



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, AUGUST 27, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

The City of Corning welcomes you to our meetings, which are regularly scheduled for the second and fourth Tuesdays of each month. Your participation and interest is encouraged and appreciated.

In compliance with the Americans with Disabilities Act, the City of Corning will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office (530/824-7033) to make such a request. Notification at least 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.

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

B. ROLL CALL:

Council:

**Darlene Dickison
Dave Linnet
Tony Cardenas
Willie Smith
Gary Strack**

Mayor:

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

D. INVOCATION: Led by Councilman Cardenas.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Presentation to Corning Fire Department Dispatchers acknowledging their dedication and hard work by Orland City Manager Pete Carr and Orland Fire Chief Jeff Gomes.

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

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

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 13, 2013 City Council Closed Session and Regular Meeting with any necessary corrections:**

4. **August 21, 2013 Claim Warrant - \$717,875.43.**
5. **August 21, 2013 Business License Report.**
6. **Authorize the purchase of a new vehicle from Corning Ford for the total amount of \$19,995 which includes \$1,000 for after-market equipment.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

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

J. REGULAR AGENDA:

7. **Adopt new Job Classification for Senior Accounting Technician, approve personnel job reclassification of employees Pala Cantrell and Mary Brimm, and approve pay increases for the two Administrative Secretaries and four Public Works Maintenance Workers.**
8. **Extension of Lease Option Agreement for Solar Power Production at the City's vacant property adjacent to the Wastewater Treatment Plant (WWTP).**

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Dickison:
Linnet:
Cardenas:
Smith:
Strack:

N. ADJOURNMENT!:

POSTED: FRIDAY, AUGUST 23, 2013



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, AUGUST 13, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

All members of the Council were present except Councilor Linnet who was on a fire.

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

C. PUBLIC COMMENTS: None.

D. ADJOURN TO CLOSED SESSION: 6:30 p.m.

1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency Negotiator: William May, Labor Relations Consultant

Miscellaneous Bargaining Unit:

- 1. Consider Classification Study Results and Instruct Manager**
- 2. Employee Grievances**

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

Mayor Strack reported that Council met in Closed Session with the City's Labor Negotiator for discussion of listed items 1 and 2 and provided direction to both the Labor Negotiator and the City Manager.

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

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, AUGUST 13, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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B. ROLL CALL:

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

D. INVOCATION: Led by Mayor Gary R. Strack.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Proclamation: Olive Festival Week in the City of Corning, August 19th - 24th 2013.

Chamber of Commerce Manager Valanne Cardenas was present to accept the Proclamation. She announced the planned festival activities, showcased a new sign for the event, and welcomed everyone to attend the festivities.

F. BUSINESS FROM THE FLOOR:

John Richards, Corning Skate Park Association stated his concerns relating to future existing and possible future damage caused by cracks and "popcorn" in the concrete at the new Corning Community Park Skateboard area.

City Manager John Brewer and the Mayor stated that Kanten Russell, the Stantec Skate Park designer was here today to review this and would be providing the City with a report of his findings next week. Mayor Strack stated that upon receipt of the report, a copy would be available at City Hall for anyone wishing to review it.

Teresa Smith asked some of the Skateboarders present what effect the cracks have on them...one responded that these cracks can cause falls. Ms. Smith and Mr. Richards both stated that they drive by and monitor for vandalism and hope that it is constructed properly so that it will be as good in the future as it is upon opening. They both stated their concerns about safety and quality.

An audience member stated that Red Bluff's Skate Park does have cracks in the concrete and Red Bluff does have to repair these regularly. He also voiced concerns about a possible safety hazard due to the proximity of a wall on the west side to one of the Skateboard Park "quarter pipes".

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

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 following July 23, 2013 City Meetings with any necessary corrections:**
 - 3a: **Special Public Meeting – Presentation & Discussion of the Solano Street Transportation Enhancement Project.**
 - 3b: **July 23, 2013 City Council Meeting.**
4. **August 7, 2013 Claim Warrant - \$360,223.19.**
5. **July 2013 Wages and Salaries: \$338,534.39.**
6. **August 7, 2013 Business License Report.**
7. **July 2013 Building Permit Valuation Report - \$175,995.84.**
8. **July 2013 Treasurer's Report.**
9. **Adopt Resolution No. 08-13-2013-01 authorizing the Tehama County Sanitary Landfill Agency to submit a Regional Application to the Department of Resources, Recycling, and Recovery for Beverage Container Recycling Grants.**
10. **City of Corning Wastewater Operation Summary Report for July 2013.**

Councilor Dickison moved to approve Consent Items 2-10. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

11. **Approve the Notice of Completion and Progress Pay Estimate No. 2 (Final) in the amount of \$118,613.60 to Thomas H. Williams Construction for the Corning Safe Routes to School, Cycle 10 Project.**

Mayor Strack introduced this item by title and Public Works Director Patrick Walker reported that a utility pole still needs to be relocated and this will be done by Public Works.

Councilor Cardenas moved to accept the Notice of Completion, approve Progress Pay Estimate No. 2 (final) in the amount of \$118,613.60, to retain the 5% contract retention totaling \$5,930.68, issue payment in the amount of \$112,682.92 to Thomas H. Williams Construction for the Corning Safe Routes to School, Cycle 10 Project, and release the total retention amount of \$10,588.17 to Thomas H. Williams Construction after the 35-day waiting period. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

12. **Approve Progress Pay Estimate No. 4 in the amount of \$444,245.75 to Trent Construction for the Corning Community Park Project, Phase 1.**

Mayor Strack introduced this item by title. Public Works Director Pat Walker explained that Staff is requesting an additional \$13,120.74 not listed in the Staff Report for purchased materials currently on site; the revised total is \$457,366.49. Councilor Cardenas asked if Staff had spoken with the Contractor about the City's concerns regarding the cracks. City Manager Brewer stated yes and explained the comments made and reiterated that a report is being generated to address these concerns.

Councilor Dickison moved to approve the revised Progress Pay Estimate No. 4 in the amount of \$457,366.49, retain the 5% contract retention of \$22,868.32, and issue payment in the amount of \$434,498.17 to Trent Construction, Inc. for the Corning Community Park Project, Phase 1. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

13. Study Matter-Update: Parkland Development Impact Fees within the City.

City Manager John Brewer stated that the City, in 2005, modified the City's Development Fees. He explained that this fee modification resulted from a "Nexus Study" which identified the infrastructure facilities necessary to accommodate the growth anticipated over the 20 year planning period (2005-2025) and to mitigate the impacts of new development on the City's Water, Sewer Collection and Treatment, Drainage, Traffic and Park Systems. He explained that the City has met and exceeded the 22.5 parkland acreage suggested in the 2005 "Nexus Study" via receipt of the 2010 "Proposition 84 Parks Grant", totaling \$4.28 million which was used to acquire and develop the new 18.35 acre "Corning Community Park".

