



CITY OF CORNING
CITY COUNCIL AGENDA

TUESDAY, DECEMBER 8, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET

A. CALL TO ORDER: 7:15 p.m.

B. ROLL CALL:

Council:

Becky Hill
Ross Turner
Toni Parkins
John Leach
Gary Strack

Mayor:

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. ADJOURN TO CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to subdivision (b) of Section 54956.9:

1 Issue

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

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

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

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

1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
2. Waive the Reading and Approve the Minutes of the November 24, 2009 City Council Meeting with any necessary corrections.
3. November 2009 Wages and Salaries - \$419,682.81.
4. November 2009 - Treasurer's Report.
5. December 2, 2009 Claim Warrant - \$126,054.09.
6. Business License Report – December 2, 2009.

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7. November 2009 Building Permit Valuation - \$2,400,941.56.
8. City of Corning Wastewater Operation Summary Report – November 2009.
9. Approve Progress Pay Estimate No. 2 in the amount of \$928,894.50 to Teichert Construction for the Airport Runway Improvement Project.
10. Approve Cancellation of the December 22, 2009 City Council Meeting Due to the Christmas Holidays.

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

- J. **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.**

11. Public Hearing: Adopt Proposed Resolution No. 12-08-09-02, Setting Annual City of Corning Water Rate Increases of 3% Per Year Effective April 1, 2010 through April 1, 2014.

K. **REGULAR AGENDA:**

12. Application for an Off-Sale General Alcoholic Beverage Permit License and Finding of Public Convenience or Necessity, Corning 99 Cents Plus Grocery, Inc. Address: 2013 Solano St.

13. Adopt Resolution No. 12-08-09-01; Authorizing Submittal of an Energy Efficiency and Conservation Block Grant Application, and Authorize City Manager to Execute Required Documents and Implement Project Specifications.

14. Corning Skate and Bike Park Association's Informational Report.

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

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

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

15. Hill:
16. Turner:
17. Parkins:
18. Leach:
19. Strack:

O. **ADJOURN TO CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to Section 54956.8

Potential Land Acquisition:

Potential Property: APN No.: 71-250-34, 1558 Houghton Avenue; **Purpose:**
To Extend the Jewett Creek Trail.

Negotiating Party: Stephen Kimbrough, John Brewer, Ed Anderson and John Stoufer.

P. **RECONVENE AND REPORT ON CLOSED SESSION:**

Q. **ADJOURNMENT!:**

POSTED: THURSDAY, DECEMBER 3, 2009

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, NOVEMBER 24, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:

Council:

**Becky Hill
Ross Turner
Toni Parkins
John Leach
Gary Strack**

Mayor:

All members of the City Council were present except Councilor Parkins.

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. ADJOURN TO CLOSED SESSION: 7:02 p.m.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Section 54956.8

Potential Land Acquisition:

**Potential Properties: APN No's: 71-250-06, 71-250-21, 71-250-35, 71-250-38,
71-116-01, 71-116-02 and 71-116-03.**

**Negotiating Party: Stephen Kimbrough, John Brewer, Ed Anderson and
John Stoufer.**

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

Mayor Strack announced that the Council met in Closed Session with property negotiators and gave them direction.

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

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

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS: None.

G. BUSINESS FROM THE FLOOR: None.

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

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

2. Waive the Reading and Approve the Minutes of the November 10, 2009 City Council Meeting with any necessary corrections.

3. November 19, 2009 Claim Warrant - \$904,314.44.

4. Business License Report – November 2009.

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5. **Approve Use of Transportation Center by PAL Boxing Program.**
6. **Approve Transfer of Designated Funds to Animal Control Spay and Neuter Voucher Program.**
7. **Approve Fire Dispatcher Classification and Authorize Filling Vacant Fire Dispatcher Position.**

Mayor Strack introduced each of the Consent Agenda Items by title and stated that Item 6 is being removed as it is already in the Budget. Councilor Hill asked to remove Consent Agenda Item No. 5 for further discussion. With no further discussion on the remaining items, Councilor Turner moved to approve Consent Agenda Items 1-4 and 7 (Item 6 was removed from the Agenda). Councilor Hill seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

I. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

5. Approve Use of Transportation Center by PAL Boxing Program.

Councilor Hill stated for public information and clarification that the California Transportation Commission never put constraints on the use of the Transportation Center and in a letter to Mr. Dean Cofer dated April 6, 2009 noted that the Corning Transportation Center is still being used for a valid transportation purpose – by Amtrak and TRAX – and still meets the goal of Proposition 116 and is not misusing the Transportation Center. She also stated that in a letter dated November 10, 2009 from the Department of Transportation, the City was informed that the Bond Council reached the conclusion that the City may use the transit facility (Transportation Center) for the Police Activities League Boxing Program as long as the revenues generated are used solely for public transportation. With this being said, Councilor Hill moved to approve Consent Agenda Item 5 and Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

J. 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. None.

K. REGULAR AGENDA:

8. Approve Expenditures for Piping Drainage Course through Assessor's parcel 71-140-12 to Facilitate New Driveway Serving 2005 Solano Street, Mike Moller-Property Owner.

Mayor Strack introduced this item by title. Councilor Leach asked about the entry/egress from this property. Public Works Director John Brewer explained the changes on Solano Street informing the Council that left turns onto Solano Street from the stores would be prohibited and left turns into the stores from Solano Street will be prohibited once this is completed. City Manager Kimbrough gave acknowledged Public Works Director John Brewer and City Engineer Ed Anderson for their work on this issue.

Councilor Hill moved to:

- Authorize the installation of a new stormsewer drain line connecting the existing City drainage system pipes within the Toomes Storm drain on Assessor's Parcel No. 71-140-12, along with the associated catch basin, backfill and embedding materials; and
- Appropriate \$3,284 from Drainage Fund 345 to Street Projects Account 345-5100-3001 in the amount of \$700 for Employee Force Account Labor and \$2,584 to Account 345-8030-3001 for materials.

Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

9. Authorize Outside Counsel Review of City Attorney Contract.

Mayor Strack introduced this item by title stating that this has been an issue that has come up numerous times.

Councilor Hill moved to authorize Staff to seek the review of the City Attorney contract by outside Counsel. Councilor Turner seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

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

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

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

10. Hill: None

11. Turner: None

12. Parkins: Absent

13. Leach: None

14. Strack: Stated that he, John Brewer and Steve Kimbrough would be meeting with FAA on December 1st and hopefully will be able to get more money for the City. He also stated that the ribbon cutting for South Avenue was today and it really looks great. He acknowledged Barbara O'Keeffe and Gary Antone for their outstanding work on this project.

Councilor Turner asked about the status on the Theatre Roof. Tony Cardenas stated that the Theatre Committee has contact Richard Rezendes and will have something to the Council by the next meeting on this subject and John Brewer announced that part of the Heating and A/C would be covered under a grant. Walter Dodd asked what was the cost to the City for South Avenue Interchange improvements. He was informed none.

