



**CITY OF CORNING  
CITY COUNCIL AGENDA**

**TUESDAY, AUGUST 26, 2008  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

<b>Council:</b>	<b>Hill</b>
	<b>Dickison</b>
	<b>Zuniga</b>
	<b>Turner</b>
<b>Mayor:</b>	<b>Strack</b>

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

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

**1. Proclamation Designating September 2008 as National Alcohol and Drug Addiction Recovery Month, and September 20<sup>th</sup> as City of Corning Recovery Happens Day.** Present to accept the Proclamation will be Sue McVean (Director, Tehama County Drug and Alcohol Division), Patricia Rasmussen (Tehama County Drug and Alcohol Advisory Board Vice-Chairperson).

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

**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.

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

**3. Waive the Reading and Approve the Minutes of the August 12, 2008 meeting with any necessary corrections.**

**4. August 20, 2008 Claim Warrant - \$184,371.49.**

**5. Business License Report – August 20, 2008.**

**6. Approve Final Payment Under Infrastructure Reimbursement Agreement with Flying J Owners.**

**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.**

7. **Variance No. 2007-1; Appealing Planning Commission Denial of Amendment to Condition No. 2 that Prohibits Eave Encroachment to 5' – 0" from the Side Property Line. The Amendment would allow Eave Encroachment to 4' – 0" from the Side Property Line. APN: 73-141-08; Charles Nace.**

**Applicant, Mr. Charles Nace has withdrawn his request for appeal of this action. Public Hearing therefore canceled.**

I. **REGULAR AGENDA:** All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

8. **League of California Cities Annual Meeting Policy Resolutions – Review and Give Direction to City Delegate.**

9. **Presentation by Alan Abbs, Tehama County Air Pollution Control Officer on the State Air Board's Scoping Plan for the Greenhouse Gas regulations.**

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

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

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

10. Hill:  
11. Dickison:  
12. Zuniga:  
13. Turner:  
14. Strack:

M. **ADJOURNMENT!:**

**POSTED: FRIDAY, AUGUST 22, 2008**

**PROCLAMATION****SEPTEMBER 2008 AS  
NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH  
AND SEPTEMBER 20, 2008 AS  
"CITY OF CORNING RECOVERY HAPPENS DAY"**

**WHEREAS**, treatment and long-term recovery from substance use disorders can offer a renewed outlook on life for those who are addicted and their family members; and

**WHEREAS**, substance use disorders impact 22.6 million people aged 12 or older in the United States (or 9.2 percent of the population), which is more than the number of people living with coronary heart disease, cancer, or Alzheimer's disease combined; and

**WHEREAS**, studies have consistently found that individualized treatment is essential for people to be successful in their path of recovery and that those who receive treatment of substance use disorders can lead more productive and fulfilling lives, personally and professionally; and

**WHEREAS**, real stories of long-term recovery can inspire others to ask for help and improve their own lives, the lives of their families, and the entire community; and

**WHEREAS**, educating our community members and local businesses that substance use disorders are treatable, yet serious healthcare problems is critical, and by taking steps to address these disorders, as well as provide support for the families and children of those with these disorders, we can save both lives, dollars and improve the quality of life for the entire community; and

**WHEREAS**, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, the Tehama County Drug and Alcohol Advisory Board, and the Tehama County Health Services Agency invite all residents of Tehama County to participate in National Alcohol and Drug Addiction Recovery Month.

**NOW, THEREFORE**, I Gary R. Strack, as Mayor of the City of Corning, **DO HEREBY PROCLAIM SEPTEMBER 2008 AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH, AND SEPTEMBER 20<sup>TH</sup> AS "CITY OF CORNING RECOVERY HAPPENS DAY"** supporting this year's theme, "Join the Voices for Recovery: Real People, Real Recovery".

**IN WITNESS WHEREOF**, I have hereunto set my hand and cause the Great Seal of the City of Corning to be affixed this 26<sup>th</sup> day of August 2008.

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**Gary R. Strack, Mayor**

**ATTEST:**

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**Lisa M. Linnet, City Clerk**



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, AUGUST 12, 2008  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Hill  
Dickison  
Zuniga  
Turner  
Strack**

**Mayor:**

All Council members were present.

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

City Manager Kimbrough led the Pledge of Allegiance.

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

- 1. Proclamation: August 16<sup>th</sup> – 24<sup>th</sup> as Olive Festival Week in the City of Corning.**  
Chamber of Commerce Manager Valanne Cardenas was present to accept the Proclamation. Mrs. Cardenas announced the dates and times of the various events.

Mayor Strack asked the City Manager to introduce to the Council Resolution No. 08-12-08-01, which came up after the Agenda was produced and distributed. City Manager Kimbrough then read the Resolution. Councilor Turner motioned to add the Resolution for adoption to the City Council Agenda, Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.** Councilor Hill then motioned to approve adoption and Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.**

Councilor Hill presented Director of Public Works John Brewer a non negotiable check in the amount of \$1,500,000 for Street Repairs and a First Time Home Buyer Program. The funds are a result of a Community Development Block Grant. Mr. Brewer then outlined the planned Street improvements.

**E. BUSINESS FROM THE FLOOR:**

Kelly Flemming addressed the City Council regarding the City leash laws. She stated that a dog near West Street School bit her and nothing was done. However, she was later cited for her dog not being on a leash in her yard. The Mayor asked if Chief Cardenas was familiar with this issue; he stated that he was not. Chief Cardenas took Mrs. Flemming's name and phone number and stated that he would research the incident and would contact her.

Mr. Richard Lipari addressed the Council thanking City Staff for their assistance with the problems in the area of his business. He stated the problems with the truck traffic near his business has been reduced. Mr. Lipari also stated that he will be holding events beginning this Saturday and has requested the assistance of the Police Department for traffic and crowd control. Mr. Lipari also brought to the Councils attention the Red Bluff Daily Observer article relating to "Taco Trucks" and asked the Councils consideration of banning such mobile businesses within the City. Mayor Strack stated that the Council will have City Staff research the issue and provide a report for the Council to consider.

Councilor Hill asked if he would be serving alcohol during the concert events; Mr. Lipari stated that he would and that his staff would be present to make sure that alcohol would not be served to minors. Councilor Turner stated his concern relating to occupancy requirements during these events. Councilor Turner also stated his concerns relating to banning Taco Trucks within the City.

- 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.
2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
  3. **Waive the Reading and Approve the Minutes of the July 21, 2008 Special Meeting and July 22, 2008 Meeting with any necessary corrections.**
  4. **July 2, 2008 Claim Warrant - \$305,163.42.**
  5. **Business License Report – August 6, 2008.**
  6. **Treasurer’s Report – July 2008.**
  7. **Wages and Salaries –July 2008 - \$570,749.92.**
  8. **July 2008 Building Permit Valuation - \$284,983.26.**
  9. **July 2008 – Southwest Water Company Wastewater Operation Summary Report.**
  10. **Approve City Recommendation of John Brewer to Replace Tom Russ on the Integrated Waste Management Task Force, and the Tehama County Board of Supervisors Appointment of Tyler Felt and Russell H. Smith to the Task Force.**
  11. **Authorize Public Works Director to Seek Bids for the Safe Routes to School Grant Program, Including Asphalt Overlay of Marguerite Avenue.**

Mayor Strack requested that item 11 be pulled for further information.

With no further discussion, Councilor Turner motioned approval of Consent Items 1-10. Councilor Hill seconded the motion. , approved by vote of 5-0.

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

11. **Authorize Public Works Director to Seek Bids for the Safe Routes to School Grant Program, Including Asphalt Overlay of Marguerite Avenue.**

After receiving clarification of the locations of the sidewalk installation and area of Marguerite Avenue to be overlaid, Councilor Hill motioned approval and Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.**

H. **REGULAR AGENDA:**

12. **Presentation of Plans for Rodgers Theatre Renovation: Approve Plans as Presented, and Discuss Potential Ownership Structure to Allow Volunteers and local Contractors to Complete Work.**

Representing Friends of the Theatre, Tony Cardenas outlined the plans for the Theatre renovations presenting blue prints of the Theatre with changes as well as blue prints illustrating the Theatre as it is today. He stated that the plans show women’s restrooms with 7 stalls and the

men's with 2 stalls and 2 urinals therefore meeting code. He stated that the seating upstairs would be reduced to 24 seats, an office, a bathroom, two storage areas would be added, and the stairs widened in these plans. On the first floor the stage area would be expanded, dressing rooms would be added, new flooring installed, new roof, air conditioning, work on the sprinkler system, etc. These changes would make it a multi-use facility. Mr. Cardenas stated that they have obtained some costs, however these costs do not include prevailing wage.

