement. Mayor Strack seconded the motion. **Ayes: Strack and Parkins. Opposed: Turner and Leach. Absent/Abstain: None. Motion not approved by a 2-2 vote with one vacancy remaining on the Council.**

Mayor Strack then stated that based upon the outcome of this issue, he was removing Items 16 and 17 from the agenda for discussion/action.

Council Turner moved to adopt a Continuing Budget Resolution thereby continuing last year's budget and budget figures until a new Council is seated. Councilor Leach seconded the motion. **Ayes: Turner and Leach. Opposed: Strack and Parkins. Absent/Abstain: None. Motion not approved by a 2-2 vote with one vacancy remaining on the Council.**

16. Approve Part-Time Employment Agreement for Chief of Police with Anthony F. Cardenas. (Based upon the action of the previous item Mayor Strack removed from the Agenda.)

17. Adoption of 2010-2011 Program of Service and Annual Budget. (Based upon the action taken on Item 15 Mayor Strack removed this item from the Agenda.)

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

18. Turner: Announced that he would not seek another term on the City Council.

19. Parkins: Nothing

20. Leach: Nothing

21. Strack: Nothing

M. ADJOURNMENT!: 8:26 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: August 4, 2010

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, August 10, 2010 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	07-29-10	\$	52,456.12
B.	Payroll Disbursements	Ending	07-28-10	\$	73,888.41
C.	Cash Disbursements	Ending	08-04-10	\$	53,651.12
GRAND TOTAL				\$	<u>179,995.65</u>

REPORT.: Jul 29 10 Thursday
 RUN....: Jul 29 10 Time: 12:46
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 07-10 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
010913	07/22/10	DEP05	CDPH-OCF, DRINKING WATER	-55.00	.00	-55.00	100714U	Ck# 010913 Reversed
				-60.00	.00	-60.00	100714AU	Ck# 010913 Reversed
			Check Total.....	-115.00	.00	-115.00		
010955	07/22/10	DEP05	CDPH-OCF, DRINKING WATER	120.00	.00	120.00	100722	MAT & SUPPLIES-WTR
010956	07/22/10	ATT09	AT&T	64.60	.00	64.60	100707	MAT & SUPPLIES-WTR
010957	07/22/10	LAM03	LAMBETH, TAMMY	95.00	.00	95.00	100722	REC INSTRUCT-REC
010958	07/22/10	WAR05	WARREN, DAMA KARL	183.35	.00	183.35	100722	REC INSTRUCT-REC
010959	07/29/10	ACC00	ACCESS INFORMATION	40.00	.00	40.00	57974	EQUIP MAINT-GEN CITY
010960	07/29/10	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	1006885	ProfServices Water Dept
010961	07/29/10	CAM02	CAMELLIA VALLEY SUPPLY	259.80	.00	259.80	0746363	MAT & SUPPLIES-PARKS
				88.83	.00	88.83	0747022	MAT & SUPPLIES-PARKS
				186.86	.00	186.86	0748165	MAT & SUPPLIES-WTR
			Check Total.....	535.49	.00	535.49		
010962	07/29/10	CHE02	CHEM QUIP, INC.	1039.80	.00	1039.80	5032078	MAT & SUPPLIES-WTR
				10.00	.00	10.00	5032103	MAT & SUPPLIES-WTR
			Check Total.....	1049.80	.00	1049.80		
010963	07/29/10	COM01	COMPUTER LOGISTICS, INC	67.66	.00	67.66	49295	Equip.Maint.-GEN CITY
010964	07/29/10	COR08	CORNING LUMBER CO INC	170.32	.00	170.32	100724	Mat/Supplies-
010965	07/29/10	DAY01	DAY-TIMER, INC	29.99	.00	29.99	59566694	OFFICE SUPPLIES-CITY CLER
010966	07/29/10	DUR01	DURHAM PUMP	3686.23	.00	3686.23	0114597IN	WELL REPAIRS-WTR CAP IMPR
010967	07/29/10	HOL04	HOLIDAY MARKET #32	19.96	.00	19.96	36868	Mat/Supplies BuildingMain
010968	07/29/10	JON02	JONES INSURANCE	4809.00	.00	4809.00	100721	LIABILITY INS-AIRPORT
010969	07/29/10	LIN01	LINCOLN EQUIPMENT, INC.	1837.68	.00	1837.68	SII42927	MAT & SUPPLIES-POOL
				1573.63	.00	1573.63	SII44181	MAT & SUPPLIES-POOL
			Check Total.....	3411.31	.00	3411.31		
010970	07/29/10	MCC01	MCCOY'S HARDWARE & SUPPLY	33.55	.00	33.55	100709	MAT & SUPPLIES-WTR
				1542.11	.00	1542.11	100725	MAT & SUPPLIES-
			Check Total.....	1575.66	.00	1575.66		
010971	07/29/10	PAC16	PACIFIC TELEMANAGEMENT SE	38.00	.00	38.00	211268	COMMUNICATIONS-GEN CITY

REPORT.: Jul 29 10 Thursday
 RUN....: Jul 29 10 Time: 12:46
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 07-10 Bank Account.: 1020

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 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
010972	07/29/10	PGE01	PG&E	36196.70	.00	36196.70	100721	Electricity General City-
010973	07/29/10	PGE2A	PG&E	49.03	.00	49.03	100719	ELECT-BLUE HERON CT
010974	07/29/10	TEH11	TEHAWA CO TAX COLLECTOR	193.02	.00	193.02	1813	TAXES-AIRPORT
010975	07/29/10	UND01	UNDERGROUND SERVICE ALERT	150.00	.00	150.00	10007167	USA SERV ALERT-STR

Cash Account Total.....: 52456.12 .00 52456.12

Total Disbursements.....: 52456.12 .00 52456.12

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
4621	07/27/10	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	B00727	POLICE OFFICER ASSOC
4622	07/27/10	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B00727	WITHHOLDING ORDER
4623	07/27/10	EDD01	EMPLOYMENT DEVELOPMENT	3535.03	.00	3535.03	B00727	STATE INCOME TAX
				1093.50	.00	1093.50	1B00727	SDI
			Check Total.....	4628.53	.00	4628.53		
4624	07/27/10	ICM01	ICMA RETIREMENT TRUST-457	300.00	.00	300.00	B00727	ICMA DEF. COMP
4625	07/27/10	OEU03	OPERATING ENGINEERS	550.00	.00	550.00	B00727	CREDIT UNION SAVINGS
4626	07/27/10	PERS1	PUBLIC EMPLOYEES RETIRE	27226.19	.00	27226.19	B00727	PERS PAYROLL REMITTANCE
4627	07/27/10	PERS4	Cal Pers 457 Def. Comp	225.00	.00	225.00	B00727	PERS DEF. COMP.
4628	07/27/10	STA04	STATE OF CALIFORNIA	550.00	.00	550.00	B00727	WAGEASN 1107012828
4629	07/27/10	VAL06	VALIC	1025.00	.00	1025.00	B00727	AIG VALIC P TAX
4630	07/28/10	AFL01	AMERICAN FAMILY LIFE	2601.52	.00	2601.52	B00731	AFLAC INS. PRE TAX
				152.61	.00	152.61	1B00731	AFLAC INS. AFTER TAX
			Check Total.....	2754.13	.00	2754.13		
4631	07/28/10	BLU02	BLUE SHIELD OF CALIFORNIA	21524.00	.00	21524.00	B00731	MEDICAL INSURANCE
4632	07/28/10	CIT01	CITY OF CORNING	9.00	.00	9.00	B00731	CHGS FOR WAGE ATCHMT
4633	07/28/10	OEU01	OPERATING ENGINEERS #3	7430.00	.00	7430.00	B00731	MEDICAL INSURANCE
4634	07/28/10	OEU02	OPERATING ENG. (DUES)	315.00	.00	315.00	B00731	UNION DUES MGMNT
				572.00	.00	572.00	1B00731	UNION DUES POLICE
				280.00	.00	280.00	2B00731	UNION DUES DISPATCH
				560.00	.00	560.00	3B00731	UNION DUES-MISC
			Check Total.....	1727.00	.00	1727.00		
4635	07/28/10	PRI04	PRINCIPAL	3610.14	.00	3610.14	B00731	DENTAL INSURANCE
				664.96	.00	664.96	1B00731	VISION INSURANCE
			Check Total.....	4275.10	.00	4275.10		
4636	07/28/10	TRA03	TRANSAMERICA LIFE INS CO.	1176.00	.00	1176.00	B00731	LIFE INSURANCE
			Cash Account Total.....	73888.41	.00	73888.41		
			Total Disbursements.....	73888.41	.00	73888.41		

REPORT.: Aug 04 10 Wednesday
 RUN....: Aug 04 10 Time: 16:17
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CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-10 Bank Account.: 1020

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
010984	08/02/10	COR07	CORBIN WILLITS SYSTEMS	729.72	.00	729.72	000B008011	Finance Dept.
010985	08/02/10	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000B008011	CngChamberComm. Economic
010986	08/02/10	HAL05	HALL, ROBERT	104.70	.00	104.70	000B008011	ProfServices FireDepartme
010987	08/02/10	KEN00	KEN VAUGHAN & SONS	950.00	.00	950.00	000B008011	Landscape Maint-Parks
				-950.00	.00	-950.00	000B008011u	Ck# 010987 Reversed
			Check Total.....	.00	.00	.00		
010988	08/02/10	PIT01	PITNEY BOWES	241.84	.00	241.84	000B008011	Rents/Leases Finance Dept
010989	08/02/10	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000B008011	K-9 PROGRAM-POLICE
010990	08/02/10	TLD01	TEDC	208.33	.00	208.33	000B008011	Economic Development
010991	08/02/10	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000B008011	PROF. SVCS-FIRE DEPT
010992	08/02/10	KEN00	KEN VAUGHAN & SONS	904.17	.00	904.17	100802	Landscape Maint-Parks
010993	08/02/10	KEN01	KEN VAUGHAN & SONS	800.00	.00	800.00	100802	Janitorial Service-
010994	08/02/10	KEN01	KEN VAUGHAN & SONS	50.00	.00	50.00	XXX4	JANITORIAL SERVICE-
010995	08/03/10	ACS01	ACS FIREHOUSE SOFTWARE	625.00	.00	625.00	558163	COMP/EQUIP/SOFT-FIRE
010996	08/03/10	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1007114	ProfServices Water Dept
010997	08/03/10	CEN11	CENTRAL SIERRA POLICE CHI	20.00	.00	20.00	100802	ASSOC DUES-POLICE
010998	08/03/10	COR01	CORNING VETERINARY	210.00	.00	210.00	26242	SPAY/NEUTER VOUCHER PROGR
				140.00	.00	140.00	26515	SPAY/NEUTER VOUCHER PROGR
			Check Total.....	350.00	.00	350.00		
010999	08/03/10	DEP03	DEPT OF TRANS/CAL TRANS	1254.21	.00	1254.21	00000120	Equip.Maint. St&Trf Light
011000	08/03/10	DEP12	DEPT OF JUSTICE	105.00	.00	105.00	802123	PROF SVCS-POLICE
011001	08/03/10	HIG00	HIGHT, MONTY W.	480.00	.00	480.00	100802	OTS/DUI GRANT-PIO
011002	08/03/10	HOL04	HOLIDAY MARKET #32	94.04	.00	94.04	36870	Mat/Supplies-ACO
011003	08/03/10	KOE01	KOEFRAN	250.00	.00	250.00	567436	PROF SVCS-ACO
				-250.00	.00	-250.00	567436u	Ck# 011003 Reversed
			Check Total.....	.00	.00	.00		
011004	08/03/10	LIN02	LINNETS TIRE SHOP	284.77	.00	284.77	52172	Veh Opr/Maint-POLICE

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CITY OF CORNING
 Cash Disbursement Detail Report
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discout Amount	Net Amount	Invoice #	Payment Information-Description
011005	08/03/10	MAY01	MAY, WILLIAM L.	1475.50	.00	1475.50	201008120	EE RELATIONS-LEGAL SERVIC
011006	08/03/10	MIR04	MIRACLE UPHOLSTERY & DRAP	350.00	.00	350.00	673598	VEH OP/MAINT-
011007	08/03/10	NAP01	NAPA AUTO PARTS	115.10 46.82	.00 .00	115.10 46.82	100721 100721F	Veh Opr/Maint- Veh Opr/Maint-FIRE
Check Total.....:				161.92	.00	161.92		
011008	08/03/10	NOR31	NORM'S PRINTING	204.61 62.24	.00 .00	204.61 62.24	008648 008658	PRINTING/ADV-POLICE PRINTING/ADV-POLICE
Check Total.....:				266.85	.00	266.85		
011009	08/03/10	OFF01	OFFICE DEPOT	64.55	.00	64.55	526795862	Office Supplies Policedis
011010	08/03/10	PER02	PEREZ, ARMANDO	249.00 249.00	.00 .00	249.00 249.00	540991 540992	NUISANCE ABATEMENT-POLICE NUISANCE ABATEMENT-POLICE
Check Total.....:				498.00	.00	498.00		
011011	08/03/10	PGE2B	PG&E	8188.79	.00	8188.79	100727	ELECT-WWTP
011012	08/03/10	QUI02	QUILL CORPORATION	249.64	.00	249.64	6848750	Office Supplies-
011013	08/03/10	RED01	RED BLUFF DAILY NEWS	116.52	.00	116.52	100802	BOOKS/PERIODICS-LIBRARY
011014	08/03/10	SEI01	SEILER, ROY R., CPA	2278.80	.00	2278.80	24016	ProfServices Finance Dept
011015	08/03/10	USB01	US BANCORP	868.98	.00	868.98	156262867	Rents/Leases-GEN CITY
011016	08/03/10	WAR03	WARD'S CONCRETE, INC	1920.00	.00	1920.00	2 5TH&CEN	CG&S REPLACEMENT-STR PROJ
011017	08/03/10	WES02	WESTERN BUSINESS PRODUCTS	39.97	.00	39.97	024857	Equip.Maint.-FIRE
011018	08/04/10	AND03	ANDERS, JOANN	70.00 420.00	.00 .00	70.00 420.00	10-2022 10-2023	GRANT ADM-HOUSING ELEMENT PROF SVCS-HOUSING REHAB
Check Total.....:				490.00	.00	490.00		
011019	08/04/10	ARA02	ARAMARK UNIFORM SRV.INC.	30.52	.00	30.52	0691941	Mat/Supplies-
011020	08/04/10	ATT02	AT&T	1160.50	.00	1160.50	1520035	COMMUNICATIONS-
011021	08/04/10	AUS00	AUSMUS ENGINEERING	7350.00	.00	7350.00	100804	PLANS & SPECS-RODGERS THE
011022	08/04/10	CAM02	CAMELLIA VALLEY SUPPLY	121.99	.00	121.99	0746913	MAT & SUPPLIES-WTR
011023	08/04/10	COM01	COMPUTER LOGISTICS, INC	116.67	.00	116.67	49467	COMMUNICATIONS-POLICE

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
011024	08/04/10	COR01	CORNING VETERINARY	217.65	.00	217.65	26241	ProfServices ACO
				406.75	.00	406.75	26512	ProfServices ACO
				106.15	.00	106.15	26536	ProfServices ACO
			Check Total.....	730.55	.00	730.55		
011025	08/04/10	COR11	CORNING SAFE & LOCK	16.35	.00	16.35	2855	RUNWAY CONST-AIRPORT
011026	08/04/10	COR12	CORNING FORD MERCURY, INC	23.69	.00	23.69	23352	Veh Opr/Maint-ACO
				178.01	.00	178.01	125707	K-9 PROGRAM-POLICE
				948.12	.00	948.12	127075	Veh Opr/Maint-POLICE
			Check Total.....	1149.82	.00	1149.82		
011027	08/04/10	COR20	CORNING ELECTRONICS	14.05	.00	14.05	10089399	MAT & SUPPLIES-POLICE
011028	08/04/10	DEP03	DEPT OF TRANS/CAL TRANS	90.84	.00	90.84	188721	Equip.Maint. St&Trf Light
011029	08/04/10	HAT10	HATFIELD'S	360.09	.00	360.09	100725	Mat/Supplies-
011030	08/04/10	INT00	INTERSTATE BATTERY SYSTEM	207.73	.00	207.73	10424708	VEH OP/MAINT-
011031	08/04/10	KOE01	KOEFRAN	250.00	.00	250.00	567436A	PROF SVCS-ACO
011032	08/04/10	LIN02	LINNETS TIRE SHOP	593.50	.00	593.50	52395	Veh Opr/Maint-PARKS
011033	08/04/10	NOR01	NORTH VALLEY BARRICADE	77.94	.00	77.94	13354	STR SIGN REPLAC-STR
011034	08/04/10	NOR25	NORTHERN LIGHTS ENRGY, INC	3556.09	.00	3556.09	25246	VEH OP/MAINT-POLICE
				1779.68	.00	1779.68	25293	MAT & SUPPLIES-
				340.12	.00	340.12	25294	VEH OP/MAINT-FIRE
			Check Total.....	5675.89	.00	5675.89		
011035	08/04/10	NOR31	NORM'S PRINTING	91.56	.00	91.56	008675	OFFICE SUPPLIES-FINANCE
011036	08/04/10	PGE04	PG&E	419.33	.00	419.33	100730	TranspFacility-
011037	08/04/10	PGE05	PG&E	1777.60	.00	1777.60	100730	FIRE-ELECT & GAS
011038	08/04/10	PGE2A	PG&E	313.62	.00	313.62	100728	ELECT-
				109.54	.00	109.54	100730	ELECT-MARTINI, MCDONALD &
			Check Total.....	423.16	.00	423.16		
011039	08/04/10	RAY04	RAYCOM ELECTRONICS	90.00	.00	90.00	790	COMMUNICATIONS-POLICE
011040	08/04/10	UPS01	UNITED PARCEL SERVICE	7.21	.00	7.21	F7377X310	PROF SVCS-HOUSING REHAB

REPORT.: Aug 04 10 Wednesday
 RUN....: Aug 04 10 Time: 16:17
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CITY OF CORNING
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
011041	08/04/10	VAL07	VALLEY VETERINARY CLINIC,	131.54	.00	131.54	65853	K-9 PROGRAM-POLICE
011042	08/04/10	WAR03	WARD'S CONCRETE, INC	8022.00	.00	8022.00	1 5TH&CEN	CG&S-STR
011043	08/04/10	XER00	XEROX CORPORATION	152.28	.00	152.28	049531321	EQUIP MAINT-POLICE

Cash Account Total.....: 53651.12 .00 53651.12
 Total Disbursements.....: 53651.12 .00 53651.12
 =====

Date.: Aug 4, 2010
Time.: 4:23 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWS
Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
HUNT, JOHN	4810 MARY AVE	CORNING, CA 96021	HUNT	JOHN GENERAL HANDYMAN SERVICES	07/27/10	(530) 566-2805
SIGNE LEWIS BOOKKEEP	1180 E. CASSANDRA CIR	CORNING, CA 96021	LEWIS	SIGNE BOOKKEEPING SERVICE	07/26/10	(530) 521-3463

PERMITS ISSUED (sort by Permit #)
For the Period 7/1/2010 thru 7/31/2010

Owner and Address	Parcel Number	Issued On	Valuation
LOVE'S COUNTRY STORES OF CALIF 2120 SOUTH AVE CORNING CA 96021 Permit Description: CONST. INGROUND CAT SCALES	8705038 Site Street Address: 2120 SOUTH AVE	7/13/2010	42,000.00
JEAN HATLEY 608 MARIN ST CORNING CA 96021 Permit Description: REPLACE ELECT. SERVICE	7307308 Site Street Address: 608 MARIN ST	7/6/2010	750.00
SHIRLEY CLOUSE 1586 FIFTH AVE CORNING CA 96021 Permit Description: REPLACE 100 AMP ELECT. SREVICE	7127111 Site Street Address: 1586 FIFTH AVE	7/6/2010	1,250.00
CITY OF CORNING 25010 GARDINER FERRY RD CORNING CA 96021 Permit Description: FENCE	7529015 Site Street Address: 25010 GARDINER FERRY RD	7/14/2010	5,000.00
BALTAZAR ALFARO 1319 FIG LN CORNING CA 96021 Permit Description: INSTALL COVERED PATIO	7129103 Site Street Address: 1319 FIG LN	7/9/2010	550.00
BEATRICE PHILLIPS TRUSTEE 2011 LOLETTA AVE CORNING CA 96021 Permit Description: REPLACE EXISTING WIRING	8705055 Site Street Address: 2011 LOLETTA AVE	7/15/2010	1,050.00
JOHN PATTERSON 1311 YOLO ST CORNING CA 96021 Permit Description: DEMO EXISTING BUILDING	7113103 Site Street Address: 1311 YOLO ST	7/14/2010	2,000.00

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 7/1/2010 thru 7/31/2010

Owner and Address	Parcel Number	Issued On	Valuation
JUANA MERAZ 1202 WEST ST CORNING CA 96021 Permit Description: INSTALL 4' CHAIN LINK FENCE	7122504 Site Street Address: 1202 WEST ST	7/22/2010	900.00
NICK DALUCA 1249 FOURTH ST CORNING CA 96021 Permit Description: REPAIR FOUNDATION,CHANGE GARAGE TO BE	7124410 Site Street Address: 1249 FOURTH ST	7/23/2010	1,000.00
JUANA MERAZ 1202 WEST ST CORNING CA 96021 Permit Description: REPAIR BLOCK FOUNDATION	7122504 Site Street Address: 1202 WEST ST	7/26/2010	1,000.00
GARY STRACK 1211 BUTTE ST CORNING CA 96021 Permit Description: ADD 2 KITCHEN OUTLETS	7111402 Site Street Address: 1211 BUTTE ST	7/26/2010	200.00
LILLIAN CARRILLO 916 PEACH ST CORNING CA 96021 Permit Description: FRONT YARD FENCE	7307204 Site Street Address: 916 PEACH ST	7/28/2010	400.00
DALE BARRETTA 1748 PALM AVE CORNING CA 96021 Permit Description: NEW RESIDENCE W/ATTACHED GARAGE	7129129 Site Street Address: 1748 PALM AVE	7/27/2010	60,000.00
13 Permits Issued from 7/1/2010 Thru 7/31/2010			OR A TOTAL VALUATION OF \$ 116,100.00
*** END OF REPORT ***			

CITY OF CORNING**JULY 2010****TREASURERS REPORT**

AGENCY	BALANCE	RATE	MATURES ON
LOCAL AGENCY INVESTMENT FUND	1,757,733.68	.56	
PREMIER WEST BANK	197,812.91	.85	03/28/11
PREMIER WEST BANK	177,448.23	.85	04/20/11
TRUST ACCOUNTS			
PREMIER WEST BANK RIDELL TRUST	210,121.11	.90	12/13/11

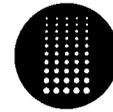
Respectfully Submitted

Pala Cantrell
City Treasurer

RECEIVED

AUG 02 2010

CITY OF CORNING



**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
JULY 2010**

Below is a summary of the Monthly Operations Report that will be available for City review on AUGUST 2010.