O. **ADJOURNMENT!:** 7:49 p.m.

Lisa M. Linnet, City Clerk

CITY OF CORNING**NOVEMBER 2009****TREASURERS REPORT**

AGENCY	BALANCE	RATE	MATURES ON
LOCAL AGENCY INVESTMENT FUND	2,049,576.69	.90	
PREMIER WEST BANK	196,100.79	1.78	03/28/10
PREMIER WEST BANK	175,773.49	1.78	04/20/10
TRUST ACCOUNTS			
PREMIER WEST BANK RIDELL TRUST	206,918.13	2.52	06/13/10

Respectfully Submitted

Pala Cantrell
City Treasurer



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: December 2, 2009

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, December 8, 2009 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	11-30-09	\$	31,127.93
B.	Payroll Disbursements	Ending	11-30-09	\$	33,303.66
C.	Cash Disbursements	Ending	12-02-09	\$	19,255.54
D.	Payroll Disbursements	Ending	12-01-09	\$	42,366.96

GRAND TOTAL \$ 126,054.09

REPORT.: Nov 30 09 Monday
 RUN.....: Nov 30 09 Time: 13.34
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-09 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 #	Payment Information Description
009699	11/23/09	LAM03	LAMBETH, TAMMY	216.00	.00	216.00	091123	REC INSTRUC-REC
009700	11/23/09	WAR04	WARREN, GLORIA	342.00	.00	342.00	091123	REC INSTRUC-REC
009701	11/30/09	ACI01	ACI ENTERPRISES, INC.	324.00	.00	324.00	9599	WorkmensComp. General Cit
009702	11/30/09	ATT13	AT&T	721.63	.00	721.63	091111	COMMUNICATIONS-
009703	11/30/09	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0910963	ProfServices Water Dept
009704	11/30/09	CHE02	CHEM QUIP, INC.	290.00	.00	290.00	2062006IN	MAT & SUPPLIES-PARKS
				1039.80	.00	1039.80	2062007IN	MAT & SUPPLIES-WTR
			Check Total.....:	1329.80	.00	1329.80		
009705	11/30/09	COR12	CORNING FORD MERCURY, INC	7.20	.00	7.20	18322	Veh Opr/Maint-PARKS
				622.93	.00	622.93	116730	Veh Opr/Maint-POLICE
			Check Total.....:	630.13	.00	630.13		
009706	11/30/09	DEP03	DEPT OF TRANS/CAL TRANS	100.80	.00	100.80	186322	Equip.Maint. St&Trf Light
009707	11/30/09	DEP12	DEPT OF JUSTICE	68.00	.00	68.00	765555	PROF SVCS-POLICE
				245.00	.00	245.00	765590	PROF SVCS-POLICE
			Check Total.....:	313.00	.00	313.00		
009708	11/30/09	ENP01	ENPLAN	128.75	.00	128.75	100919402	GIS SUPPORT-PLANNING
009709	11/30/09	FED01	FEDERAL EXPRESS	21.57	.00	21.57	940680455	OFFICE SUPPLIES-ADMIN
009710	11/30/09	GRA02	GRAINGER, W.W., INC	57.09	.00	57.09	912102377	MAT & SUPPLIES-BLD MAINT
009711	11/30/09	HOL04	HOLIDAY MARKET #32	34.97	.00	34.97	31837	Mat/Supplies-ACO
009712	11/30/09	LAS03	LASER "RENEW" ZIT	519.44	.00	519.44	15736	OFFICE SUPPLIES-POLICE
009713	11/30/09	LIN02	LINNETS TIRE SHOP	119.95	.00	119.95	49391	Veh Opr/Maint-POLICE
009714	11/30/09	M.R01	M.R. METAL WORKS	100.00	.00	100.00	1454	VEH OP/MAINT-FIRE
009715	11/30/09	NEX02	NEXTEL	331.30	.00	331.30	086319096	COMMUNICATIONS-POLICE
009716	11/30/09	PAT02	PATTERSON ELECTRIC,	419.77	.00	419.77	1764	BLD MAINT-FIRE
				94.77	.00	94.77	1771	MAT & SUPPLIES-BLD MAINT
			Check Total.....:	514.54	.00	514.54		
009717	11/30/09	PGE01	PG&E	21536.13	.00	21536.13	091118	Electricity General City-

REPORT.: Nov 30 09 Monday
 RUN.....: Nov 30 09 Time: 13:34
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-09 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
009718	11/30/09	PGE2A	PG&E	35.36	.00	35.36	091116	ELECT-BLUE HERON CT
009719	11/30/09	PGE2B	PG&E	2953.84	.00	2953.84	091121	ELECT-WWTP
009720	11/30/09	PRI06	PRICE, TYLER	105.00	.00	105.00	091130	REC INSTRUCT-REC
009721	11/30/09	QUI02	QUILL CORPORATION	122.58	.00	122.58	1682075	Office Supplies-
009722	11/30/09	SUN01	SUNRISE ENVIRONMENTAL	436.55	.00	436.55	92135	MAT & SUPPLIES-
009723	11/30/09	VAL01	VALLEY INDUSTRIAL COMM.	47.50	.00	47.50	99036	COMMUNICATIONS-FIRE

Cash Account Total.....: 31127.93 .00 31127.93
 Total Disbursements.....: 31127.93 .00 31127.93
 =====
 Cash Account Total.....: .00 .00 .00

REPORT.: Nov 30 09 Monday
 RUN...: Nov 30 09 Time: 13:34
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 11-09 Bank Account.: 1025

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
4259	11/30/09	AFL01	AMERICAN FAMILY LIFE	1826.52	.00	1826.52	A91130	AFLAC INS.PRE TAX
				101.74	.00	101.74	1A91130	AFLAC INS.AFTER TAX
			Check Total.....	1928.26	.00	1928.26		
4260	11/30/09	BLU02	BLUE SHIELD OF CALIFORNIA	13401.00	.00	13401.00	A91130	MEDICAL INSURANCE
4261	11/30/09	CIT01	CITY OF CORNING	6.00	.00	6.00	A91130	CHGS FOR WAGE ATCHWT
4262	11/30/09	OEU01	OPERATING ENGINEERS #3	11046.00	.00	11046.00	A91130	MEDICAL INSURANCE
4263	11/30/09	OEU02	OPERATING ENG. (DUES)	215.00	.00	215.00	A91130	UNION DUES MGMNT
				559.00	.00	559.00	1A91130	UNION DUES POLICE
				280.00	.00	280.00	2A91130	UNION DUES DISPATCH
				600.00	.00	600.00	3A91130	UNION DUES-MISC
			Check Total.....	1654.00	.00	1654.00		
4264	11/30/09	PRI04	PRINCIPAL	3459.27	.00	3459.27	A91130	DENTAL INSURANCE
				633.13	.00	633.13	1A91130	VISION INSURANCE
			Check Total.....	4092.40	.00	4092.40		
4265	11/30/09	TRA03	TRANSAMERICA LIFE INS CO.	1176.00	.00	1176.00	A91130	LIFE INSURANCE

