



City of Corning

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THE CORNING FRIDAY NOTES

TO: MAYOR AND COUNCIL
FROM: CITY MANAGER JOHN L. BREWER, AICP
DATE: OCTOBER 25, 2013

CITY MANAGER:

Homecoming Parade – Friday, October 25th:

The Homecoming Parade will begin at 3:00 p.m. on Friday, October 25th; this year's theme is "Cards Go for the Gold". As in the past, and in response to a request from CUHS Principal Charlie Troughton), the Police Department, Police Cadets and Public Works will again assist with crowd control and street and no parking barricades. The parade will begin on Solano St. at Third St. heading west to Toomes and Solano where it will disband. The float procession will set up mostly on Marin Street.

Development Impact Fee Update:

We have prepared a draft of Nexus Study supporting an update to the Development Impact Fee Program. We will present the study in a Power Point presentation for Council consideration at the November 12th meeting. Staff plans to deliver the draft documents to the City Council next week.

Solano Streetscape Project:

Ed Anderson is updating the plans. We are working with Sean Harrasser of the Tehama County Transportation Commission Staff to satisfy the NEPA (Federal Environmental) process. The single remaining issue is updating the previous Historical Analysis. Caltrans Staff recommended we utilize the Consultant who completed the previous analysis for the City; Eco-Analysts of Chico. We contacted them and they've provided a workplan and cost proposal. We're making sure the workplan will satisfy those that'll review/approve the NEPA document prior to presenting it for Council approval.

Lawrence & Associates Work Plan Product:

As you may recall, the California Department of Toxic Substances Control (DTSC) has sent a letter requiring that we prepare a work plan for sampling groundwater and soils in the area adjacent to the former burn dump at Carona Ave. and Rawson Rd. Initially they requested our submittal by Sept. 1st. However, they've approved postponements pending completion of a State sponsored soil profile report that was emailed to us on October 24th. We are supposed to present the work plan by November 1st.

The preparation of the work plan and the work itself is of a very specialized nature. There are few consultants qualified to perform these tasks in our area. Lawrence and Associates from Shasta County regularly completes monitoring of petroleum product migration through the groundwater for several clients in the vicinity of South Avenue and the Old Highway. For that reason, we've contacted them and asked them to provide us with a cost estimate for the preparation of the work plan and to complete the associated work. On October 25th (Friday) they provided an estimate along with a contract for City consideration and approval. We then contacted DTSC to inform them that this contract requires City Council approval and the next available Council meeting is on November 12th. In light of that, DTSC has agreed to provide us additional time to complete the work plan. We will present the contract and related information for City Council consideration at the November 12th meeting.

Skate & Bike Park Safety Equipment Enforcement Policy:

We've asked Police Chief Don Atkins to prepare a comprehensive plan for enforcement of the safety equipment required at the Skate & Bike Park. A copy of that plan is attached. It will be provided to all Police Officers and Dispatchers and all City Employees so that we are all providing consistent information regarding the need to wear helmets, knee and elbow pads.

CITY CLERK:

League of CA Cities 2013 Legislative Briefing (Information Attached):

The League of CA Cities will present the "2013 Legislative Briefing" (see attached) on **Monday, November 4th** at Redding City Hall, 777 Cypress Avenue, Redding from 1 – 4 p.m. For those interested and unable to attend on November 4th, a Webinar addressing the above issues is scheduled for November 6th from 9:30 – 11 a.m. City Council Members interested in attending or in utilizing the webinar, please contact Lisa Linnet (824-7033) **no later than October 28th**.

Date & Time Change for Tehama County Board of Supervisors Informational Session:

The City Council members and/or Commissioners have been invited to participate in the Tehama County Board of Supervisors Informational Session Meeting scheduled for **Wednesday, November 13, 2013 at 6:00 p.m. (please note the date & time change)** in the Board Chambers located at 727 Oak Street in Red Bluff. City Clerk Lisa Linnet has already RSVP'd for the City Council and City Staff.