- 1) Filled out monthly reports.
- 2) Performed weekly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Sent vehicle report to Texas.
- 5) Wasted to Thickener
- 6) Replaced motor on # 2 aerator.
- 7) Changed chart on So3 analyzer.
- 8) Safety meeting
- 9) Cleaned up shop.
- 10) Inspected eyewash and emergency showers.
- 11) Unloaded chlorine truck.
- 12) Cleaned So2 pump.
- 13) Checked storm water discharge sites at WWTP and airport.
- 14) Cleaned distiller.
- 15) Tested all chlorine and So2 sensors.
- 16) River samples.

- 17) Labeled piping in chlorine room
- 18) Cleaned probe at lift station.
- 19) Tested alarms with Fire Dept.
- 20) Pumped waste from EQ basin
- 21) Cleaned drying beds.
- 22) Cleaned auto samplers with bleach
- 23) Sprayed weeds.
- 24) Exercised emergency generator.
- 25) Held employee training
- 26) IIPP plant inspection
- 27) Painted all steps with safety yellow paint
- 28) Completed quarterly bioassay test.
- 29) Checked all fire extinguishers.
- 30) Replaced bioassay water pump.
- 31) Northstate Electric replaced seals in # 2 aerator gearbox.
- 32) Replaced connector on # 2 screw pump.
- 33) Patterson Electric installed new GFI outlet for analyzer.
- 34) Replaced leader hose and tiger tail on jet rodder.
- 35) Repaired leak on jet rodder water tank.

JULY 2010

Domestic Flow = 670.000 GPD

JUNE 2010

Domestic Flow = 666,516 GPD

**ITEM NO: F-11
APPROVE ADDITION OF
"CHILDREN'S MUSICAL
THEATER" TO THE CITY'S
RECREATION PROGRAMS
JULY 1, 2008**

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

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER



SUMMARY:

Deb Meents of "DEBADO DANCE" has contacted the City proposing a new recreation program, "Children's Musical Theater". This program consists of singing, dancing and acting and is for children ages 4-16. It is proposed to take place on Tuesdays, from 6:30 – 7:30 p.m.

Ms. Meents has completed the necessary forms and background checks to allow her to utilize the Elementary School Facilities for her programs under the City's "Facility Use Agreement" with the Elementary School District. She is currently the instructor for the following Council approved Recreation Programs

1. Storybook Friends
2. Mommy & Me
3. Groove-n-Tunes

BACKGROUND:

The following is a list of the current Recreation Programs approved by the City Council for continuation at the June 22, 2010 City Council Meeting.

Kenpo Karate	Kenpo Robics	Yoga
Line Dancing	Photography	Lifeguard Training
Mommy-n-Me	Groove-n-Tunes	Storybook Friends

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE ADDITION OF "CHILDRENS MUSICAL THEATER" TO THE LIST OF APPROVED RECREATION PROGRAMS PROVIDED BY THE CITY.

Deb Meents, instructor
 3615 Orchard Avenue, Corning
 (530) 680-9153 debado_dance@yahoo.com

Schedule of Classes

*Instructor will need 30 min prior to 1st class in order to set up

Session 1 - Tuesdays September 7, 14, 21, 28 and October 5, 12

DAY	TIME	CLASS	DESCRIPTION	AGE	COST
Tues	5:30pm - 6:15pm	Storybook Friends	Ballet, Jazz, Hip Hop	2-5	\$18
Tues	6:30pm - 7:30pm	Children's Musical Theater	Sing, Act, Dance	4-16	\$20

Session 1 - Wednesdays September 8, 15, 22, 29 and October 6, 13

DAY	TIME	CLASS	DESCRIPTION	AGE	COST
Wed	5:30pm - 6:15pm	Mommy & Me	Music & Motion	0-4yr	\$5 per class
Wed	6:30pm - 7:15pm	Storybook Friends	Ballet, Jazz, Hip Hop	6-10	\$18

Session 2 - Tuesdays October 26 and Nov 2, 9, 16, 30 and Dec 7

Tues	5:30pm - 6:15pm	Storybook Friends	Ballet, Jazz, Hip Hop	2-5	\$18
Tues	6:30pm - 7:30pm	Children's Musical Theater	Sing, Act, Dance	4-16	\$20

Session 2 - Wednesdays October 27 and November 3, 10, 17 and Dec 1, 8

DAY	TIME	CLASS	DESCRIPTION	AGE	COST
Wed	5:30pm - 6:15pm	Mommy & Me	Music & Motion	0-4yr	\$5 per class
Wed	6:30pm - 7:15pm	Storybook Friends	Ballet, Jazz, Hip Hop	6-10	\$18

Please note: Tap shoes will not be used in the above classes. Only floor safe shoes will be allowed. Jazz, Ballet and non-marking tennis shoes.

ITEM NO.: F-12
APPROVE THE FINAL PAYMENT IN THE
AMOUNT OF \$15,719 TO WADELL
ENGINEERING CORPORATION FOR
PROFESSIONAL ENGINEERING SERVICES-
AIRPORT IMPROVEMENT PROJECT

AUGUST 10, 2010

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 Wadell Engineering Corporation invoice requesting the final payment of \$15,719 for engineering services on the Corning Municipal Airport Improvement Project.

During the construction phase of the Airport Improvement Project, Robert Wadell of Wadell Engineering Corporation provided professional consulting services. These services included monitoring the construction to determine that it was in accordance with the plans and specifications.

FINANCIAL:

The City requested reimbursement funds from the FAA for the amount of \$14,933.05 on August 3, 2010. By using the ECHO-Web payment request system, the City will receive reimbursement in a timely manner. The ECHO-Web is an official U.S. Federal Government web-based application and allows for prompt payment. The City is responsible for the remaining difference of \$785.95, which is the City's remaining 5% match for this contract. (Budget Line Item No. 621-9360-3500)

BACKGROUND:

At the January 12, 2010 City Council Meeting, Council approved a partial payment of \$178,356 to Wadell Engineering Corporation for consultant services during the construction phase of the Airport Improvement Project. The agreement between the Consultant and the City of Corning was for an amount of \$194,075. Compensation includes reimbursement for all labor, travel, lodging, meals, supplies, field and laboratory testing during the construction phase of the Airport Project.

RECOMMENDATION:

Mayor and Council approve the final partial payment in the amount of \$15,719 to Wadell Engineering Corporation for professional services on the Airport Improvement Project.

WADELL ENGINEERING CORPORATION



AIRPORT PLANNING • ENGINEERING • MANAGEMENT CONSULTANTS
SAN FRANCISCO BAY AREA CORPORATE HEADQUARTERS
1350 BAYSHORE HIGHWAY, SUITE 690, BURLINGAME, CA 94010-1838
PHONE & FAX (650) 348-5010

ROBERT P. WADELL, P. E.
President

July 30, 2010

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

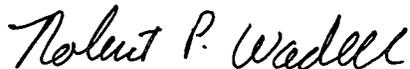
RECEIVED
AUG 01 2010
CITY OF CORNING

INVOICE #1422-2F

Invoice for Professional Services rendered from inception through July 30, 2010 for Corning Municipal Airport Project Runway & Taxiway Construction Phase Services in accordance with our Master Agreement and Project Statement Exhibit 4.2.

Consulting Services (Construction Phase 100% Complete)	\$194,075
Previous Invoices	<u>\$178,356</u>
Total due this Invoice	\$ 15,719

Thank you,
WADELL ENGINEERING CORPORATION



Robert P. Wadell, P.E.
President

Taxpayer ID #94-2250346

1422-INV.DOC

ITEM NO.: F-13
APPROVE CONTRACT CHANGE ORDER
NO. 2 REDUCING THE CONTRACT
AMOUNT FOR THE AIRPORT RUNWAY
IMPROVEMENT PROJECT BY \$39,803.43

AUGUST 10, 2010

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING, CA

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

SUMMARY:

While the Airport Improvement Project is now complete, we do have some paperwork and payment details to finalize. Now that the total project quantities and costs are known, a balancing change order is commonly used to finalize the project prior to closing the project accounts. In this case, because the project came in under budget, we need to reduce the contract amount.

Wadell Engineering Corporation prepared the Contract Change Order No. 2 to reflect these final units. The Change Order reduces the overall contract amount by \$39,803.43 with a subsequent reduction of city matching funds of \$1,990.17. The reasons for the reduction include efficient construction management, a cooperative relationship between the City and the contractor and avoidance of extra costs for excavation and compaction at the north end of the runway.

Attached for Council review is the Final Estimate of Work Performed prepared by Wadell Engineering Corporation based on agreement among WEC, Teichert and city staff as to final quantities and cost. The majority of the reduction in costs falls primarily in the "allowance for field orders" located in both the Base Bid and the Additive Bid as it was not necessary to use the full amounts preserved under field orders.

The revised contract amount will be \$2,101,865.47.

BACKGROUND:

Contract Change Order No. 1 was approved by Council on September 8, 2009. Project modifications were necessary to satisfy Federal Aviation Administration (FAA) grant limitations. Chain link fencing and several signs that were to be posted were eliminated with CCO No. 1. This is the second and final Change Order to that contract.

The Airport Runway Improvement Project was finalized on July 15th and the Notice of Completion for the Project was filed with the Tehama County Records office on July 28, 2010.

RECOMMENDATION:

**MAYOR AND COUNCIL APPROVE CONTRACT CHANGE ORDER NO. 2
REDUCING THE CONTRACT AMOUNT FOR THE AIRPORT RUNWAY IMPROVEMENT
PROJECT BY \$39,803.43.**

RUNWAY & TAXIWAY PAVING AND LIGHTING IMPROVEMENTS
CORNING MUNICIPAL AIRPORT

AIP PROJECT NO. 3-06-0053-06
FINAL ESTIMATE OF WORK PERFORMED
PREPARED BY WADELL ENGINEERING CORPORATION

7/30/2010

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	TEICHER CCO #1 QUANTITY & COSTS			TEICHER FINAL QUANTITY & COSTS		
			CCO #1 QUANTITY	UNIT PRICE	ITEM TOTAL	FINAL QUANTITY	UNIT PRICE	ITEM TOTAL
BASE BID								
1	Mobilization (P-100) (5% Max of Base Bid)	LS	1	\$ 69,600.00	\$ 69,600.00	1	\$ 69,600.00	\$ 69,600.00
2	Storm Water Pollution Control Plan (P-156-4.1)	LS	1	\$ 2,000.00	\$ 2,000.00	1	\$ 2,000.00	\$ 2,000.00
3	Air Pollution Control Plan (P-156-5.1)	ALLOW	1	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00	\$ 5,000.00
4	Pavement & Facility Removals (P-101)	LS	1	\$ 43,000.00	\$ 43,000.00	1	\$ 43,000.00	\$ 43,000.00
5	Clearing and Grubbing (P-151)	LS	1	\$ 7,000.00	\$ 7,000.00	1	\$ 7,000.00	\$ 7,000.00
6	Unclassified Excavation (Cut-Haul-Fill) (P-152)	CY	99,018	\$ 2.90	\$ 287,152.20	99,018	\$ 2.90	\$ 287,152.20
7	Unclassified Excavation (Shallow Recompanction) (P-152)	CY	15,589	\$ 2.50	\$ 38,972.50	15,589	\$ 2.50	\$ 38,972.50
8	Unclassified Excavation (Deep Recompanction) (P-152)	CY	38,916	\$ 2.30	\$ 89,506.80	38,916	\$ 2.30	\$ 89,506.80
9	6" Thick Subgrade Preparation (In Cut Under New Pavements) (P-152)	SY	10,965	\$ 1.80	\$ 19,737.00	10,965	\$ 1.80	\$ 19,737.00
10	Exit "B" Infield Culvert Installation (D-701)	LS	1	\$ 3,500.00	\$ 3,500.00	1	\$ 3,500.00	\$ 3,500.00
11	Exit "C" Infield Culvert Installation (D-701)	LS	1	\$ 3,500.00	\$ 3,500.00	1	\$ 3,500.00	\$ 3,500.00
12	Exit "D" Infield Culvert Installation (D-701)	LS	1	\$ 6,500.00	\$ 6,500.00	1	\$ 6,500.00	\$ 6,500.00
13	Shoulder Grading (P-152)	SY	13,000	\$ 0.35	\$ 4,550.00	13,000	\$ 0.35	\$ 4,550.00
14	6" Thick Subbase Course (Recycled) (P-154-5.1)	CY	3,500	\$ 5.00	\$ 17,500.00	3,500	\$ 5.00	\$ 17,500.00
15	6" Thick Aggregate Base Course (P-208)	TON	6,325	\$ 17.00	\$ 107,525.00	6,325	\$ 17.00	\$ 107,525.00
16	Pavement Reinforcing Fabric (Overlay Areas) (P-174)	SY	10,000	\$ 1.55	\$ 15,500.00	10,000	\$ 1.55	\$ 15,500.00
17	Pavement Reinforcing Tape (P-605)	SF	1,800	\$ 2.00	\$ 3,600.00	1,800	\$ 2.00	\$ 3,600.00
18	Plant Mix Bituminous Pavement (P-403)	TON	5,000	\$ 85.50	\$ 427,500.00	5,000	\$ 85.50	\$ 427,500.00
19	Pavement Marking (P-620)	SF	13,600	\$ 1.50	\$ 20,400.00	13,600	\$ 1.50	\$ 20,700.00
20	2" Dia. Duct (L-110) - Flowable Backfill (P-153)	LF	3,365	\$ 8.00	\$ 26,920.00	3,350	\$ 8.00	\$ 26,800.00
21	2" Dia. Duct (L-110) - Concrete Backfill (P-610)	LF	304	\$ 14.00	\$ 4,256.00	316	\$ 14.00	\$ 4,424.00
22	Two 2" Dia. Duct - Common Trench (L-110) - Flowable Backfill (P-153)	LF	445	\$ 16.50	\$ 7,342.50	445	\$ 16.50	\$ 7,342.50
23	3" 600V and 2" 5KV Duct - Common Trench (L-110) - Flowable Backfill (P-153)	LF	2,687	\$ 16.50	\$ 44,335.50	2,697	\$ 16.50	\$ 44,500.50
24	3" 600V and 2" 5KV Duct Common Trench (L-110) - Concrete Backfill (P-610)	LF	80	\$ 30.70	\$ 2,456.00	80	\$ 30.70	\$ 2,456.00
25	Light Base Handhole (L-115)	EA	11	\$ 725.00	\$ 7,975.00	6	\$ 725.00	\$ 4,350.00
26	Threshold Red-Green End Light Fixtures (L-120)	EA	12	\$ 860.00	\$ 10,320.00	12	\$ 860.00	\$ 10,320.00
27	Clear-Yellow Runway Edge Light Fixtures (L-120)	EA	23	\$ 860.00	\$ 19,780.00	23	\$ 860.00	\$ 19,780.00
28	White Runway Edge Light Fixtures (L-120)	EA	2	\$ 850.00	\$ 1,700.00	2	\$ 850.00	\$ 1,700.00
29	Blue LED Taxiway Edge Light Fixtures (L-120)	EA	18	\$ 1,020.00	\$ 18,360.00	18	\$ 1,020.00	\$ 18,360.00
30	Runway AWG 8, 5KV Single Conductor (L-108)	LF	6,895	\$ 1.00	\$ 6,895.00	6,895	\$ 1.00	\$ 6,895.00
31	Elevated Taxiway Retroreflective Edge Marker (L-853)	EA	87	\$ 82.00	\$ 7,134.00	87	\$ 82.00	\$ 7,134.00
32	PAPI 17 Installation (L-133)	LS	1	\$ 16,800.00	\$ 16,800.00	1	\$ 16,800.00	\$ 16,800.00
33	PAPI 35 Installation (L-133)	LS	1	\$ 16,800.00	\$ 16,800.00	1	\$ 16,800.00	\$ 16,800.00
34	REIL 17: Installation (L-132)	LS	1	\$ 13,700.00	\$ 13,700.00	1	\$ 13,700.00	\$ 13,700.00
35	REIL 35: Installation (L-132)	LS	1	\$ 13,700.00	\$ 13,700.00	1	\$ 13,700.00	\$ 13,700.00
36	PAPI, REIL, Beacon AWG 6, 600V Single Conductor (L-108)	LF	12,374	\$ 0.65	\$ 8,043.10	19,078	\$ 0.65	\$ 12,400.70
37	PAPI, REIL, Beacon AWG 6, 600V Bare Ground Single Conductor (L-108)	LF	3,500	\$ 0.60	\$ 2,100.00	3,500	\$ 0.60	\$ 2,100.00
38	1 Module Guidance Signs (L-130)	EA	6	\$ 3,150.00	\$ 18,900.00	6	\$ 3,150.00	\$ 18,900.00
39	2 Module Guidance Signs (L-130)	EA	3	\$ 3,600.00	\$ 10,800.00	3	\$ 3,600.00	\$ 10,800.00
40	3 Module Guidance Signs (L-130)	EA	1	\$ 4,100.00	\$ 4,100.00	1	\$ 4,100.00	\$ 4,100.00
41	Distance Remaining Sign (L-131)	EA	1	\$ 3,450.00	\$ 3,450.00	1	\$ 3,450.00	\$ 3,450.00
42	Lighted Wind Cone	LS	1	\$ 6,500.00	\$ 6,500.00	1	\$ 6,500.00	\$ 6,500.00
43	Airport Lighting Vault (L-140)	LS	1	\$ 132,000.00	\$ 132,000.00	1	\$ 132,000.00	\$ 132,000.00
44	Chainlink Fencing With Barb Wires (F-162)	DELETED	0	\$ -	\$ -	0	\$ -	\$ -
45	Chainlink Pedestrian Gates With Barb Wires & Locks (F-162)	DELETED	0	\$ -	\$ -	0	\$ -	\$ -
46	DANGER Signs	DELETED	0	\$ -	\$ -	0	\$ -	\$ -
47	NOTICE Signs	DELETED	0	\$ -	\$ -	0	\$ -	\$ -
48	Card Gate Installation (F-195)	DELETED	0	\$ -	\$ -	0	\$ -	\$ -
49	Hydroseeding (H-101)	EA	33	\$ 1,200.00	\$ 39,600.00	37.75	\$ 1,200.00	\$ 45,300.00
50	Allowances For Field Orders							
50.1	Crack Sealing	LS				1.0	\$ 6,608.76	\$ 6,608.76
50.2	Unsuitable Debris Removal	LS				1.0	\$ 4,599.77	\$ 4,599.77
50.3	Marking Removal	LS				1.0	\$ 2,957.89	\$ 2,957.89
50.4	Install Storm Drain Pipe Replacement	LS				1.0	\$ 2,827.70	\$ 2,827.70
50.5	Antenna Modifications	LS				1.0	\$ 1,256.85	\$ 1,256.85
50	Allowances For Field Orders	ALLOW	1.0	\$ 50,000.00	\$ 50,000.00	1.0	\$ 18,250.97	\$ 18,250.97
TOTAL BASE BID					\$ 1,666,010.60			\$ 1,641,207.47
ADDITIVE BID ITEM #1: Apron & 2 Exits								
A1	Mobilization (P-100) (5% Max of Additive Bid)	LS	1	\$ 20,000.00	\$ 20,000.00	1	\$ 20,000.00	\$ 20,000.00
A2	South Apron Access Culvert Installation (D-701)	LS	1	\$ 2,000.00	\$ 2,000.00	1	\$ 2,000.00	\$ 2,000.00
A3	North Apron Access Culvert Installation (D-701)	LS	1	\$ 2,100.00	\$ 2,100.00	1	\$ 2,100.00	\$ 2,100.00
A4	6" Thick Subgrade Preparation (In Cut Under New Pavements) (P-152)	SY	21,353	\$ 1.60	\$ 34,164.80	21,353	\$ 1.60	\$ 34,164.80
A5	6" Thick Subbase Course (P-154-5.1)	CY	875	\$ 5.00	\$ 4,375.00	875	\$ 5.00	\$ 4,375.00
A6	6" Thick Subbase Course (Borrow) (P-154-5.2)	CY	2,985	\$ 11.00	\$ 32,835.00	2,985	\$ 11.00	\$ 32,835.00
A7	6" Thick Aggregate Base Course (P-208)	TON	7,050	\$ 17.50	\$ 123,375.00	7,050	\$ 17.50	\$ 123,375.00
A8	Plant Mix Bituminous Pavements Surface Course (P-403)	TON	2,550	\$ 85.50	\$ 218,025.00	2,550	\$ 85.50	\$ 218,025.00
A9	Shoulder Grading (P-152)	SY	2,450	\$ 0.35	\$ 857.50	2,450	\$ 0.35	\$ 857.50
A10	Pavement Marking (P-620)	SF	2,140	\$ 1.50	\$ 3,210.00	2,140	\$ 1.50	\$ 3,210.00
A11	Elevated Taxiway Retroreflective Edge Marker (L-853)	EA	33	\$ 82.00	\$ 2,706.00	33	\$ 82.00	\$ 2,706.00
A12	Aircraft Tiedown Anchors	EA	63	\$ 270.00	\$ 17,010.00	63	\$ 270.00	\$ 17,010.00
A13	Allowances For Field Orders	ALLOW	1	\$ 15,000.00	\$ 15,000.00	0	\$ 15,000.00	\$ -
TOTAL ADDITIVE BIDS					\$ 475,658.30			\$ 460,658.30
TOTAL BASE BID PLUS ADDITIVE BID ITEM #1					\$ 2,141,668.90			\$ 2,101,865.47