Cash Account Total.....: 33303.66
 Total Disbursements.....: 33303.66
 =====

REPORT.: Dec 02 09 Wednesday
 RUN....: Dec 02 09 Time: 15:39
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 12-09 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
009694	12/02/09	LIN01	LINCOLN EQUIPMENT, INC.	-493.50	.00	-493.50	SI128348u	Ck# 009694 Reversed
				-2000.60	.00	-2000.60	SI128349u	Ck# 009694 Reversed
			Check Total.....	-2494.10	.00	-2494.10		
009731	12/01/09	UCR00	UC REGENTS	45.00	.00	45.00	091130	CONF.MTGS--
009732	12/01/09	BRE01	BREWER, JOHN	400.00	.00	400.00	000A912011	VEH OP/MAINT-
009733	12/01/09	CAR03	CARDENAS, ANTHONY	400.00	.00	400.00	000A912011	ProfServices PoliceServic
009734	12/01/09	COR07	CORBIN WILLITS SYSTEMS	729.72	.00	729.72	000A912011	Finance Dept.
009735	12/01/09	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000A912011	CngChamberComm. Economic
009736	12/01/09	HAL05	HALL, ROBERT	104.70	.00	104.70	000A912011	ProfServices FireDepartme
009737	12/01/09	KEN00	KEN VAUGHAN & SONS	904.17	.00	904.17	000A912011	Landscape Maint-Parks
009738	12/01/09	KEN01	KEN VAUGHAN & SONS	800.00	.00	800.00	000A912011	Janitorial
009739	12/01/09	PIT01	PITNEY BOWES	241.84	.00	241.84	000A912011	Rents/Leases Finance Dept
009740	12/01/09	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000A912011	X-9 PROGRAM-POLICE
009741	12/01/09	TLD01	TEDC	208.33	.00	208.33	000A912011	Economic Devel
009742	12/01/09	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000A912011	Prof. Svcs.-Fire Dept.
009743	12/01/09	DIA04	DIAZ ASSOCIATES	1612.50	.00	1612.50	6	PROF SVCS-HOUSING ELEMENT
009744	12/02/09	AND01	ED ANDERSON	937.50	.00	937.50	091201	ProfServices-
009745	12/02/09	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0911176	ProfServices Water Dept
				28.00	.00	28.00	0911216	ProfServices Water Dept
			Check Total.....	114.00	.00	114.00		
009746	12/02/09	BIG02	BIG VALLEY SANITATION II	116.61	.00	116.61	00538	CLEANING/CONTRACT-STR PRO
009747	12/02/09	CAM02	CAMELLIA VALLEY SUPPLY	885.64	.00	885.64	0730066	DRAINAGE IMPROV-STR PROJ
009748	12/02/09	CLA01	CLARKS DRUG STORE	6.19	.00	6.19	34988	MAT & SUPPLIES-POLICE
009749	12/02/09	COM01	COMPUTER LOGISTICS, INC	116.67	.00	116.67	47367	COMMUNICATIONS-POLICE
009750	12/02/09	COR01	CORNING VETERINARY	108.75	.00	108.75	23065	ProfServices ACO
				533.85	.00	533.85	23325	ProfServices ACO

REPORT.: Dec 02 09 Wednesday
 RUN....: Dec 02 09 Time: 15:39
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 12-09 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
009750	12/02/09	COR01	CORNING VETERINARY	99.50	.00	99.50	23342	ProfServices ACO
Check Total.....:				742.10	.00	742.10		
009751	12/02/09	COR03	CORNING RENTALS	160.00	.00	160.00	32163	RUNWAY CONST-AIRPORT
				50.00	.00	50.00	32169	RUNWAY CONST-AIRPORT
				400.00	.00	400.00	32194	RENTS/LEASES-COMM EVENTS
				30.00	.00	30.00	32203	RUNWAY CONST-AIRPORT
Check Total.....:				640.00	.00	640.00		
009752	12/02/09	COR11	CORNING SAFE & LOCK	12.18	.00	12.18	2615	VEH OP/MAINT-POLICE
009753	12/02/09	HAT10	HATFIELD'S	501.43	.00	501.43	091125	Mat/Supplies-
009754	12/02/09	LIN01	LINCOLN EQUIPMENT, INC.	493.50	.00	493.50	S1128348A	MAT & SUPPLIES-PARKS
009755	12/02/09	MCC01	MCCOY'S HARDWARE & SUPPLY	331.84	.00	331.84	091125	MAT & SUPPLIES-
009756	12/02/09	MOU02	MOULE'S TEHAMA COUNTY GLA	263.47	.00	263.47	30745	SENIOR CENTER-GEN CITY
009757	12/02/09	NAP01	NAPA AUTO PARTS	2689.70	.00	2689.70	091122	MAT & SUPPLIES-
009758	12/02/09	NEX01	NEXTEL COMMUNICATIONS	444.06	.00	444.06	091129	COMMUNICATIONS-
009759	12/02/09	NOR25	NORTHERN LIGHTS ENRGY, INC	2599.29	.00	2599.29	13648	VEH OP/MAINT-
				1560.03	.00	1560.03	13690	MAT & SUPPLIES-
				335.28	.00	335.28	13691	VEH OP/MAINT-FIRE
Check Total.....:				4494.60	.00	4494.60		
009760	12/02/09	PAC16	PACIFIC TELEMANAGEMENT SE	38.00	.00	38.00	158192	COMMUNICATIONS-GEN CITY
009761	12/02/09	PGE01	PG&E	63.30	.00	63.30	091124	ELECT-STR & TRF LIGHTS
				32.71	.00	32.71	091124A	ELECT-SWR
Check Total.....:				96.01	.00	96.01		
009762	12/02/09	QUI02	QUILL CORPORATION	49.24	.00	49.24	1778561	Office Supplies-FINANCE
009763	12/02/09	TEH15	TEHAMA CO SHERIFF'S DEPT	73.50	.00	73.50	091201	PROF SVCS-POLICE
009764	12/02/09	THO01	THOMES CREEK ROCK CO	477.57	.00	477.57	091201	Mat/Supplies-
009765	12/02/09	USA01	USA BLUE BOOK	407.37	.00	407.37	941600	MAT & SUPPLIES-WTR
009766	12/02/09	USB01	US BANCORP	839.99	.00	839.99	138349246	Rents/Leases-GEN CITY
009767	12/02/09	VAL01	VALLEY INDUSTRIAL COMM.	277.51	.00	277.51	99103	COMMUNICATIONS-FIRE
Cash Account Total.....:				19255.54	.00	19255.54		