Mr. Brewer suggested that now would be an appropriate time to re-evaluate the City's anticipated growth and parkland infrastructure needs for the next 20 years (2013-2033). Councilor Cardenas responded stating that maybe it is time that we review all of our fees.

Stephen Kimbrough, former City Manager agreed that the City should include the new park, thereby removing the need to purchase and develop additional parkland and enabling the City to reduce the charge to Developers for this particular fee. Mr. Kimbrough presented a brief recollection of components and influences considered in the 2005 study and resulting fees. He concluded by requesting that Council, prior to reducing this fee, consider those issues previously addressed to keep the fee low in 2005.

Councilor Cardenas moved to direct Staff to:

- Update the 2005 Parkland Development Fee Nexus Study to acknowledge the receipt of the \$4.28 million Parkland Development Grant and the conversion of Rodgers Theater to a "Multi-purpose City Assembly Building"; and
- Present the Nexus Study addressing the anticipated growth and parkland needs, along with a recommended Resolution for a revised Parkland Development Impact Fee at a subsequent City Council meeting.

Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

14. Adopt Resolution No. 08-13-2013-02 authorizing the Public Works Department to install angle parking at Northside and Woodson Parks.

Public Works Director Pat Walker stated he is proposing four (4) additional (1 already exists) handicapped parking stalls at Northside Park, and one at Woodson Park. Councilor Cardenas confirmed, if approved, this new parking and handicap parking will be installed before September 26th.

Councilor Cardenas moved to adopt Resolution No. 08-13-2013-02 authorizing the installation of permanent striping of angle parking at Northside and Woodson Parks. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

15. Adopt Resolution No. 08-13-2013-03 designating disabled parking spaces at Northside and Woodson Parks and authorize installation of disabled parking signs.

Councilor Cardenas moved to adopt Resolution No. 08-13-2013-03 designating a total of five (5) "Disabled Parking" spaces, three (3) at Northside Park, and two (2) at Woodson Park, and direct Staff to install "Disabled Parking" signs for each space. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

City Council and City Staff received an invitation to Wyatt Haywood's Eagle Scout Ceremony on Sunday, September 6th.

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

Dickison: Reported that she would be attending a LAFCO meeting tomorrow to adopt the fiscal budget, a Tehama Co. Heritage & Historical Records Commission meeting on Thursday, and the Community Action Agency meeting at 3:00 p.m. that same day (August 15th).

Linnet: Not present.

Cardenas: Reported on attendance at Chamber Meeting tonight.

Smith: Will be attending Senior Center Meeting tomorrow.

Strack: Nothing.

N. ADJOURNMENT!: 8:10 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING ASSISTANT

DATE: August 21, 2013

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, August 27, 2013 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 08-15-13	\$624,754.38
B.	Cash Disbursements	Ending 08-20-13	\$53,938.65
C.	Payroll Disbursements	Ending 08-19-13	\$35,239.72
D.	Cash Disbursements	Ending 08-21-13	\$3,942.68
	GRAND TOTAL		<u>\$717,875.43</u>

REPORT.: Aug 15 13 Thursday
 RUN....: Aug 15 13 Time: 12:23
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
016970	08/12/13	PET03	PETTY CASH	227.26	.00	227.26	13-0809	PETTY CASH-
016971	08/12/13	TRE00	TRENT CONSTRUCTION INC.	422033.46	.00	422033.46	13-0814	PARK DEV.-
				-422033.46	.00	-422033.46	13-0814u	Ck# 016971 Reversed
			Check Total.....	.00	.00	.00		
016972	08/12/13	WIL10	TOM WILLIAMS CONSTRUCTION	112682.92	.00	112682.92	13-0814	SR2S #10-
016973	08/13/13	TRE00	TRENT CONSTRUCTION INC.	434498.17	.00	434498.17	13-0813	PARK DEV-
016974	08/15/13	AIR00	AIRGAS USA, LLC	60.72	.00	60.72	991152404	MAT & SUPPLIES-FIRE
016975	08/15/13	AUT00	AUTO ZONE	6.43	.00	6.43	409517835	MAT & SUPPLIES-STR
				3.21	.00	3.21	409517838	VEH/OP MAINT-POLICE
				10.61	.00	10.61	409517961	VEH/OP MAINT-POLICE
			Check Total.....	20.25	.00	20.25		
016976	08/15/13	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1307239	ProfServices Water Dept
				114.00	.00	114.00	1307540	PROF SVCS-WTR
			Check Total.....	228.00	.00	228.00		
016977	08/15/13	CAR12	CARREL'S OFFICE MACHINES	4.08	.00	4.08	119484	MAT & SUPPLIES-LIBRARY
016978	08/15/13	COR12	CORNING FORD MERCURY, INC	231.66	.00	231.66	101608	Veh Opr/Maint-POLICE
016979	08/15/13	DEP02	DEPARTMENT OF JUSTICE	52.00	.00	52.00	130813	PROF SVCS-POLICE
016980	08/15/13	DEP12	DEPT OF JUSTICE	70.00	.00	70.00	987036	PROF SVCS-POLICE
016981	08/15/13	EXP02	EXPRESS EMPLOYMENT PROFES	1189.20	.00	1189.20	128533403	TEMP HELP-STR
016982	08/15/13	FOR01	FOREMOST PROMOTIONS	111.91	.00	111.91	222340	SCHOOL PROGRAMS-POLICE
016983	08/15/13	GAL02	GALLS, AN ARAMARK COMPANY	144.43	.00	144.43	000852704	SAFETY ITEMS-POLICE
016984	08/15/13	GRA02	GRAINGER, W.W., INC	386.74	.00	386.74	920819189	MAT & SUPPLIES-PARKS
				128.88	.00	128.88	921124489	MAT & SUPPLIES-PARKS
				172.00	.00	172.00	921124491	MAT & SUPPLIES-SWR
			Check Total.....	687.62	.00	687.62		
016985	08/15/13	HOL04	HOLIDAY MARKET #32	157.97	.00	157.97	140322070	MAT & SUPPLIES-FIRE
				22.63	.00	22.63	20321208/	Mat/Supplies BuildingMain
				91.42	.00	91.42	313212081	MAT & SUPPLIES-
			Check Total.....	272.02	.00	272.02		
016986	08/15/13	JOH06	JOHNSON'S TURBO CLEAN	792.87	.00	792.87	5238	MAT & SUPPLIES-BLD MAINT