Expect More Tehama Summit: It's a Big Deal!:

Expect More Tehama has issued an invitation to the members of the City Council and City Staff attend the fourth "Expect More Tehama Summit: It's a Big Deal!" They are inviting us to join them for a special day to learn how Tehama County continues to answer the BIG question: *What can we do or put in place that will start to raise expectations and support youth in continuing their education and skills beyond high school?*

If you plan to attend, please contact Lisa ASAP so that she can consolidate the RSVP to slown@ncen.org. The date, time and location for this event are:

November 13, 2013

8:30am to 2pm

Rolling Hills Casino

Breakfast & Lunch Provided

14th Annual Northstate Economic Forecast Conference (Agenda Attached):

The Conference is on **January 16, 2014** from 7:30 a.m. to 5 p.m. at Gold Country Event Center, 4020 Olive Hwy., Oroville, CA 95966. Councilmembers/City Staff contact City Clerk Lisa Linnet at 824-7033 prior to December 1, 2013 if you are interested in attending this conference.

PUBLIC WORKS DEPARTMENT:

Martini Plaza:

Due to the increased vandalism at the Martini Plaza restrooms, Public Works is now taking measures to decrease vandalism at this site. New locking doors will be installed on the restrooms and wrought iron locking doors will be placed at the openings leading into the restroom area. These doors will be locked and unlocked on a daily basis. Hopefully these measures will reduce the vandalism and help the Police Department visually patrol the Park.

Corning Community Park:

The opening of the Corning Community Park was a success. With the large amount of people that showed up for the opening, there was minor damage to the landscape. Trent Construction is now working to file for a Notice of Substantial Completion on Phase I of the Corning Community Park.

Some of the new garbage cans have been tagged with graffiti at the Park. The culprit(s) used permanent marking pens. This graffiti has already been removed.

As of Friday, October 18th, Sierra Landscape started their 120-day maintenance for the landscape at the Park. This maintenance was included in the bid and requires them to maintain the landscaping at the Park, which includes mowing and irrigation, during this 120-day time period.

Corning Union High School Homecoming:

Today is the Homecoming Parade. Public Works placed "No Parking" signs on Solano Street yesterday and will initiate traffic control measures on Friday afternoon. Once the parade is completed and participants are off Solano Street the traffic control measure will be removed.

POLICE DEPARTMENT:

Patrol:

In addition to responding to 198 calls for service, a total of 38 officer reports were taken and there were 95 officer-initiated incidents. Officers made 11 misdemeanor and 6 felony arrests, 35 traffic stops and issued 24 citations of which 20 were misdemeanors, and 4 were infractions during the period of October 16, 2013 through October 23, 2013.

Community:

Another reminder that the Police Department will be participating in the Drug Enforcement Agency's National Prescription Drug Take-Back Program on October 26, 2014 from 10:00 a.m. to 2:00 p.m. at the Corning Police Department.

2013 Legislative Briefing

In Person – Monday, November 4
(Redding City Hall, 777 Cypress Avenue, Redding)
Time: 1:00 to 4:00 p.m.

Webinar – Wednesday, November 6
Time: 9:30 to 11:00 a.m.

Please join the League for the 2013 Legislative Briefing. There will be two opportunities to attend; in-person at Redding City Hall, or online via webinar.

During this year's Legislative Briefing, League lobbyists will be discussing the new laws that were adopted in the 2013 legislative year, with an emphasis on laws of most interest to cities. League lobbyists will also share their perspective on coming issues for 2014, including efforts to increase transportation funding, lower local voter thresholds, the water bond, medical marijuana, labor and human resources and post-RDA infrastructure and development tools.

Member and League Partner registration fee is \$25*.
The cost for non-member city participants is \$325 per person for the in-person Legislative Briefing and \$125 per city for the Webinar.