Total Disbursements.....:	19255.54	.00	19255.54
	=====	=====	=====
	-----	-----	-----
Cash Account Total.....:	.00	.00	.00

REPORT.: Dec 02 09 Wednesday
 RUN.....: Dec 02 09 Time: 15:39
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment (s)
 Check Listing for 12-09 Bank Account.: 1025

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
4272	12/01/09	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	A91201	POLICE OFFICER ASSOC
4273	12/01/09	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	A91201	WITHHOLDING ORDER
4274	12/01/09	EDD01	EMPLOYMENT DEVELOPMENT	3311.78	.00	3311.78	A91201	STATE INCOME TAX
				1056.61	.00	1056.61	1A91201	SDI
			Check Total.....:	4368.39	.00	4368.39		
4275	12/01/09	ICM01	ICMA RETIREMENT TRUST-457	3682.23	.00	3682.23	A91201	ICMA DEF. COMP
4276	12/01/09	OEU03	OPERATING ENGINEERS	625.00	.00	625.00	A91201	CREDIT UNION SAVINGS
4277	12/01/09	PERS1	PUBLIC EMPLOYEES RETIRE	26885.83	.00	26885.83	A91201	PERS PAYROLL REMITTANCE
4278	12/01/09	PERS4	Cal Pers 457 Def. Comp	1105.00	.00	1105.00	A91201	PERS DEF. COMP.
4279	12/01/09	PRE03	PREMIER WEST BANK	2363.09	.00	2363.09	A91201	HSA DEDUCTIBLE
4280	12/01/09	TEH15	TEHAMA CO SHERIFF'S DEPT	589.71	.00	589.71	A91201	WAGE ASSN # 43462
4281	12/01/09	VAL06	VALIC	2259.25	.00	2259.25	A91201	AIG VALIC P TAX
			Cash Account Total.....:	42366.96	.00	42366.96		
			Total Disbursements.....:	42366.96	.00	42366.96		

Date.: Dec 2, 2009
 Time.: 3:49 pm
 Run by: LORI

CITY OF CORNING
 NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
 List.: NEWS
 Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
BAGULA DEVELOPMENT &			BAGULA	JEREMIA COMPUTER TECH WORK	12/02/09	(530)809-1992
JACOB'S CLEANING	23099 SONOMA AVE	REDDING, CA 96099	HALEY	JACOB JANITORIAL	12/02/09	(530)366-1567
JOE'S BUILDING SERVI	24706 SOUTH AVE	CORNING, CA 96021	GIST	JOE CONTRACTOR	11/25/09	(530)824-2219
JORGES DRIVING SERVI	1522 MARIN ST	CORNING, CA 96021	MENDOZA	JORGE TRANSPORTING CARS FOR CORNING FORD	12/02/09	(530)209-7056
PRECIOUS CARGO	5264 CATERPILLAR RD	REDDING, CA 96003	MEYERS	MARLENE NON-EMERGENCY MEDICAL TRANSPORTATION	12/02/09	(530)243-3333
RUNNINGS ROOFING	23488 SALT CREEK ROAD	RED BLUFF, CA 96080	RUNNINGS	SETH CONTRACTOR - ROOFING	11/23/09	(530)527-5789
THIS AND THAT UNIQUE	1122 SOLANO ST	CORNING, CA 96021	PAVLIK	ERIC SELLING OF MISC PRODUCTS & KNICK KNACKS	12/02/09	(530)824-0775
TORRES, CLAUDIA I. A	8416 HWY 99W	GERBER, CA 96035	ALVAREZTORRESCLAUDIA	YARD WORK	12/02/09	(530)385-1478

PERMITS ISSUED (sort by Permit #)

Item No.: H-7

For the Period 11/1/2009 thru 11/30/2009

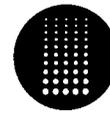
Owner and Address	Parcel Number	Issued On	Valuation
CORNING HEALTHCARE DISTRICT 275 SOLANO ST CORNING CA 96021 Permit Description: MULTIPLE MEDICAL OFFICE BUILDING	7312001 Site Street Address: 275 SOLANO ST	11/2/2009	2,300,000.00
STEVE WITFIELD 1304-1308 YOLO ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7111206 Site Street Address: 1304-1308 YOLO ST	11/2/2009	7,350.00
FRANK BARRON 510 FOURTH ST CORNING CA 96021 Permit Description: DEMO SMALL BUILDING	7111304 Site Street Address: 510 FOURTH ST	11/10/2009	300.00
FRANK BARRON 510 FOURTH ST CORNING CA 96021 Permit Description: NEW DETACHED GARAGE WITH STORAGE	7111304 Site Street Address: 510 FOURTH ST	11/12/2009	45,000.00
FRANCISCO MORENO 1806 SOLANO ST CORNING CA 96021 Permit Description: REMOVE WALL,UPGRADE WINDOWS,INSULAT	7109212 Site Street Address: 1806 SOLANO ST	11/10/2009	7,057.00
BILL FOLEY 1111 SOLANO ST CORNING CA 96021 Permit Description: REMOVE & REBUILD INTERIOR OFFICE	7113603 Site Street Address: 1111 SOLANO ST	11/11/2009	895.56
WILLIAM HUGHES 1925 SOLANO ST CORNING CA 96021 Permit Description: REPLACE PANELING W/DRYWALL & HANGING	7115104 Site Street Address: 1925 SOLANO ST	11/16/2009	572.00

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 11/1/2009 thru 11/30/2009

Owner and Address	Parcel Number	Issued On	Valuation
MATT MOLLER 808 TOOMES AVE CORNING CA 96021 Permit Description: DEMO EXISTING HOUSE	7114012 Site Street Address: 808 TOOMES AVE	11/19/2009	6,000.00
ST. ANDREWS CHURCH 820 MARIN ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7306606 Site Street Address: 820 MARIN ST	11/23/2009	19,000.00
MIKE MOLLER 2001 SOLANO ST CORNING CA 96021 Permit Description: NEW FOUNDATION FOR ADJACENT SHED	7114045 Site Street Address: 2001 SOLANO ST	11/30/2009	3,000.00
JO ANNE BERRY 362 LA MESA CT. CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7135011 Site Street Address: 362 LA MESA CT.	11/23/2009	6,500.00
1ST CHOICE REALTY 407 SIXTH ST CORNING CA 96021 Permit Description: CHANGE OUT ELECT. SERVICE	7105201 Site Street Address: 407 SIXTH ST	11/24/2009	1,000.00
FIRST CHOICE REALTY 801 ALMOND ST CORNING CA 96021 Permit Description: CHANGE OUT ELECT. SERVICE	7316404 Site Street Address: 801 ALMOND ST	11/24/2009	1,500.00
JOHN ALTMAN 615 FOURTH ST CORNING CA 96021 Permit Description: NEW PLUMBING FOR SINK, CHANGE LIGHT FIX	7111606 Site Street Address: 615 FOURTH ST	11/24/2009	500.00
JACKIE SOUZA 104 HOUGHTON AVE CORNING CA 96021 Permit Description: REPLACE PARTIAL SIDING	7102004 Site Street Address: 104 HOUGHTON AVE	11/25/2009	1,700.00