REPORT.: Aug 15 13 Thursday
 RUN....: Aug 15 13 Time: 12:23
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016987	08/15/13	JON02	R.C. JONES INSURANCE	4096.00	.00	4096.00	130808	LIABILITY INS-AIRPORT
016988	08/15/13	KNI00	KNIFE RIVER CONSTRUCTION	452.37	.00	452.37	141032	MAT & SUPPLIES-STR
016989	08/15/13	LIN01	LINCOLN EQUIPMENT, INC.	921.65	.00	921.65	SI220996	MAT & SUPPLIES-POOL
				887.34	.00	887.34	SI221204	MAT & SUPPLIES-POOL
			Check Total.....:	1808.99	.00	1808.99		
016990	08/15/13	MOR02	RAY MORGAN COMPANY	521.95	.00	521.95	474134	COMMUNICATIONS-GEN CITY
016991	08/15/13	MUN03	MUNNELL & SHERRILL, INC.	208.38	.00	208.38	061817	MAT & SUPPLIES-
				114.22	.00	114.22	061826	VEH/OP MAINT-
			Check Total.....:	322.60	.00	322.60		
016992	08/15/13	NOR18	NORTH VALLEY DISTRIBUTING	18.17	.00	18.17	S11338320	MAT & SUPPLIES -POOL
016993	08/15/13	NOR31	NORM'S PRINTING	327.88	.00	327.88	013002	PRINTING/AD-POLICE
016994	08/15/13	OFF01	OFFICE DEPOT	394.86	.00	394.86	670782169	Office Supplies PoliceDis
016995	08/15/13	QUI02	QUILL CORPORATION	58.04	.00	58.04	3881256	COMP/EQUIP/SOFT-FIRE DISP
				105.45	.00	105.45	4032107	COMP/EQUIP/SOFT-FIRE DISP
				2.49	.00	2.49	4653294	OFFICE SUPPLIES-
				66.72	.00	66.72	4653304	OFFICE SUPPLIES-FINANCE
				485.57	.00	485.57	4657586	OFFICE SUPPLIES-
			Check Total.....:	718.27	.00	718.27		
016996	08/15/13	RED15	RED TRUCK ROCK YARD, LLC	148.34	.00	148.34	424	MAT & SUPPLIES-
016997	08/15/13	SCH01	LES SCHWAB TIRE CENTER	153.18	.00	153.18	611000813	VEH/OP MAINT-POLICE
016998	08/15/13	SEI01	SEILER, ROY R., CPA	1231.20	.00	1231.20	25802	PROF SVCS-FINANCE
016999	08/15/13	STA21	STATEWIDE TRAFFIC & SAFET	544.25	.00	544.25	130806	MAT & SUPPLIES-STR
017000	08/15/13	ULT10	ULTRAMAX AMMUNITION	282.00	.00	282.00	135407	SAFETY ITEMS-POLICE
017001	08/15/13	UMP00	UMPQUA BANK	62271.26	.00	62271.26	130808	DEBT, SIDE FUND-GEN CITY
017002	08/15/13	USA01	USA BLUE BOOK	189.95	.00	189.95	115977	MAT & SUPPLIES-WTR
			Cash Account Total.....:	624754.38	.00	624754.38		
			Total Disbursements.....:	624754.38	.00	624754.38		

REPORT.: Aug 20 13 Tuesday
 RUN...: Aug 20 13 Time: 10:43
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-13 Bank Account.: 1020

PAGE: 001
 ID #: PY-DP
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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
017003	08/20/13	ACC00	ACCESS INFORMATION	89.88	.00	89.88	N164304	EQUIP MAINT-GEN CITY
017004	08/20/13	ACI01	ACI SPECIALTY BENEFITS	336.96	.00	336.96	14652	WorkmensComp..General Cit
017005	08/20/13	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1307806	ProfServices Water Dept
017006	08/20/13	CHE02	CHEM QUIP, INC.	1099.35	.00	1099.35	5247831	MAT & SUPPLIES-WTR
017007	08/20/13	COF02	COFFEY, ZACHARY RICHARD	175.00	.00	175.00	13-0819	REIMBURSE LIFEGUARD CERT-
017008	08/20/13	COM06	COMCAST	23.84	.00	23.84	130809	COMMUNICATIONS-PW ADMIN
017009	08/20/13	CON07	CONEXIS	30.00	.00	30.00	07130R348	MEDICAL INS-COBRA
017010	08/20/13	EXP02	EXPRESS EMPLOYMENT PROFES	1189.20	.00	1189.20	128977824	TEMP HELP-STR
017011	08/20/13	FEA01	FEARS, JEREMIAH	80.00	.00	80.00	130815	TRAINING/EDUC-POLICE
017012	08/20/13	FEA02	FEARS, GATES JACQUELINE	175.00	.00	175.00	13-0819	REIMBURSE LIFEGUARD CERT-
017013	08/20/13	GRA02	GRAINGER, W.W., INC	91.19	.00	91.19	921484959	MAT & SUPPLIES-
017014	08/20/13	GRI08	GRINE, SARAH ASHLEY	175.00	.00	175.00	13-0819	REIMBURSE LIFEGUARD CERT-
017015	08/20/13	MCC09	MCCOY, CAITLIN NICOLE	175.00	.00	175.00	13-0819	REIMBURSE LIFEGUARD CERT-
017016	08/20/13	MOR02	RAY MORGAN COMPANY	521.95	.00	521.95	475688	COMMUNICATIONS-
017017	08/20/13	NOR03	NCCSIF	5411.00	.00	5411.00	2014020	LIABILITY INS-GEN CITY
				1730.00	.00	1730.00	2014028	WORKMENS COMP-GEN CITY
			Check Total.....:	7141.00	.00	7141.00		
017018	08/20/13	NOR31	NORM'S PRINTING	58.93	.00	58.93	13003	MAT & SUPPLIES-
017019	08/20/13	PGE01	PG&E	36353.10	.00	36353.10	130813	Electricity General City-
017020	08/20/13	PUR02	PURCHASE POWER	5000.00	.00	5000.00	30807	COMMUNICATIONS - GEN CITY
017021	08/20/13	STA21	STATEWIDE TRAFFIC & SAFET	544.25	.00	544.25	4028 /8	MAT & SUPPLIES-
017022	08/20/13	WAZ00	WAZNY, JORDIN BROOK	565.00	.00	565.00	130819	LIFEGUARD LABOR-POOL
			Cash Account Total.....:	53938.65	.00	53938.65		
			Total Disbursements.....:	53938.65	.00	53938.65		
			Cash Account Total.....:	.00	.00	.00		