Councilor Hill stated that the plans show a ramp, is it a handicap ramp and will it meet ADA compliance. Mr. Cardenas stated that the area on the blue prints she is referring to leads outside, however the plans were designed to be ADA compliant. Councilor Hill stated that at the CDBG Grant Award Ceremony she had recently attended, she was informed that the City could very possibly qualify for a Grant that would fund the renovation with no cash match from the City. She stated that she was informed because the City owned the Theatre Building, and there would be no land acquisition, ownership of the building would be considered the City's cash match. Councilor Hill stated that having a lift to the stage that meets ADA compliance would need to be addressed in order to possibly be considered for the Grant.

Mayor Strack stated his concerns in spending this kind of money on a Theatre that possibly won't be utilized. Members of the Council stated that they have been approached and asked when the Theatre would be opened and why is it closed. Danny Dunnigan addressed the Council stating he has been approached daily when out in the Community. Mayor Strack stated he wants to see the Theatre opened rather than something so grandeur and spending so much to do so. Mayor Strack also wanted clarification on what exactly is wanted from the Council on this issue.

City Manager Kimbrough stated that the Committee is asking approval of the plans as presented so that they can move forward. Councilor Turner stated that in looking at \$500,000 towards this program, as buildings/projects in other areas (State Theatre, etc.) it will become a cancer on the budget. Mr. Kimbrough asked if the Master Plan was acceptable to the Council, if it is, then we can concentrate on scaling it down to phases. Councilors Hill and Dickison stated that the Master Plan was acceptable to them. Mr. Cardenas stated that the group has raised \$49,000 through donations and fund raisers that is currently being held by Hometown Revitalization, this is in addition to the Roger's Funding. (Councilor Turner confirmed this.) Councilor Turner stated he could support this Master Plan as long as it is not cast in stone. Councilor Turner asked if it would be better to have a separate foundation, rather than mixing it with Hometown Revitalization. Councilor Hill stated that to qualify for a CDBG Grant it would have to be sponsored by the City, not an organization such as Hometown Revitalization.

Councilor Zuniga motioned to approve the Theatre renovation plans as presented. Councilor Dickison seconded the motion. **Ayes: Hill, Dickison, Zuniga and Turner. Opposed: Strack. Absent/Abstain: None. Motion approved by vote of 4-1.**

**13. Ratify Memorandum of Understanding between City and Operating Engineers Local #3 Representing Miscellaneous Employees Bargaining Unit.**

Councilor Turner motioned approval with corrections to the final numbers stating the increased cost for the first year would be \$56,480 and \$35,400 for each additional year. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.**

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

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

City Clerk Lisa Linnet reported that the City had received a Thank You card from the teenagers visiting from China who toured the Police Department and the City Council Chambers. They each received a City pin as a remembrance of their visit.

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

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

14. **Hill:** Stated that they would like some input from Staff relating to the League of CA Cities Resolutions to be voted on by the Council.
15. **Dickison:** Stated that the LAFCO meeting has been canceled due to lack of Agenda. She announced that the food donation box at City Hall Finance will be picked up tomorrow morning. She also stated that she has tickets for sale to raise funds for the Friends of the Theatre for the two items they will be raffling.
16. **Zuniga:** Questioned the ages listed on Mr. Lipari's advertisement, stating "All age event".
17. **Turner:** Nothing.
18. **Strack:** It will be Becky's meeting on the 26<sup>th</sup> as he will be out of town.

L. **ADJOURNMENT!:** 8:50 p.m.

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**Lisa M. Linnet, City Clerk**



# MEMORANDUM

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** LORI SIMS  
ACCOUNTING TECHNICIAN

**DATE:** August 20, 2008

**SUBJECT:** Cash Disbursement Detail Report for the  
Tuesday, August 26, 2008 Council Meeting

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

A.	Cash Disbursements	Ending	08-20-08	\$	141,715.29
B.	Payroll Disbursements	Ending	08-13-08	\$	42,656.20
<b>GRAND TOTAL</b>				<b>\$</b>	<b><u>184,371.49</u></b>

REPORT.: Aug 20 08 Wednesday  
 RUN....: Aug 20 08 Time: 13:40  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 08-08 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
006933	08/11/08	CON01	CROWNE PLAZA HOTEL	369.84	.00	369.84	080808	Training/Educ. PoliceService
006934	08/11/08	OFF05	OFFICE OF THE SHERIFF,	640.00	.00	640.00	080731	TRAINING/EDUCATION-POLICE
006935	08/11/08	CON01	CROWNE PLAZA HOTEL	369.84	.00	369.84	080809	Training/Educ. PoliceService
006936	08/11/08	ATT10	AT&T/MCI	1262.17	.00	1262.17	T8316430	COMMUNICATIONS-
006937	08/11/08	ATT13	AT&T/MCI	322.26	.00	322.26	T8312687	COMMUNICATIONS-
006938	08/11/08	QUI02	QUILL CORPORATION	12.31	.00	12.31	9194430	Office Supplies-FINANCE
				106.37	.00	106.37	9200847	Office Supplies-FINANCE
				369.17	.00	369.17	9201173	Office Supplies-FINANCE
			Check Total.....:	487.85	.00	487.85		
006939	08/11/08	SMW00	SMWC SERVICES, INC.	46397.05	.00	46397.05	16276	PROF SVCS-WWTP
006940	08/11/08	USA03	USA MOBILITY WIRELESS, INC	29.88	.00	29.88	RO159912H	COMMUNICATIONS-POLICE
006941	08/13/08	ATT01	AT&T	443.89	.00	443.89	080803	Communications-
006942	08/13/08	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0806669	ProfServices Water Dept
006943	08/13/08	BAT01	BATTERIES PLUS	126.49	.00	126.49	311-76373	MAT & SUPPLIES-FIRE
006944	08/13/08	BIG02	BIG VALLEY SANITATION II	239.94	.00	239.94	00055	MAT & SUPPLIES-PARKS
006945	08/13/08	CHI05	CHICO SHRED	40.00	.00	40.00	23783	Equip.Maint. General City
006946	08/13/08	COM01	COMPUTER LOGISTICS, INC	20.00	.00	20.00	42364	Equip.Maint.-GEN CITY
				27.00	.00	27.00	42368	COMMUNICATIONS-POLICE
				24.00	.00	24.00	42557	COMMUNICATIONS-
				2000.00	.00	2000.00	42576	COMMUNICATIONS-FIRE
				26.81	.00	26.81	42577	MAT & SUPPLIES-PLANNING
			Check Total.....:	2097.81	.00	2097.81		
006947	08/13/08	CPS01	CPS HUMAN RESOURCE SVCS	454.25	.00	454.25	SOP25371	PROF SVCS-FIRE
006948	08/13/08	DEP12	DEPT OF JUSTICE	192.00	.00	192.00	691149	FINGERPRINTS-
006949	08/13/08	GAL02	GALL'S INC	222.89	.00	222.89	595156500	SAFETY ITEMS-POLICE
006950	08/13/08	GRA02	GRAINGER, W.W., INC	44.84	.00	44.84	970137744	MAT & SUPPLIES-FIRE
				69.16	.00	69.16	970137745	MAT & SUPPLIES-STR
			Check Total.....:	114.00	.00	114.00		
006951	08/13/08	HEC01	HECKLER & KOCH, INC	517.37	.00	517.37	249061	SAFETY ITEMS-POLICE