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 11/1/2009 thru 11/30/2009

Owner and Address	Parcel Number	Issued On	Valuation
IVAN HILL 1411 FOURTH AVE CORNING CA 96021 Permit Description: REWIRE OUTLETS, PLUMB KITCHEN SINK	7127305 Site Street Address: 1411 FOURTH AVE	11/25/2009	67.00
ALFRED GARCIA 1206 FIRST ST CORNING CA 96021 Permit Description: 6FT ALLEY SIDE FENCE	7313310 Site Street Address: 1206 FIRST ST	11/30/2009	500.00
17 Permits Issued from		11/1/2009 Thru 11/30/2009	OR A TOTAL VALUATION OF \$2,400,941.56
*** END OF REPORT ***			



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

Below is a summary of the Monthly Operations Report that will be available for City review on December 8, 2009.

- 1) Filled out monthly reports.
- 2) Performed weekly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Sent vehicle report to Texas.
- 5) Wasted to thickener.
- 6) Pumped to beds from thickener.
- 7) Changed chart on So3 analyzer.
- 8) Safety meeting
- 9) Cleaned up shop.
- 10) Inspected eyewash and emergency showers.
- 11) Unloaded chlorine truck.
- 12) Cleaned So2 pump.
- 13) Cleaned chlorine building.
- 14) Checked eye wash stations.
- 15) Tested all chlorine and So2 sensors.
- 16) River samples.

- 17) Greg Cash here to collect cyanide sample.
- 18) Cleaned probe at lift station.
- 19) Calibrated So3 analyzer.
- 20) Tested alarms with Fire Dept.
- 21) Mowed lawn.
- 22) Sprayed weeds around plant.
- 23) Cleaned 5 drying beds.
- 24) Scotty Elect serviced EQ pumps.
- 25) Changed bags on helisieve.
- 26) Called Tony's Refrigeration, chiller for bioassay not working proper.
- 27) City brought back Bob Cat after servicing it.
- 28) Service man from Tony's here checked chiller said it needs replaced.
- 29) John from Patterson Elect here installed new heater in SO2 room.
- 30) John picked up new braker for main power panel.
- 31) Cleaned hot spots around town.
- 32) Need to run new bioassay test temps in tank to high.
- 33) Tony's sent bid on new chiller.
- 34) Cleaned back room.
- 35) Set up training with Fire Dept on new gas detector.
- 36) Inspected Restaurants in city.
- 37) Put new tubing on bioassay lines.
- 38) Picked up fish for Bioassay Testing.
- 39) Started new bioassay test.

Total daily plant flow for the month of November 2009 was 676,170 GPD.

Total daily plant flow for the previous month of October 2009 was 699,000 GPD

November 2009

Industrial Flow = GPD

(Flow into the Bell Carter Ponds)

Domestic Flow = 676,170 GPD

October 2009

Industrial Flow = 746,421 GPD

Domestic Flow = 699,000 GPD

ITEM NO: H-9
APPROVE PROGRESS PAY ESTIMATE NO. 2 IN
THE AMOUNT OF \$928,894.50 TO TEICHERT
CONSTRUCTION FOR THE AIRPORT RUNWAY
IMPROVEMENT PROJECT
DECEMBER 8, 2009

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

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

JD STEVE

SUMMARY:

Attached for City Council review is a copy of Partial Pay Estimate No. 2 requesting payment of \$928,894.50 for the Corning Municipal Airport Runway Improvement Project. The Pay Estimate lists the original contract amount, any change orders/adjustments, work completed to date, retention amount and current amount due to Teichert Construction.

FINANCIAL:

Project Engineer Robert Wadell of Wadell Engineering Corporation and the Director of Public Works have reviewed and approved this request.

Original Construction Contract	\$2,187,398.90
Contract Change Order No. 1	<u>\$ (45,730.00)</u>
Total Adjusted Contract Amount	\$2,141,668.90
PPE No. 1	\$ 830,806.30
Retention held (10%)	<u>\$ (83,080.63)</u>
Amount previously paid to Contractor	\$ 747,725.67
PPE No. 2	\$ 928,894.50
Retention to be held (10%)	<u>\$ (92,889.05)</u>
Amount due to Contractor	\$ 836,005.05

The City requested reimbursement funds from the FAA for the amount of \$794,204 on December 3, 2009. By using the ECHO-Web payment request system, the City will receive reimbursement in a timely manner. The ECHO-Web is an official U.S. Federal Government web-based application and allows for prompt payment. The City will be responsible for the remaining difference of \$41,801.05 as part of the City's 5% match. (Budget Line Item No. 621-9360-3500) After this payment a balance of \$427,698.10 will remain in the overall contract.

BACKGROUND:

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

The Federal Aviation Administration issued the City of Corning a Notice to Proceed on September 21, 2009. Teichert Construction's estimated date of completion is November 24, 2009.

RECOMMENDATION:

Mayor and Council approve Progress Pay Estimate No. 2 in the amount of \$928,894.50 to Teichert Construction for the Airport Runway Improvement Project.



INVOICE

TEICHERT CONSTRUCTION

P.O. BOX 1890 DAVIS, CA 95617-1890 530.406.4200
REMIT TO: P.O. BOX 13557 SACRAMENTO, CALIFORNIA 95853-9935

California State Contractors License - X

1300927

Invoice No: 2191812
Date: 12/1/2009

ATS Customer #: 286915

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

Estimate #2 Adjustment #
For work performed at: Runway 7 Taxiway Paving & Lighting Imp
Through: 11/30/09