REPORT.: Aug 20 13 Tuesday
 RUN....: Aug 20 13 Time: 10:43
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 08-13 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Description
6070	08/19/13	BAN03	POLICE OFFICER ASSOC.	250.00	.00	250.00	B30819	POLICE OFFICER ASSOC
6071	08/19/13	CAL37	CALIFORNIA STATE DISBURSE	481.38	.00	481.38	B30819	WITHHOLDING ORDER
6072	08/19/13	EDD01	EMPLOYMENT DEVELOPMENT	3426.04	.00	3426.04	B30819	STATE INCOME TAX
				1065.90	.00	1065.90	1B30819	SDI
			Check Total.....:	4491.94	.00	4491.94		
6073	08/19/13	ICM01	ICMA RETIREMENT TRUST-457	3590.42	.00	3590.42	B30819	ICMA DEF. COMP
6074	08/19/13	PERS1	PUBLIC EMPLOYEES RETIRE	21789.99	.00	21789.99	B30819	PERS PAYROLL REMITTANCE
6075	08/19/13	PERS4	Cal Pers 457 Def. Comp	842.63	.00	842.63	B30819	PERS DEF. COMP.
6076	08/19/13	PRE03	PREMIER WEST BANK	1971.87	.00	1971.87	B30819	HSA DEDUCTIBLE
6077	08/19/13	VAL06	VALIC	1821.49	.00	1821.49	B30819	AIG VALIC P TAX
			Cash Account Total.....:	35239.72	.00	35239.72		
			Total Disbursements.....:	35239.72	.00	35239.72		
			=====	=====	=====	=====		

REPORT.: Aug 21 13 Wednesday
 RUN....: Aug 21 13 Time: 11:08
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
017023	08/21/13	ATT13	AT&T	727.10	.00	727.10	130811	COMMUNICATIONS-DISPATCH
017024	08/21/13	AUT00	AUTO ZONE	12.89	.00	12.89	409518198	VEH/OP MAINT-POLICE
017025	08/21/13	DEP12	DEPT OF JUSTICE	17.00	.00	17.00	987723	PROF SVCS-POLICE
017026	08/21/13	GUZ00	GUZI-WEST	425.00	.00	425.00	2013-49	HOUSING REHAB-HOUSING REH
				425.00	.00	425.00	2013-50	HOUSING REHAB-HOUSING REH
			Check Total.....:	850.00	.00	850.00		
017027	08/21/13	MJB00	MJB WELDING SUPPLY, INC.	54.81	.00	54.81	01004297	MAT & SUPPLIES-MECH MAINT
017028	08/21/13	MOR02	RAY MORGAN COMPANY	521.95	.00	521.95	472204	COMMUNICATIONS-
017029	08/21/13	NOR31	NORM'S PRINTING	112.88	.00	112.88	013028	PRINTING/ADV-POLICE
017030	08/21/13	OFF01	OFFICE DEPOT	367.49	.00	367.49	160310603	COMPUTER REPLAC-POLICE
				680.03	.00	680.03	666483178	OFFICE SUPPLIES-DISPATCH
			Check Total.....:	1047.52	.00	1047.52		
017031	08/21/13	PGE2A	PG&E	53.31	.00	53.31	130815	ELECT-BLUE HERON CT
017032	08/21/13	QUI02	QUILL CORPORATION	22.24	.00	22.24	4660946	OFFICE SUPPLIES-FINANCE
017033	08/21/13	RON03	RON DUPRATT FORD	435.57	.00	435.57	743592	VEH/OP MAINT-POLICE
				33.13	.00	33.13	743593	VEH/OP MAINT-POLICE
			Check Total.....:	468.70	.00	468.70		
017034	08/21/13	SCH13	SCHWAAB, INC.	54.28	.00	54.28	D21514	OFFICE SUPPLIES-DISPATCH
			Cash Account Total.....:	3942.68	.00	3942.68		
			Total Disbursements.....:	3942.68	.00	3942.68		

Date.: Aug 21, 2013
Time.: 11:41 am
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
KEELING CONSTRUCTION	24825 FLORENCE AVE	CORNING, CA 96021	KEELING	MICHAEL CONTRACTOR	08/20/13	(530)570-7981
NOR-CAL BUY SELL TRA	790 BARHAM RD	CORNING, CA 96021	WEICHELT	JEREMY RETAIL GARDEN SUPPLY STORE	08/20/13	(530)366-5100

**ITEM NO: G-6
AUTHORIZATION TO
PURCHASE VEHICLE
AUGUST 27, 2013**

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

FROM: JOHN L. BREWER, CITY MANAGER 
DONALD R. ATKINS, CHIEF OF POLICE 

SUMMARY:

The City of Corning's 2013/14 fiscal year annual budget includes funds provided from the State Board of State and Community Corrections (BSCC). The Police Department is seeking approval to use a portion of these funds to purchase one (1) vehicle for the officer assigned to TIDE (Tehama Interagency Drug Enforcement).

BACKGROUND:

The Police Department is in receipt of Proposition 30 funds that are intended to support law enforcement services. This funding is provided by the state through the Board of State and Community Corrections (BSCC).

Recognizing the need for state support for city law enforcement agencies due to the steady erosion of funding for city police agencies over the last several years, the 2012 Budget Act provides funding to city police departments to enable front-line intervention services to each county. The funding awards were determined on an approved formula-based allocation proposed by the California Police Chiefs' Association (CPCA). Based on the proposed allocations, the Red Bluff Police Department was chosen as a fiscal agent for local disbursement by the CPCA. Disbursement of these funds shall be a collective decision of the local enforcement agencies within the county.

FINANCIAL:

The 2012/13 allocations have been received by the City of Corning. A portion of these funds have been earmarked for the purchase of a vehicle for the officer assigned to TIDE.

The Police Department is proposing to purchase a vehicle using a portion of the funds received from Proposition 30 monies. After a review of vehicle prices obtained with the same make, model, year and approximate mileage, it was determined that Corning Ford could competitively supply the vehicle desired. The total for this vehicle, including all sales tax and documentation fees, has been quoted at \$18,995.00. The additional after-market equipment for this vehicle will total approximately \$1,000.00. The Police Department is requesting authorization to purchase a new 2013 Ford Fusion 4-door, 4-cylinder, 2.5 liter sedan from Corning Ford for the amount of \$18,995.00, including sales tax and documentation fees.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE PURCHASE FROM CORNING FORD OF ONE (1) 2013 FORD FUSION 4-DOOR, 4-CYLINDER, 2.5 LITER SEDAN AT THE PURCHASE PRICE OF \$18,995.00 (INCLUDING SALES TAX AND DOCUMENTATION FEES), AND ADDITIONAL AFTER-MARKET EQUIPMENT IN THE APPROXIMATE AMOUNT OF \$1,000.00.