CONTRACT CHANGE ORDER NO. 2 -Final Quantity & Costs
or
SUPPLEMENTAL AGREEMENT NO. N/A

AIRPORT Corning Municipal **DATE** 7-30-2010

LOCATION Corning, CA **AIP PROJECT NO.** 3-06-0053-06

CONTRACTOR Teichert Construction

You are requested to perform the following described work upon receipt of an approved copy of this document or as directed by the engineer:

Item No.	Description	Unit	Unit Price	Quantity	Amount
1	Contract Amount With Change Order #1				\$2,141,668.90
2	Final Estimate of Work Performed Attached				\$2,101,865.47
3	Final Reduction for Unused Funds				-\$39,803.43
4					
5					
This Change Order Total			\$	-39,803.43	
Previous Change Order(s) Total			\$	2,141,668.90	
Revised Contract Total			\$	2,101,865.47	

The time provided for completion in the contract is (unchanged) (decreased) (increased) by 0 working days. This document shall become an amendment to the contract and all provisions of the contract will apply. Changes are shown on Drawing(s) No. N/A dated N/A, three copies attached.

Recommended by: Robert P. Woodell 7/30/2010
Engineer **Date**

Approved by: _____ **Date**

Accepted by: [Signature] 7-30-2010
Owner **Date**

Contractor **Date**

Concurred by: N/A _____ **Date**

State Aeronautics (if applicable) **Date**

Approved by: N/A _____ **Date**

Federal Aviation Administration **Date**

NOTE: Change Orders and Supplemental Agreements require FAA approval prior to construction, otherwise no Federal participation can be granted. State Aeronautics concurrence is required when state participation is anticipated.

AIP PROJECT NO. 3-06-0053-06 CHANGE ORDER NO. 2
(Supplemental Agreement)

AIRPORT CORNING MUNICIPAL LOCATION CORNING, CA

JUSTIFICATION FOR CHANGE

1. Brief description of the proposed contract change(s) and location(s).
Adjust the contact amount to present the final quantities and costs for the project.

2. Reason(s) for the change(s) *(Continue on reverse if necessary)*
The change is to document final amounts and document agreement by all parties.

3. Justifications for unit prices or total cost.
Contract prices were used when applicable.

4. The sponsor's share of this cost is available from:
Airport Fund.

5. If this is a supplemental agreement involving more than \$2,000, is the cost estimate based on the latest wage rate decision? Yes No Not Applicable .
6. Has consent of surety been obtained? Yes Not Necessary .
7. Will this change affect the insurance coverage? Yes No .
8. If yes, will the policies be extended? Yes No .
9. Has this (Change Order) (Supplemental Agreement) been discussed with FAA officials?
Yes No When _____ With Whom Not Required

Comment Attached "Final Estimate of Work Performed" Prepared by Wadell Engineering Corporation, Dated 7/30/10.

Submit 4 copies to the FAA

ITEM NO: F-14
APPROVE PROGRESS PAY
ESTIMATE NO. 5 (FINAL) IN THE
AMOUNT OF \$36,441.57 TO
TEICHERT CONSTRUCTION FOR THE
AIRPORT IMPROVEMENT PROJECT

AUGUST 10, 2010

TO: HONORABLE MAYOR AND COUNCILMEMBERS
 OF THE CITY OF CORNING

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



SUMMARY:

Attached for City Council review is a copy of Partial Pay Estimate (PPE) No. 5 (Final) requesting payment of \$36,441.57 for the Corning Municipal Airport Improvement Project. The Pay Estimate lists the original contract amount, any change orders/adjustments, work completed to date, retention amount and current amount due to Teichert Construction. Staff recommends approval of the PPE No. 5 (Final) totaling \$36,441.57 to Teichert Construction.

FINANCIAL:

Project Engineer Robert Wadell of Wadell Engineering Corporation and the Director of Public Works have reviewed and approved this request. The following information is a summary of the construction contract, change orders and Partial Pay Estimates:

Original Construction Contract	\$2,187,398.90
Contract Change Order No. 1	\$ (45,730.00)
Total Adjusted Contract Amount	\$2,141,668.90
Adjusted Contract Amount	\$2,141,668.90
Contract Change Order No. 2	\$ (39,803.43)
Total Adjusted Contract Amount	\$2,101,865.47
(Pending Council Approval 8/10/10)	
PPE No. 1	\$ 830,806.30
Retention held (10%)	\$ (83,080.63)
Amount previously paid to Contractor	\$ 747,725.67
PPE No. 2	\$ 928,894.50
Retention held (10%)	\$ (92,889.05)
Amount previously paid to Contractor	\$ 836,005.05

PPE No. 3	\$ 254,243.10
Retention to be held (10%)	<u>\$ (25,424.31)</u>
Amount previously paid to Contractor	\$ 228,818.79
PPE No. 4	\$ 51,480.00
Retention to be held (10%)	<u>\$ (5,148.00)</u>
Amount due Contractor	\$ 46,332.00
PPE No. 5	\$ 36,441.57
Retention to be held (10%)	<u>\$ (3,644.16)</u>
Amount due Contractor	\$ 32,797.41

The City requested reimbursement funds from the FAA for the amount of \$31,157 on August 3, 2010. By using the ECHO-Web payment request system, the City will receive reimbursement in a timely manner. The ECHO-Web is an official U.S. Federal Government web-based application and allows for prompt payment. The City will be responsible for the remaining difference of \$1,640.41 as part of the City's 5% match. (Budget Line Item No. 621-9360-3500)

BACKGROUND:

The contract for the Corning Municipal Airport Improvement Project was awarded to Teichert Construction at the September 8, 2009 Regular City Council Meeting. Contract Change Order No. 1 eliminated three (3) signs and removed all fencing from the original contract.

The Federal Aviation Administration issued the City of Corning a Notice to Proceed on September 21, 2009.

The final inspection of the Airport Runway Improvement Project was held on July 15th. The Notice of Completion was approved and accepted by the City Council on July 27th and was filed with the Tehama County Records Office on July 28th. The 35-day waiting period for release of retention ends on September 1, 2010.

RECOMMENDATION:

- **Mayor and Council approve Progress Pay Estimate No. 5 (Final) in the amount of \$36,441.57 to Teichert Construction for the Corning Airport Improvement Project.**



TEICHERT CONSTRUCTION

P.O. BOX 1690 DAVIS, CA 95617-1690 530.406.4200
REMIT TO: P.O. BOX 13527 SACRAMENTO, CALIFORNIA 95833-9935
California State Contractors License # 7-X

1300927

ATS Customer #: 268915

CUSTOMER NAME: City of Corning
ADDRESS: 704 Third Street
CITY, STATE, ZIP: Corning, CA 96021

ATTN: John L. Brewer/Robert Waddell

Invoice No: 2280415
Date: 7/31/2010

Estimate #5 Adjustment #
For work performed at: Runway 7 Taxiway Paving & Lighting Imp
Through: 7/31/10

Table with columns: QTY, UNIT, DESCRIPTION, ORIGINAL QTY, CHANGE QTY, REVISED QTY, UNIT PRICE, ORIGINAL CONTRACT AMOUNT, REVISED CONTRACT AMOUNT, TOTAL CONTRACT AMOUNT, QUANTITY THIS PERIOD, AMOUNT THIS PERIOD, QUANTITY TO DATE, AMOUNT TO DATE. Includes a 'CONTRACT WORK' section with 'Type of Work' and 'Base Bid' items.

QTY.	CYCLAST TO DATE	FRESH BILLING NO.	DESCRIPTION	ORIGINAL QTY.	U	CHANGE NUMBERS	CHANGE QTY.	REVISION QTY.	UNIT PRICE	ORIGINAL CONTRACT AMOUNT	REVISION CONTRACT AMOUNT	TOTAL CONTRACT AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE
6		5 025	Light Base Hairpole	11 EA					725.00	\$ 7,975.00	\$ 7,975.00	\$ 7,975.00	11	0.00	11	\$ 7,975.00
12		12 028	Thornold Red-Green End Light Fixtures	12 EA					850.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00	12	0.00	12	\$ 10,200.00
23		23 027	Coban-Yellow Runway Edge Light Fixtures	23 EA					850.00	\$ 19,780.00	\$ 19,780.00	\$ 19,780.00	23	0.00	23	\$ 19,780.00
2		2 029	White Runway Edge Light Fixtures	2 EA					850.00	\$ 1,700.00	\$ 1,700.00	\$ 1,700.00	2	0.00	2	\$ 1,700.00
18		18 029	Blue LED Taxiway Light Fixtures	18 EA					1,020.00	\$ 18,360.00	\$ 18,360.00	\$ 18,360.00	18	0.00	18	\$ 18,360.00
6895		6895 030	Runway AWG 8, 5KV Single Conductor	6,895.00 LF					1.00	\$ 6,895.00	\$ 6,895.00	\$ 6,895.00	6,895.00	0.00	6,895.00	\$ 6,895.00
87		87 031	Elevated Taxiway Retroreflective Edge Marker	87 EA					82.00	\$ 7,134.00	\$ 7,134.00	\$ 7,134.00	87	0.00	87	\$ 7,134.00
1		1 032	PAPI 17 Installation	1 LS					16,800.00	\$ 16,800.00	\$ 16,800.00	\$ 16,800.00	1	0.00	1	\$ 16,800.00
1		1 033	PAPI 25 Installation	1 LS					16,800.00	\$ 16,800.00	\$ 16,800.00	\$ 16,800.00	1	0.00	1	\$ 16,800.00
1		1 034	REL 17 Installation	1 LS					13,700.00	\$ 13,700.00	\$ 13,700.00	\$ 13,700.00	1	0.00	1	\$ 13,700.00
1		1 035	REL 35 Installation	1 LS					13,700.00	\$ 13,700.00	\$ 13,700.00	\$ 13,700.00	1	0.00	1	\$ 13,700.00
19078		12374	Runway AWG 8, 800V Single Conductor	19,043.10 LF					0.65	\$ 12,374.02	\$ 12,374.02	\$ 12,374.02	19,043.10	0.00	19,043.10	\$ 12,374.02
3500		3500 032	PAPI, REL, Balance AWG 8, 800V Base Ground Single Conductor	3,500.00 LF					2.100	\$ 7,350.00	\$ 7,350.00	\$ 7,350.00	3,500.00	0.00	3,500.00	\$ 7,350.00
6		6 039	1 Module Guidance Signs	6 EA					3,150.00	\$ 18,900.00	\$ 18,900.00	\$ 18,900.00	6	0.00	6	\$ 18,900.00
1		1 040	3 Module Guidance Signs	3 EA					3,600.00	\$ 10,800.00	\$ 10,800.00	\$ 10,800.00	3	0.00	3	\$ 10,800.00
1		1 041	1 Module Guidance Signs	1 EA					4,100.00	\$ 4,100.00	\$ 4,100.00	\$ 4,100.00	1	0.00	1	\$ 4,100.00
1		1 042	Balance Remaining Sign	1 EA					3,450.00	\$ 3,450.00	\$ 3,450.00	\$ 3,450.00	1	0.00	1	\$ 3,450.00
1		1 043	Lighted Wind Cone	1 LS					6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	1	0.00	1	\$ 6,500.00
33		33 049	Appoint Lighting Vault	33 EA					132,000.00	\$ 4,357.50	\$ 4,357.50	\$ 4,357.50	33	0.00	33	\$ 4,357.50
37.75		37.75	Hydroseeding	37.75 EA					1,200.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	37.75	0.00	37.75	\$ 45,000.00
0.36502		0.36502	Allowances For Field Orders (\$50K)	0.36502 EA					50,000.00	\$ 18,250.97	\$ 18,250.97	\$ 18,250.97	0.36502	0.37	0.37	\$ 18,250.97
			50.1 Crack Sealing	1 LS					6,608.76	\$ 6,608.76	\$ 6,608.76	\$ 6,608.76	1	0.00	1	\$ 6,608.76
			50.2 Unusable Debris Removal	1 LS					4,599.77	\$ 4,599.77	\$ 4,599.77	\$ 4,599.77	1	0.00	1	\$ 4,599.77
			50.3 Marking Removal	1 LS					2,957.89	\$ 2,957.89	\$ 2,957.89	\$ 2,957.89	1	0.00	1	\$ 2,957.89
			50.4 Install Storm Drain Pipe Replacement	1 LS					2,827.70	\$ 2,827.70	\$ 2,827.70	\$ 2,827.70	1	0.00	1	\$ 2,827.70
			50.5 Antenna Modification	1 LS					1,256.85	\$ 1,256.85	\$ 1,256.85	\$ 1,256.85	1	0.00	1	\$ 1,256.85
			Additional Bid Item #11: Apron & 2 Exits													
1		1 101	Mobilization (5% Max Of Additive Bid)	1 LS					20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	1	0.00	1	\$ 20,000.00
1		1 102	South Apron Access Culvert Installation	1 LS					2,100.00	\$ 2,100.00	\$ 2,100.00	\$ 2,100.00	1	0.00	1	\$ 2,100.00
21353		21353 104	6" Thick Subgrade Prep. (In Cut Under New Pavements)	21,353.00 SY					1.60	\$ 34,164.80	\$ 34,164.80	\$ 34,164.80	21,353.00	0.00	21,353.00	\$ 34,164.80
875		875 105	6" Thick Subbase Course	8,750.00 CY					5.00	\$ 43,750.00	\$ 43,750.00	\$ 43,750.00	8,750.00	0.00	8,750.00	\$ 43,750.00
2985		2985 108	6" Thick Subbase Course (Borrow)	2,985.00 CY					11.00	\$ 32,835.00	\$ 32,835.00	\$ 32,835.00	2,985.00	0.00	2,985.00	\$ 32,835.00
7050		7050 107	6" Thick Aggregate Base Course	7,050.00 TN					17.50	\$ 123,375.00	\$ 123,375.00	\$ 123,375.00	7,050.00	0.00	7,050.00	\$ 123,375.00
2550		2550 108	Planti-Mix Bituminous Pavement Surface Course	2,550.00 TN					85.50	\$ 218,025.00	\$ 218,025.00	\$ 218,025.00	2,550.00	0.00	2,550.00	\$ 218,025.00
2450		2450 109	Shoulder Grading	2,450.00 SY					0.35	\$ 857.50	\$ 857.50	\$ 857.50	2,450.00	0.00	2,450.00	\$ 857.50
2140		2140 110	Pavement Marking	2,140.00 SF					1.50	\$ 3,210.00	\$ 3,210.00	\$ 3,210.00	2,140.00	0.00	2,140.00	\$ 3,210.00
33		33 111	Elevated Taxiway Retroreflective Edge Marker	33 EA					82.00	\$ 2,706.00	\$ 2,706.00	\$ 2,706.00	33	0.00	33	\$ 2,706.00
63		63 112	Anchor Tiedown Anchors	63 EA					270.00	\$ 17,010.00	\$ 17,010.00	\$ 17,010.00	63	0.00	63	\$ 17,010.00
			113 Allowances For Field Orders (\$10K)	1 LS					15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	1	0.00	1	\$ 15,000.00
WORK SUBTOTAL																
\$ 2,141,668.90																
\$ 2,159,918.97																
\$ 36,441.57																

QTY. OR LAST TO DATE	ITEM DESCRIPTION	U M	CHANGE NUMBERS	CHANGE QUANTITY	REVISION QUANTITY	UNIT PRICE	ORIGINAL CONTRACT AMOUNT	REVISED CONTRACT AMOUNT	TOTAL CONTRACT AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE
	ORIGINAL CONTRACT SUB-TOTAL						\$ 2,141,668.90		\$ 2,141,668.90		\$ 36,441.57		\$ 2,101,865.47
	Extra Work						\$ -		\$ -		\$ 0		\$ 0
	CONTRACT EXTRA WORK SUB-TOTAL						\$ -		\$ -		\$ 0		\$ 0
	TOTAL						\$ 2,141,668.90		\$ 2,141,668.90		\$ 36,441.57		\$ 2,101,865.47
	AMOUNT THIS INVOICE						\$ 36,441.57		\$ 36,441.57		\$ -		\$ -
	LESS % RETENTION						\$ (3,644.16)		\$ (3,644.16)		\$ -		\$ (210,186.55)
	AMOUNT DUE THIS INVOICE						\$ 32,797.41		\$ 32,797.41		\$ -		\$ -
	CONTRACT AMOUNT TO DATE						\$ 2,101,865.47		\$ 2,101,865.47		\$ -		\$ -
	LESS % RETENTION						\$ (210,186.55)		\$ (210,186.55)		\$ -		\$ -
	EXTRA WORK AMOUNT TO DATE						\$ -		\$ -		\$ -		\$ -
	LESS EXTRA WORK RETENTION						\$ -		\$ -		\$ -		\$ -
	LESS PREVIOUS PAY TO DATE						\$ (1,858,881.51)		\$ (1,858,881.51)		\$ -		\$ -
	AMOUNT DUE TO DATE						\$ 32,797.41		\$ 32,797.41		\$ -		\$ -

Engineer's Recommendation for Payment
 By Robert P. Woodell
 Date 7/29/10 Amount \$ 32,797.41
 By Robert P. Woodell, PE

This invoice is due and payable by: 8/30/2010

The following documents are included with this invoice:

ITEM NO.: F-15

**APPROVE TEICHERT CONSTRUCTION
REQUEST FOR RELEASE OF HALF THE 10%
RETENTION FOR THE AIRPORT RUNWAY
IMPROVEMENT PROJECT AND AUTHORIZE
PAYMENT OF \$105,093.27.**

AUGUST 10, 2010

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

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



SUMMARY:

Teichert Construction has requested the City release half the 10% retention money held by the City of Corning for the Airport Runway Improvement Project. Retention held to date is \$210,186.55. Should Council approval the release, Teichert Construction would be due half of that amount, or \$105,093.27.

Public Works Construction Management practices allow the City to reduce the 10% retention to 5% after the Notice of Completion has been filed with the Tehama County Recorder's Office. The 35-day "waiting period" allows for any unpaid suppliers or sub-contractors to file liens to ensure payment by the contractor.

Mr. Wadell and City Staff recommend approval of Teichert Construction's request for payment of half the \$210,186.55 held in retention by the City of Corning. The remaining 5% retention money (\$105,093.28) will be available and due to Teichert Construction on September 1, 2010.

FINANCIAL:

The City requested reimbursement funds from the FAA for the amount of \$99,838.61 on August 3, 2010. This amounts to 95% of the amount requested to be released. The City will be responsible for the remaining difference of \$5,254.66 as part of the City's 5% match. (Budget Line Item No. 621-9360-3500)

By using the ECHO-Web payment request system, the City will receive reimbursement in a timely manner. The ECHO-Web is an official U.S. Federal Government web-based application and allows for prompt payment.