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
006952	08/13/08	LIN01	LINCOLN EQUIPMENT, INC.	2049.07	.00	2049.07	S198782	MAT & SUPPLIES-PARKS
				799.98	.00	799.98	S198783	MAT & SUPPLIES-PARKS
			Check Total.....:	2849.05	.00	2849.05		
006953	08/13/08	LIN02	LINNETS TIRE SHOP	104.68	.00	104.68	48420	Veh Opr/Maint-POLICE
006954	08/13/08	LNC01	LN CURTIS & SONS	83.65	.00	83.65	115406101	SAFETY ITEMS-FIRE
				11261.25	.00	11261.25	617121800	EQUIP REPLAC-FIRE CAP REP
			Check Total.....:	11344.90	.00	11344.90		
006955	08/13/08	MCD01	MCDANIEL SIGN COMPANY	160.88	.00	160.88	2849	VEH OP/MAINT-POLICE
006956	08/13/08	NOR03	NCCSIF	2086.50	.00	2086.50	2009037	LIABILITY INS-GEN CITY
006957	08/13/08	NOR25	NORTHERN LIGHTS ENERGY, INC	51.75	.00	51.75	109825	MAT & SUPPLIES-STR
006958	08/13/08	NOR35	NORTHGATE ROCK COMPANY	437.00	.00	437.00	41246	A/C CITYWIDE-STR PROJ
006959	08/13/08	QUI02	QUILL CORPORATION	100.56	.00	100.56	9271171	Office Supplies-FINANCE
006960	08/13/08	RAD02	THE RADAR SHOP	134.50	.00	134.50	RS-4392	EQUIP MAINT-POLICE
006961	08/13/08	REX01	REXEL INC.	50.92	.00	50.92	800341868	MAT & SUPPLIES-WTR
006962	08/13/08	SUN01	SUNRISE ENVIRONMENTAL	325.03	.00	325.03	79277	MAT & SUPPLIES-STR
006963	08/13/08	TEH01	TEHAMA ASPHALT	5156.73	.00	5156.73	3003	A/C CITYWIDE-STR PROJ
006964	08/13/08	TEH15	TEHAMA CO SHERIFF'S DEPT	171.50	.00	171.50	080804	FINGERPRINTS-
006965	08/13/08	TON00	TONY'S REFRIGERATION, INC	219.00	.00	219.00	39321	EQUIP MAINT-MECH MAINT
006966	08/13/08	UND02	UNDERWRITERS LABS INC.	1625.00	.00	1625.00	710150117	PROF SVCS-FIRE
006967	08/13/08	VAL01	VALLEY INDUSTRIAL COMM.	1096.10	.00	1096.10	93505	COMMUNICATIONS-FIRE
006968	08/14/08	ALL11	ALL SPORTS EQUIPMENT &	99.84	.00	99.84	104094	MAT & SUPPLIES-REC
006969	08/14/08	DAY03	DAY WIRELESS SYSTEMS	380.50	.00	380.50	950414	EQUIP MAINT-POLICE
006970	08/14/08	LNC01	LN CURTIS & SONS	2312.31	.00	2312.31	115630801	EQUIP RE[LAC-FIRE CAP REP
006971	08/14/08	RED01	RED BLUFF DAILY NEWS	115.44	.00	115.44	080812	BOOKS/PERIODICS-LIBRARY
006972	08/14/08	VAL06	VALIC	720.18	.00	720.18	080814	AIG VALIC DEF COMP
006973	08/18/08	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0806850	ProfServices Water Dept

REPORT.: Aug 20 08 Wednesday  
 RUN....: Aug 20 08 Time: 13:40  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 08-08 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
006974	08/18/08	BEN01	BENBOW, W.B.	625.00	.00	625.00	1044	TELEMETRY-WTR CAP IMPROV
006975	08/18/08	KIM01	KIMBROUGH, STEPHEN J.	486.51	.00	486.51	080818	CONF/MTGS-CITY ADMIN
006976	08/18/08	LEA03	LEADS SOFTWARE GROUP, INC	5040.00	.00	5040.00	8010	Equip.Maint. Policedispat
006977	08/18/08	LNC01	LN CURTIS & SONS	3299.01	.00	3299.01	115308600	EQUIP REPLAC-FIRE CAP REP
006978	08/18/08	REV01	REVIVAL ANIMAL HEALTH	276.39	.00	276.39	082248370	MAT & SUPPLIES-ACO
006979	08/18/08	VER04	VERIZON BUSINESS	44.21	.00	44.21	06425734	COMMUNICATIONS-
006980	08/20/08	ARA02	ARAMARK UNIFORM SRV.INC.	33.29	.00	33.29	4068443	Mat/Supplies-
			Check Total.....	65.96	.00	65.96		Mat/Supplies-
006981	08/20/08	ATT09	AT&T	64.74	.00	64.74	080807	MAT & SUPPLIES-WTR
006982	08/20/08	COR11	CORNING SAFE & LOCK	7.51	.00	7.51	2234	MAT & SUPPLIES-
006983	08/20/08	DEP01	DEPT OF JUSTICE	156.00	.00	156.00	080818	PROF SVCS-POLICE
006984	08/20/08	DOD01	JAMES DODGE	220.00	.00	220.00	080811	TRAINING/EDUCATION-POLICE
006985	08/20/08	GRA02	GRAINGER, W.W., INC	9.46	.00	9.46	970773213	MAT & SUPPLIES-FIRE
006986	08/20/08	HEC01	HECKLER & KOCH, INC	142.28	.00	142.28	249507	SAFETY ITEMS-POLICE
006987	08/20/08	HIN01	HINDERLITER, DE LLAMAS &	397.94	.00	397.94	00144281N	ProfServices-FINANCE
006988	08/20/08	MAY01	MAY, WILLIAM L.	2951.72	.00	2951.72	200873120	EE RELATIONS-LGL SVCS
006989	08/20/08	NEX02	NEXTEL	381.54	.00	381.54	086319081	COMMUNICATIONS-POLICE
006990	08/20/08	NOR01	NORTH VALLEY BARRICADE	21.40	.00	21.40	11178	SAFETY ITEMS-PW ADMIN
			Check Total.....	69.44	.00	69.44	11213	SAFETY ITEMS-PW ADMIN
006991	08/20/08	NOR31	NORM'S PRINTING	92.32	.00	92.32	005596	OFFICE SUPPLIES-FINANCE
006992	08/20/08	OFF01	OFFICE DEPOT	149.04	.00	149.04	439948751	Office Supplies Policedis
			Check Total.....	18.82	.00	18.82	440225090	Office Supplies Policedis
006993	08/20/08	PGE01	PG&E	167.86	.00	167.86		
			Check Total.....	32049.61	.00	32049.61	080812	Electricity General City

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
006994	08/20/08	SCH01	LES SCHWAB TIRE CENTER	1242.19	.00	1242.19	385743	MAT & SUPPLIES-
006995	08/20/08	TRI02	TRI-COUNTY NEWSPAPERS	105.45	.00	105.45	016555540	Print/Advert. City Clerk
006996	08/20/08	WHI03	WHITE, JEREMY D.	484.13	.00	484.13	080811	TRAINING/EDUCATION-POLICE
006997	08/20/08	ENP01	ENPLAN	8645.00	.00	8645.00	070819402	FLOOD & GIS PLANNING
006998	08/20/08	FED01	FEDERAL EXPRESS	86.92	.00	86.92	286673586	OFFICE SUPPLIES-CITY ADMI
006999	08/20/08	GRA02	GRAINGER, W.W., INC	540.80	.00	540.80	970976791	MAT & SUPPLIES-BLD MAINT

Cash Account Total.....: 141715.29  
 Total Disbursements.....: 141715.29  
 Cash Account Total.....: .00

REPORT.: Aug 20 08 Wednesday  
 RUN....: Aug 20 08 Time: 13:40  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)  
 Check Listing for 08-08 Bank Account.: 1025

PAGE: 005  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description	Payment Information
3578	08/13/08	BAN03	POLICE OFFICER ASSOC.	210.00	.00	210.00	A80813	POLICE OFFICER ASSOC	
3579	08/13/08	COS01	COSTCO WHOLESALE MEMBERSP	620.00	.00	620.00	A80813	COSTCO	
3580	08/13/08	EDD01	EMPLOYMENT DEVELOPMENT	3303.19	.00	3303.19	A80813	STATE INCOME TAX	
				890.44	.00	890.44	1A80813	SDI	
			Check Total.....	4193.63	.00	4193.63			
3581	08/13/08	ICM01	ICMA RETIREMENT TRUST-457	2233.98	.00	2233.98	A80813	ICMA DEF. COMP	
3582	08/13/08	OEU03	OPERATING ENGINEERS	400.00	.00	400.00	A80813	CREDIT UNION SAVINGS	
3583	08/13/08	PERS1	PUBLIC EMPLOYEES RETIRE	28117.13	.00	28117.13	A80813	PERS PAYROLL REMITTANCE	
3584	08/13/08	PERS4	Cal Pers 457 Def. Comp	379.25	.00	379.25	A80813	PERS DEF. COMP.	
3585	08/13/08	PRE03	PREMIER WEST BANK	4576.25	.00	4576.25	A80813	HSA DEDUCTIBLE	
3586	08/13/08	STA04	STATE OF CALIFORNIA	130.46	.00	130.46	A80813	WAGEASN 549-82-6524	
3587	08/13/08	VALI06	VALI06	1795.50	.00	1795.50	A80813	AIG VALIC P TAX	

Cash, Account Total.....: 42656.20  
 Total Disbursements.....: 42656.20  
 =====

Date.: Aug 20, 2008  
Time.: 1:45 pm  
Run by: LORI

CITY OF CORNING  
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1  
List.: NEWS  
Group: WIFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
AZ LANDSCAPING	901 WALNUT ST	CORNING, CA 96021	ZUNIGA	CARLENE FULL LANDSCAPING SERVICES	08/13/08	(530)936-4272
HOLLY'S BUSY BEE'S	225 SOLANO ST	CORNING, CA 96021	RHOADS	HOLLY LARGE FAMILY HOME DAYCARE	08/13/08	(530)824-3420

ITEM NO. F-6  
APPROVE FINAL PAYMENT UNDER  
INFRASTRUCTURE REIMBURSEMENT  
AGREEMENT WITH FLYING J OWNERS  
AUGUST 26, 2008

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

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

**SUMMARY:**

On September 13, 2005, the City Council approved a Reimbursement Agreement with the owners of the Flying J Travel Center to cover the costs of off-site improvements on South Avenue at the transition to the northbound I-5 On-Ramp.