2013 FORD FUSION
 4 DOOR SEDAN "S" SERIES MODEL
 4 CYL, 2.5 LITER, EQUIPMENT GROUP 100A
 PRICE QUOTE SUMMARY

	DOWNTOWN FORD	CORNING FORD	WITTMEIER FORD
Base Price	19271.00	17581.63	20203.00
Document Charge	80.00	80.00	
State Tire Fee	7.00	8.75	
Delivery Fee	200.00		
Floor Mats (All Weather)	74.00	Included	
Sales Tax	1462.43	1324.62	* 1988.00
Total Sales Price	21168.43	18995.00	22191.00
Notes:	Offers \$500 disc. If paid in 20 days		
Quoted by	Sandra Scott 916-442-6931	Kelly Breedlove 530-824-5434	Conrad Wong 530-895-8181

* Sales Fees (Sales tax, document fees, etc.)

ITEM NO.: J-7

ADOPT NEW JOB CLASSIFICATION FOR SENIOR ACCOUNTING TECHNICIAN, APPROVE PERSONNEL JOB RECLASSIFICATION OF EMPLOYEES PALA CANTRELL AND MARY BRIMM, AND APPROVE PAY INCREASES FOR THE CITY'S ADMINISTRATIVE SECRETARIES AND MAINTENANCE WORKERS.

August 27, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM: JOHN L. BREWER, CITY MANAGER
LISA M. LINNET, CITY CLERK**

JLS

BACKGROUND:

During the recently completed negotiations with the City's Miscellaneous Unit, City Council authorized a "Class Study of Specific Miscellaneous Unit Job Positions". This study was limited to specific positions within this unit and was approved with the understanding that there was no commitment to approve the resulting classification recommendations. The specific positions agreed to be studied were: Accounting Technician, Accounting Assistant, Administrative Secretary (Police & Public Works), and the Public Works Maintenance Worker.

STUDY & RESULTS:

City Labor Consultant Bill May prepared questionnaires that were presented to each of the employees within the positions to be studied. The questionnaires sought details about the tasks performed by the various employees/positions. The employees completed the questionnaires. Mr. May evaluated the responses.

Mr. May concluded that only two of the employees were working "out of class". Since she regularly supervises two employees in the Finance Dept., he has recommended that the City promote Pala Cantrell to a new position titled "Senior Accounting Technician". He also recommends that the City promote Mary Brimm from Accounting Assistant to Accounting Technician.

Mr. May concluded that the remaining Administrative Secretaries and Maintenance Workers were in fact working within the "class" defined by the respective job descriptions. However, he did recommend that those positions receive certain equity increases in their respective salary ranges.

FINANCIAL:

If approved, this proposal will set the new "Senior Accounting Technician" salary range for steps A through E at 10% higher than the existing "Accounting Technician" range. It will also increase the "Administrative Secretary" salary range by 3% for steps A through E, and increase the "Maintenance Worker" salary range by 2% for steps A through E.

If approved, the combined annual budgetary cost would total an additional **\$17,938.99** in annual personnel costs. These combined expenditures include the following:

- Senior Accounting Technician (1): **\$4,219.30** (includes 2.5% longevity pay incentive)
- Accounting Technician (1): **\$1,857.36** (includes 2.5% bilingual pay incentive)
- Administrative Secretary (2): **\$4,060.53** (combined total for both positions and includes the 2.5% longevity incentive for one of the two positions)
- Maintenance Workers (4): **\$7,801.80** (combined total for all four Maintenance Workers)

RECOMMENDATION:

THAT THE MAYOR AND CITY COUNCIL:

- 1. ADOPT THE NEW JOB CLASSIFICATION OF SENIOR ACCOUNTING TECHNICIAN AND APPROVE THE PROPOSED ASSOCIATED SALARY RANGE;**
- 2. APPROVE RECLASSIFICATION OF PALA CANTRELL FROM ACCOUNTING TECHNICIAN TO SENIOR ACCOUNTING TECHNICIAN, STEP E;**
- 3. APPROVE THE RECLASSIFICATION OF MARY BRIMM FROM ACCOUNTING ASSISTANT TO ACCOUNTING TECHNICIAN, STEP B;**
- 4. APPROVE SALARY EQUITY INCREASE OF 3% FOR THE CITY'S TWO ADMINISTRATIVE SECRETARIES; AND**
- 5. APPROVE SALARY EQUITY INCREASE OF 2% FOR THE CITY'S FOUR MAINTENANCE WORKERS.**

SENIOR ACCOUNTING TECHNICIAN

DEFINITION:

Under direction, to provide lead work direction to office and/or accounting support staff; to perform a variety of the most complex financial and statistical record-keeping assignments; to oversee, make and coordinate journal entries for the general ledger and accounts payable and receivable; to oversee and assist in the processing and issuance of purchase orders, licenses and utility billings; to oversee and assist in maintaining the City payroll system; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS:

Senior Accounting Technician is the lead para-professional accounting classification in the Accounting Technician series in place in the City's Finance Department. An incumbent provides lead work direction to lower-level office and/or accounting support staff. A Senior Accounting Technician independently performs the most complex financial and statistical record-keeping assignments and assists in work planning, record keeping, report preparation and employee evaluation activities.

EXAMPLES OF DUTIES – Duties may include, but are not limited to, the following:

- Provides work direction and organization for an assigned group of office and accounting support staff.
- Processes accounts payable and receivable; prepares and processes utility billing; maintains related records.
- Oversees and assists in the processing and issuance of purchase orders.
- Assists in maintaining fixed asset records.
- Computes and processes City payroll; maintains and updates employee compensation records; prepares employee time sheets; processes payroll deductions, including tax withholdings; prepares payroll tax and insurance records.
- Processes business license applications and issues licenses.
- Prepares and processes journal entries for the general ledger; reconciles and balances statements; adjusts balances and carries over proper amounts at the close of each fiscal year.
- Makes fund transfers within legal requirements.
- Assists in preparing budget estimates and in preparing and monitoring annual budgets.
- Prepares payments, checks and warrants for approval and distribution.
- Gathers, reviews for accuracy, and enters and/or oversees the entering of all pertinent financial and other information into computer system.
- Reviews work of subordinate staff for accuracy and completion, and compliance with applicable policies, procedures and standards.
- Provides information to City staff on employee benefits and leave programs; maintains related records.
- Prepares reports required by the City and other government agencies.
- Assists with external audits of City financial records.
- Assists in maintaining computer record-keeping systems; troubleshoots problems and provides user training and support.
- Receives and responds to inquiries, requests for assistance, and complaints in areas of responsibility.
- Performs general office duties, including but not limited to typing reports and correspondence, entering and retrieving computer data, copying and filing documents, ordering supplies, sending and receiving faxes, answering the telephone, etc.
- Attends meetings, training, workshops, conferences, etc., as appropriate to enhance job knowledge and skills.