QTY.	CITY/STATE/ZIP	ITEM NO.	DESCRIPTION	U	CHANGE ORDER NUMBER	CHANGE ORDER QUANTITY	REVISED CONTRACT QUANTITY	UNIT PRICE	ORIGINAL CONTRACT AMOUNT	REVISED CONTRACT AMOUNT	TOTAL CONTRACT AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE
0.75	1	1 001	Mobilization (5% Max Base Bid)	1 LS				68,600.00	\$ 68,600.00		\$ 68,600.00	0.00	\$ -	0.75	\$ 68,600.00
1	1	1 002	Storm Water Pollution Control Plan	1 LS				2,000.00	\$ 2,000.00		\$ 2,000.00	0.00	\$ -	1.00	\$ 2,000.00
1	1	1 003	Air Pollution Control Plan (S&K)	1 LS				5,000.00	\$ 5,000.00		\$ 5,000.00	0.00	\$ -	0.00	\$ -
1	1	1 004	Pavement & Facility Removals	1 LS				43,000.00	\$ 43,000.00		\$ 43,000.00	0.00	\$ -	0.00	\$ -
1	1	1 005	Clearing And Grubbing	1 LS				7,000.00	\$ 7,000.00		\$ 7,000.00	0.00	\$ -	1.00	\$ 7,000.00
99018	1	99018 006	Unclassified Excavation (Cut-Haul-Fill)	99,018.00 CY				287,152.20	\$ 287,152.20		\$ 287,152.20	0.00	\$ -	99,018.00	\$ 287,152.20
15589	1	15589 007	Unclassified Excavation (Shallow Re-compaction)	15,589.00 CY				38,972.50	\$ 38,972.50		\$ 38,972.50	0.00	\$ -	15,589.00	\$ 38,972.50
38916	1	38916 008	Unclassified Excavation (Deep Re-compaction)	38,916.00 CY				89,506.80	\$ 89,506.80		\$ 89,506.80	0.00	\$ -	38,916.00	\$ 89,506.80
10965	1	10965 009	6" Thick Subgrade Prep. (In Cut Under New Pymnt)	10,965.00 SY				19,737.00	\$ 19,737.00		\$ 19,737.00	0.00	\$ -	10,965.00	\$ 19,737.00
1	1	1 010	Exit "B" Infield Culvert Installation	1 LS				3,500.00	\$ 3,500.00		\$ 3,500.00	0.00	\$ -	1.00	\$ 3,500.00
1	1	1 011	Exit "C" Infield Culvert Installation	1 LS				3,500.00	\$ 3,500.00		\$ 3,500.00	0.00	\$ -	1.00	\$ 3,500.00
1	1	1 012	Exit "D" Infield Culvert Installation	1 LS				6,500.00	\$ 6,500.00		\$ 6,500.00	0.00	\$ -	1.00	\$ 6,500.00
13000	1	13000 013	Shoulder Grading	13,000.00 SY				4,550.00	\$ 4,550.00		\$ 4,550.00	0.00	\$ -	13,000.00	\$ 4,550.00
3500	1	3500 014	6" Thick Subbase Course (Recycled)	3,500.00 CY				17,500.00	\$ 17,500.00		\$ 17,500.00	0.00	\$ -	3,500.00	\$ 17,500.00
6325	1	6325 015	6" Thick Aggregate Base Course	6,325.00 TN				107,525.00	\$ 107,525.00		\$ 107,525.00	0.00	\$ -	6,325.00	\$ 107,525.00
10000	1	10000 016	Pavement Reinforcing Fabric (Overlay Areas)	10,000.00 SF				15,500.00	\$ 15,500.00		\$ 15,500.00	0.00	\$ -	10,000.00	\$ 15,500.00
1800	1	1800 017	Pavement Reinforcing Tape	1,800.00 SF				3,600.00	\$ 3,600.00		\$ 3,600.00	0.00	\$ -	1,800.00	\$ 3,600.00
5000	1	5000 018	Plant Mix Bituminous Pavement	5,000.00 TN				427,500.00	\$ 427,500.00		\$ 427,500.00	0.00	\$ -	5,000.00	\$ 427,500.00
3365	1	3365 019	Pavement Marking	3,365.00 SF				20,400.00	\$ 20,400.00		\$ 20,400.00	0.00	\$ -	3,365.00	\$ 20,400.00
304	1	304 020	2" Dia. Duct - Flowable Backfill	304 LF				26,920.00	\$ 26,920.00		\$ 26,920.00	0.00	\$ -	3,365.00	\$ 26,920.00
304	1	304 021	2" Dia. Duct - Concrete Backfill	304 LF				4,256.00	\$ 4,256.00		\$ 4,256.00	0.00	\$ -	304.00	\$ 4,256.00
445	1	445 022	Two 2" Dia. Duct - Common Trench - Flowable Backfill	445 LF				7,342.50	\$ 7,342.50		\$ 7,342.50	0.00	\$ -	445.00	\$ 7,342.50
2687	1	2687 023	3" 60KV And 2" 5KV Duct - Common Trench - Flowable Bac	2,687 LF				44,335.50	\$ 44,335.50		\$ 44,335.50	1,681.00	\$ 31,036.50	2,687.00	\$ 44,335.50
80	1	80 024	3" 60KV And 2" 5KV Duct - Common Trench - Concrete Bac	80 LF				4,456.00	\$ 4,456.00		\$ 4,456.00	80.00	\$ 2,456.00	80.00	\$ 4,456.00
6	1	6 025	Light Base Handhole	11 EA				7,975.00	\$ 7,975.00		\$ 7,975.00	3.00	\$ 2,175.00	6.00	\$ 4,800.00
12	1	12 026	Threshold Red-Green End Light Fixtures	12 EA				10,320.00	\$ 10,320.00		\$ 10,320.00	12.00	\$ 10,320.00	12.00	\$ 10,320.00
23	1	23 027	Clear-Yellow Runway Edge Light Fixtures	23 EA				19,780.00	\$ 19,780.00		\$ 19,780.00	23.00	\$ 19,780.00	23.00	\$ 19,780.00

CONTRACT WORK

Type of Work

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

\$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ -

TOTAL

\$ 2,141,668.90 \$ 2,141,668.90 \$ 2,141,668.90 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50 \$ 928,894.50

AMOUNT THIS INVOICE \$ 928,894.50
 LESS % RETENTION \$ (92,889.45)
 AMOUNT DUE THIS INVOICE ... \$ 836,005.05

CONTRACT AMOUNT TO DATE...\$ 1,759,700.80
 LESS % RETENTION...\$ (175,970.08)
 EXTRA WORK AMOUNT TO DATE...\$ -
 LESS EXTRA WORK RETENTION...\$ -
 LESS PREVIOUS PAY TO DATE...\$ (747,725.67)
 AMOUNT DUE TO DATE...\$ 836,005.05

Engineer's Recommendation for Payment

Robert P. Waddell
 By Robert P. Waddell, PE
 Date 12/4/09 Amount \$ 836,005.05

The following documents are included with this invoice:

THIS INVOICE IS DUE AND PAYABLE BY: 11/30/2009

TERMS OF PAYMENT:
 Payment is due within ten days after receipt of this invoice. If customer fails to make payment when due, customer agrees to pay Teichert late charges at the rate of eighteen percent per annum on all past due, unpaid amounts. If for any reason the rate of eighteen percent is found to be unenforceable, customer agrees to pay Teichert late charges at the maximum rate then permitted by California law. Customer also agrees to pay Teichert's reasonable attorneys' fees if legal action is commenced to collect amounts not paid when due. Customer agrees to make payment hereunder to Teichert at its principal place of business, 3500 American River Drive, P.O. Box 13557, Sacramento, California 95853-9935

**ITEM NO: H-10
APPROVE CANCELLATION OF THE
DECEMBER 22, 2009 CITY COUNCIL
MEETING DUE TO THE CHRISTMAS
HOLIDAY
DECEMBER 8, 2009**

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

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
LISA M. LINNET, CITY CLERK**

STEVE

SUMMARY:

Staff seeks City Council approval to cancel the December 22, 2009 City Council Meeting due to the Christmas Holidays.