At that time, the engineer's estimated cost for these improvements was \$338,278. However, upon completion of the work, the City was pleased to learn that the final costs were only \$207,490.15.

Last fiscal year, the City of Corning made the first of five expected reimbursements payments to the Flying J owners in the amount of \$104,252. This leaves \$103,238.15 remaining to be paid.

In accordance with the Agreement, based upon actual sales tax earnings for the City from the Flying J, the full \$103,238.15 should be paid as the final installment.

**BACKGROUND:**

Standard City Conditions of Development required the Public Improvements to be made along the entire frontage of the project, on both South Avenue and Highway 99-W, which included the construction of curb, gutter, sidewalk, half width paving, plus one travel lane of both of these two arterials. In addition, the project was conditioned to mitigate its traffic impact upon the intersection and the South Avenue/I-5 Interchange.

The traffic analysis indicated that the Travel Center project would have some impact upon the interchange, the majority of the impact already exists or will come from future businesses. Northeast LLC was still required to make the interchange improvements with the understanding that they would be reimbursed for those costs from the City through the increased sales tax that would be generated by the project.

The interchange improvements subject to reimbursement were made on the west side of Hwy. 99-W, across Hwy. 99-W from the new Travel Center. South Avenue was widened from Hwy. 99-W to the northbound On-Ramp of Interstate 5, along with modifications of the On-Ramp. These improvements were \$388,278.

The Flying J Project was projected to produce substantial new sales tax for the City. For this reason, City Staff recommended to the City Council that the City approve the entire amount to be reimbursed over a five (5) year period without interest, with minimum annual payments of \$75,000, and maximum annual payments of 25% of the City's share of the retail sales tax produced by the new Travel Center.

**FINANCIAL IMPACT:**

The City of Corning receives  $\frac{3}{4}$  of one penny out of the total  $7\frac{1}{4}$  cents paid on each dollar of taxable sales in Corning.

If Northeast LLC had not developed its Travel Center, the City would be receiving no new sales tax income from this site and would continue to have a polluted abandoned Truck Stop. Because the development was expected to generate in excess of \$200,000 in new sales tax annually to the City of Corning, the Agreement provides that Northeast will receive a minimum of \$75,000 per year reimbursement, until the reimbursement is complete. The City and the developer agreed that if the project generated more than \$200,000 per year, and one quarter of that sales tax income exceeded \$75,000, they would be paid the higher amount. If they did not produce the sales tax, after five years the Agreement terminated; the City would pay no additional funds, yet the City will have the completed improvements at the Interchange.

The Agreement provides that a final accounting will be done and submitted to the City Engineer and Public Works Director for review. The final accounting of all the costs will be the actual amount paid. The Agreement provided that if the project cost less than \$338,278 then the reimbursement will be less, and of course, if it is more, the reimbursement will be greater. The Developer's Contractor was required to do this work at prevailing wage in order to comply with State law. The final accounting was completed by the City Engineer, and did in fact, come in much less than the Engineers Estimate.

The success of the Flying J allows the City to make a final payment this year, two years ahead of schedule.

The construction documentation of costs, including invoices is on file in the Public Works Department for review.

**RECOMMENDATION:**

**MAYOR AND COUNCIL ACCEPT THE FINAL COST AMOUNT OF \$207,490.15 AS RECOMMENDED BY THE CITY ENGINEER, AND MAKE THE FINAL INSTALLMENT PAYMENT UNDER THE AGREEMENT IN THE AMOUNT OF \$103,238.15.**

# NORTH EAST, LLC

One Center Drive  
North East, Maryland 21901

To Ed  
for Audit  
and final

May 5, 2006

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

Dear Stephen:

Within please find a binder containing the all documentation including invoices for improvements to the pre-ramp area of I-5 and South Avenue. Under separate cover you will receive an additional set of invoices for flashing signal light improvements which are being completed currently.

#25,000

Please contact me directly with any addition issues that may arise. My number is 801.726.6130.

Sincerely,

NORTH EAST, LLC

*Gary Tsushima*  
Gary Tsushima

Steve  
looks like the  
total is:  
\$ 207,490 <sup>15</sup>

*Ed*

## Corning Pre Ramp Off-site

	Invoice	Equipment	Labor	Material	Markup	Total
1	10/10/2005	\$ 4,782.80	\$ 2,791.20			\$ 7,574.00
2	10/11/2005	\$ 4,379.96	\$ 3,274.28			\$ 7,654.24
3	11/10/2005	\$ 586.78	\$ 1,423.50			\$ 2,010.28
4	11/11/2005	\$ 532.82	\$ 1,201.84			\$ 1,734.66
5	11/14/2005	\$ 341.88	\$ 514.50			\$ 856.38
6	11/16/2005	\$ 455.84	\$ 1,388.80	\$ 377.00		\$ 2,221.64
7	11/24/2005	\$ 2,452.22	\$ 2,506.80			\$ 4,959.02
8	11/29/2005	\$ 1,425.20	\$ 2,092.15			\$ 3,517.35
9	11/30/2005	\$ 100.00	\$ 1,232.50			\$ 1,332.50
10	12/5/2005	\$ 200.00	\$ 1,670.48			\$ 1,870.48
11	12/6/2005	\$ 904.32	\$ 1,226.30			\$ 2,130.62
12	12/7/2005	\$ 180.00	\$ 2,417.16			\$ 2,597.16
13	12/7/2005	\$ 2,923.20	\$ 2,403.80			\$ 5,327.00
14	12/8/2005	\$ 1,879.98	\$ 2,092.70	\$ 1,540.00		\$ 5,512.68
15	12/8/2005	\$ 200.00	\$ 2,403.80			\$ 2,603.80
16	12/9/2005	\$ 2,099.40	\$ 1,128.90			\$ 3,228.30
17	12/9/2005	\$ 200.00	\$ 2,403.80			\$ 2,603.80
18	12/10/2005	\$ 480.00	\$ 9,225.08			\$ 9,705.08
19	12/12/2005	\$ 1,360.68	\$ 4,687.54			\$ 6,048.22
20	12/13/2005	\$ 120.00	\$ 721.80			\$ 841.80
21	12/14/2005	\$ 555.00	\$ 721.80			\$ 1,276.80
22	12/16/2005	\$ 310.00	\$ 947.00			\$ 1,257.00
23	1/15/2006		\$ 750.00	\$ 20,924.00		\$ 21,674.00
24	materials list			\$ 62,817.87		\$ 62,817.87
	10% markup				\$16,135.47	\$ 16,135.47
		\$ 26,470.08	\$ 49,225.73	\$ 85,658.87	\$16,135.47	\$ 177,490.15

**TERRY HANSEN ELECTRIC**  
6911 Danyeur Road  
Redding, CA 96001

**INVOICE**

DATE	INVOICE NO.
5/11/2006	111-3

<b>BILL TO</b>
<b>VALLEY PAVING</b> P O Box 4328 Red Bluff, CA. 96080

**POSTED**

*Fluoro*

<b>Lic. #616547</b> <b>BUS: (530) 241-3073 FAX: (530) 241-3033</b>	<b>P.O. NO.</b>	<b>PROJECT #</b>
	<b>CORNING FB</b>	<b>J-111</b>
DESCRIPTION		AMOUNT
Install Solar powered flashing beacons (red) on three (3) corners in Corning @ Solano & South Avenue complete.		25,000.00
Rental on existing temporary flashing beacon - No Charge		0.00
Please Call if You Have Any Questions. 241-3073		<b>Total \$25,000.00</b>

**SIGNALS, LIGHTING, AND ELECTRICAL**

**ITEM NO. I-8  
LEAGUE OF CALIFORNIA CITIES  
ANNUAL MEETING, POLICY  
RESOLUTIONS – REVIEW AND  
GIVE DIRECTION TO CITY  
DELEGATE.  
AUGUST 26, 2008**

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

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

*STEVE*

**SUMMARY:**

Annually the League of California Cities Policy Committees prepare Policy Resolutions and receive them from Cities in order to establish or re-affirm League Policy on a variety of City issues.