MINIMUM QUALIFICATIONS**Knowledge of:**

- Laws, codes and regulations governing fiscal operations of the department, including complex state revenue and tax codes and requirements.
- Principles of training and work direction.
- Principles and methods of financial and statistical record-keeping and budget preparation.
- Journal entry and auditing principles.
- Government procurement methods.
- Standard clerical practices and procedures.
- Modern office technology, including the use of computers for word and data processing and records management.
- Correct English usage, spelling, grammar and punctuation.
- Accounting mathematics.
- Record-keeping, report preparation and filing systems and methods.

Ability to:

- Understand, interpret and apply all pertinent laws, codes, regulations, policies and procedures, and standards.
- Provide work direction, coordination and training.
- Perform complex and/or specialized technical accounting work.
- Maintain a variety of financial records and files.
- Make mathematical computations quickly and accurately.
- Prepare accurate and complete financial reports from accounting data; reconcile discrepancies in financial records.
- Work independently and make independent judgments and decisions.
- Organize work, set priorities, meet critical deadlines and follow up on assignments with a minimum of direction.
- Understand and follow complex oral and written instructions.
- Effectively use computers for word and data processing, spreadsheet preparation and records management.
- Type accurately at speeds necessary for successful job performance.
- Safely operate basic office equipment.
- Deal tactfully and effectively with persons contacted in the course of work.
- Perform work effectively despite frequent interruptions and the pressure of deadlines.

Education and Experience:

Any combination of education and experience which would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education:

A high school diploma or GED equivalent. Completion of college-level coursework in accounting, business administration or a closely related field is highly desirable.

Experience:

Five years of increasingly responsible technical financial and statistical record-keeping experience, preferably including the use of an automated accounting and fiscal system, and lead or supervisory responsibilities; or two years as an Accounting Technician for the City of Corning.

Other Requirements:

Must possess a California driver's license and have a satisfactory driving record.

SENIOR ACCOUNTING TECHNICIAN

DEFINITION:

Under direction, to provide lead work direction to office and/or accounting support staff; to perform a variety of the most complex financial and statistical record-keeping assignments; to oversee, make and coordinate journal entries for the general ledger and accounts payable and receivable; to oversee and assist in the processing and issuance of purchase orders, licenses and utility billings; to oversee and assist in maintaining the City payroll system; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS:

Senior Accounting Technician is the lead para-professional accounting classification in the Accounting Technician series in place in the City's Finance Department. An incumbent provides lead work direction to lower-level office and/or accounting support staff. A Senior Accounting Technician independently performs the most complex financial and statistical record-keeping assignments and assists in work planning, record keeping, report preparation and employee evaluation activities.

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- Processes business license applications and issues licenses.
- Prepares and processes journal entries for the general ledger; reconciles and balances statements; adjusts balances and carries over proper amounts at the close of each fiscal year.
- Makes fund transfers within legal requirements.
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- Prepares payments, checks and warrants for approval and distribution.
- Gathers, reviews for accuracy, and enters and/or oversees the entering of all pertinent financial and other information into computer system.
- Reviews work of subordinate staff for accuracy and completion, and compliance with applicable policies, procedures and standards.
- Provides information to City staff on employee benefits and leave programs; maintains related records.
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- Principles of training and work direction.
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- Journal entry and auditing principles.
- Government procurement methods.
- Standard clerical practices and procedures.
- Modern office technology, including the use of computers for word and data processing and records management.
- Correct English usage, spelling, grammar and punctuation.
- Accounting mathematics.
- Record-keeping, report preparation and filing systems and methods.

Ability to:

- Understand, interpret and apply all pertinent laws, codes, regulations, policies and procedures, and standards.
- Provide work direction, coordination and training.
- Perform complex and/or specialized technical accounting work.
- Maintain a variety of financial records and files.
- Make mathematical computations quickly and accurately.
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- Organize work, set priorities, meet critical deadlines and follow up on assignments with a minimum of direction.
- Understand and follow complex oral and written instructions.
- Effectively use computers for word and data processing, spreadsheet preparation and records management.
- Type accurately at speeds necessary for successful job performance.
- Safely operate basic office equipment.
- Deal tactfully and effectively with persons contacted in the course of work.
- Perform work effectively despite frequent interruptions and the pressure of deadlines.

Education and Experience:

Any combination of education and experience which would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education:

A high school diploma or GED equivalent. Completion of college-level coursework in accounting, business administration or a closely related field is highly desirable.

Experience:

Five years of increasingly responsible technical financial and statistical record-keeping experience, preferably including the use of an automated accounting and fiscal system, and lead or supervisory responsibilities; or two years as an Accounting Technician for the City of Corning.

Other Requirements:

Must possess a California driver's license and have a satisfactory driving record.

Proposed new pay scales:

Senior Accounting Technician (10% increase over Accounting Technician pay scale):

Step A	Step B	Step C	Step D	Step E
\$3,457	\$3,639	\$3,830	\$4,032	\$4,244

Administrative Secretary (with a 3% increase over existing pay scale):

Step A	Step B	Step C	Step D	Step E
\$2,804	\$2,951	\$3,106	\$3,269	\$3,442

Public Works Maintenance Worker (with a 2% increase over existing pay scale):

Step A	Step B	Step C	Step D	Step E
\$2,801	\$2,948	\$3,103	\$3,267	\$3,438

Existing pay scale:

Accounting Technician:

Step A	Step B	Step C	Step D	Step E
\$3,142	\$3,307	\$3,482	\$3,665	\$3,858

**ITEM NO.: J-8
EXTENSION OF LEASE OPTION AGREEMENT
AMENDMENT NO. 2 FOR SOLAR POWER
PRODUCTION AT THE CITY'S VACANT
PROPERTY ADJACENT TO THE WASTEWATER
TREATMENT PLANT (WWTP)**

August 27, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: JOHN L. BREWER, AICP; CITY MANAGER

JLB

SUMMARY:

Staff recommends Council authorize the Mayor to sign the attached "Amendment No. 2" to the existing Lease Option Agreement with Ecoplexus, a solar energy provider. This Amendment affects property located adjacent to the City's Wastewater Treatment Plant and amounts to an 18-month extension of the current Lease Option document (attached) that is to expire on October 5th.

The attached "Amendment" document would provide an additional period for Ecoplexus to execute a Power Purchase Agreement with PG&E, and obtain the necessary permits to install solar power producing equipment on up to twenty (20) vacant acres at the WWTP. For the Lease Option Extension, Ecoplexus has agreed to provide the City an additional "Consideration Fee" of \$900.