BACKGROUND:

City Hall is closed on December 24th and 25th this year for the Christmas Holidays. Traditionally the second regularly scheduled Council Meeting in December, which falls on December 22nd this year, is cancelled due to the Holidays.

RECOMMENDATION:

COMMISSION MEMBERS APPROVE CANCELLATION OF THE DECEMBER 22, 2009 REGULARLY SCHEDULED CITY COUNCIL MEETING DUE TO THE HOLIDAYS.

**ITEM NO. J-11
PUBLIC HEARING: ADOPT PROPOSED
RESOLUTION NO. 12-08-09-02, SETTING ANNUAL
CITY OF CORNING WATER RATE INCREASES OF
3% PER YEAR EFFECTIVE APRIL 1, 2010,
THROUGH APRIL 1, 2014.**

December 8, 2009

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

FROM: STEPHEN J. KIMBROUGH; CITY MANAGER

SUMMARY:

The City Council at its meeting on October 13, 2009 set December 8, 2009 as the Public Hearing on a series of proposed water rate increases of 3% per year effective April 1, 2010 for five years ending with the last proposed increase on April 1, 2014.

Setting the rates annually for five year periods, establishes a clear commitment to the existing water system improvement bond holders and to USDA Rural Development who will be lending about \$613,000 for the new water well to be drilled and outfitted this next year.

Here is a table showing the increases proposed in Resolution Number 12-08-09-02.

Basic Monthly Charge;	Current	3%	3%	3%	3%	3%
(basic monthly charge includes the first 4,000 gallons of usage)	Water Rates	Increase April 1, 2010	Increase Apr 1, 2011	Increase Apr 1, 2012	Increase Apr 1, 2013	Increase Apr 1, 2014
5/8" & 3/4" Service Size	\$ 14.40	\$ 14.83	\$ 15.28	\$ 15.74	\$ 16.21	\$ 16.69
1" Service Size	\$ 27.01	\$ 27.82	\$ 28.65	\$ 29.51	\$ 30.40	\$ 31.31
1 1/2" Service Size	\$ 44.29	\$ 45.62	\$ 46.99	\$ 48.40	\$ 49.85	\$ 51.34
2" Service Size	\$ 70.83	\$ 72.95	\$ 75.14	\$ 77.40	\$ 79.72	\$ 82.11
3" Service Size	\$ 104.05	\$ 107.17	\$ 110.39	\$ 113.70	\$ 117.11	\$ 120.62
6" Service Size	\$ 203.68	\$ 209.79	\$ 216.08	\$ 222.57	\$ 229.24	\$ 236.12
USAGE RATE: (Per 1,000 gallons per month after the base of 4,000 gallons.)	\$ 1.14	\$ 1.17	\$ 1.21	\$ 1.25	\$ 1.28	\$ 1.32

BACKGROUND:

The last series of water rate increases were proposed by City Staff on April 13, 2004, through Resolution 04-13-04-06. The Resolution would have implemented ten separate 3% "step increases" to the water rates that were to be implemented annually. The purpose of course was to address and mitigate the cost increases resulting from inflation and to provide guarantees of fiscal stability to the bond holders who financed the reconstruction of the water system during the 1990's.

Instead of implementing all ten of the annual step increases, Council opted to modify the Resolution and impose just the first five of the annual increases. The last step increase authorized by this Resolution occurred on April 1, 2008.

FINANCIAL:

The two attached financial spread sheets tell the whole story and answer the question of whether the City can postpone the proposed increase for one more year or longer. The City can not. Do remember this however; the City Council's conservative approach to budgeting and controlling expenditures has given the City a financially sound system that is state of the art for a small city. We have an ISO Class II water system that already meets the energy conservation standards sought by State and National public policy.

The first of the two spread sheets is titled "WATER ENTERPRISE SYSTEM (*with no rate increase after April 1, 2008*)". This shows what happens to the bottom line, "Annual Net Income", if no further increases are made. We made no increase this year on April 1, 2009, because in Council and Staff's judgment we could postpone it for a year. As a result, the water fund will decrease to a projected net income of only \$7,427 by June 30, 2010. It will go into deficit the next year and by 2013, the deficit will have consumed the Operating Reserve to a dangerous level.

Now please review the next spread sheet titled "WATER ENTERPRISE SYSTEM (*with rate increase beginning April 1, 2010*)". On this spread sheet projecting an annual increase of 3%, the fund maintains a positive balance sufficient to grow the Operating Reserve to protect the system in the event of catastrophe. Reducing the increase to only 2% will bring the operating balance back to deficit by 2013.

Can the Operating expense be reduced? Sure, but only at the expense of the System Operation. The operating expense has increased an average 5% per year since 2001. The City now budgets for equipment and system repairs and has been slowly repairing damage to City streets where old trenches have subsided. The City needs to start a meter replacement program and valve replacement. The city needs to be prepared for periodic major well repair. The city

needs to begin planning another new well as soon as the current well project is complete. The City also needs to be prepared for a statewide (one size fits all) mandatory water usage standard which will in turn reduce water revenues.

PUBLIC NOTICE REQUIREMENTS MET:

Proposition 218 requires that the City mail Notices of a proposed rate increase to property owners at least 45 days prior to a public hearing on the proposed rates.

RECOMMENDATION:

Mayor and Council adopt Resolution Number 12-08-09-02, A Resolution of the City Council of the City of Corning setting Water rates effective April 1, 2010, April 1, 2011, April 1, 2012, April 1, 2013, and April 1, 2014.

WATER ENTERPRISE SYSTEM

(With no rate increase after April 1, 2008)

The Following Table Illustrates the History and the Revenue, Expenditures and Coverage of the Debt Service for the Water Enterprise System