RECOMMENDATION:

**APPROVE TEICHERT CONSTRUCTION'S REQUEST FOR RELEASE OF HALF
THE 10% RETENTION FOR THE AIRPORT RUNWAY IMPROVEMENT PROJECT AND
AUTHORIZE PAYMENT OF \$105,093.27.**

Woodland District
24207 County Road 100A
P.O. Box 1890
Davis, CA 95617-1890
(530) 406-4200 * FAX (530) 406-4299



TEICHERT CONSTRUCTION

Established 1887

August 3, 2010

City of Corning
794 Third Street
Corning Ca, 96021

Attention: John Brewer

Subject: Reduction of Retention
Teichert Job #1300927
Letter 0003

Dear Mr. Brewer:

Teichert Construction is requesting the City of Corning reduce retention on the Runway & Taxiway Paving and Lighting Improvements from \$210,186.55, ten percent (10%), to \$105,093.27, five percent (5%). Teichert Construction has substantially and satisfactorily completed all work in compliance with the contract documents.

Sincerely,

Ryan Edson
Project Manager

C. Robert P. Wadell



RETENTION INVOICE
TEICHERT CONSTRUCTION

P.O. BOX 1890 DAVIS, CA 95617-1890 530.406.4200
 REMIT TO: P.O. BOX 13557 SACRAMENTO, CALIFORNIA 95853-9935
 California State Contractors License # 8

ATS Customer #: 288915

CUSTOMER NAME: City of Corning
 ADDRESS: 794 Third Street
 CITY, STATE, ZIP: Corning, CA 96021
 ATTN: John L. Brewer/Robert Waddell

1300927

Invoice No: 2280415R
 Date: 7/31/2010

Estimate # RETENTION 5% Adjustment #
 For work performed at: Runway 7 Taxiway Paving & Lighting Imp

CITY TO DATE	QTY LAST BILLING	ITEM NO.	DESCRIPTION	ORIGINAL CONTRACT QUANTITY	U O M	CHANGE ORDER NUMBERS	CHANGE ORDER QUANTITY	REVISED CONTRACT QUANTITY	UNIT PRICE	ORIGINAL CONTRACT AMOUNT	REVISED CONTRACT AMOUNT	TOTAL CONTRACT AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE
			CONTRACT WORK													
			Type of Work													
			Base Bid													
1	1	001	Mobilization (6% Max Base Bid)	1 LS						69,600.00		69,600.00	0.00		1.00	\$ 69,600.00
1	1	002	Storm Water Pollution Control Plan	1 LS						2,000.00		2,000.00	0.00		1.00	\$ 2,000.00
1	1	003	Air Pollution Control Plan (\$5K)	1 LS						5,000.00		5,000.00	0.00		1.00	\$ 5,000.00
1	1	004	Pavement & Facility Removals	1 LS						43,000.00		43,000.00	0.00		1.00	\$ 43,000.00
1	1	005	Clearing And Grubbing	1 LS						7,000.00		7,000.00	0.00		1.00	\$ 7,000.00
99018	99018	006	Unclassified Excavation (Cut-Haul-Fill)	99,018.00 CY					2.90	287,152.20		287,152.20	0.00		99,018.00	\$ 287,152.20
15689	15689	007	Unclassified Excavation (Shallow Re-compaction)	15,589.00 CY					2.50	38,972.50		38,972.50	0.00		15,589.00	\$ 38,972.50
38916	38916	008	Unclassified Excavation (Deep Re-compaction)	38,916.00 CY					2.30	89,506.80		89,506.80	0.00		38,916.00	\$ 89,506.80
10965	10965	009	6" Thick Subgrade Prep. (In Cut Under New Pvmnt)	10,965.00 SY					1.80	19,737.00		19,737.00	0.00		10,965.00	\$ 19,737.00
1	1	010	Exit "B" Infield Culvert Installation	1 LS						3,500.00		3,500.00	0.00		1.00	\$ 3,500.00
1	1	011	Exit "C" Infield Culvert Installation	1 LS						3,500.00		3,500.00	0.00		1.00	\$ 3,500.00
1	1	012	Exit "D" Infield Culvert Installation	1 LS						6,500.00		6,500.00	0.00		1.00	\$ 6,500.00
13000	13000	013	Shoulder Grading	13,000.00 SY					0.35	4,550.00		4,550.00	0.00		1.00	\$ 4,550.00
3500	3500	014	6" Thick Subbase Course (Recycled)	3,500.00 CY					5.00	17,500.00		17,500.00	0.00		3,500.00	\$ 17,500.00
6325	6325	015	6" Thick Aggregate Base Course	6,325.00 TN						17,500.00		17,500.00	0.00		6,325.00	\$ 17,500.00
10000	10000	016	Pavement Reinforcing Fabric (Overlay Areas)	10,000.00 SY					1.55	15,500.00		15,500.00	0.00		10,000.00	\$ 15,500.00
1800	1800	017	Pavement Reinforcing Tape	1,800.00 SF					2.00	3,600.00		3,600.00	0.00		1,800.00	\$ 3,600.00
5000	5000	018	Plant Mix Bituminous Pavement	5,000.00 TN					85.50	427,500.00		427,500.00	0.00		5,000.00	\$ 427,500.00
13800	13800	019	Pavement Marking	13,800.00 SF					1.50	20,400.00		20,400.00	0.00		13,800.00	\$ 20,400.00
3350	3350	020	2" Dia. Duct - Flowable Backfill	3,350.00 LF					8.00	26,920.00		26,920.00	0.00		3,350.00	\$ 26,920.00
316	316	021	2" Dia. Duct - Concrete Backfill	304 LF					14.00	4,256.00		4,256.00	0.00		316.00	\$ 4,256.00
445	445	022	Two 2" Dia. Duct - Common Trench - Flowable Backfill	445 LF					16.50	7,342.50		7,342.50	0.00		445.00	\$ 7,342.50
2697	2697	023	3" 600V And 2" 3KV Duct - Common Trench - Flowable Bac	2,697.00 LF					16.50	44,335.50		44,335.50	0.00		2,697.00	\$ 44,335.50
80	80	024	3" 600V And 2" 3KV Duct - Common Trench - Concrete Bac	80 LF					30.70	2,456.00		2,456.00	0.00		80.00	\$ 2,456.00
6	6	025	Light Base Handhole	6 EA					725.00	7,975.00		7,975.00	0.00		6.00	\$ 7,975.00
12	12	026	Threshold Red-Green End Light Fixtures	12 EA					860.00	10,320.00		10,320.00	0.00		12.00	\$ 10,320.00
23	23	027	Clean-Yellow Runway Edge Light Fixtures	23 EA					860.00	19,780.00		19,780.00	0.00		23.00	\$ 19,780.00
2	2	028	White Runway Edge Light Fixtures	2 EA					860.00	1,700.00		1,700.00	0.00		2.00	\$ 1,700.00
18	18	029	Blue LED Taxiway Light Fixtures	18 EA					1,020.00	18,360.00		18,360.00	0.00		18.00	\$ 18,360.00
6895	6895	030	Runway/AWG 8, 5KV Single Conductor	6,895.00 LF					1.00	6,895.00		6,895.00	0.00		6,895.00	\$ 6,895.00
87	87	031	Elevated Taxiway Retroreflective Edge Marker	87 EA					82.00	7,134.00		7,134.00	0.00		87.00	\$ 7,134.00

QTY. LAST TO DATE	ITEM BILLING NO.	DESCRIPTION	ORIGINAL CONTRACT QUANTITY	U O M	CHANGE ORDER NUMBERS	CHANGE ORDER QUANTITY	REVISED CONTRACT QUANTITY	UNIT PRICE	ORIGINAL CONTRACT AMOUNT	REVISED CONTRACT AMOUNT	TOTAL CONTRACT AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE
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CONTRACT EXTRA WORK SUB-TOTAL

TOTAL

\$ 2,141,668.90 \$
 \$ 2,141,668.90 \$
 TOTAL CONTRACT AMT.

CONTRACT AMOUNT TO DATE... \$ 2,101,865.47
 PREVIOUS 10% RETENTION WITHHELD... \$ 210,186.55
 5% RETENTION WITHHELD UNTIL PROJECT ACCEPTANCE... \$ (105,093.27)
 LESS RETENTION PREVIOUSLY PAID... \$ -
 5% RETENTION DUE THIS INVOICE... \$ 105,093.27

Engineer's Recommendation for Payment

RP Wadell 7/30/10 \$ 105,093.27
 By Robert P. Wadell, PE Date Amount

The following documents are included with this invoice:

THIS INVOICE IS DUE AND PAYABLE BY: 8/30/2010

TERMS OF PAYMENT:
 Payment is due within ten days after receipt of this invoice. If customer fails to make payment when due, customer agrees to pay Teichert late charges at the rate of eighteen percent per annum on all past due unpaid amounts. If for any reason the rate of eighteen percent is found to be unenforceable, customer agrees to pay Teichert late charges at the maximum rate then permitted by California law. Customer also agrees to pay Teichert's reasonable attorneys' fees if legal action is commenced to collect amounts not paid when due. Customer agrees to make payment hereunder to Teichert at its principal place of business, 3500 American River Drive, P.O. Box 19557, Sacramento, California 95853-9595

ITEM NO. : F-16
**AWARD BID FOR THREE-YEAR
 JANITORIAL SERVICES AGREEMENT
 WITH WHITE GLOVE CLEANING
 SERVICE AT A COST OF \$33,600 PER
 YEAR AND APPROPRIATE FUNDING
 AUGUST 10, 2010**

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

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



SUMMARY:

One bid was received for providing City janitorial services. Staff recommends awarding the three-year agreement for City janitorial services to White Glove Cleaning Service at a total cost of \$2,800 per month which is \$33,600 per year. The term of the Contract will end on July 31, 2013. The departure of the old contractor and the engagement of the new contractor requires additional funds to be appropriated to provide for this service.

BACKGROUND:

At the May 11, 2010 City Council meeting, Council authorized Public Works to seek bids for a three-year janitorial service contract to provide janitorial services to City Hall, the Police Department, Corning Library, Corning Transportation Center (Suite D only), Corporation Yard, Martini Plaza (restrooms only), Woodson Park (restrooms only), and Northside Park (restrooms only). White Glove Cleaning Service presented the only bid.

In considering the increased cost required to pay the contract services, the Management Team reviewed alternatives including using existing City Public Works Maintenance Workers or hiring a part-time janitor. The need to split the work day and week-end work required to maintain the Park and other public restrooms would result in over-time including scheduled call back. Trying to employ two part-time janitors leads to other problems including supervision and covering absences. Contract Service eliminates those problems including the payment of FICA, Medicare and Unemployment Insurance. The total contract cost is much less than the cost of one Maintenance Worker.

FINANCIAL:

The Budget funding amounts were based on the previous \$800/month janitorial services agreement with Mr. Ken Vaughan that has recently expired. Staff recommends the City Council amend the budget line items to provide the full funding for the new contract of \$33,600. The added cost to the General Fund is \$10,800, and \$4000 each to Sewer and Water.

The Preliminary 2010/2011 City Budget provides a total of \$13,000 to fund the Janitorial Agreement.

<u>Past Funding</u>	<u>in the Following Accounts</u>	<u>New Appropriations Required</u>
\$2,500	001-6320-1700 Janitorial for Library	\$ 5,000
\$3,000	001-6320-6100 Janitorial for Parks	\$ 6,600
\$2,500	001-6320-3600 Building Maint. & Janitorial	\$ 7,200
	610-6320-3600 Building Maint. & Janitorial	\$ 4,000
	630-6320-3600 Building Maint. & Janitorial	\$ 4,000
\$5,000	625-6750-3160 Transportation Ctr Bldg Maint.	\$ 6,800

BACKGROUND CHECK:

Before we can allow after hours access to City Hall, the Library and Police Department, all janitorial employees must clear a background check conducted by the Corning Police Department. Those checks typically take a week to 10 days to complete. In the interim, we've asked White Glove to provide a cost estimate for a reduced "interim task" list. That list and their proposal for "interim services" are attached.

RECOMMENDATION:

MAYOR AND COUNCIL AWARD THE THREE-YEAR JANITORIAL SERVICE AGREEMENT TO WHITE GLOVE CLEANING SERVICE AT A COST OF \$33,600 PER YEAR; AND

- **APPROPRIATE:**
 - \$ 5,000 to 001-6320-1700, Janitorial for Library
 - \$ 6,600, to 001-6320-6100 Janitorial for Parks
 - \$ 7,200, to 001-6320-3600 Building Maint. & Janitorial
 - \$ 4,000, to 610-6320-3600 Building Maint. & Janitorial
 - \$ 4,000, to 630-6320-3600 Building Maint. & Janitorial
 - \$ 6,800, to 625-6750-3160 Transportation Ctr Bldg Maint.
- **APPROVE THE INTERIM SERVICES FOR THE PERIOD FOLLOWING CONTRACT APPROVAL AND COMPLETION OF THE BACKGROUND CHECK IN THE AMOUNT OF \$150 PER WEEK.**

JANITORIAL SERVICES AGREEMENT

This agreement is entered into by and between the City of Corning, a municipal corporation, (hereinafter referred to as "City") and the person or entity identified at the end of this Agreement (hereinafter referred to as "Contractor").

Purpose of Agreement:

The purpose of this agreement is to document the arrangement worked out between the City and the Contractor for certain janitorial work to be performed on City property over a three-year term.

Location of work to be performed:

The Contractor will perform janitorial services at the following eight (8) City of Corning locations.

- ◆ City Hall, 794 Third Street.
- ◆ Police Department, 774 Third Street.
- ◆ Corning Library, 740 Third Street.
- ◆ Corning Transportation Center, Suite D, 1081 Solano Street.
- ◆ Corporation Yard, 1106 Butte Street.
- ◆ Martini Plaza, 1409 Solano Street, restrooms only.
- ◆ Woodson Park, South Street at Pear Street, restrooms only.
- ◆ Northside Park, 1418 Colusa Street, restrooms only.

Contractor Responsibility:

All work under this Agreement shall be performed in a skillful and workmanlike manner. The City may, in writing, require the Contractor to remove any employee the City deems incompetent, careless, or otherwise objectionable, or for theft, possession and/or removal of material, supplies, equipment, or any other City owned Property.

The Contractor shall be responsible for maintaining satisfactory standards of employee competency, conduct, appearance, and integrity and shall be responsible for taking disciplinary action with respect to Contractor's employees as may be necessary. Each employee must be finger printed by the Corning Police Department before employment.

No other personnel other than the Contractor or Contractor's employees or City of Corning employees shall be allowed in the building during the period prescribed for maintenance. No children shall be in the building when performing janitorial services.

Contractor shall perform cleaning duties after business hours and on weekends. Because of public meetings, Tuesday evenings cannot be cleaning dates. All cleaning shall be performed on Wednesday evenings with the exception of the first Wednesday of the month, and one day or evening of the weekend.

The Contractor shall be responsible for the training of all employees in the use of Multiple Safety Data Sheets supplied with all cleaning fluids and disinfectants. All employees must also be advised of all CAL-OSHA safety laws and the Contractor shall have a current ongoing safety program.

Description of work to be performed:

The Contractor will perform the following work throughout the term of this Agreement:

Each day:

- The restroom facilities located at the Transportation Center, Northside Park, Woodson Park and Martini Plaza will be closed each evening at dark Monday through Friday.
- The restroom facilities located at Northside Park, Woodson Park and Martini Plaza will be opened at 7:00 a.m. and closed at dark each weekend, holiday and City Furlough day.
- The Transportation Center Suite D (bus waiting area) must be opened no later than 5:45am and closed at dark every City Furlough day and on holidays except for holidays that TRAX services are not available. TRAX does not provide services on New Year's Eve, New Year's Day, Presidents' Day, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Eve and Christmas Day.
- During the closing of each facility the contractor will inspect each restroom and pickup and clean as needed and make sure all paper dispensers are filled for the following day. If problems or vandalism are discovered the contractor is to contact Public Works.

Once per week:

- Vacuum all carpeted areas.
- Mop and buff all tile floors.
- Mop and buff seamless floors.
- Inspect and clean any furnishings and areas needing attention.

Twice per week:

- Dust shelves, desks, ledges, etc.
- Dust mop floors.
- Damp mop soiled floor areas.
- Spot wash counters, desks, etc.
- Clean, disinfect and deodorize restrooms.
- Fill restroom containers with supplies.
- Clean stainless and glass doors.
- Empty and clean wastebaskets and containers.
- Turn off lights as needed.

Monthly:

- Dust sills and blinds, all pictures, plaques and emblems.
- Wash and clean all glass, including all windows and doors inside and out.
- Spot wash and clean walls, doorframes, etc.
- Clean dispensers, stall separators and top partitions in restrooms.
- Scrub tile in all areas, remove black marks and apply new finish.
- Remove spider webs throughout buildings.

General Cleaning:

- Light fixtures dusted and washed twice per year.
- Keep Janitors closet in a clean and orderly fashion.
- Clean and remove all dirt, stains and marks with an approved cleaner.
- Clean and fill receptacles, dispensers, and the like and fill with an appropriate supply to last until the next cleaning day.
- Mop-Damp or Wet all surface dirt and stains with a cotton mop and warm water (damp mopping) containing soap, detergent, or floor cleaner, as required and rinse by (wet mopping). If mopping operation results in removal of floor finish, restore surface with one coat of approved anti-slip floor finish.
- Sweep in areas with smooth floors, such as linoleum or tile; remove all loose dirt and litter with sweeping broom and disposable or laundered type treated cloth. For other type of floors, remove loose dirt and litter with a hair floor brush or other sweeping tool. In places difficult to sweep with regular sweeping tools, use a brush or vacuum to remove dirt and litter.
- Remove all surface and embedded dirt with a vacuum cleaner.
- Wash to remove all dirt stains and marks with approved cleaner, then rinse with clear water.

City and Contractor Furnished Supplies:

The **City** agrees to furnish the following supplies: Hand soap, toilet tissue, paper towels, and toilet seat covers. The **Contractor is required to furnish:** All chemicals and cleaning agents including deodorizers, an assortment of trash bags for all waste and garbage containers, all vacuums, mops, brooms, and other cleaning equipment.

Term of Contract:

The term of the Contract will be 3 years, beginning at signing of Contract and ending July 31, 2013.

Insurance Requirements:

- ◆ Contractor shall provide the City with Liability Insurance in the amount of \$1,000,000 and shall list the City as an Additional Insured on an Additional Insured Endorsement.
- ◆ Worker's Compensation shall be required for additional employees.

Business License Requirement:

- ◆ Contractor shall purchase and maintain a City of Corning Business License.

Amount of Compensation:

City will pay Contractor on a monthly basis at the beginning of each month for the work performed the preceding month. The monthly amount to be paid for each and every month throughout the term of this Agreement is **\$2,800.00.**

Independent Contractor:

Contractor is an independent Contractor and is not an employee of the City of Corning. Contractor is not limited to performing the type of work provided for in this contract to only the City of Corning but it is assumed and agreed that Contractor will perform similar services for other customers. Although the City establishes contract objectives, it does not have authority to provide supervision over contractor and its employees other than to determine if the established objectives are being met and if the contractor is in compliance with the terms of this contract.

Attorney Fees and Costs:

In the event of a dispute arising out of this Agreement, City and contractor agree that a court or arbitrator may award a reasonable amount of attorney fees and costs to the prevailing party should such dispute be resolved through litigation or arbitration.

Entire Agreement:

This document represents the entire agreement between the parties and all commitments arising out of discussions between the parties have been fully integrated herein.

Notices to Parties:

Notices to City shall be provided to:

City of Corning
Attn: Public Works Director
794 Third Street
Corning, CA 96021

Notices to Contractor shall be provided to:

White Glove Cleaning Service
Attn: Teresa Contreras
2053 Parkway Village Drive
Chico, CA 95928

SO AGREED.

CITY OF CORNING

By: _____

Date: _____

CONTRACTOR

By: _____

Date: _____

Attest:

Lisa Linnet, City Clerk



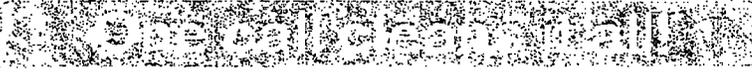
White Glove Cleaning Service

2053 Parkway Village Drive

Chico, CA 95928

530-894-7491 Office ~ 530-354-0582 Cell

530-892-8914 Fax ~ WhiteGloveBlanco@aol.com



8/6/10

Attention: John L. Brewer
Public Works Director

The price to lock, unlock, clean restrooms and the transportation center until the City Council approves the bid for the contract is \$150.00 per week.

A handwritten signature in cursive script that reads "Teresa Contreras".

RECEIVED

AUG - 6 2010

CITY OF CORNING



City of Corning

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

Teresa Contreras
2053 Parkway Village Drive
Chico, CA 95928

VIA FAX (892-8914)
Updated 8-5-2010

August 4, 2010

Re: Janitorial Contract

Ms. Contreras,

Thank you for speaking with me on the telephone this morning. We will prepare and present the contract to City Council for approval on Tuesday, August 10th. We assume City Council will approve it. The earliest we can activate a contract will be Wednesday, August 11th.

You need to make appointment with Corning Police Department to begin background check of all persons who would be cleaning City Hall, Police Department and Library. That investigation takes about a week to 10 days to complete. I've asked the Police Dept. to contact you to schedule this.