BACKGROUND:

The City approved a Lease Option Agreement with Ecoplexus in March of 2012. The document was signed on April 5, 2012. This Agreement entitled Ecoplexus an 18-month window in which to secure a Power Purchase Agreement with PG&E. Unfortunately, due to delays at the Public Utilities Commission and PG&E, roughly a year has elapsed in implementing the program and allowing the solar project to proceed. For that reason, Ecoplexus seeks an 18-month extension to the Lease Option Agreement.

Note that the original "Option" document identified only fifteen (15) acres available for lease. Staff now believes that we could commit to lease twenty (20) areas without impacting future WWTP needs over the next 20 years. The attached aerial photograph shows the vacant property to be affected by the proposed Lease. If the Power Purchase Agreement and entitlements are secured, a 20-year Lease Agreement will be forwarded to the City for consideration and approval prior to installation of the solar equipment.

Amendment No. 2 to the existing Lease Option Agreement has been reviewed by Staff and the City's Attorney Jody Burgess. Mr. Burgess recommended some minor revisions that have been incorporated into the document for consideration before you tonight.

Staff has corresponded with Mr. Bill Brick of Ecoplexus regarding this matter and he is expected to attend the Council meeting to respond to any questions that you may have.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE MAYOR, UPON CITY RECEIPT OF THE \$900 "CONSIDERATION FEE", TO SIGN AND EXECUTE AMENDMENT NO. 2 TO THE EXISTING LEASE OPTION AGREEMENT WITH ECOPLEXUS FOR USE OF VACANT CITY PROPERTY ADJACENT TO THE WASTEWATER TREATMENT PLANT.

**AMENDMENT NO. 2 TO THE LEASE OPTION AGREEMENT DATED APRIL 05, 2012
BETWEEN THE CITY OF CORNING, CALIFORNIA AND ECOPLEXUS, INC. (THE
"AGREEMENT")**

This Amendment to the Agreement is made on August 19, 2013 between The City of Corning, California (the "Optionor") and Ecoplexus, Inc. (the "Optionee").

WITNESSETH:

WHEREAS, after signing the Agreement, the PG&E Feed-in Tariff ("FIT") that was predicating the development of a solar project on Optionor's real property was delayed from the third calendar quarter 2012 to its current effective date of July 24, 2013.

WHEREAS, Optionee endeavors to construct and operate Solar Energy Facilities on the Premises under FIT, which initial program period opens on November 1, 2013 and is anticipated to continue through February 2015.

MODIFICATION TO THE AGREEMENT

NOW THEREFORE, The parties hereby amend the Agreement as follows:

1. *Clarify Property to consist of the entirety of Assessor Parcel Numbers 75-290-04 & 36, each parcel being ten (10) acres, for a total of twenty (20) acres.*
2. *The lease price shall be \$1200/acre per year.*
3. *Extend the Option Period for an additional eighteen (18) months to April 5, 2015.*

All other aspects, terms and obligations of the Agreement shall remain in full force and effect.

OPTIONOR:

Sign: _____

Date: _____

Print: Gary R. Strack, Mayor

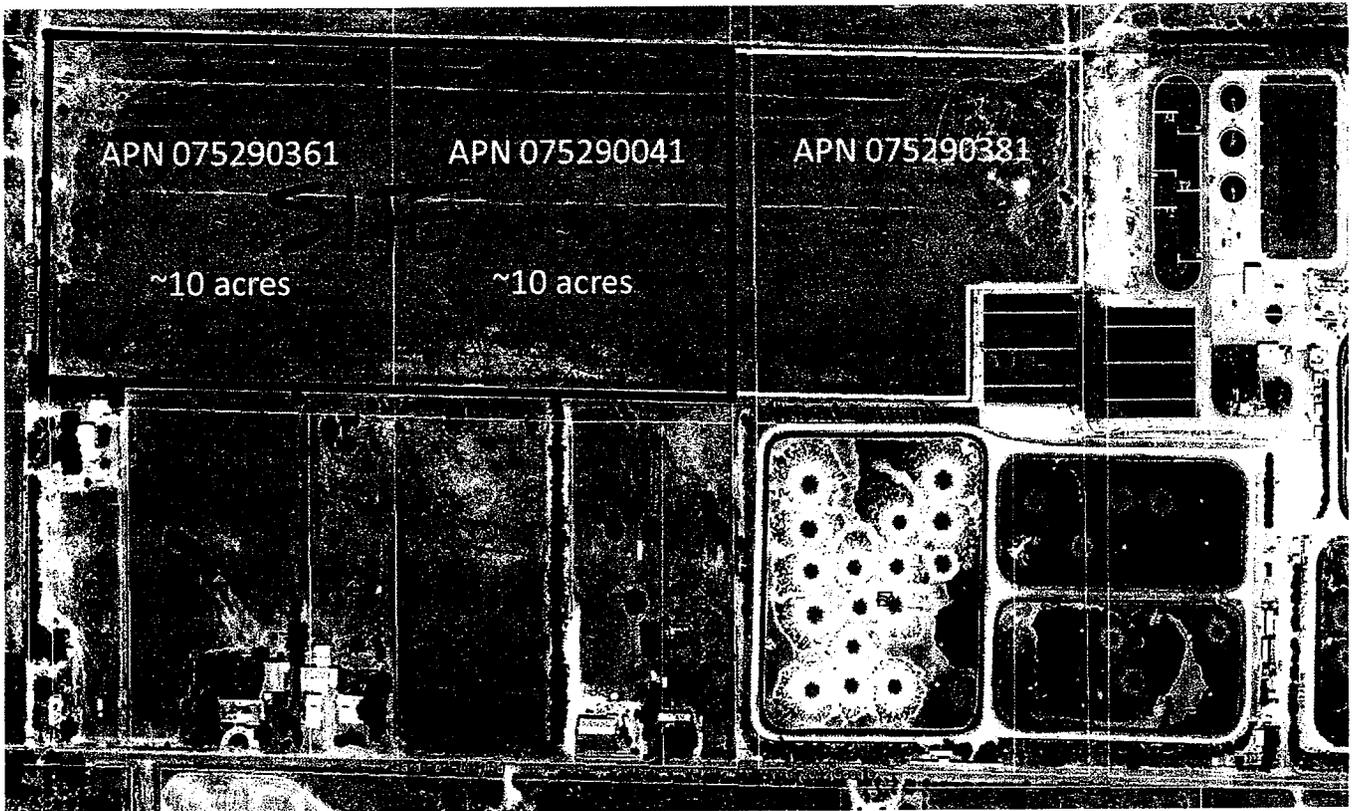
OPTIONEE:

Sign: _____

Date: _____

Print: _____

Corning WWTP APN's



OPTION TO LEASE AGREEMENT

This Option to Lease Agreement ("Lease Option Agreement") is made on April 5, 2012 between The City of Corning, California (the "Optionor") and Ecoplexus, Inc. (the "Optionee").