Please register for the **in-person** event at www.cacities.org/events by
12:00 p.m., Friday, November 1

Please register for the **WEBINAR** at www.cacities.org/events by
12:00 p.m., Tuesday, November 5

For questions on how to register for the webinar, please contact Megan Dunn at mdunn@cacities.org.
For all other questions, please contact Meg Desmond at mdesmond@cacities.org.

**One connection per city or partner, please.*



Healthy Time to Grow

The Center for Economic Development is proud to announce that the theme of the 14th Annual Northstate Economic Forecast Conference will be "Healthy Time to Grow." It will focus on health care as an emerging opportunity for economic growth in the North valley. The conference will examine our region's ability to leverage healthcare and other assets, as well its various prescriptions for economic growth in the upcoming year.

The conference will take place on **January 16, 2014** at the Gold Country Event center.

In addition to the main session, this year's conference will include:

- Hot breakfast (Registration and Breakfast – 7:30 a.m. to 8:30 a.m.)
- General Session – 8:30 a.m. to 12:00 p.m.
- Lunch – 12:00 p.m. to 1:30 p.m.
- Afternoon break-out sessions – 1:30 p.m. to 4:00 p.m.
- A networking reception – 4:00 p.m. to 5:00 p.m.
- A trade show

Last year's conference recorded over 500 attendees. With that number increasing each year, this event has become an excellent networking opportunity on top of providing invaluable insight for businesses and organizations of all types.

Speakers this year include:

- John Chiang, State Controller
- Dr. Robert Eyster, Sonoma State University
- Robert J. Wentz, President & CEO, Oroville Hospital
- Ana Varona, Wellness Coordinator, Sierra Nevada Brewing Co.
- Micah Weinberg, Senior Policy Advisor to the Bay Area Council

**Healthy Time to Grow
Prescription for Economic Growth
Leveraging our Healthcare and Other Assets**



The 2014 Economic Forecast Conference will provide an in-depth and candid look at where the national, state and North Valley economies are heading in the near and long-term future. Expanded and improved to give you the critical information needed for successful business, community and strategic planning.

The focus of the 14th Annual Northstate Economic Forecast Conference will be Health Care as an emerging opportunity for economic growth in the North Valley



Regional Welcome

Dan Ripke , Director, Center for Economic Development



The Northstate Economy

Dr. Robert Eyler , Sonoma State University

BREAK



The California Economy

John Chiang , State Controller



Economic Impact of the Accountable Care Act

Robert J. Wentz , Oroville Hospital President & CEO

Micah Weinberg , Senior Policy Advisor,

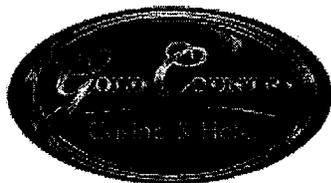
Bay Area Council



**Worksite Wellness Case Study: Health Risk
and Health Care Cost Reductions at the
Sierra Nevada Brewing Co.**

Ana Varona , Wellness Coordinator, Sierra
Nevada Brewing Co.

Conference Hosted by





MEMO

From the desk of Chief Don Atkins. *Da*

TO: All Personnel

RE: Safety equipment at Corning Community Park Skate & Bike Facilities

DATE: October 24, 2013

With the opening of the Corning Community Park Riding Facilities, the City is asking the Corning Police Department to enforce the safety equipment rules within the riding facilities. Before the park was opened, the City Council passed **Emergency Ordinance No. 653** which became **Corning Municipal Code 7.20.020**, Requirements to Use Safety Equipment and Abstain from Dangerous Activities. **See attached copy of Ordinance No. 653.**

Any city employee upon seeing anyone not wearing the required protective gear in the riding facilities has the authority to advise the violator(s) they cannot use the facilities until they have the proper protective gear. If the violator(s) refuses to leave the riding facilities, the city employee **shall** call the police department to have an officer assist in having the violator(s) leave the riding facilities.