The League has forwarded the attached packet to the City with the hopes that City Council's will discuss and give direction to the city's delegate to the League General Assembly.

The League Conference is September 24, 2008 through September 27, 2008 in Long Beach. The Council has this City Council meeting, the meetings on August 26<sup>th</sup>, September 9<sup>th</sup>, and possibly September 23<sup>rd</sup> to discuss these items. Staff recommends that the Council review and consider the Resolutions and give final direction to the City's Delegate and Alternate at the September 9, 2008 City Council meeting.

**RECOMMENDATION:**

**MAYOR AND COUNCIL MEMBERS CONSIDER THE RESOLUTIONS AND EACH RESOLUTIONS IMPACT UPON THE CITY OF CORNING AND GIVE VOTING DIRECTION TO THE CITY'S DELEGATE AND ALTERNATE TO THE LEAGUE OF CALIFORNIA CITIES GENERAL ASSEMBLY.**



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

August 5, 2008

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 2008 Annual Conference Resolutions packet.

**Annual Conference in Long Beach.** This year's League Annual Conference will be held September 24-27 at the Long Beach 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](http://www.cacities.org/ac). We look forward to welcoming city officials to the conference.

**Annual Business Meeting - Saturday, September 27, 8:30 a.m.** The League's Annual Business Meeting will be held at the Long Beach Convention Center, Grand Ballroom.

**Resolutions Packet.** At the Annual Conference, the League will consider the four resolutions introduced by the deadline, Friday, July 25, 5 p.m., for submittals by regular mail, or Saturday, July 26, midnight, for submittals by email 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. A copy of the resolutions packet is posted on the League's website for your convenience: [www.cacities.org/resolutions](http://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](http://www.cacities.org/resolutions).

Please Bring This Packet to the Annual Conference  
September 24 - 27 — Long Beach

## I. INFORMATION AND PROCEDURES

**RESOLUTIONS CONTAINED IN THIS PACKET:** This year, four resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees. 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.

**POLICY COMMITTEES:** Five policy committees will meet at the Annual Conference to consider and take action on resolutions referred to them. They are: Administrative Services; Community Services; Environmental Quality; Housing, Community and Economic Development; and Public Safety. The committees will meet on Wednesday, September 24, at the Hyatt Regency Hotel, located next to the Long Beach Convention Center. Please see page iii for the policy committee meeting schedule. The sponsors of the resolutions were notified of the time and location of the meetings.

In addition, two policy committees will meet at the Annual Conference even though a resolution was not referred to them: Employee Relations, and Revenue and Taxation. One committee will not meet at the Annual Conference: Transportation, Communication & Public Works.

**GENERAL RESOLUTIONS COMMITTEE** will meet at 1:30 p.m. on Friday, September 26, at the Long Beach Convention Center, Rooms 203 B/C, to consider the reports of the five policy committees regarding the four resolutions. This committee includes one representative from each of the League's regional divisions, functional departments, standing policy committees, as well as other individuals.

**ANNUAL BUSINESS MEETING AND GENERAL ASSEMBLY** will be held at 8:30 a.m. on Saturday, September 27, at the Long Beach Convention Center, Grand Ballroom.

**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 8:30 a.m., Friday, September 26. 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](http://www.cacities.org/resolutions).

Any questions concerning the resolutions procedure may be directed to Linda Welch Hicks at the League office: [lhicks@cacities.org](mailto:lhicks@cacities.org) or (916) 658-8224.

## II. GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

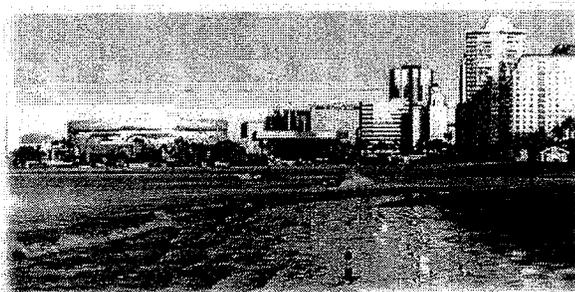
Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities and the League is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues 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 24, 2008**  
**Hyatt Regency Hotel**  
*(Located next to the Long Beach Convention Center)*  
200 South Pine Street  
Long Beach, CA 90802

**POLICY COMMITTEES MEETING AT ANNUAL CONFERENCE**  
**(NOTE: \* Indicates the committees with a resolution referred to them.)**

**10:00 a.m. - Noon**

- \* **Administrative Services** – Regency A
- \* **Environmental Quality** – Regency B/C
- Revenue and Taxation** – Beacon Ballroom
- \* **Housing, Comm. & Econ. Dev.** – Regency D/E/F

**12:30 - 2:30 p.m.**

- \* **Community Services** – Regency A
- Employee Relations** – Regency B/C
- \* **Public Safety** – Beacon Ballroom

**Note: Transportation, Communication & Public Works will NOT meet  
at the Annual Conference.**



**General Resolutions Committee**  
**Friday, September 26, 2008, 1:30 p.m.**  
**Long Beach Convention Center (Rooms 203 B/C)**  
300 E. Ocean Blvd *(Corner of Pine Ave. and Shoreline Blvd.)*  
Long Beach, CA 90802



**Annual Business Meeting and General Assembly**  
**Saturday, September 27, 2008, 8:30 a.m.**  
**Long Beach Convention Center (Grand Ballroom)**  
300 E. Ocean Blvd *(Corner of Pine Ave. and Shoreline Blvd.)*  
Long Beach, CA 90802

**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 Amendments			

**COMMUNITY SERVICES POLICY COMMITTEE**

		1	2	3
◆2	2-1-1 California Telephone Service			

**ENVIRONMENTAL QUALITY POLICY COMMITTEE**

		1	2	3
3	Extension of Federal Section 45 Production Tax Credit			
◆4	Comprehensive Statewide Water Infrastructure Plan			

**HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT POLICY COMMITTEE**

		1	2	3
◆4	Comprehensive Statewide Water Infrastructure Plan			

**PUBLIC SAFETY POLICY COMMITTEE**

		1	2	3
◆2	2-1-1 California Telephone Service			

**Please note:** Some Policy Committees without resolutions will still meet. Notification will be mailed to all committee members. Information will also be posted on each committee's page on the League Web site: [www.cacities.org](http://www.cacities.org).

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**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

### Action Footnotes

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

### 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

**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  
**2008 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 Directors  
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 has recognized four diversity groups, commonly referred to as caucuses, as follows: African-American Caucus, Asian-Pacific Islander Caucus, Gay Lesbian Bisexual Transgender Local Officials Caucus, and Latino Caucus; and

WHEREAS, the leadership of the four caucuses have requested that they each be given a seat on the Board of Directors to help ensure that the Board and the League as an organization continue to reflect California's diversity, and to help ensure that the Board will reflect each caucus's unique community within the League; and

WHEREAS, League staff and the Board's Executive Committee have identified various technical amendments and additions to the bylaws that: a) clarify how each city's population is determined for purposes of assessing dues and determining eligibility for Board seats, b) clarify the grounds for finding a directorship that has become vacant, c) clarify the effective date of a vacancy from League office, and d) make various minor technical amendments; and

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

1. Article IV, Section 1: Establishment of Dues
2. Article VII, Sections 2(e), (g) and (h): Composition of Board of Directors
3. Article VII, Section 3(a)(ii): Board of Directors Terms
4. Article VII, new subsection 4(f): Caucus Directors
5. Article VII, new subsection 6(f): Grounds for Vacancy in Directorship
6. Article X, section 1(a): Listing of Existing Departments
7. Article XII, Section 2(b): Effective Date of Vacancy from League Office;

now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities assembled in Annual Conference in Long Beach, September 27, 2008, that the League include a representative from each League diversity group caucus on the Board of Directors and make the other technical additions and amendments to the League's bylaws by amending the above-referenced sections of the League bylaws, as indicated on Attachment A.