WITNESSETH:

WHEREAS, Optionor is the fee owner of certain real property being, lying and situated at the City of Corning's Waste Water Treatment Plant located at in the City of Corning, County of Tehama, California (the "Property");

WHEREAS, Optionor desires to lease to Optionee and Optionee desires to lease from Optionor a portion of the Property consisting of up to a still to be determined number of acres, estimated to be fifteen, at a fixed lease rate twelve hundred dollars (\$1,200.00) per acre per year for a term of twenty (20) years;

WHEREAS, Optionor and Optionee are diligently working together in good faith to execute a ground lease agreement and will continue to do so during the Option Term, the subject of which is the aforementioned Property (the "Ground Lease Agreement");

WHEREAS, Optionee desires to construct and operate Solar Energy Facilities on the Premises for the purpose of selling electricity to Pacific Gas & Electric and in accordance with the terms and conditions set forth herein;

NOW, THEREFORE, for and in consideration of the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Optionor hereby grants to Optionee an exclusive option to lease the aforementioned Property, subject to the terms and conditions contained in this Lease Option Agreement.

AGREEMENT:

The parties hereto hereby agree as follows:

1. **OPTION TERM & PAYMENT.** The option to lease period commences on the last day signed below ("Effective Date") for a period of eighteen (18) months ("Option Period). Within five calendar days after execution of this Agreement, Optionee shall pay to Optionor nine hundred (\$900.00) dollars as non-refundable consideration for the Lease Option being granted herein.
2. **COMPLETION OF GROUND LEASE AGREEMENT.** Prior to the expiration of the Lease Option Agreement, Optionor and Optionee shall work together in good faith to enter into a Ground Lease Agreement for the Property as contemplated herein. If the Ground Lease Agreement is not executed by the parties prior to the end of the Option Term (18 months), the parties may mutually agree to extend the Option Term in increments of three (3) months. Any extension of the Option Term shall be contemporaneously placed in writing and signed by both parties to this Agreement as required in Section 11 herein.
3. **EXCLUSIVITY OF OPTION.** This Lease Option Agreement is exclusive and exists solely for the benefit of the named parties and their assignees. Optionee and Optionor shall not sell, transfer or assign the Agreement or any interest therein, without the prior written consent of the other party,

which shall not be unreasonably withheld, conditioned or delayed; however, that, without the prior consent of Optionor, Optionee may (i) assign this Agreement to an Affiliate of Optionee; or (ii) assign this Agreement as collateral security in connection with any financing of the Generating Facility. Optionee may record a Memorandum of Lease Option Agreement at any time during the Option Period that is consistent with the terms of this Agreement and unambiguously announces the term of the Option as set forth herein

4. REMEDIES UPON DEFAULT. If Optionee defaults under this Lease Option Agreement or the Ground Lease Agreement, then in addition to any other remedies available to Option or at law or in equity, Optionor may terminate this Lease Option Agreement by giving written notice of the termination. If terminated, the Optionee shall lose entitlement to any refund of rent. For this Option to Lease Agreement to be enforceable and effective, the Optionee must comply with all terms and conditions contained herein.

5. COMMISSION. No real estate commissions or any other commissions shall be paid in connection with this transaction.

6. ACKNOWLEDGMENTS. The parties are executing this Lease Option Agreement voluntarily and without any duress or undue influence. The parties have carefully read this Lease Option Agreement and have asked any questions needed to understand its terms, consequences, and binding effect and fully understand them and have been given an executed copy. The parties have sought the advice of an attorney of their respective choice if so desired prior to signing this Lease Option Agreement.

7. TIMING. Time is of the essence in this Lease Option Agreement.

8. BINDING AGREEMENT. This Lease Option Agreement shall become legally binding upon execution.

9. GOVERNING LAW AND VENUE. This Lease Option Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of California. The parties further agree that the venue for any and all disputes related to this Option to Lease shall be Tehama County, California.

10. GROUND LEASE AGREEMENT CONTROLLING. In the event a conflict arises between the terms and conditions of the Ground Lease Agreement and the Lease Option Agreement, the Ground Lease Agreement shall control.

11. ENTIRE AGREEMENT; MODIFICATION. This document sets forth the entire agreement and understanding between the parties relating to the subject matter herein and supersedes all prior discussions between the parties. No modification of or amendment to this Lease Option Agreement, nor any waiver of any rights under this Lease Option Agreement, will be effective unless in writing signed by the party to be charged.

12. FINAL PARAGRAPH. This is the last paragraph of the Agreement, which consists of three pages (signature lines included).

OPTIONOR:

Sign:


Gary R. Strack, Mayor

Date:

4/5/2012

Print:

Gary R. Strack

OPTIONEE

Sign:  Date: 9/10/12

Print: Erik Stuebe, President

AMENDMENT TO THE OPTION TO LEASE AGREEMENT

This Amendment to the Option to Lease Agreement ("Lease Option Agreement") is made on May 15, 2012 between The City of Corning, California (the "Optionor") and Ecoplexus, Inc. (the "Optionee").

WITNESSETH:

WHEREAS after signing the Option to Lease Agreement dated April 5, 2012 ("Agreement"), Optionee requested that an amendment to the Agreement be given to identify the assessor parcel numbers that make up the property to be leased by Optionee.

WHEREAS there being no substantive change to the Agreement and all matters remaining the same; the amendment is merely to clarify the definition of Property by including reference to its assessor parcel numbers.

WHEREAS this amendment was prompted by request from Pacific Gas and Electric as part of its site control requirement imposed on Optionee as it relates to the potential occupation and development of solar power at the property identified herein.

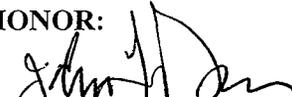
MODIFICATION TO THE AGREEMENT

NOW THEREFORE The parties hereby amend the agreement by further defining the term Property as follows:

Optionor is the fee owner of certain real property being, lying and situated at the City of Corning's Waste Water Treatment Plant located at in the City of Corning, County of Tehama, California bearing Assessor Parcel Numbers 75-290-04 & 36 (the "Property").

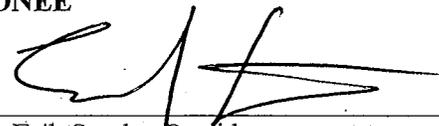
All other aspects, terms and obligations of the Agreement shall remain in full force and effect.

OPTIONOR:

Sign:  Date: 5/15/2012
John Brewer, City Manager

Print: John L. Brewer

OPTIONEE

Sign:  Date: 5/15/12
Erik Steube, President

Print: Erik Steube

(AMENDMENT #1)