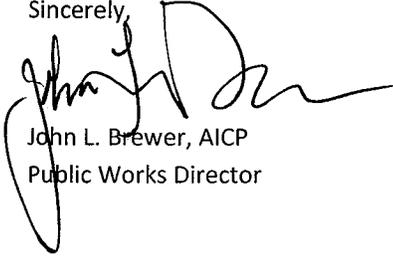
While the background check is being completed, we'd like you folks to do the tasks applicable to other City facilities. Please provide what your costs would be (per week) to do the following "Interim Tasks". I need your cost proposal immediately so I can reference it in the City Council staff report. Please fax it to Dawn Grine-Public Works Secretary at 824-2489.

Interim Task List:

Facility	Tasks	Frequency
Transportation Center Waiting Area (Suite D)	Lock Transportation Center Waiting Area (Suite "D"). Check for damages, graffiti, cleanliness-report damages to Police Dept.	Every Weekday (Monday-Friday)
Transportation Center Waiting Area (Suite D)	Open Transportation Center Waiting Area no later than 5:45 am.	Furlough days-see attached list <u>and</u> the Friday after Thanksgiving
Transportation Center Waiting Area (Suite D)	Clean restroom	Two days/week
Three Parks- Northside Park, Woodson Park & Martini Plaza	Lock (at dark) restroom facilities, check for damages, graffiti, cleanliness-report damages to Police Dept.	Every day
Three Parks- Northside Park, Woodson Park & Martini Plaza	Unlock (at 7:00 am) & Lock (at dark) restroom facilities, check for damages, graffiti, cleanliness-report damages to Police Dept.	City observed Holidays-see attached list and Furlough Days (see list)
Three Parks- Northside Park, Woodson Park & Martini Plaza	Clean restrooms	Two days/week. (Friday and either Tuesday or Wednesday)

We're looking forward to working with you. If you have any questions-please call me at 824-7025, or Dawn at 824-7029. If you have any questions regarding the background check, please contact the Corning Police department at 824-7000.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Brewer". The signature is fluid and cursive, with a large initial "J" and "B".

John L. Brewer, AICP
Public Works Director

Enc. Furlough Schedule and Holiday list



From the Desk of Lisa M. Linnet
City of Corning Administration

To: All Employees
Reference: 2010/2011 Furlough Days
Date: June 2, 2010

2010/2011 FURLOUGH DAYS

June 4, 2010	Friday
June 18, 2010	Friday
July 2, 2010	Friday
July 16, 2010	Friday
July 30, 2010	Friday
August 13, 2010	Friday
August 27, 2010	Friday
September 10, 2010	Friday
September 24, 2010	Friday
October 8, 2010	Friday
October 22, 2010	Friday
November 5, 2010	Friday
November 19, 2010	Friday
December 3, 2010	Friday
December 17, 2010	Friday
December 30, 2010	Thursday
January 14, 2011	Friday
January 28, 2011	Friday
February 11, 2011	Friday
February 25, 2011	Friday
March 11, 2011	Friday
March 25, 2011	Friday
April 8, 2011	Friday
April 22, 2011	Friday
May 6, 2011	Friday
May 20, 2011	Friday
June 3, 2011	Friday
June 17, 2011	Friday



Memo: From the Desk of Lisa M. Linnet
City of Corning Administration

To: All Employees
Reference: 2010 Holidays
Date: December 22, 2009

2010 PAID HOLIDAYS

January 1, 2010	New Year's Day	Friday
February 15, 2010	Presidents' Day	Monday
May 31, 2010	Memorial Day	Monday
July 4, 2010	Independence Day	Monday (July 5th)
September 6, 2010	Labor Day	Monday
November 12, 2010	Post-Veterans Day	Friday
November 25, 2010	Thanksgiving Day	Thursday
November 26, 2010	Post Thanksgiving	Friday
December 23, 2010	Pre-Christmas Eve	Thursday
December 24, 2010	Pre-Christmas Day	Friday
December 31, 2010	Pre-New Year's Day	Friday

HAVE A SAFE AND HAPPY NEW YEAR!

ITEM NO.: F-17
AWARD BID FOR THE 2010 STREET
IMPROVEMENT PROJECT IN THE
AMOUNT OF \$142,505.15 TO
NORTHWEST PAVING.

AUGUST 10, 2010

TO: HONORABLE MAYOR AND COUCLMEMBERS
FROM: STEPHEN J. KIMROUGH, CITY MANAGER
ED ANDERSON; CITY ENGINEER
JOHN L. BREWER, AICP, DIRECTOR OF PUBLIC WORKS



SUMMARY:

On August 5, 2010 the City received and opened seven (7) formal bids for the 2010 Street Paving project. Note that we sought a "base Bid" and several "additive bids" with the objective being to complete as much work as possible within our funding limits of \$162,000.

Please refer to the attached Bid Summary sheet. We have sufficient funds to complete the Base Bid and Additive Bids No. 1 & 2, while leaving a contingency of nearly \$19,500 (12%) for unforeseen conditions and change orders. The low bidder for the base Bid and Additive Bid Items 1 & 2 is Northwest Paving of Redding.

Staff recommends the Council award the bid to Northwest Paving in the amount of \$142,505.15. See the attached drawing showing the individual street improvement projects included in the Base Bid and Additive Bid Items 1 & 2. A copy of the Proposal Pages identifying the base Bid items and Additive Bid items is also attached.

BACKGROUND:

At the May 11, 2010 City Council Meeting Council authorized the Public Works Department to seek Bids for the 2010 Street Improvement Project. The Project initially consisted of a Base Bid and four Additives at various locations throughout the City. Now that the bids are in we know that the entire project cannot be funded at this time. A list of project locations and job descriptions for each portion of the bid proposal is attached for Council review.

FINANCIAL:

At this time we have approximately \$162,000.00 carried over from last year's budget to complete the Street Improvement Project. Those funds are within five separate budget account line items. The table below lists those account numbers.

Fund	Title
107-6150-3001	Materials & Supplies
108-9467-3001	AC Citywide
115-9467-3001	AC Citywide
117-9467-3001	Loleta Ave. Overlay Payment
115-6150-3000	Materials & Supplies

The current total available within these five accounts is approximately \$162,000.

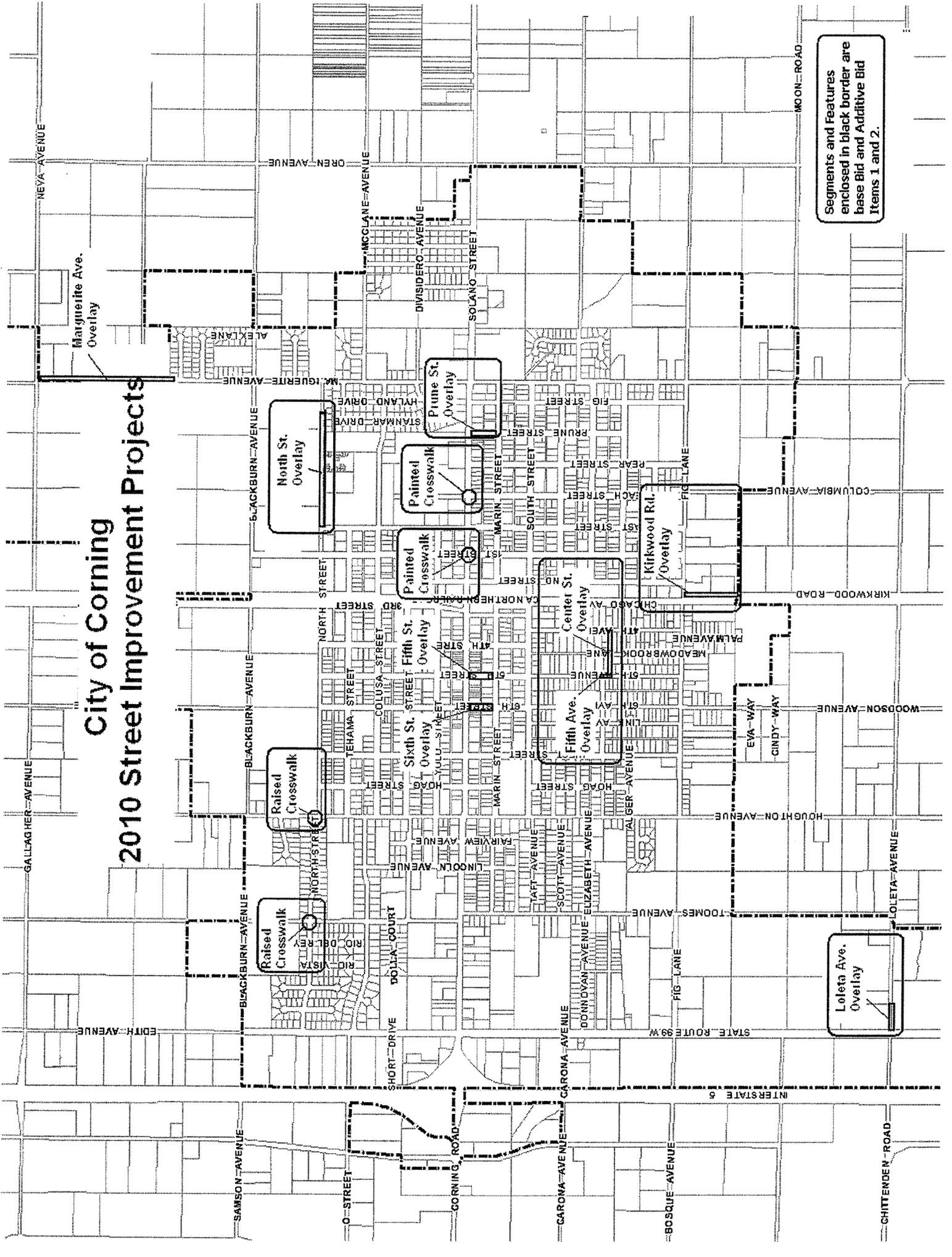
RECOMMENDATION:

- **MAYOR AND COUNCIL AWARD THE BID FOR THE 2010 STREET IMPROVEMENT PROJECT IN THE AMOUNT OF \$142,505.15 FOR THE BASE BID AND ADDITIVE BIDS NO. 1 AND NO. 2 TO NORTHWEST PAVING OF REDDING, CALIFORNIA.**

**2010 Paving Project
Bid Summary Sheet-August 5, 2010**

Item	Eagle Paving & Exc.	NW Paving	Knife River	Sunrise Exc.	Tullis, Inc.	Granite Const.	Dudley Exc.
Base	71720.44	73548.5	83576.3	85696	87072	101750	102561.91
Add 1	26999.42	25046.65	32261.5	28277	34614	40115	39132.01
Add 2	45050	43910	49852	53870	58040	65780	65172.8
Add 3A	60672	60672	62208	67200	59250	80256	86784
Add 3B	43392	39552	50688	46080	46464	77184	60672
Add 4	40105	37475	46124	45535	51800	60875	52105
Grand Total	\$ 287,938.86	\$ 280,204.15	\$ 324,709.80	\$ 326,658.00	\$ 337,240.00	\$ 425,960.00	\$ 406,427.72
Base +1 & 2	\$ 143,769.86	\$ 142,505.15	\$ 165,689.80	\$ 167,843.00	\$ 179,726.00	\$ 207,645.00	\$ 206,866.72

City of Corning 2010 Street Improvement Projects



Segments and Features enclosed in black border are base bid and Additive Bid Items 1 and 2.

Loleta Ave. Overlay

Kirkwood Rd. Overlay

Painted Crosswalk

Painted Crosswalk

Prime St. Overlay

North St. Overlay

Raised Crosswalk

Raised Crosswalk

Sixth St. Overlay

Fifth St. Overlay

Center St. Overlay

Fifth Ave. Overlay

CHITTENDEN ROAD

WOODSON AVENUE

HOUGHTON AVENUE

TOOMES AVENUE

STATE ROUTE 99 W

CORNING ROAD

SAMSON AVENUE

MOON ROAD

COLUMBIA AVENUE

KIRKWOOD ROAD

EVA WAY

CINDY WAY

FIG LANE

FIG LANE

INTERSTATE 5

BOSQUE AVENUE

CARONA AVENUE

ELIZABETH AVENUE

SCOTT AVENUE

TAFT AVENUE

MARIN STREET

SOUTH STREET

ROUND STREET

FIG STREET

SOLANO STREET

DIVISERO AVENUE

MCGLANE AVENUE

OREN AVENUE

MARGUERITE AVENUE

AL EXLANE

HILAND DRIVE

STANMAR DRIVE

CANOR STREET

NORTH STREET

3RD STREET

4TH STREET

5TH STREET

6TH STREET

7TH STREET

8TH STREET

9TH STREET

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54TH STREET

55TH STREET

56TH STREET

57TH STREET

58TH STREET

59TH STREET

60TH STREET

TO: THE CITY OF CORNING

The undersigned, as bidder, declares that he has carefully examined the contract forms, the plans, and specifications and hereby agrees that if this proposal is accepted he will furnish all the material, labor, tools, and equipment and perform all the work required to accomplish the work as follows:

Sweeping, cleaning, patching potholes and depressions prior to paving, including grinding adjacent to existing gutters, centerline, crosswalk and stop bar striping and pavement markings, and all related work, as shown on the plans and described herein, and do it in the manner and time specified for the prices in the following bid schedule, to wit:

BASE BID:

<u>ITEM</u>	<u>APPROX. QUANTITY</u>	<u>DESCRIPTION OF WORK</u>	<u>BID UNIT PRICE</u>	<u>BID AMOUNT</u>
<u>Loleta Avenue: (Between Old Hwy. 99W and 420-feet east)</u>				
1.	9,240 S. F.	Furnish and Place 2-inch thickness of type 'A', asphalt concrete (1/2" agg. size), complete in place.	\$ _____ S.F.	\$ _____
<u>Prune Street: (Between Solano St. and Marin St.)</u>				
2.	14,550 S.F.	Furnish and Place 2-inch thickness of Type 'A' asphalt concrete (1/2" agg. size), complete in place.	\$ _____ S.F.	\$ _____
<u>Center St. and 5th Ave: (Between 4th Ave. and 5th Ave.)</u>				
3.	20,340 S.F.	Furnish and Place 2-inch thickness of Type 'A' asphalt concrete (1/2" agg. size) complete in place.	\$ _____ S.F.	\$ _____
<u>Toomes Ave. and North St. Intersection</u>				
4.	924 S.F.	Place 2-inch thick raised asphalt concrete pedestrian crossing (approx. 42'x 22') across Toomes Ave., and stripe with yellow thermo-plastic striping paint.	\$ _____ S.F.	\$ _____

<u>ITEM</u>	<u>APPROX. QUANTITY</u>	<u>DESCRIPTION OF WORK</u>	<u>BID UNIT PRICE</u>	<u>BID AMOUNT</u>
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Houghton Ave. and North St. Intersection

5.	1,100 S.F.	Place 2-inch thick raised asphalt concrete pedestrian crossing (approx. 50' x 22') across Houghton Ave., and stripe with yellow thermo-plastic striping paint, complete in place.	\$ _____ S.F.	\$ _____
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Solano St. Crosswalks at 1st St. and Peach St. Intersections

6.	2 Ea.	Paint pedestrian crosswalks across Solano Street (approx. 220 S.F. each) at 1 st St. and Peach St. with white thermo-plastic paint, complete in place.	\$ _____ EA.	\$ _____
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Miscellaneous Base Bid Items

7.	1 EA.	Raise existing manhole to finish grade, including concrete collar, per Standard S-13, complete in place.	\$ _____ Ea.	\$ _____
8.	2 EA.	Raise existing water valve box to finish grade, including concrete collar per Std. S-13, complete in place.	\$ _____ Ea.	\$ _____
9.	6,680 S.F.	Grind all existing paving edges at existing concrete gutter lip, where applicable (from 0" deep at a distance of 4-feet from lip of gutter to 1 1/2" at lip of gutter). Overall width of grinding to be 4-feet, and dispose of grindings, complete in place.	\$ _____ S.F.	\$ _____
10.	1 Ea.	Paint Stop Bar and "STOP" symbol on Prune St. at Solano St., complete in place.	\$ _____ Ea.	\$ _____
11	4 Ea	Furnish and install Pedestrian Sign and "Bump" sign, on same 2" x 2" metal tubing post, set in concrete, complete in place.	\$ _____ Ea.	\$ _____

TOTAL BASE BID: \$ _____

<u>ITEM</u>	<u>APPROX. QUANTITY</u>	<u>DESCRIPTION OF WORK</u>	<u>BID UNIT PRICE</u>	<u>BID AMOUNT</u>
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ADDITIVE BID NO. 1:

Fig Ln.
Kirkwood Rd. (Solano St. to South City Limits)

A.1-1	21,483 S.F.	Furnish and Place 2-inch thickness of Type 'A' asphalt concrete (1/2" agg. size) complete in place,	\$ _____ /S.F.	\$ _____
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A.1-2	1 Ea.	Paint pedestrian crosswalk across Kirkwood Rd. (approx. 60 S.F.) at Fig Lane with white thermo-plastic paint, complete in place.	\$ _____ EA.	\$ _____
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A.1-3	1 Ea.	Paint Stop Bar and "STOP" symbol on Kirkwood Rd. at Fig Lane, with white thermo-plastic paint, complete in place.	\$ _____ Ea.	\$ _____
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A. 1.4	693 L.F.	Paint centerline, yellow skip line with thermo-plastic paint, complete in place.	\$ _____ /L.F.	\$ _____
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A. 1-5	1 Ea.	Raise existing manhole to finish grade, including concrete collar, per Standard S-13, complete in place.	\$ _____ Ea..	\$ _____
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TOTAL ADDITIVE BID NO. 1: \$ _____

ADDITIVE BID NO. 2:

North St. (Between East St. and 350-feet +/- west of Marguerite Ave.)

A.2 -1	39,000 S.F.	Furnish and Place 2-inch thickness of Type 'A' asphalt concrete (1/2" agg. size) complete in place.	\$ _____ S.F.	\$ _____
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A.2-2	2,320 S.F.	Grind all existing paving edges at existing concrete gutter lip, where applicable (from 0" deep at a distance of 4-feet from lip of gutter to 1 1/2" at lip of gutter). Overall width of grinding to be 4-feet, and dispose of grindings, complete in place.	\$ _____ S.F.	\$ _____
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PROPOSAL

P-4

<u>ITEM</u>	<u>APPROX. QUANTITY</u>	<u>DESCRIPTION OF WORK</u>	<u>BID UNIT PRICE</u>	<u>BID AMOUNT</u>
A.2-3	1 Ea.	Raise existing cleanout to finish grade, including concrete collar, per Standard S-13, complete in place.	\$ _____ Ea.	\$ _____
A. 2-4	3 EA.	Raise existing water valve box to finish grade, including concrete collar per Std. S-13, complete in place.	\$ _____ Ea.	\$ _____

ADDITIVE BID NO. 2, TOTAL: \$ _____

ADDITIVE BID NO. 3:

Marguerite Ave. (Between Neva Ave. and Victorian park Dr.)

Option 'A':

A.3-1A	38,400 S.F.	Furnish and place a 1-inch +/- A.C. leveling course prior to installing a 2" A.C. overlay, complete in place.	\$ _____ S.F.	\$ _____
A.3-2A	38,400 S.F.	Furnish and Place 2-inch thickness of Type 'A' asphalt concrete (1/2" agg. size) complete in place.	\$ _____ S.F.	\$ _____

ADDITIVE BID No. 3, Option 'A' TOTAL: \$ _____

Option 'B':

A.3-1B	38,400 S.F.	Furnish and place a 1-inch +/- A.C. leveling course prior to installing a double chip seal coat, complete.	\$ _____ S.F.	\$ _____
A.3-2B	38,400 S.F.	Furnish and place a double chip seal coat, complete in place.	\$ _____ S.F.	\$ _____

ADDITIVE BID No. 3, Option 'B' TOTAL: \$ _____

<u>ITEM</u>	<u>APPROX. QUANTITY</u>	<u>DESCRIPTION OF WORK</u>	<u>BID UNIT PRICE</u>	<u>BID AMOUNT</u>
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ADDITIVE BID NO. 4:

5th St. and 6th St. (Between Solano St. and Marin St.)

A.4-1	31,500 S.F.	Furnish and Place 2-inch thickness of Type 'A' asphalt concrete (1/2" agg. size) complete in place.	\$ _____ S.F.	\$ _____
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A.4.2	4,800 S.F.	Grind all existing paving edges at existing concrete gutter lip, where applicable (from 0" deep at a distance of 4-feet from lip of gutter to 1 1/2" at lip of gutter). Overall width of grinding to be 4-feet, and dispose of grindings, complete in place.	\$ _____ S.F.	\$ _____
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A.4-3	2 Ea.	Raise existing manhole to finish grade, including concrete collar, per Standard S-13, complete in place.	\$ _____ Ea.	\$ _____
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A.4-4	2 EA.	Raise existing water valve box to finish grade, including concrete collar per Std. S-13, complete in place.	\$ _____ Ea.	\$ _____
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ADDITIVE BID No. 4, TOTAL: \$ _____

The undersigned further declares that the only persons or parties interested in the Proposal as Principals are those named herein and that this Proposal is not made in collusion with any persons, firm or corporation.

Accompanying this Proposal is _____, (cash, cashier's check, certified check or Bidder's Bond) in the amount equal to at least 10 percent of the total amount of the Proposal, and signed copies of all Addenda.