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

//////////

### **Background Information on Resolution No. 1**

**Source:** League Board of Directors  
**Title:** Resolution Relating to League Bylaws Amendments

#### **Background**

In response to requests received from the chairs of the League's four diversity groups, the League Executive Committee, with the concurrence of the League Board of Directors, is recommending that the League's bylaws be amended to authorize one Director from each League diversity groups (or "caucus") for a two-year term. The League has had caucuses since the early 1990s, and they have grown into important parts of the lifeblood of the organization. They routinely organize training and other events of importance to the League, and they do so in a way that complements the programming of the overall League.

Despite their ongoing involvement in helping accomplish the goals of the League, the caucuses are the only League subunits that are not represented on the board of directors. The Executive Committee and League Board agree it is time for this to change, and the attached amendments would implement the addition of one board member from each caucus, under certain terms and conditions.

In addition, some unrelated technical amendments have been accruing since the last amendments to the bylaws in 2007, and they have been included as well.

#### **Overview of the Proposed Bylaws Amendments**

**Population Information.** Currently, Article IV, Section 1 provides that the Board may establish dues annually according to city population, and that city population is determined by the State Controller's population figures for making the most recent allocation of subventions to cities. In order to obtain more accurate population numbers for determining dues, the amendment provides that city population be that population as determined by the Department of Finance Demographic Unit and that the Board be allowed to adopt a different method for determining city population upon the recommendation of the Executive Director.

**Caucuses.** This provision would place a representative of each of the League's four diversity groups, or caucuses, by recommendation of each caucus president of an officer of the caucus to the Executive Committee and later approval by the state league board. In order to be eligible to nominate a caucus officer to serve on the board, the League's Executive Director must certify that the caucus has received formal recognition by the League Board, that the caucus is open to all elected and appointed officials, and that the caucus is operating in full compliance with the League's Bylaws and all League Board-adopted policies. The initial terms for the first Director appointments from the caucuses will be staggered with two Directors appointed to an initial term of one-year and two Directors appointed to an initial term of two-years. The initial term for each Director will be determined by a random drawing.

**Large City Representatives.** Article VII, section 2(f) provides that the eight largest cities may designate a Director for a two-year term. This section is amended to provide that the mayors of the eight largest cities may designate a Director. This is consistent with board policy and city practice.

**Population Information.** Currently, Article VII, Section 2 provides that the population of the eight largest cities shall be determined by the State Controller's population figures for making the most recent allocation of subventions to cities. In order to obtain more accurate population numbers for this purpose, the amendment provides that city population be that population as determined by the Department of Finance Demographic Unit and that the Board be allowed to adopt a different method for determining city population upon the recommendation of the Executive Director.

**Timing of Election of Desert-Mountain Division Officers.** Currently the League board representative from the Desert Mountain Division is elected in odd-numbered years. This is proposed to be changed by the officers of the Division, who believe changing to even-numbered years will put the election process on a schedule that balances with the political timetable in their counties.

**Caucus Directors.** A new section is proposed to be added to provide that caucus directors will be recommended by their respective caucus presidents to the Board's Executive Committee and approved by either the Board or the Executive Committee. The new section further provides that the proposed Board member from each caucus be a current elected mayor or council member.

**Grounds for Vacancy.** Under the current bylaws, it is clear a vacancy occurs when an official resigns or leaves their official office, but there are no provisions for a vacancy for violation of league bylaws or the policies of the board. This amendment simply clarifies that a vacancy in a directorship shall occur due to resignation, by vacating an elective or appointive office, or by noncompliance with the League bylaws or the rules of the board.

**Department Renaming.** Article X, Section 1(a) lists the names of the 11 functional departments of the League. The amendment provides that "Recreation, Parks, and Community Services" be changed to read "Community Services" to reflect the Board-approved name change.

**Effective Date of Vacancy Caused by Leaving City Service.** Currently, Article XII, Section 2(b) provides that the effective date of a vacancy caused by an officer leaving city service is 3 months after the officer ceases to hold the city office. The proposed amendment to this subsection provides that a vacancy becomes effective upon the date the officer ceases to hold the city office. It also proposes that the Board may approve a written request from the officer to remain in office beyond the effective date of the vacancy for a period not to exceed 3 months from the effective date except that, upon a finding of good cause, the Board is authorized to allow an officer to remain in office for a longer period.

ATTACHMENT A

Amendments to League Bylaws Proposed by Resolution 1  
Changes indicated by bold ~~strikeout~~ and underlining

Please review in conjunction with summary provided in  
background information of Resolution 1

Article IV: Dues

Section 1: Establishment.

The League Board establishes the League's dues annually according to city population. The population of each city is the most current population ~~used by the State Controller in making the most recent allocation of subventions to cities- as determined by the California Department of Finance, Demographic Research Unit, or its successor agency or unit.~~ Upon the recommendation of the Executive Director, the League Board may approve an alternative method for determining city population than is set forth in this Section.

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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;<sup>1</sup>
- (b) The Immediate Past President who serves for a term of one year, immediately succeeding his or her term as President;
- (c) Ten Directors-at-Large,<sup>2</sup>
  - (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) One Director who is an officer of each League diversity group ("caucus") for a two-year term who is recommended by the president of each caucus to the League Executive Committee and approved by the League Board, provided that the League's Executive Director has certified that the caucus has received formal recognition by the League Board, that the caucus is open to all elected and appointed officials, and that the caucus is operating in full compliance with the League's Bylaws and all League Board-adopted policies. The initial terms for the first Director appointments from the caucuses will be staggered with two Directors appointed to an initial term of one year and two Directors**

<sup>1</sup> See Article VIII §3 for information about officer elections.

<sup>2</sup> See Article VII, §§ 4 and 5 for information about Director-at-Large elections. See also Article VII, § 6(c) relating vacancies of at-large directorships.

**appointed to an initial term of two years. The initial term for each Director will be determined by a random drawing.**

(f e) Members of the National League of Cities Board of Directors who hold an office in a Member City; and

(g f) Eight Directors ~~which that~~ may be designated by the mayors of each of the eight largest cities in California to serve two-year terms.

(h 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. Upon the recommendation of the Executive Director, the League Board may approve an alternative method for determining city population than is set forth in this Section. For purposes of this section, city populations will be the population figures used by the State Controller in making the most recent allocation of subventions of cities.**

(i 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.

### **Section 3: Staggered Terms.**

The terms of the Directors are staggered, so that the terms of approximately one-half of the members of the League Board expire each year.

(a) **Even-Numbered Year Terms.** The following directorship terms expire in even-numbered years:

(i) **Departments.** Directors from the Fiscal Officers, Public Works Officers, Mayors and Council Members, Planning and Community Development, Fire Chiefs, and City Clerks departments;

(ii) **Divisions.** Directors from the Central Valley, ~~Desert Mountain~~, Imperial County, Monterey Bay, North Bay, Orange County, Redwood Empire, Sacramento Valley and San Diego County divisions; and

(iii) **At Large.** Directors from five of the ten at-large directorships.

(b) **Odd-Numbered Year Terms.** The following directorship terms expire in odd-numbered years:

(i) **Departments.** Directors from the City Attorneys, City Managers, Police Chiefs, Recreation, Parks and Community Services, and Personnel and Employee Relations departments;

(ii) **Divisions.** Directors from the Channel Counties, Inland Empire, ~~Desert Mountain~~, East Bay, Los Angeles County, Peninsula, Riverside County and South San Joaquin Valley divisions; and

(iii) **At Large.** Directors from five of the ten at-large directorships.

**Section 4: Election of Directors.**

- (a) **Functional Department Directors.** Unless their respective functional department bylaws provide otherwise, Departmental Directors are elected by their respective departments at the Annual Conference.
- (b) **Regional Division Directors.** Unless their respective regional division bylaws provide otherwise, Regional Directors are elected at the regional division meeting immediately preceding the Annual Conference.
- (c) **At-Large Directors.** Directors-at-Large are elected by the League Board at its organization meeting.
- (d) **Commencement of Terms.** The term of office of all newly elected Directors commences immediately on the adjournment of the Annual Conference; however, the newly constituted League Board may meet prior to the adjournment of the Annual Conference for the purpose of organization.
- (e) **Additional Directors.** In the event of the creation of additional regional divisions or functional departments of the League, each regional division or functional department may elect a representative to the League Board. When a new functional department or regional division is created at any Annual Conference, the League Board may select a Director to represent such functional department or regional division until the entity organizes and elects a Director in the regular manner. The League Board may fix the initial term of any such Director from a new regional division or functional department at either one or two years, so as to keep the number of terms expiring on alternate years as nearly equal as possible.
- (f) **Caucus Directors. Caucus Directors shall be recommended by the respective caucus presidents to the League Executive Committee and approved by the League Board of Directors or its Executive Committee. Each Caucus Director shall be a current or former caucus officer and a current elected mayor or council member.**

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**Section 6: Vacancies.<sup>3</sup>**

- (a) **Functional Departmental Directorships.** In the event of a vacancy in a functional departmental directorship, the president of the department may become a member of the League Board or may appoint a member of his or her department to fill the vacancy.
- (b) **Regional Division Directorships.** If a vacancy occurs in the regional division directorship, the regional division in question may elect a new Director at the next regular meeting of the regional division.