Officers will, as time and calls permit, patrol the park and contact any violator(s) who are not wearing the required protective equipment. The following procedure **shall** be followed when dealing with subjects not adhering to CMC 7.20.020. A press release will be given to the newspaper regarding CMC 7.20.020 advising users of the riding facilities what will happen if they fail to wear the required protective gear.

The following procedure will be followed until November 24, 2013:

1. Officers **shall** issue a verbal warning to violators advising them they need to leave the riding facilities until they are wearing the required protective gear consisting of a **helmet, elbow pads and kneepads.**
2. Officers **shall** advise the violators that after November 24, 2013 if they are contacted for not wearing protective gear, they **shall** be cited and their skateboard, roller blades, BMX bicycle, or push scooter **may** be confiscated (CMC 7.20.040).

3. Officers **shall** get the names of the violators they contact and forward the names to dispatch. Dispatch will keep a list of the violators for future reference.

The following procedure will be followed after November 24, 2013

1. When contacting violators for not wearing the required protective gear, get the violators name and check with dispatch to see if the violators have been previously warned. If the violators have been given a warning, the Officer **shall** issue the violators a citation for violation of CMC 7.20.020 and have the violators leave the riding facilities until they have the required protective gear.
2. If it is a violator's first contact, the Officer **may** issue a warning and have the violator leave the riding facilities until they have the required protective gear. If the violator has a second contact for not wearing protective gear, the violator **shall** be issued a citation and told to leave the riding facilities until obtaining the required protective gear.
3. If an Officer issues a citation and confiscates a violator's skateboard, roller blade, BMX bicycle, or push scooter, the officer **shall** give the violator a written property receipt, bring the property back to the police department and log the property into the evidence room. The property will be held in evidence until adjudicated by the court.

THE ABOVE PROCEDURES WILL BE IN EFFECT UNTIL OTHERWISE RESCINDED.

ORDINANCE NO. 653

AN URGENCY ORDINANCE OF THE CITY OF CORNING ADDING CHAPTER 7.20 TO THE CORNING MUNICIPAL CODE RELATING TO THE USE OF THE SKATEBOARD/BMX BICYCLE PORTION OF THE NEW CORNING COMMUNITY PARK

The City Council of the City of Corning does ordain as follows:

Section 1. The City Council of the City of Corning finds and determines that:

- a. The City of Corning owns and maintains public parks within the City for the recreational use and enjoyment of its residents and their invitees.
- b. There is a need to enact reasonable laws, rules and regulations to govern activities which occur at these parks to ensure that everyone can enjoy these facilities without the presence or occurrence of public nuisances of various kinds.
- c. Public nuisances may take the form of loud noise, littering, animal waste, abuse of alcohol or drugs, smoking, panhandling and other activities or conditions.
- d. The enactment of reasonable laws, rules and regulations will ensure that everyone using the parks will be allowed to use and enjoy them without undue interference from others.
- e. There is an urgent need now to adopt regulations to ensure public safety within that portion of the new Corning Community Park dedicated to skateboard, rollerblade and BMX bicycle activities to be followed up later with regulations pertaining to the other issues mentioned which would apply to all parks within the City of Corning.

Section 2. The following new sections are added to the Corning Municipal Code:

7.20.10 Location and Purpose of Skateboard/BMX Bicycle/Rollerblade Facilities.

Facilities have been installed within the new Corning Community Park (itself hereafter referred to as the "Park") which are designed specifically for the use of skateboard riders, rollerblade riders and riders of BMX bicycles only (these facilities themselves hereafter referred to as the "riding facilities") and these riding facilities are not supervised on a regular basis as described in the California Health and Safety Code Section 115800.