The undersigned agrees that in case of default in signing and returning the required Contract with necessary bonds within 14 days after receiving notice of award, the proceeds of the cash, check or bond accompanying the Proposal shall be forfeited to the City.

Licensed in accordance with an act providing for the registration of Contractors, Class _____, License No. _____, Expires _____.

ITEM NO.: I-18
REVIEW PROPOSED LEAGUE OF
CALIFORNIA CITIES RESOLUTIONS TO
BE AGENDIZED FOR DISCUSSION AND
COUNCIL ACTION ON AUGUST 24, 2010

AUGUST 10, 2010

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER



SUMMARY:

The League of California Cities General Assembly considers Policy Resolutions at its Annual Meeting. This year the meeting is to be held in San Diego on Friday, September 17, 2010. Though no representatives from the City of Corning are going to attend, the Council will still want to review these proposed Resolutions to determine if you want to support, oppose, or take no action on them as a Council.

BACKGROUND:

The League Board of Directors, the Division Boards, Policy Committees, or individual Cities propose resolutions. This year there are six (6) proposed Resolutions listed on page iv of the attached packet. There are a few Resolutions that merit close review by the City Council.

The League ByLaws Amendment is explained on page 6 of the packet. A careful review indicates that the proposed ByLaw changes should not impact the City of Corning or small Cities. Take a look at page 9 for the changes in the Board of Directors, note that they still require at least one Board Representative from Cities with a population of 10,000 or less (by the way, that was promoted by former Councilmember Betty Pryatel through the Sacramento Valley Division many years ago).

Resolution Number 3 is important for Council consideration; the Mountain and Desert Division challenges the Board of Directors to support the suspension of the new environmental laws.

Resolution Number 5 is a statement on unfunded State mandates. It admonishes the State Legislature and the Governor for failing to take into consideration the impacts on Cities, Counties and Special Districts from imposition of new laws.

RECOMMENDATION:

MAYOR AND COUNCIL REVIEW THE ATTACHED LEAGUE PACKET, DISCUSS THE PROPOSED LEAGUE RESOLUTIONS AND DECIDE IF ANY ACTIONS ARE NECESSARY.

July 29, 2010

TO: Mayors, City Managers and City Clerks
League Board of Directors
General Resolutions Committee Members
Members, League Policy Committees to Which Resolutions Are Referred

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2010 Annual Conference Resolutions Packet.

Annual Conference in San Diego. This year's League Annual Conference will be held September 15-17 at the San Diego Convention Center. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at www.cacities.org/ac. We look forward to welcoming city officials to the conference.

Annual Business Meeting - Friday, September 17, 3:00 p.m. The League's Annual Business Meeting will be held at the San Diego Convention Center, Ballroom 20ABC.

Resolutions Packet. At the Annual Conference, the League will consider the six resolutions introduced by the deadline — Friday, July 16, 2010, 5 p.m., for submittals by regular mail, or Saturday, July 17, midnight, for submittals by e-mail or fax. These resolutions are included in this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider the resolutions and to determine a city position so that your voting delegate can represent your city's position on each resolution. A copy of the resolutions packet is posted on the League's Web site for your convenience: www.cacities.org/resolutions.

This resolutions packet contains additional information related to consideration of the resolutions at the Annual Conference. This includes the date, time and location of the meetings at which resolutions will be considered.

Voting Delegates. Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the Annual Business Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. Copies of the letter, voting delegate form, and additional information are also available at: www.cacities.org/resolutions.

**Please Bring This Packet to the Annual Conference
September 15 - 17 — San Diego**

I. INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, six resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees. Please note that two resolutions have been referred to more than one policy committee for consideration.

POLICY COMMITTEES: Six policy committees will meet at the Annual Conference to consider and take action on resolutions referred to them. These are: Administrative Services; Community Services; Environmental Quality; Housing, Community & Economic Development; Revenue and Taxation; and Transportation, Communication & Public Works. These committees will meet on Wednesday, September 15, 2010 at the Hilton Bayfront Hotel, located next to the San Diego Convention Center. Please see page iii for the policy committee meeting schedule. The sponsors of the resolutions have been notified of the time and location of the meetings.

Two policy committees will not be meeting at the annual conference. These committees are: Employee Relations and Public Safety.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 4:00 p.m. on Thursday, September 16, at the San Diego Convention Center, Ballroom 20D, to consider the reports of the six policy committees regarding the six resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president.

ANNUAL BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 3:00 p.m. on Friday, September 17, at the San Diego Convention Center, Ballroom 20ABC.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 3:00 p.m., Thursday, September 16. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Linda Welch Diamond at the League office: ldiamond@cacities.org or (916) 658-8224.

II. GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities and the League is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the Board of Directors.
 - (c) Consider important issues not adequately addressed by the policy committees and Board of Directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

**III.
LOCATION OF MEETINGS**



Policy Committee Meetings
Wednesday, September 15, 2010
Hilton Bayfront Hotel, San Diego
 1 Park Boulevard, San Diego - (619) 564-3333
(Located next to the San Diego Convention Center)

**POLICY COMMITTEES MEETING AT ANNUAL CONFERENCE TO
DISCUSS AN ANNUAL CONFERENCE RESOLUTION**

9:00 a.m. – 10:30 a.m.	11:00 a.m. – 12:30 p.m.
Administrative Services – Indigo D	Community Services – Indigo D
Environmental Quality – Indigo H	Housing, Comm. & Econ. Dev. – Indigo 202
Revenue and Taxation – Indigo 202	
Transp., Comm. & Public Works – Indigo 204	

Note: These policy committees will NOT meet at the Annual Conference:
 Employee Relations and Public Safety



General Resolutions Committee
Thursday, September 16, 2010, 4:00 p.m.
San Diego Convention Center, Ballroom 20D
 111 West Harbor Drive, San Diego, CA 92101 - (619) 525-5000



Annual Business Meeting and General Assembly
Friday, September 17, 2010, 3:00 p.m.
San Diego Convention Center, Ballroom 20ABC
 111 West Harbor Drive, San Diego, CA 92101 - (619) 525-5000

**IV.
KEY TO ACTIONS TAKEN ON RESOLUTIONS**

Resolutions have been grouped by policy committees to which they have been assigned. Please note that two resolutions have been assigned to more than one committee. These resolutions are noted by this sign (♦).

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee
2 - General Resolutions Committee
3 - General Assembly

ADMINISTRATIVE SERVICES POLICY COMMITTEE

		1	2	3
1	League Bylaws Amendment			

COMMUNITY SERVICES POLICY COMMITTEE

		1	2	3
2	Let's Move Campaign			

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
♦3	AB32/ SB 375			

HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT POLICY COMMITTEE

		1	2	3
♦3	AB32/ SB 375			
♦4	Responsible Banking			

REVENUE AND TAXATION POLICY COMMITTEE

		1	2	3
♦3	AB32/ SB 375			
♦4	Responsible Banking			
5	Unfunded State Mandates			

TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE

		1	2	3
♦3	AB32/ SB 375			
6	Enhancing Public Safety			

Please note: These committees will NOT meet at the annual conference: Employee Relations and Public Safety

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League Web site: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

RESOLUTIONS INITIATED BY PETITION AT THE ANNUAL CONFERENCE

		General Resolutions Committee Recommendation	General Assembly Action

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- A - Approve
- D - Disapprove
- N - No Action
- R - Refer to appropriate policy committee for study
- a - Amend
- Aa - Approve as amended
- Aaa - Approve with additional amendment(s)
- Ra - Amend and refer as amended to appropriate policy committee for study
- Raa - Additional amendments and refer
- Da - Amend (for clarity or brevity) and Disapprove
- Na - Amend (for clarity or brevity) and take No Action
- W - Withdrawn by Sponsor

Action Footnotes

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note: Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee:

Resolutions initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

V.
2010 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO ADMINISTRATIVE SERVICES POLICY COMMITTEE

**1. RESOLUTION RELATING TO LEAGUE BYLAWS AMENDMENTS
(2/3 vote at General Assembly required to approve)**

Source: League Board of Director
Referred to: Administrative Services Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, The League of California Cities is a nonprofit mutual benefit corporation under California law, and, as such, is governed by corporate bylaws; and

WHEREAS, the League's Board of Directors periodically reviews the League's bylaws for issues of clarity, practicality, compliance with current laws, and responsiveness to membership interests; and

WHEREAS, the League's Board of Directors convened a Bylaws Review Committee to make recommendations regarding various necessary amendments to ensure that the most qualified and committed city officials are selected to serve on the League's Board, policy committees and other leadership positions, representing a broad diversity of backgrounds, experience, abilities, geography and other factors, and that any barriers to their selection are removed; and

WHEREAS, the Board of Directors approved the Bylaws Review Committee's recommendations that identified amendments to the bylaws that: a) encourage all segments of League membership to pursue leadership positions within the League to advance the goal that the League Board of Directors reflects the diverse ethnic and social fabric of California; b) clarify the League Board's nomination procedures and expand Board membership by four positions; and c) provide guidance to avoid conflicts of interest for Board and policy committee members with the expectation that decisions should be in the best overall interests of cities statewide; and

WHEREAS, the League's Board offers amendments and additions to the following sections of the bylaws for the membership's consideration:

1. Article VII, Section 1; new subsection 1(b): Board Diversity Policy, Board of Directors
2. Article VII, Section 2 (c), (f): Composition, Board of Directors
3. Article VII, Section 5 (d): Nomination Process, Board of Directors
4. Article XIV, Section 1, new section: Conflicts of Interest
5. Article XIV, Section 4, new section: Ethical Considerations;

now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities assembled during the Annual Conference in San Diego, September 17, 2010, that the League make the specified changes to the League bylaws by amending the above-referenced sections as indicated on Attachment A.

[Please see ATTACHMENT A, following background information, for text of proposed bylaws amendments.]

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Background Information on Resolution No. 1

Source: League Board of Directors

Title: Resolution Relating to League Bylaws Amendments

Background:

At its February, 2010 Board meeting the League Board authorized the President to appoint a Bylaws Review Committee, consisting of a cross-section of current Board members, to review the provisions of League bylaws. This included policies related to governing the nomination and election of League Board members and officers with the goal of ensuring the most qualified and committed city officials are selected, representing a broad diversity of backgrounds, experience, abilities, geography and other factors, and that any barriers to their selection are removed. The Committee, chaired by First Vice President Jim Ridenour, completed its work in four face-to-face meetings (April 2, April 29, June 17 and July 9) and submitted its recommendations to the board. The Board approved the Committee's report and recommends the adoption of the following five amendments to the League bylaws:

- **Amendment to Article VII, Section 1. Board of Directors.** The Committee reviewed a variety of recommendations from previous task forces to encourage greater diversity on the board of directors. It concluded that the best way to encourage greater diversity on the board of directors is to adopt a clear and unequivocal policy statement that the various subunits of the League should encourage and support all members to pursue leadership within the League with the ultimate goal of serving on the board of directors. The League board recommends this proposal for approval.
- **Amendment to Article VII, Section 2. Composition of Board of Directors.** The Committee examined the current composition of the board of directors and is proposing to expand the board by two at-large positions and two large city positions to meet particular needs. Currently, the bylaws provide for approximately 50 directors, including 16 from regional divisions, 11 from functional departments of the League (e.g., city attorneys, city managers, etc.), 10 at-large directors, the mayors of the 8 largest cities (ranging from Los Angeles with 4,065,585 population to Oakland with 425,068 population, and the directors on the National League of Cities Board of Directors that are from California (approximately 2 – 4 members). All must be from dues paying cities.

The Committee concluded that due to the overwhelming interest in the at-large positions (4 – 5 times the applications as available seats each year) additional opportunities to serve on the League board should be provided by increasing the available at-large seats from 10 to 12. The Committee also concluded that large city representation should be adjusted to reflect the existence and political value provided through the coalition of the state's "Big Ten" Mayors, by increasing big city mayoral representation on the board from 8 to 10. The current make-up of the Board allows for only the mayors of the eight largest cities. This excludes two important cities that participate regularly in the coalition of the ten (10) largest cities in the state--Santa Ana (355,662) and Anaheim (348,467)--with which the League works closely. The League board recommends this proposal for approval.

- **Amendment to Article VII, Section 5. Nomination Process.** The Committee examined problems associated with the current process for the President selecting division representatives to serve on the Board Nominating Committee. Each year the President selects representatives from half (8) of the regional divisions, but the bylaws exclude those board members who are candidates for an officer or at-large position from serving. The Committee concluded that a problem can arise when the President is unable to appoint another board representative from a division if one or all of its representatives are candidates for officer or at-large positions. The proposed change would allow the League President to appoint a substitute nominating committee member from the same regional division, if available. If one is not available, the President shall appoint a substitute from a nearby regional division. The League board recommends this proposal for approval.

- **Amendment to Article XIV, Section 1 (new section). Conflicts of Interest.** The Board of Directors recently adopted a policy designed to reduce potential conflicts of interest by Board members and policy committee members involved in the adoption of League policy and asked the Committee to consider whether it should be proposed to be added to the League bylaws. The Committee recommends that this step be taken. The proposed new language is a general statement that Board members and policy committee members are expected to make decisions in the best overall interests of cities statewide, as opposed to narrow parochial, personal, or financial interests. The League board recommends this proposal for approval.
- **Amendment to Article XIV, Section 4 (new section). Ethical Considerations.** As part of the guidance to avoid conflicts of interest by Board members and policy committee members, language related to ethical considerations is recommended to clarify that the items described under Article XIV as prohibited transactions represent the floor and not the ceiling for standards of ethical conduct. The additional guidance recommends abstention from decisions where personal conflict may exist. The League board recommends this proposal for approval.

[NOTE: Please see ATTACHMENT A (page 9) for text of proposed bylaws amendments.]

ATTACHMENT A
Amendments to League Bylaws Proposed by Resolution 1
(Proposed changes indicated by bold *italics* and underlining)
Please review in conjunction with summary provided in background information of Resolution 1

Article VII: Board of Directors

Section 1: Role and Powers; Board Diversity Policy

(a) Subject to the provisions and limitations of the California Nonprofit Corporation Law, any other applicable laws, and the provisions of these bylaws, the League's activities and affairs are exercised by or under the direction of the League's control and direction of the League. The League Board may delegate the management of the League's affairs to any person or group, including a committee, provided the League Board retains ultimate responsibility for the actions of such person or group.

(b) The goal of the League is to ensure that the Board of Directors reflects the diverse ethnic and social fabric of California. As such, each Division, Department, Caucus, and Policy Committee should encourage and support members of every race, ethnicity, gender, age, sexual orientation and heritage to seek leadership positions within the League, with the ultimate goal of achieving membership on the Board of Directors.

Article VII: Board of Directors

Section 2: Composition.

The League's Board is composed of the following:

- (a) A President, First Vice-President and Second Vice-President/Treasurer, who each serve a term of one year;
- (b) The Immediate Past President who serves for a term of one year, immediately succeeding his or her term as President;
- (c) Twelve ~~Ten~~ Directors-at-Large,
 - (i) Who serve staggered two-year terms, and
 - (ii) At least one of whom is a representative of a small city with a population of 10,000 or less.
- (d) One Director to be elected from each of the regional divisions and functional departments of the League, each of whom serves for a term of two years;
- (e) Members of the National League of Cities Board of Directors who hold an office in a Member City; and
- (f) Eight ~~Ten~~ Directors that may be designated by the mayors of each of the ~~eight~~ ten largest cities in California to serve two-year terms.

- (g) For purposes of this section, the population of each city is the most current population as determined by the California Department of Finance, Demographic Research Unit, or its successor agency or unit. If no successor agency or unit is named, the most current population used to determine these dues shall be used to determine future dues until such time as these bylaws are amended to designate a new source for determining city population.
- (h) Directors hold office until their successors are elected and qualified or, if they sit on the League Board by virtue of their membership on the National League of Cities Board of Directors, until their terms on the National League of Cities Board of Directors conclude.

Article VII: Board of Directors

Section 5: Nomination Process.

- (d) **Candidates for Positions Ineligible.** Candidates for officer and at-large positions on the League Board are not eligible to serve on the nominating committee. In the event a regional division representative on the nominating committee wishes to be a candidate for an officer or at-large position, the League President will appoint a substitute nominating committee member from the same regional division, if available. If one is not available, the President shall appoint a substitute from a nearby regional division.

Article XIV: Prohibited Transactions

Section 1: Conflicts of Interest

General Principle. Members of the League board as well as members of League policy committees, and members of any standing or ad hoc committees and task forces consisting of members of the League board or League policy committees, are expected to make decisions in the best overall interests of cities statewide, as opposed to narrow parochial, personal, or financial interests. This is analogous to city officials being expected to make decisions in the best overall interests of the community as opposed to narrow private or self-interests.

Section 2. Loans.

Except as permitted by California Nonprofit Corporation Law, the League may not make any loan of money or property to, or guarantee the obligation of, any director or officer. This prohibition does not prohibit the League from advancing funds to a League director or officer for expenses reasonably anticipated to be incurred in performance of their duties as an officer or director, so long as such individual would be entitled to be reimbursed for such expenses under League Board policies absent that advance.

Section 3: Self-Dealing and Common Directorship Transactions.

- (a) **Self-Dealing Transactions.** A self-dealing transaction is a transaction to which the League is a party and in which one or more of its directors has a material financial interest.

- (b) **Common Directorships.** “Common directorships” occur when the League enters into a transaction with an organization in which one of the League directors also serves on the organization’s board.
- (c) **Pre-Transaction Approval.** To approve a transaction involving either self-dealing or a common directorship, the League Board shall determine, before the transaction, that,
 - (i) The League is entering into the transaction for its own benefit;
 - (ii) The transaction is fair and reasonable to the League at the time; and
 - (iii) After reasonable investigation, the League Board determines that it could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

Such determinations shall be made by the League Board in good faith, with knowledge of the material facts concerning the transaction and the director’s interest in the transaction, without counting the vote of the interested director or directors.

- (d) **Post-Transaction Approval.** When it is not reasonably practicable to obtain Board approval before entering into such transactions, a Board committee may approve such transaction in a manner consistent with the requirements in the preceding paragraph, provided that, at its next meeting, the full Board determines in good faith that the League Board committee’s approval of the transaction was consistent with such requirements and that it was not reasonably practical to obtain advance approval by the full Board, and ratifies the transaction by a majority of the directors then in office without the vote of any interested director.¹

Section 4: Ethical Considerations.

These restrictions, of course, represent the floor not the ceiling for ethical conduct as a League board member or policy committee member. If a board member or policy committee member believes that there are circumstances under which the League’s members might reasonably question the board member’s or policy committee member’s ability to act solely in the best interests in the League and its member cities, the prudent course is to abstain. As an example, typically, League board members have abstained from participating in decisions on legislation that would affect organizations for which they work. Another example is legislation that would uniquely benefit a board member’s city. Policy committee members should also consider abstaining in similar circumstances.

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¹ See Cal. Corp. Code § 7233 (specifying under what circumstances a self-dealing transaction is void or voidable).

RESOLUTION REFERRED TO COMMUNITY SERVICES POLICY COMMITTEE

2. RESOLUTION RELATING TO THE NATIONAL LET'S MOVE CAMPAIGN

Source: League Board of Directors
Referred to: Community Services Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, the League supports policies that focus on health and wellness, continuing education, and healthier lifestyles in all communities; and

WHEREAS, many cities, counties, and schools have adopted policies, programs, and ordinances that promote healthy lifestyles by making their communities walkable, promoting youth and senior activities, eliminating the sale of junk food in city, county, or school facilities, providing incentives for stores that sell fresh produce to locate in depressed neighborhoods, and providing exercise opportunities for their residents; and

WHEREAS, city officials believe there are important, long-term community benefits to be gained by encouraging healthy lifestyles, including a decrease in the rate of childhood obesity and its negative health-related impacts; and

WHEREAS, cities and other community partners can work together to understand the relationship between obesity, land-use policies, redevelopment, and community planning; and

WHEREAS, cities and other community partners can work together to ensure that there are safe places for their residents to be active such as in parks, ball fields, pools, gyms, and recreation centers; and

WHEREAS, access to healthy foods has a direct impact on the overall health of our community and planning for fresh food, open space, sidewalks, and parks should be a priority; and

WHEREAS, the League has partnered with the Healthy Eating Active Living (HEAL) Cities Campaign to provide training and technical assistance to help city officials adopt policies that improve their communities' physical activity and retail food environments; and

WHEREAS, the League wants to partner with and support the *Let's Move!* Campaign headed by the First Lady of the United States, the President's Task Force on Childhood Obesity and the Secretary of Health and Human Services, in an effort to solve the challenge of childhood obesity within a generation; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled during the Annual Conference in San Diego, September 17, 2010, that the League encourages the existing 480 California cities to adopt preventative measures to fight obesity as set forth by the First Lady of the United States of America in the *Let's Move* campaign; and, be it further

RESOLVED, that California cities be encouraged to sign-up with the United States Department of Health and Human Services – Region IX office as a *Let's Move!* City; and, be it further

RESOLVED, that California cities are encouraged to: (1) help parents make healthy family choices; (2) create healthy schools; (3) provide access to healthy and affordable foods; and (4) promote physical activity.