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<sup>3</sup> Note that League Board officer vacancies are filled as provided in Article VIII, section 4.

- (c) **At-Large Directorships.** If a vacancy occurs in an at-large directorship, the League Board may elect a new Director to fill the vacancy at the next regular board meeting. The League president may nominate individuals for consideration by the League Board.
- (d) **Large City Directorships.** In the event of a vacancy in a large-city seat, that large city may designate a new representative.
- (e) **Terms.** The person elected or appointed to fill a vacancy holds office for the remainder of the term of the office in question (see Article VII, section 3).
- (f) **Grounds for Vacancy. A vacancy in a directorship shall occur due to resignation, a vacancy in elective or appointed office held by the director, or if the League Board determines the department, division, or caucus that elected the director, or an appointed director, is not complying with these bylaws or the policies of the League Board.**

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**Article X: Functional Departments**

**Section 1: Listing.**

- (a) **Existing Departments.** The League includes the following functional departments:

- Mayors and Council Members
- City Attorneys
- Fiscal Officers
- Public Works Officers
- City Managers
- Planning and Community Development
- Police Chiefs
- Fire Chiefs
- ~~Recreation, Parks and Community Services~~ Community Services
- City Clerks
- Personnel and Employee Relations

- (b) **New Departments.** Additional functional departments may be formed through an amendment to these bylaws (Article XVI).

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**Article XII: Qualifications to Hold Office and Vacancies**

**Section 2: Vacancies.**

- (a) **Vacancy Defined.** A League office becomes vacant when an individual resigns, misses three consecutive convened meetings or leaves city service.<sup>4</sup>

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<sup>4</sup> See also Cal. Corp. Code §7221 (board may declare a director's seat vacant if a court declares the director of unsound mind or the director has been convicted of a felony).

(b) **Effective Date of Vacancy Caused by Leaving City Service.** The effective date of a vacancy caused by a departure from city service is ~~three months (92 days) after the date~~ an individual ceases to occupy the same or comparable city office as the individual had when the individual was elected or appointed to League office. Upon written request of the individual, the League Board may allow the individual to continue in the League office for a period not to exceed 3 months from the effective date of the vacancy, which time period may be extended by the Board upon a finding of good cause.

(c) **Effective Date of Resignations.** For the effective dates of resignations, see Article VII, section 7 (effective date of League Board resignations), Article IX, section 8 (effective date of regional division officer resignations), and Article X, section 2(f) (effective date of department officer resignations).

(d) **Filling Vacancies.** Vacancies will be filled as provided in these bylaws, see Article VII, section 6 (filling League Board vacancies), Article IX, section 7(d) (filling regional division officer vacancies), and Article X, section 2(d) (filling functional department officer vacancies).

(e) **Successor Terms.** An individual filling a vacancy serves the unexpired term of his or her predecessor

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**RESOLUTION REFERRED TO COMMUNITY SERVICES POLICY COMMITTEE**

**◆2. RESOLUTION RELATING TO THE 2-1-1 CALIFORNIA TELEPHONE SERVICE**

Source: Public Safety Policy Committee

Referred to: Community Services Policy Committee and Public Safety Policy Committee

Recommendation to General Resolutions Committee:

- ◆ Community Services Policy Committee:
- ◆ Public Safety Policy Committee:

WHEREAS, every hour of every day, someone in California seeks essential human and community services from the more than 1.5 million non-profit organizations in the United States, whether it is to find an after-school program, secure adequate care for a child or an aging parent, or connect with financial management or job training services; and

WHEREAS, with numerous agencies and help-lines, Californians may not know where to turn for assistance and could go without necessary services because they are unable to find help; and

WHEREAS, in times of disaster, demand increases dramatically for the most up-to-the-minute information on road closures, evacuations, shelters, and recovery resources, creating an additional burden on emergency response personnel and 9-1-1 telephone systems; and

WHEREAS, an alternate public information resource for non-emergency, human and community services needs would reduce the number of inappropriate calls to 9-1-1, alleviating demand on emergency response agencies; and

WHEREAS, the 2-1-1 California telephone service provides an easy to remember telephone number with free access to information 24 hours a day, 7 days a week, in over 100 languages, and connects people with important human and community services including rent assistance, food banks,

affordable housing, health resources, child and elderly care, financial literacy and job training programs; and

WHEREAS, the 2-1-1 California telephone service facilitates the availability of a single repository where comprehensive information is collected, maintained, and updated regularly, reducing costs and duplication of efforts; and

WHEREAS, the reliable, consistent information provided through the 2-1-1 California telephone service helps to better assess the needs of California's communities and to immediately mobilize resources toward those needs; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities assembled at the Annual Conference in Long Beach, September 27, 2008, that the League supports the 2-1-1 California telephone service as a non-emergency, human and community services and disaster information resource; and, be it further

RESOLVED, that the League of California Cities will collaborate with state and regional partners to continue the promotion of the 2-1-1 California telephone service throughout California.

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### **Background Information on Resolution No. 2**

**Source:** Public Safety Policy Committee

**Title:** Resolution Relating to the 2-1-1 California Telephone Service

#### **Background:**

The 2-1-1 California Partnership is seeking to establish local and statewide partners as they pursue their mission to create and sustain a statewide network that brings together high-quality local and 2-1-1 call centers and provides benefits beyond what is possible independently. Currently the 2-1-1 telephone system exists on a county-by-county basis, with 18 currently active systems operating. Nationally, the 2-1-1 telephone system covers all or part of 40 states plus Washington D.C. and Puerto Rico, serving over 62% of the United States population.

In regards to disaster planning and response, the 2-1-1 California system effectively diverts non-emergency calls from 9-1-1, reducing expense and alleviating call volumes for first-responder agencies. During the 2007 San Diego area firestorms, the 2-1-1 Southern California system handled more than 130,000 calls in the five days following the outbreak of the fires and is credited with providing vital, localized information on road closures, emergency shelters, and how to locate disaster relief supplies.

Integrated 100% statewide coverage is essential for reaping the full benefits of 2-1-1 in California. This includes continuous high-quality service during disasters, consistent information about services anywhere in the state, and reduced costs from creating and maintaining new statewide 800 numbers to promote human services.

2-1-1 California system is operated by certified call professionals, trained to provide personal assistance to the caller and is available 24 hours a day, seven days a week. Services are provided in the caller's language through bilingual staff and tele-interpreting services and callers are linked to local human service organizations that can give immediate help in areas such as suicide prevention, senior services, family counseling, child care, or volunteerism.

California currently invests \$14 million annually in community-based comprehensive information and referral services, with a major local program funding from counties, First 5, United Way, and private foundations to supplement awarded grant monies. It is estimated that achieving the statewide integrated system will cost \$2 million in infrastructure and data integrations and network, with an annual estimated operating cost of \$30 million. However, this telephone system is also projected to save nearly an equal amount through streamlined service operations, facilitating access to health and human services programs, and providing coordinated disaster response information.

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**RESOLUTIONS REFERRED TO ENVIRONMENTAL QUALITY POLICY COMMITTEE**

**3. RESOLUTION IN SUPPORT OF EXTENSION OF THE FEDERAL SECTION 45 PRODUCTION TAX CREDIT**

Source: City of Fort Bragg  
Referred to: Environmental Quality Policy Committee  
Recommendation to General Resolutions Committee:

WHEREAS, the State of California Renewable Portfolio Standard (RPS) law mandates that electric power generation goals for utility companies are 20% by 2010 and 33% by 2020 from renewable sources; and,

WHEREAS, biomass power plants create electric power from renewable sources like forestry practices, timber product manufacturing, agricultural trimmings and urban wood waste; and,

WHEREAS, the federal Section 45 Production Tax Credit is due to expire on December 31, 2008, unless extended by Congress and the President, and this federal tax measure is essential to attracting capital to develop biomass power plants; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled in Annual Conference in Long Beach, September 27, 2008, that the California Congressional Members and the President of the United States are urged to extend the federal Section 45 Production Tax Credit, as it has done five times in past years, beyond December 31, 2008; and, be it further

RESOLVED, that a copy of this resolution be provided to the President of the United States, to U.S. Senators Boxer and Feinstein and to each Member of Congress from the State of California.