7.20.020 Requirements to Use Safety Equipment and Abstain from Dangerous Activities.

Persons riding skateboards, rollerblades or BMX bicycles within the riding facilities located within the Park shall at all times wear all required protective gear. It is unlawful and shall be an infraction for anyone to engage in any of the following actions:

1. Ride a skateboard, rollerblade, BMX bicycle or any other device within the riding facilities without wearing all required protective gear. The phrase "all required protective gear" refers to all of the following: a helmet securely fastened under the chin, elbow pads on each elbow and knee pads on each knee, all of which items have been commercially manufactured and designed to provide protection of the rider from personal injury in the event of impact with a solid surface:
2. Ride any type of motorized device within the riding facilities;

3. Ride any type of cycle or scooter except for BMX bicycles within the riding facilities;
4. Engage in activities within the riding facilities which knowingly create a reasonably foreseeable danger of physical harm or injury to another person;
5. Engage in activities within the riding facilities which violate any of the posted rules;
6. If, under age 12, ride any type of device within the riding facilities without the presence of a supervising adult;
7. Failure to immediately leave the riding facilities upon demand of a City employee to do so after being observed using the riding facilities in violation of any of the rules set forth above.

7.20.030 Posting of Signs.

The Public Works Director of the City shall post a sign or signs near the riding facilities which describes the basic safety requirements set forth above and which alerts members of the public violating the rules relating to the use of the riding facilities that they are subject to citation for infractions and to confiscation of their skateboards, rollerblades and/or BMX bicycles. In addition to the foregoing requirements, the Public Works Director may make and/or post other rules which apply to the use of the riding facilities such as the hours of use, prohibitions of graffiti or tagging, rules pertaining to drinking and smoking, etc.

7.20.040 Confiscation.

If a person is observed to have violated any of the rules set forth above, a citation may be issued to him or her and his or her skateboard, rollerblade and/or BMX bicycle may be immediately confiscated by the City and retained until such time as a court of law has made a determination on the citation. If the person is found guilty, his or her skateboard, rollerblade and/or BMX bicycle is automatically deemed forfeited to the City to dispose of in whatever manner it deems appropriate. The forfeiture of such device shall be in addition to and not in lieu of whatever penalty is imposed by a judge for the infraction. If the person is not found guilty, such device shall forthwith be returned to the individual by the City.

7.20.050 Assumption of Risk.

Any and all persons riding skateboards, rollerblades or BMX bicycles within the riding facilities of the Park or in close proximity thereto shall be deemed to have assumed the risk of any harm or injury they may incur in that activity. The use of such devices even with the safety equipment (ie. protective gear) required is considered a "hazardous recreational activity" within the meaning specified in California Health and Safety Code Section 115800 and California Government Code 831.7. The riding facilities within the Park are "use at your own risk" facilities and persons using the riding facilities must recognize that their use is "high risk" exposing the user to serious injury including broken bones, paralysis or death. Users of the riding facilities are expected to know their own abilities and ride accordingly.

Section 3. If any of the provisions of this Ordinance or the application thereof to any person or circumstance is held legally invalid, the remainder of the Ordinance, including the application of such provisions to persons or circumstances other than those to which it has been held to be invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable.

Section 4. The foregoing Ordinance was adopted as an Urgency Ordinance for public safety reasons at a regular meeting of the City Council of the City of Corning held on September 10, 2013 by the following vote:

Ayes: Strack, Dickison, Cardenas and Smith

Noes: None

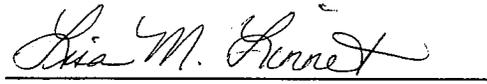
Absent: Linnet

Abstain: None

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


GARY STRACK, MAYOR

ATTEST:


LISA M. LINNET, CITY CLERK

**STATE OF CALIFORNIA
COUNTY OF TEHAMA
CITY OF CORNING**

I, Lisa M. Linnet, City Clerk of the City of Corning do hereby certify that the foregoing is a true and correct copy of Urgency Ordinance No. 653. This Ordinance was introduced and adopted by the votes listed on the attached copy of the Urgency Ordinance at a regular meeting of the City Council of the City of Corning held on September 10, 2013. Urgency Ordinance No. 653 was published in a newspaper of general circulation within the required legal time lines.

ATTEST:


Lisa M. Linnet, City Clerk