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Background Information on Resolution No. 2

Source: League Board of Directors

Title: Resolution Relating to the National Let's Move Campaign

Background:

According to the United States Department of Health and Human Services, Region 9:

In February, First Lady Michelle Obama launched the Let's Move! campaign to solve the childhood obesity epidemic within a generation. First Lady Obama is expanding the effort to include a call to action for mayors and other elected officials to join her Let's Move! Campaign ("Let's Move Cities and Towns") in an effort to leverage cities and communities unique ability to solve obesity locally and adopt long-term, sustainable, regional approaches to fight childhood obesity.

On February 2, 2010, President Barack Obama established the Task Force on Childhood Obesity, which includes senior administration officials. The Task Force developed an interagency plan after incorporating input from more than 2,500 public comments in 90 days. The plan details a coordinated strategy, identifies key benchmarks, and outlines an action plan to end the problem of childhood obesity within a generation.

League adopts resolution in 2004: This resolution related to "encouraging healthier lifestyles for children, adults, and seniors in cities throughout California." This resolution directed the League to encourage cities to embrace policies that facilitate activities that promote healthier lifestyles, including healthy diet and nutrition, and adopt city design and planning principles that enable citizens to undertake exercise with the goal of achieving a more active and healthy community.

League adopts resolution in 2006: This resolution related to "encouraging health and wellness in cities." This resolution directed that the League in cooperation with related League committees, departments, and the CCS Partnership, work together to develop a clearinghouse of information that cities can use to promote wellness policies and healthier cities. It also directed the League to develop a toolkit on the League's Website for cities to visit in order to share, find and develop successful models of health and wellness to use in their respective communities. It also established that health and wellness programs become a topic of the Helen Putnam Awards Program beginning in 2007.

Previous Legislation: SCR 31 was introduced by Senator Alex Padilla in 2007, which established Healthy Communities Awareness Month. This Senate Concurrent Resolution recognized the importance of health and wellness in communities and declared the month of May as Healthy Communities Awareness Month. This was a League sponsored resolution.

League Partners with the Healthy Eating Active Living (HEAL) Cities Campaign: The HEAL Cities Campaign provides training and technical assistance to help city officials adopt policies that improve their communities' physical activity and retail food environments. The HEAL Cities Campaign, funded by Kaiser Permanente and the Vitamin Cases Consumer Settlement Fund, is a partnership of the League of California Cities, the California Center for Public Health Advocacy, and the Cities Counties and Schools Partnership. At its core the HEAL Cities Campaign believes that supporting healthy choices is essential to address the obesity epidemic among California's children and adults, which they purport currently costs the state nearly \$50 billion annually in healthcare and lost productivity. Forty cities have adopted resolutions and adopted specific action steps and a timeline in one of the several key campaign areas (e.g., language in general plan, zoning ordinances governing street design or community gardens, joint use of recreational facilities, and employee wellness). The HEAL campaign goals are:

- To provide city officials information about the statewide obesity epidemic and demonstrate how the community food environment, physical activity environment, children’s out-of-school environment(s), and soda consumption perpetuate the epidemics; and,
- To inform city officials about the role they can play locally to fight the obesity and inactivity epidemics through policy adoption, and to recommend those policies that would improve the physical activity and food environments of their cities and make their community healthier.

Existing League policy on Healthy Cities: The League encourages cities to embrace policies that facilitate activities that promote healthier lifestyles, including healthy diet and nutrition, and to adopt city design and planning principles that enable citizens to undertake exercise with the goal of achieving a more active and healthy community.

Institute for Local Government (ILG) On Healthy Neighborhoods: ILG heads the *Healthy Neighborhoods Project*, which provides support and resources local officials can use to protect and improve community health by integrating health considerations into their planning, land use and other decisions. The resources the ILG Website offers are geared to strengthen the efforts of local officials, staff, planning and development professionals, and community residents in creating healthier communities.

According to the Healthy Neighborhoods Project, healthy neighborhoods provide:

(1) Places where walking and bicycling are safe and convenient and where residents of all ages and abilities have the opportunity to be physically active; (2) Nutritious, fresh, culturally appropriate food – grown locally whenever possible – is affordable and accessible, promoting health and boosting the local economy; (3) A place where residents aren’t exposed to environmental hazards or pollutants that endanger their present or future health or well-being. ILG’s Healthy Neighborhoods’ Website provides current, relevant resources to aid in adapting general policies and strategies to reverse the negative trends related to physical inactivity, unhealthy eating, and environmental hazards.

National League of Cities (NLC) Commends First Lady Michelle Obama for Including Cities and Towns in Let’s Move Campaign: In a press release dated June 11, 2010, NLC commends First Lady Michelle Obama for her newest initiative to combat childhood obesity, *Let’s Move Cities and Towns*. The release continued that “NLC looks forward to working with the First Lady in encouraging local leaders to be proactive in their approach against childhood obesity.”

Through its Institute for Youth, Education and Families, NLC works to combat childhood obesity by raising awareness among municipal leaders and providing them with tools and resources to make changes in their communities. Most recently, NLC and the Foundation for the Mid South, with support from Leadership for Healthy Communities, a national program of the Robert Wood Johnson Foundation, launched the Municipal Leadership for Healthy Southern Cities project. This initiative will help local officials in Arkansas, Louisiana and Mississippi advance policies to promote healthy eating and active living in order to reduce childhood obesity. NLC also recently collaborated with the American Association of School Administrators on a report, *Community Wellness: Comprehensive City-School Strategies to Reduce Childhood Obesity*. For more information on this NLC initiative visit www.nlc.org/iyef.

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RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY POLICY COMMITTEE

◆3. RESOLUTION OPPOSING THE BOARD OF DIRECTORS' DECISION TO DEFER ACTION ON AB 32 AND SB 375 AND TO ADOPT THE BOARD-APPOINTED TASK FORCE RECOMMENDATIONS

Source: Desert/Mountain Division

Referred to: Environmental Quality Policy Committee; Housing, Community & Economic Development Policy Committee; Revenue and Taxation Policy Committee; and Transportation, Communication & Public Works Policy Committee

Recommendations to General Resolutions Committee:

- ◆ Environmental Quality Policy Committee:
- ◆ Housing, Community and Economic Development Policy Committee:
- ◆ Revenue and Taxation Policy Committee:
- ◆ Transportation, Communication & Public Works Policy Committee:

WHEREAS, the Desert/Mountain Division of the League of California Cities has broad concerns about the economy; and

WHEREAS, these concerns extend both to the ability of cities to deliver vital public services and the viability of businesses which are critical to the State's economic recovery; and

WHEREAS, the Desert/Mountain Division of the League of California Cities is concerned that cities lack the resources to implement existing State mandates imposed at either the regional or local level; and

WHEREAS, the League of California Cities Board of Directors appointed a Task Force to craft a recommendation regarding AB 32 and SB 375, based upon the recommendations developed by four policy committees; and

WHEREAS, the Task Force recommended that the League of California Cities Board of Directors request specific actions by Governor Schwarzenegger and the California Air Resources Board to delay certain deadlines and take other actions with respect to AB 32 and SB 375; and

WHEREAS, the League of California Cities Board of Directors rejected the specific recommendations of the Task Force and four policy committees by deferring action on AB 32 and SB 375; and

WHEREAS, the Desert/Mountain Division of the League of California Cities wishes to file an official protest of the Board of Directors' decision to defer action on a position regarding AB 32 and SB 375; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled during the Annual Conference in San Diego, September 17, 2010, that the League of California Cities finds, determines and orders the adoption of the consolidated recommendations of four policy committees and the Board appointed Task Force, as follows:

1. Request that the Governor exercise his authority to delay individual AB 32 implementation deadlines.

2. Request that the California Air Resources Board take the following three actions:
 - Revisit and update economic and growth assumptions used to estimate 2020 business-as-usual emissions and recalculate AB 32 goal;
 - Consider local government costs in all future studies relating to AB 32 and SB 375; and
 - Request that the SB 375 targets be set in a way to reflect the economy and scarce local resources.
3. Support (but not sponsor) any legislation that would suspend or delay implementation of SB 375 until there is funding and resources in place to implement individual mandates and requirements associated with the bill; and, be it further,

RESOLVED, that the specific recommendations developed by the four policy committees and Task Force be considered by the General Assembly at the Annual Conference unless the Board of Directors reverses its deferred action stance on AB 32 and SB 375 and adopts the Task Force recommendations.

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Background Information on Resolution No. 3

Source: Desert/Mountain Division

Title: Resolution Opposing the Board of Directors Decision to Defer Action on AB 32 and SB 375 and to Adopt the Board-Appointed Task Force Recommendations

Background:

The Desert/Mountain Division adopted a Resolution formally opposing the Board of Directors decision to defer action on the Task Force's recommendations regarding AB 32 and SB 375. We took this action out of concern of the impact these regulations will have on our economy and our ability to serve our constituents, and do not want to be complicit by remaining silent on this issue.

The recommended revisions to the League's current positions on AB 32 and SB 375 were crafted by a Board-appointed Task Force after study of the issue by four League policy committees. The changes recommended specific actions by Governor Arnold Schwarzenegger and the California Air Resources Board to delay certain deadlines and take other actions with respect to AB 32 and to suspend or delay the implementation of SB 375 until state funding is provided for the implementation of its mandates.

The Desert/Mountain Division believes that the Board's decision to defer action on the specific recommendations developed by the four policy committees and Board-appointed Task Force does not represent the majority of the member cities. This Resolution is being presented for consideration by the General Assembly at the Annual Conference to allow the entire membership to weigh in on the decision of whether or not to adopt the Task Force recommendations regarding AB 32 and SB 375.

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**RESOLUTION REFERRED TO HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT
POLICY COMMITTEE**

◆3. RESOLUTION OPPOSING THE BOARD OF DIRECTORS DECISION TO DEFER ACTION ON AB 32 AND SB 375 AND TO ADOPT THE BOARD-APPOINTED TASK FORCE RECOMMENDATIONS

Resolution #3 also referred to these policy committees: Environmental Quality; Revenue and Taxation; and Transportation, Communication & Public Works. **Please see Environmental Quality Policy Committee** section for the resolution and background information.

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◆4. RESOLUTION RELATING TO RESPONSIBLE BANKING

Source: Richard Alarcón, Council Member, Los Angeles and
Karen Avilla, City Treasurer, Carson

Referred to: Housing, Community & Economic Development Policy Committee; and
Revenue and Taxation Policy Committee

Recommendation to General Resolutions Committee:

- ◆ Housing, Community and Economic Development Policy Committee:
- ◆ Revenue and Taxation Policy Committee:

WHEREAS, cities strive to spend taxpayer dollars wisely on services; and

WHEREAS, cities invest taxpayer dollars with a range of institutions that provide financial service contracts each year; and

WHEREAS, it is important to ensure that taxpayer dollars are invested in institutions that are not just fiscally sound, but are committed to investing back into our communities, generating positive investment and lending in our cities; and

WHEREAS, cities can help support the nation's economic recovery by supporting financial institutions that in turn re-invest in our local communities; and

WHEREAS, the national Community Reinvestment Act, passed by the U.S. Congress in 1977, pioneered the use of transparent, responsible banking, by starting a federal rating system to measure banks' local lending and investment activity in the communities they take deposits from, providing accountability to the communities that institutions serve; and

WHEREAS, three decades have passed since the original passage of the Community Reinvestment Act (CRA), and due in part to the dramatic changes in the U.S. banking system since this time, CRA does not provide the level of detail needed for local municipalities to determine our financial partners' lending activity and investment within a single city alone; and

WHEREAS, on March 20, 2002, the City of Philadelphia signed into law a requirement that all banks authorized to receive deposits from the City submit an annual statement of community reinvestment goals within Philadelphia, including but not limited to a summary of the home loans, small business loans, and other lending and investment activity within Philadelphia, which independent studies

have confirmed has resulted in increased access to credit among Philadelphia's minority and low- and moderate-income communities; and

WHEREAS, the City of Cleveland enacted into law a similar Community Reinvestment Depository Ordinance in 1991, and since that time has negotiated over \$10 billion in lending commitments and investments through designated Community Reinvestment Initiative agreements with designated depository banks, with an independent study by the Brookings Institution confirming that compared to comparable midwestern cities Cleveland's CRA Ordinance has resulted in "more bang for the community development buck;" and

WHEREAS, on March 5, 2010, the Los Angeles City Council unanimously passed a Responsible Banking Initiative that requires financial institutions with which the City contracts to provide an annual "report card" detailing investment and lending activity within Los Angeles, to allow the City to reward institutions that re-invest in Los Angeles by adding extra points to these institutions' applications during the City's RFP process for financial service providers; and

WHEREAS, many municipalities could benefit from increased transparency about which of the financial institutions their city taxpayer dollars are invested in are in turn re-investing in their city's homes, businesses, and non-profits, which will allow cities to hold banks to a higher standard of re-investment by offering increased city business to those that are generating higher levels of investment, lending, and community service activity within their city; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled during the Annual Conference in San Diego, September 17, 2010, that the League of California Cities strongly encourages municipalities to require transparent, responsible banking from the financial institutions receiving city funds; and, be it further

RESOLVED, that the League of California Cities serve as a clearinghouse of information on the responsible banking initiatives of municipalities across the country, such as those of Philadelphia, Cleveland, Los Angeles and Carson, California; in order to help California cities interested in taking steps to increase transparent, responsible banking in their own communities.

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Background Information on Resolution No. 4

Source: Richard Alarcón, Council Member, Los Angeles and Karen Avilla, City Treasurer, Carson

Title: Resolution Relating to Responsible Banking

Background:

As a Councilmember from the City of Los Angeles and a Treasurer from the City of Carson, we know that stewards of public funds must strive to ensure that taxpayer dollars are invested in businesses and institutions that are not just fiscally sound, but committed to investing back into our communities.

On Friday, March 5, 2010, the Los Angeles City Council unanimously passed a Responsible Banking Initiative that Councilmember Alarcón introduced last year, which will require financial institutions with which the City of Los Angeles does business to provide an annual "report card" detailing the institution's investment and lending activity within the City.

The purpose of the report card is to determine which institutions the City does business with are in turn reinvesting in the City, by extending credit to residents and businesses, and investing capital in

communities and development projects. The report card will allow policy makers to reward institutions with above average rates of impact in the City, while decreasing business with those institutions that do not recycle dollars back into the local economy.

This effort could be likened to a local version of the federal Community Reinvestment Act, by allowing local policymakers to review the community reinvestment activity of the financial institutions with which the City invests. It builds on the work of existing law in the cities of Philadelphia and Cleveland. Both the City of Philadelphia, in 2002, and the City of Cleveland, in 1991, passed laws requiring annual statements of community reinvestment goals from the institutions that manage their City deposits.

The City of Cleveland reports that, from 1991 through 2008, Cleveland has negotiated over 10 billion dollars in lending commitments and investments with designated depository banks as a result of their responsible banking law. In a 2003 report, the independent Brookings Institution compared three Midwestern cities and praised the City of Cleveland for achieving “more bang for their community development buck” through the use of their Community Reinvestment and other innovative City laws.

We owe it to the current and future residents of our Cities to ensure that taxpayer dollars are invested in responsible banking institutions that are creating opportunities for investment and lending in our communities. That’s why we urge the League of California Cities to encourage municipalities to require transparent, responsible banking from financial service providers. With the strength of our collective wallets combined, Cities will be sending a powerful message to banks: invest in us, and we will invest in you.

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RESOLUTIONS REFERRED TO REVENUE AND TAXATION POLICY COMMITTEE

◆3. RESOLUTION OPPOSING THE BOARD OF DIRECTORS DECISION TO DEFER ACTION ON AB 32 AND SB 375 AND TO ADOPT THE BOARD-APPOINTED TASK FORCE RECOMMENDATIONS

Resolution #3 also referred to these policy committees: Environmental Quality; Housing, Community & Economic Development; and Transportation, Communication & Public Works. **Please see Environmental Quality Policy Committee** section for the resolution and background information.

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◆4. RESOLUTION RELATING TO RESPONSIBLE BANKING

Resolution #4 also referred to the Housing, Community & Economic Development Policy Committee. **Please see the Housing, Community & Economic Development Policy Committee** section for the resolution and background information.

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- Continued, Revenue and Taxation Resolutions -

5. RESOLUTION RELATING TO UNFUNDED STATE MANDATES

Source: City of Santa Clarita
Referred to: Revenue and Taxation Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, unfunded mandates imposed upon local governments, including cities, counties and special districts, by the State of California place a tremendous financial burden upon local governments; and

WHEREAS, some of the mandates placed upon local governments are the result of actions by Boards and Commissions not directly accountable to the electorate; and

WHEREAS, the State of California and many local governments within the state are under financial duress due to the continuing national economic crisis, and

WHEREAS, approximately twelve percent of Californians, are currently unemployed and struggling to pay for basic life necessities, well above the national average; and

WHEREAS, mandates enacted by the State of California may result in the need for local agencies to increase fees or taxes to satisfy the requirements of the mandate; and

WHEREAS, as cited in a 2005 report on state mandates published by the League of California Cities, the original intent of Property Tax Relief Act of 1972, which established the concept of state reimbursement of local agencies for state mandated activities, was to limit the ability of local agencies to levy taxes; and

WHEREAS, in 1979 the voters of the State of California approved Proposition 4 adding Article XIII B to the California Constitution, requiring the state to provide a subvention of funds to local governments for costs associated with state mandated programs, under specified conditions, and through subsequent legislation creating the Commission on state mandates; and

WHEREAS, in 2004, the voters of the State of California adopted Proposition 1A expanding the constitutional protections for local governments regarding state mandates; and

WHEREAS, the State of California has struggled to balance its budget for the past several years and has chosen to borrow funds from local governments, thus reducing traditional revenues to local governments, forcing additional local program and service reductions and cutbacks; and

WHEREAS, various federal and state laws and regulations may result in the imposition of state mandates on local governments; and

WHEREAS, an example of state imposed mandates are the establishment of Total Maximum Daily Loads (TMDL) for such things as bacteria, chloride, metals, and toxicity, and

WHEREAS, in order to meet the obligations imposed by Regional Water Quality Control Boards throughout California, local agencies may need to implement or increase fees and taxes to pay for new programs or facilities, in order to avoid penalties for non-compliance; and

WHEREAS, there appears to be no correlation between the imposition of state mandates, taxpayer funded resources to pay for the costs of state mandates, California's high unemployment rate, and the fiscal conditions of the State of California and local governments; now, therefore be it

RESOLVED, by the General Assembly of the League of California Cities, assembled during the Annual Conference in San Diego, September 17, 2010, that:

1. The League of California Cities work with its member cities and other local government partners to identify situations in which local governments must increase fees or taxes to meet state mandated requirements; and
2. The League of California Cities petition the Governor of the State of California and Legislature of the State of California to suspend or eliminate certain state mandates until improvement of the national and California economy results in substantially lower statewide unemployment and fiscal solvency of the State of California and local governments; and
3. The League of California Cities work with Members of Congress and the government of the United States to suspend or eliminate certain federal mandates, passed along to the states for implementation, until the improvement of the national economy results in substantially lower national unemployment and fiscal solvency of the United States, the State of California and local governments; and
4. That the League of California Cities will support legislation to suspend, eliminate, or otherwise modify the negative impacts of state mandates on local agencies, particularly in which a new local tax or fee or tax or fee increase is necessary to implement the mandate.

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Background Information on Resolution No. 5

Source: City of Santa Clarita

Title: Resolution Relating to State Unfunded Mandates

Background:

Reaching back at least forty years, local governments, including cities, counties and special districts, have struggled with mandates placed upon them by the State of California. Under California law, whenever the Legislature, Governor, or a state agency enacts a new law, executive order, regulation, or rule that requires a local government to implement a new program or provide a higher level of service to an existing program, the state shall reimburse the local agency for the increased cost.

Over the past two decades, the California Legislature has made a practice of borrowing, transferring, shifting, or otherwise conveying from local governments to the State of California, as part of the state budget balancing process, what have historically been considered local revenues. The failure of the State of California, for the most part, to repay these funds to local governments has led to ballot measures restricting the ability of the state to use local revenues to balance its continual budget deficit.

Against this backdrop, state regulatory agencies continue to impose requirements upon local governments, which may result in the need to increase local fees or taxes. Failure to implement the regulatory requirements may result in the imposition of substantial financial penalties, which must be paid for by the local government and ultimately, taxpayers or rate payers within the jurisdiction.

At a time when California's unemployment rate is in excess of 12%, which is well above the national unemployment rate, and California businesses are struggling to stay afloat in the worst national recession since the great depression of the 1930s, the question of regulatory relief must be considered.

For example, many communities throughout the State of California are facing establishment of Total Maximum Daily Load (TMDL) requirements for such things as bacteria, chloride, metals, and toxicity. While the environmental or other goals that are sought to be achieved are laudable, regulatory requirements must be sensitive to the overlaying statewide and national economic climate and the ability of local governments to pay for new programs and enhancements. In the Santa Clarita area, the Los Angeles Regional Water Quality Control Board, through imposition of a Chloride TMDL mandate and its required implementation, is causing local sanitation district ratepayers to pay a 50% fee increase over four years for increased operational and new facility expenses and committing to long term additional increases. Failure to approve the increase will likely invite substantial fines, totaling in the millions of dollars collectively for the ratepayers.