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**◆4. RESOLUTION RELATING TO COMPREHENSIVE STATEWIDE WATER INFRASTRUCTURE PLAN**

Source: South San Joaquin Valley Division  
Referred to: Environmental Quality Policy Committee and Housing, Community & Economic Development Policy Committee

Recommendation to General Resolutions Committee:

- ◆ Environmental Quality Policy Committee:
- ◆ Housing, Community and Economic Development Policy Committee:

WHEREAS, adequate, reliable and affordable supplies of high-quality water are the most vital need of all Californians and the many cities in which they live; and

WHEREAS, water is also essential in sustaining the economic activity that supports California's existing population, as well as its anticipated growth; and

WHEREAS, the water supplies upon which millions of Californians depend for beneficial municipal, business, industrial and agricultural uses are at risk because of court-ordered water pumping export reductions for Sacramento-San Joaquin Bay-Delta Estuary endangered species protection, other environmental protection demands and mandates, as well as the effects of drought; and

WHEREAS, curtailments in water supplies, without exception, result in decreased economic activity, which quickly leads to losses in employment, resulting in family and community hardships and other negative social impacts; and

WHEREAS, California's growing water crisis is largely the result of aging, decaying and inadequate infrastructure and associated fishery habitat and related environmental concerns, particularly within the Sacramento-San Joaquin Bay-Delta Estuary through which much of the state's water supply must pass; and

WHEREAS, the Sacramento-San Joaquin Bay-Delta Estuary is plagued by aging and fragile levees, water quality problems, declining and endangered species, invasive species and other problems adversely affecting its environmental and ecological health; and

WHEREAS, the state is also confronted with the very real potential of climate change which may result in more extended and pronounced drought periods, less snowfall and more rainfall in higher elevations in the mountains, creating more abrupt runoff in mountain rivers and streams that California's existing reservoir system would be inadequate to capture to prevent flooding while sustaining the state's population, as well as economic and social activity during dry periods; and

WHEREAS, California's existing system of surface and groundwater storage facilities is no longer adequate to meet demands posed by a rapidly growing population, and radical swings in water supplies generated by the state's cycles of wet and dry years; and

WHEREAS, despite California's population boom, skyrocketing housing needs and multi-billion-dollar agriculture industry, investments in the state's water system have been woefully inadequate, leaving the state with an aging water infrastructure system that neither meets current demands nor prepares the state for anticipated growth; and

WHEREAS, the well being of the people of California must be protected and enhanced with water supply, quality, safety and conservation consideration that results in a wide-ranging approach to resolving the present water crisis and existing water demands while providing for adequate, reliable and affordable water supplies that can meet future needs; and

WHEREAS, cities of necessity must rely upon the State of California to address broad statewide water problems, needs and demands, while assisting cities with development of conservation and reclamation programs; and

WHEREAS, cities cannot grow without additional water infrastructure improvements; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities assembled in Annual Conference in Long Beach, September 27, 2008, that the League support the State in efforts to implement a comprehensive statewide water infrastructure improvement; and, be it further

RESOLVED, that such a comprehensive statewide water infrastructure plan result in immediate resolution to environmental, water supply, infrastructure and water quality problems within the Sacramento-San Joaquin Bay-Delta Estuary to restore water supply certainty for the people of California; and, be it further

RESOLVED, that such a comprehensive program result in longer-term improvements and rehabilitation of California's water infrastructure to provide safe, adequate and reliable water supplies for a growing population; meet future water management needs; solve environmental problems and enhance flood control safety by providing increased conservation and reclamation, infrastructure and conveyance improvements, and increased storage, both above and below ground.

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#### **Background Information on Resolution No. 4**

**Source:** South San Joaquin Valley Division

**Title:** Resolution Relating To Comprehensive Statewide Water Infrastructure Plan

#### **Background:**

California is confronted with a major water crisis caused by a number of converging factors, among which is the state's failure to develop its water supply, conveyance, storage and flood management infrastructure to keep pace with water demands caused by rapidly growing population and expanding residential, business and industrial development. The state also needs to provide for anticipated significant future growth. More people mean a rising need for clean water. The state's population is expected to grow by as much as 30 percent within 20 years, comparable to adding three cities the size of Los Angeles. Without proper planning and adequate conservation, this growth could mean a need for up to 3.8 million additional acre-feet of water per year by 2030.

The situation has been exacerbated over the past several months by a combination of severe drought conditions occurring atop court ordered curtailments in water export supply pumping from the Sacramento-San Joaquin Bay-Delta Estuary to protect the threatened Delta Smelt under the federal Endangered Species Act. Water supplies to many cities have been reduced and strict use limits are having to be imposed upon customers. The Delta provides water to 25 million Californians and must be made healthy and sustainable in the long-term. Aging levees, new development and seismic risks, paired with a long-overdue need for investment and conservation have compromised the Delta's environmental and ecological health. In addition, there's a 66 percent chance that catastrophic Delta flooding will occur within the next 50 years. Such pressures on the Delta compromise its ability to provide safe drinking water and maintain a vibrant ecosystem. Scientists agree that without immediate changes, the Delta will fail as a reliable water source and a healthy estuary.

Further clouding California's long-term water supply outlook are prospects for dramatic changes in precipitation, rain, snow and runoff patterns that may result from climate change. Current weather trends and climate models suggest that California will lose at least 25 percent of its annual snowpack by 2050. More rapid runoff from rain events occurring at higher elevations will require adequate water storage facilities to prevent flooding and provide supplies to sustain Californians during dry periods. At the other extreme, climate models also predict longer and more severe droughts, creating a great need for water reserves that can only be accomplished through additional water storage facilities.

New storage requires balance between groundwater recharge and banking facilities, and new or expanded surface facilities. Numerous areas within California have aquifers capable of storing vast quantities of groundwater. However, percolation required to recharge or bank groundwater is, by its nature, a slow process. It relies upon adequate surface storage to capture runoff from rain and snowmelt events as those

discharges from watersheds are occurring because of the impossibility of instantaneously conveying and recharging more than a very small amount of runoff. Failure to capture excess runoff as it is occurring means that much of that water must be released as floodwater and be lost to beneficial human use, increasing flood management problems and flooding threats.

Along with the billions of dollars in economic activity and social benefits provided by adequate and affordable supplies of water in cities and towns across California, the state's water supply system and infrastructure also support an agricultural industry that provides much of the food consumer by Californians and their fellow Americans. Agricultural exports are among the nation's most important tools in foreign trade and are relied upon by nations in all parts of the world. The nation's two most highly productive agricultural counties are Fresno and Tulare. In many parts of the San Joaquin Valley, the effects of drought and supply curtailments resulting from the Endangered Species Act court orders have resulted in hundreds of thousands of acres being fallowed as state and federal agencies have imposed water supply rationing and cuts. Without those crops, food prices in the state will continue to rise and Californians will be forced to rely upon food imported from other states or nations whose protective food safety regulations may not be as strong as those within California.

The State Water Project alone directly supports a \$300 billion share of the California economy. A more reliable water supply means that this economy can continue to grow and provide jobs and prosperity for our state.

Such reliability is a centerpiece in a comprehensive water infrastructure program that has been proposed by Governor Schwarzenegger and Senator Feinstein. This plan would provide much of the funding necessary for crucially needed infrastructure repairs and improvements, environmental solutions and habitat improvements, enhanced conservation, and development of needed water supplies.

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

**◆4. RESOLUTION RELATING TO COMPREHENSIVE STATEWIDE WATER  
INFRASTRUCTURE PLAN**

Resolution #4 also referred to Environmental Quality Policy Committee. Please see Environmental Quality section for the resolution and background information.

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**RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE**

**◆2. RESOLUTION RELATING TO THE 2-1-1 CALIFORNIA TELEPHONE SERVICE**

Resolution #2 also referred to Community Services Policy Committee. Please see Community Services section for the resolution and background information.

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**[NOTE: No resolutions were assigned to the following policy committees: Employee Relations; Revenue and Taxation; and Transportation, Communication & Public Works.]**

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