In a time of economic uncertainty and high unemployment, is it appropriate to require California taxpayers to pay for new regulatory requirements or is it reasonable to suspend or eliminate certain state mandates until such time as unemployment levels return to more traditional levels and national, state and local governments return to financial stability?

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RESOLUTIONS REFERRED TO TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE

◆3. RESOLUTION OPPOSING THE BOARD OF DIRECTORS DECISION TO DEFER ACTION ON AB 32 AND SB 375 AND TO ADOPT THE BOARD-APPOINTED TASK FORCE RECOMMENDATIONS

Resolution #3 also referred to these policy committees: Environmental Quality; Housing, Community & Economic Development; and Revenue and Taxation. **Please see Environmental Quality Policy Committee** section for the resolution and background information.

6. RESOLUTION RELATED TO ENHANCING PUBLIC SAFETY WHILE DRIVING A MOTOR VEHICLE

Source: City of Elk Grove
Referred to: Transportation, Communication & Public Works Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, cities throughout the State of California hold the health and safety of their residents as a paramount concern; and

WHEREAS, the use of text messages has grown exponentially in recent years; and

WHEREAS, any time a driver attempts to send an electronic text message while driving, his or her attention is diverted from the road; and

WHEREAS, a recent Virginia Tech study showed sending electronic text messages while driving makes an accident 23 times more likely; and

WHEREAS, a study conducted by The Transport Research Laboratory in the United Kingdom showed that sending text messages while driving is riskier than driving under the influence of alcohol or drugs; and

WHEREAS, Senate Bill 28 and California Vehicle Code Section 23123.5 ban writing, sending, or reading electronic text messages while operating a motor vehicle in the state of California; and

WHEREAS, the League supports this type of traffic safety enhancement as demonstrated through their support of motorcycle helmets, child restraints, seat belt and speed limit laws; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled during the Annual Conference in San Diego, September 17, 2010, that the League encourages cities to promote safe driving across California and the education of the general public about the dangers of texting while driving.

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Background Information on Resolution No. 6

Source: City of Elk Grove

Title: Resolution Relating to Enhancing Public Safety While Driving a Motor Vehicle

Background:

On September 24, 2008, the Governor of California, Arnold Schwarzenegger, signed Senate Bill 28 ("SB 28") into law. SB 28 is codified in section 23123.5 of the California Vehicle Code and prohibits any person from driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. SB 28 complements an existing law which Governor Schwarzenegger signed in 2006 requiring motorists to use hands-free devices while talking on a mobile phone when driving a motor vehicle.

Many studies recognize that the distraction that occurs while using electronic devices while operating a motor vehicle is very dangerous:

- It is estimated that 28% of crashes — 1.6 million crashes per year — can be attributed to cell phone talking and texting while driving. (Source: National Safety Council)
- Drivers who use hand-held devices are four times as likely to get into crashes serious enough to injure themselves. (Source: Insurance Institute for Highway Safety)
- Using a cell phone while driving delays a driver's reactions as much as having a blood alcohol concentration at the legal limit of .08 percent. (Source: University of Utah)

Because the health and safety of the residents of Elk Grove is paramount to the members of the City Council; on May 12, 2010, the Elk Grove City Council unanimously adopted a resolution promoting awareness of the dangers of texting while driving. The City is embarking on an aggressive, yet economical, public outreach campaign to educate its residents about the dangers of texting while driving, which includes: educational links on the City's Web site, a flyer in the city's utility billing insert which reaches every household, free promotional items for residents specifically geared toward this topic, and a spotlight feature in the City's bimonthly newsletter.

Other cities in California are encouraged to enhance public safety in their community by educating residents about the dangers of texting while driving a motor vehicle. Educational outreach will benefit

drivers, passengers, by-standards, bicyclists, walkers and runners. Local governments have the ability to implement cost-effective educational tools to communicate with residents about this important public safety issue.

All local government officials and employees in California want to protect their families, themselves, and others. Please put down your phone when you are driving or use a hands-free device and do not text. It's safe and it's the law.

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[NOTE: No resolutions were assigned to the following policy committees: Employee Relations and Public Safety.]

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ITEM NO.: I-19
APPROVE DAVE DEMO'S PLAN TO INSTALL
U.S. FLAGS AND BRACKETS ON SOLANO
STREET LIGHT POLES

AUGUST 10, 2010

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

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

Steve
JB

SUMMARY:

Staff recommends the City Council authorize the installation of flag brackets to the streetlight poles along Solano Street. Staff also recommends the Council authorize volunteers to place the US Flags within those brackets during holidays, and retrieve the flags thereafter.

BACKGROUND:

Mr. David Demo appeared at the City Council Public Comment period on June 22, 2010. He addressed the Council regarding the display of US Flags along Solano Street businesses during holidays such as Memorial Day, Independence Day, Flag Day, Veteran's Day, etc. The Council encouraged Mr. Demo to better refine a flag display proposal.

Mr. Demo proposes to manufacture brackets that can readily be attached to the streetlight poles with large diameter hose clamps. See the attached photos showing an example of the bracket that would hold the flag at 45 degrees from vertical. Note that the brackets would be placed just below the position of the Christmas trees-generally about 12 feet above the sidewalk. Mr. Demo presented that bracket to Carl Crain. Staff considered the matter at a weekly meeting. The consensus of staff was to support Mr. Demo's proposal provided the flags were placed by volunteers and then the brackets will suspend the flagpoles at 45 degrees from the poles.

DISPLAY GUIDELINES:

Public Law 94-344, known as the Federal Flag Code, contains the rules for handling and displaying the US flag. Accordingly, United States flags may be displayed overnight only when illuminated. Since the flags are to be placed in streetlight mounted brackets, the streetlights will illuminate the flags.

FLAGS:

Mr. Demo is soliciting donations to purchase the flags. We understand that Mr. Chip McCoy, owner of both "Hatfield's" and "McCoy's" Hardware stores, has offered to provide the flags and staffs at wholesale cost. There are a total of 52 Solano Street streetlights within the City of Corning.

LABOR:

The City Public Works crew installs decorated Christmas Trees to the downtown streetlights each November-just prior to the Hometown Christmas events. While placing the trees, they could readily affix the flag brackets on about 25 streetlights in the downtown area (between Third Street and Houghton Avenue). The remainder of the brackets could be installed as Public Works crew workload permits.

In these days of smaller budgets and fewer personnel, the City hasn't the resources to take on the task of placing and retrieving the flags for the various holidays. So, once the brackets are installed, staff recommends Mr. Demo and/or his successor volunteers, take on the responsibility to place and retrieve the flags.

FLAG PLACEMENT LOGISTICS:

Staff was also concerned about how the flags would be placed in the brackets and subsequently retrieved. Using a lift could disrupt traffic. Using a ladder could present a safety hazard. At staff's request, Mr. Demo has fashioned a pole-type device that will efficiently afford placing the flags from the ground. Since no machinery, like a lift will be necessary, placement and retrieval can be accomplished by volunteers.

RECOMMENDATION:

That the City Council:

- **Approve Mr. Dave Demo's plan to install brackets for the periodic display of United States flags for holidays such as Flag Day, Veteran's Day, Independence Day, Memorial Day, etc., on Solano Street streetlights, and,**
- **Direct the Public Works staff to install the flag brackets and hose clamps that Mr. Demo provides in the downtown area at the same time the Christmas trees are installed, and to affix additional flag brackets to Solano Street streetlights as time permits, and as flags are provided, and**
- **Authorize Dave Demo and other volunteers to place and retrieve the United States flags in the brackets so long as the placement can safely occur from the ground and without special equipment such as lifts or ladders.**

E. **ADJOURN TO REGULAR MEETING: 7:30 P.M.**

F. **PLEDGE OF ALLEGIANCE:** Led by City Manager Stephen Kimbrough.

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

RECOGNITIONS:

Mayor Strack presented Fire Dispatcher Michael Demo a plaque stating that the City Council would like to publicly thank him for his outstanding service to the Citizens of Corning. He announced that Mr. Demo has served the City for 18 years as a Fire Dispatcher and a total of 39 years as an active member of the Corning Volunteer Fire Department.

1. **Proclamation: Recognizing July 26, 2010 as the 20th Anniversary of the Americans with Disabilities Act.** Tehama County's Representative for the State of California Area 2 Developmental Disabilities Board, Larry R. Stevens was present to accept the Proclamation. Mr. Stevens.

H. **BUSINESS FROM THE FLOOR:**

Councilor Turner yielded the floor for Council to act on Regular Agenda Item 20. Councilor Turner moved to discuss and act on this item at this time. Councilor Leach seconded the motion. City Manager Kimbrough briefed the Council on the reasons for Council consideration and approval of sponsorship of these programs. He also outlined the City's role in this sponsorship.

Turner/Leach, approved by a 4-0 vote. Mayor Strack stated that these would need to be revisited in the fall to see if the City can continue these programs.

Dean Cofer: Addressed the Council regarding the Budget Proposals submitted by Concerned Citizens stating he was surprised that it was not listed on tonight's Agenda and requested in be placed on the Agenda for discussion at the next meeting. He outlined the cost of the Management Staff in the current budget. He reiterated his belief that this City is top heavy in Management.

Mayor Strack clarified with Legal Council whether Council is required to place on the Agenda the proposals of Concerned Citizens. Mayor Strack stated all proposals received by the Council will be considered.

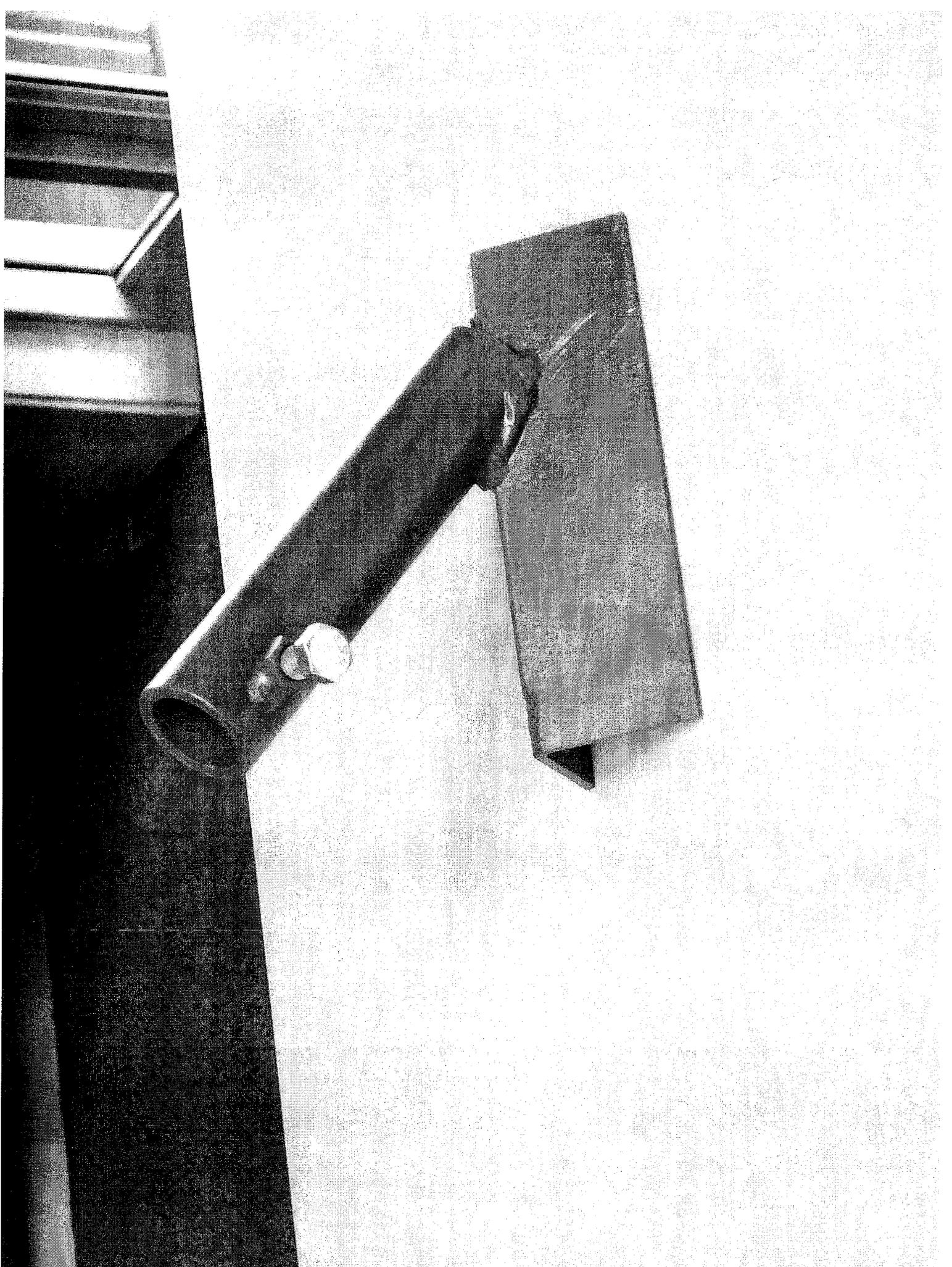
Dave Demo: Stated that during the last Memorial Day, he noticed very few American Flags on downtown storefronts. Mayor Strack stated this is something that can be worked on. He also asked about the regulations related to the Fireworks Stands, he was informed what these regulations were.

Corning Community Foundation representatives Jaime Wallburg and Jesse Orduno approached the Council regarding fundraising concerts at Northside Park for the Theater. Councilor Parkins asked if there were lights at this location and whether they have addressed the issue of noise with the neighbors. Leach suggested them coming in to talk with Public Works Director John Brewer to discuss the feasibility.

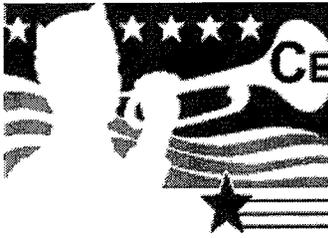
Maryanne Colbertson: Asked that she be able to address some of the budget issues related to the City. She stated that although she lives just outside of the City Limits, she owns approximately 8 rental homes in the City, does business in the City, etc.

Art Frolli: Get from tape. He addressed the budget cut proposal received from Concerned Citizens on June 15?

Councilor Turner: Noted that the previous speaker, Mr. Frolli, represents all employees except the City Manager. He then asked the status of whether the Planning Director John Stoufer is continuing to move forward with his retirement. Mr. Stoufer stated he has not submitted his







U.S. Department of Veterans Affairs
Washington, D.C. 20420

CELEBRATING AMERICA'S FREEDOMS

Guidelines for Display of the Flag

Public Law 94-344, known as the Federal Flag Code, contains rules for handling and displaying the U.S. flag. While the federal code contains no penalties for misusing the flag, states have their own flag codes and may impose penalties. The language of the federal code makes clear that the flag is a living symbol.

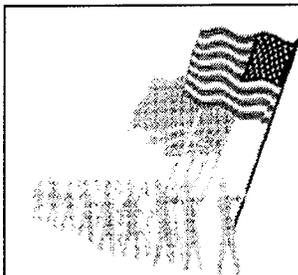
In response to a Supreme Court decision which held that a state law prohibiting flag burning was unconstitutional, Congress enacted the Flag Protection Act in 1989. It provides that anyone who knowingly desecrates the flag may be fined and/or imprisoned for up to one year. However, this law was challenged by the Supreme Court in a 1990 decision that the Flag Protection Act violates the First Amendment free speech protections.

Important Things to Remember

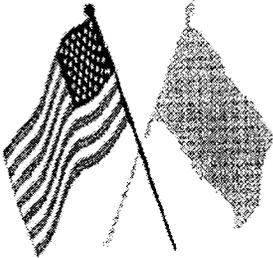
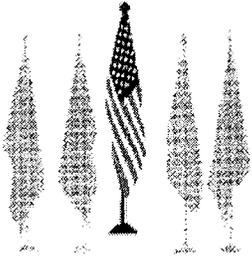
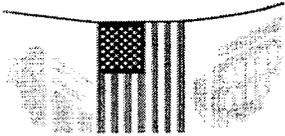
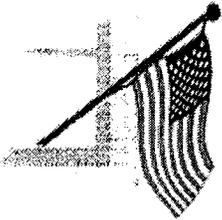
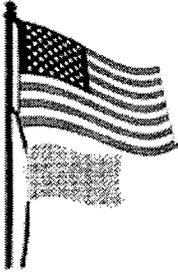
Traditional guidelines call for displaying the flag in public only from sunrise to sunset. However, the flag may be displayed at all times if it's illuminated during darkness. The flag should not be subject to weather damage, so it should not be displayed during rain, snow and wind storms unless it is an all-weather flag.

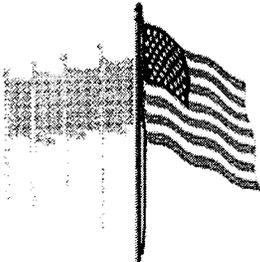
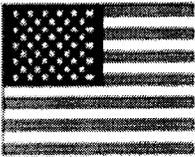
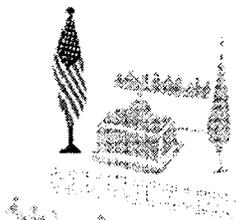
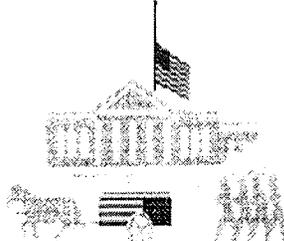
It should be displayed often, but especially on national and state holidays and special occasions.

The flag should be displayed on or near the main building of public institutions, schools during school days, and polling places on election days. It should be hoisted briskly and lowered ceremoniously.



When carried in procession with other flags, the U.S. flag should be either on the marching right (the flag's right) or to the front and center of the flag line. When displayed on a float in a parade, the flag should be hung from a staff or suspended so it falls free. It should not be draped over a vehicle.

	<p>When displayed with another flag against a wall from crossed staffs, the U.S. flag should be on its own right (left to a person facing the wall) and its staff should be in front of the other flag's staff.</p>
	<p>In a group of flags displayed from staffs, the U.S. flag should be at the center and the highest point.</p>
	<p>When the U.S. flag is displayed other than from a staff, it should be displayed flat, or suspended so that its folds fall free. When displayed over a street, place the union so it faces north or east, depending upon the direction of the street.</p>
	<p>When the U.S. flag is displayed from a staff projecting from a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When suspended from a rope extending from the building on a pole, the flag should be hoisted out, union first from the building.</p>
	<p>When flags of states, cities or organizations are flown on the same staff, the U.S. flag must be at the top (except during church services conducted at sea by Navy chaplains).</p>

	<p>When other flags are flown from adjacent staffs, the U.S. flag should be hoisted first and lowered last. It must be on the right of other flags and no other flag should stand higher than it. Flags of other nations should be flown from separate staffs. International custom dictates that flags of different nations be displayed at the same height in peacetime and be approximately the same size.</p>
	<p>When displayed flat against the wall on a speaker's platform, the flag should be above and behind the speaker with the union on the left side as the audience looks at it (again, the flag's right).</p>
	<p>When the flag hangs from a staff in a church or public place, it should appear to the audience on the left, the speaker's right. Any other flags displayed should be placed on the opposite side of the speaker.</p>
	<p>The flag may cover a casket, but should not cover a statue or monument for unveiling. On a casket, the union (blue field) should be at the deceased person's head and heart, over the left shoulder. But the flag should be removed before the casket is lowered into the grave and should never touch the ground. Whenever the flag is displayed at half-staff, it should be first raised to the top. Lowering from half-staff is preceded by first raising it momentarily to the top.</p>

	<p>During the hoisting or lowering of the flag or when it passes in parade or review, Americans should stand at attention facing the flag and place their right hand over the heart. Uniformed military members render the military salute. Men not in uniform should remove any headdress and hold it with their right hand at their left shoulder, the hand resting over the heart. Those who are not U.S. citizens should stand at attention.</p>
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The flag should never be draped or drawn back in folds. Draped red, white and blue bunting should be used for decoration, with the blue at the top and red at the bottom.

The flag may be flown at half-staff to honor a newly deceased federal or state government official by order of the president or the governor, respectively. On Memorial Day, the flag should be displayed at half-staff until noon.

Other Things Not to Do with the Flag

Out of respect for the U.S. flag, never:

- dip it for any person or thing, even though state flags, regimental colors and other flags may be dipped as a mark of honor.
- display it with the union down, except as a signal of distress.
- let the flag touch anything beneath it: ground, floor, water, merchandise.
- carry it horizontally, but always aloft.
- fasten or display it in a way that will permit it to be damaged or soiled.
- place anything on the flag, including letters, insignia, or designs of any kind.
- use it for holding anything.
- use it as wearing apparel, bedding or drapery. It should not be used on a costume or athletic uniform. However, a flag patch may be attached to the uniform of patriotic organizations, military personnel, police officers and firefighters.
- use the flag for advertising or promotion purposes or print it on paper napkins, boxes or anything else intended for temporary use and discard.

During the hoisting or lowering of the flag or when it passes in parade or review, Americans should stand at attention facing the flag and place their right hand over the heart. Uniformed military members render the military salute. Men not in uniform should remove any headdress and hold it with their right hand at their left shoulder, the hand resting over the heart. Those who are not U.S. citizens should stand at attention.