	HISTORICAL (ACTUAL)										CURRENT PROJECTED		
	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	Actual Current 2008-09	2009-10	2010-11	2011-12	2012-13
Water System Revenues	824,812	926,781	953,811	1,051,970	1,061,576	1,119,836	1,084,370	1,208,862	1,283,521	1,223,675	1,223,675	1,223,675	1,223,675
Service Charges (1)	8,75%	8,75%	4,00%	3,00%	3,00%	3,00%	3,00%	3,00%	3,00%	3,00%	3,00%	3,00%	3,00%
Annual Rate Change	2,496	2,067	3,380	9,608	7,658	2,408	1,742	4,238	1,092	1,000	1,000	1,000	1,000
Connection Fees	245	14,794	0	0	1345	1141	1928	2873	6886	1,000	1,000	1,000	1,000
Interest Income	2,334	4,338	3,930	3,585	1,106	1,654	1,061	1,992	4,748	2,000	2,000	2,000	2,000
Other Revenues	829,887	947,980	961,121	1,065,163	1,071,685	1,125,039	1,089,101	1,217,965	1,286,247	1,227,675	1,227,675	1,227,675	1,227,675
Total Revenues	528,774	593,836	582,071	688,302	719,214	691,667	748,376	745,004	779,732	836,810	878,651	922,583	968,712
Water System Operation & Maintenance Expenses Exclusive of Capital Expen. & Depreciation (2A)	301,113	354,144	379,050	366,861	352,471	433,372	340,725	472,961	516,515	390,865	349,025	305,092	258,963
Net Revenues from Water Enterprise System (Total Net Revenues Avail. for Installment Payments)	158,464	158,464	159,238	157,478	159,538	61,247	0	0	0	0	0	0	0
1997 COP (2)	130,973	130,973	130,972	129,249	130,891	130,829	130,828	131,525	131,491	131,512	131,512	131,512	131,512
Est. Installment Pmts. 1999 COP's USDA (3)													
Est. Installment Pmts 2005 Series A (2)													
Est. Installment Pmts. 2005 Series B													
Est. Installment Pmts. Water Well Debt Service													
Water & Equipment Replacement Transfer	10,000	35,000		20,000	25,000	25,000	51,500	53,045	100,000	28,000	28,000	28,000	28,000
Annual Net Income * Required Adjustments (4)	11,676	54,707	53,840	60,134	37,042	17,068	7,118	138,652	133,050	7,427	(35,674)	(80,881)	(132,193)
Cum. Net Operating Reserve **	(10,938)	(10,825)	(54,496)	(17,204)	105,162	(16,195)	42,776	27,150	(3,508)	488,315	425,074	308,519	176,327
	(54,488)	(10,607)	(11,263)	31,667	142,204	143,077	192,971	358,773	488,315	425,074	389,401	308,519	176,327
Water Stabilization Balance (5)	302,011	311,194	316,963	321,370	Released								
Water Capital Improvement Fund	3,906	10,967	13,686	88,287	100,551	114,914	117,461	160,564					
Water Capital Replacement Fund	3,831	34,817	45,754	41,199	67,315	68,239	84,315	54,154					

1) First Rate Change Occurred 4/1/97 and continued through 4/1/03

1a) Beginning 2003/04 (April 2004) increase is proposed to be only 3% to cover inflation.

2) "Refunded" 1997 COP on 07-01-05 and replaced with 2005 COP Series A for 3,500,000 by Wedbush Morgan through the City of Corning Public Finance Corporation funded Phase 1 of the Water & Sewer Line Replacement 80% Water - 20% Sewer.

2A) Operation & Maintenance is projected to increase at an inflationary rate of 5% per year

3) Total Debt \$2,280,000 @ 4.375% interest

4) Adjustment required to bring reserves to its modified balance due to prior period adjustments, and interfund activity.

5) Water Stabilization Fund established April 10, 1997 to insure the adequacy of the

Net Revenues pledged to Debt Service. See p.20 of the Official Statement 1997 Series A - Fund Closed June 30, 2005

* Net income per general ledger less principal loan payments

** Net Operating Reserve will not equal Fund Balance. Consists of Operating Fund (630) Cash and Accounts Receivable

Less Accounts Payable and Interest Payable only. All other Assets and Liabilities not included.

WATER ENTERPRISE SYSTEM

(With rate increase beginning April 1, 2010)

The Following Table Illustrates the History and the Revenue, Expenditures and Coverage of the Debt Service for the Water Enterprise System

	HISTORICAL (ACTUAL)										CURRENT E					PROJECTED	
	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13				
Water System Revenues	824,812	926,781	953,811	1,051,970	1,061,576	1,119,836	1,084,370	1,208,862	1,283,521	1,223,675	1,322,027	1,361,687	1,402,538				
Service Charges (1)	8.75%	8.75%	4.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%				
Annual Rate Change	2,496	2,067	3,380	9,608	7,658	2,408	1,742	4,238	1,082	1,000	1,000	1,000	1,000				
Connection Fees	245	14,794	0	0	1345	1141	1928	2873	6886	1,000	1,000	1,000	1,000				
Interest Income	2,334	4,338	3,930	3,585	1,106	1,654	1,061	1,992	4,748	2,000	2,000	2,000	2,000				
Other Revenues	829,887	947,980	961,121	1,065,163	1,071,685	1,125,039	1,089,101	1,217,965	1,296,247	1,227,675	1,326,027	1,365,687	1,406,538				
Total Revenues	528,774	593,836	582,071	698,302	719,214	691,667	748,376	745,004	779,732	836,810	878,651	922,583	968,712				
Water System Operation & Maintenance Expenses Exclusive of Capital Expen. & Depreciation (2A)	301,113	354,144	379,050	366,861	352,471	433,372	340,725	472,961	516,515	390,865	447,376	443,104	437,826				
Net Revenues from Water Enterprise System (Total Net Revenues Avail. for Installment Payments)	158,464	158,464	159,238	157,478	159,538	61,247	0	0	0	0	0	0	0				
1997 COP (2)	130,973	130,973	130,972	129,249	130,891	130,829	130,828	131,525	131,491	131,512	131,512	131,512	131,512				
Est. Installment Pmts. 1999 COP's USDA (3)																	
Est. Installment Pmts 2005 Series A (2)																	
Est. Installment Pmts. 2005 Series B						199,228	151,279	149,739	151,974	153,926	151,686	149,286	150,610				
Est. Installment Pmts. Water Weir Debt Service	10,000	10,000	35,000	20,000	25,000	25,000	51,500	53,045	100,000	28,000	28,000	28,000	28,000				
Water & Equipment Replacement Transfer										70,000	73,500	77,175	81,034				
Annual Net Income * Required Adjustments (4)	11,676	54,707	53,840	60,134	37,042	17,068	7,118	139,652	133,050	7,427	62,678	57,131	46,670				
	(10,938)	(10,825)	(54,496)	(17,204)	105,162	(16,195)	42,776	27,150	(3,508)								
Cum. Net Operating Reserve **	(54,488)	(10,607)	(11,263)	31,667	142,204	143,077	192,971	358,773	488,315	425,074	487,752	544,884	591,553				
Water Stabilization Balance (5)	302,011	311,194	316,963	321,370	Released												
Water Capital Improvement Fund	3,906	10,967	13,686	88,287	100,551	114,914	117,461	160,564									
Water Capital Replacement Fund	3,831	34,817	45,754	41,199	67,315	68,239	84,315	54,154									

1) First Rate Change Occurred 4/1/97 and continued through 4/1/03
 1a) Beginning 2003/04 (April 2004) increase is proposed to be only 3% to cover inflation.
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 2A) Operation & Maintenance is projected to increase at an inflationary rate of 5% per year
 3) Total Debt \$2,280,000 @ 4.375% interest
 4) Adjustment required to bring reserves to its modified balance due to prior period adjustments, and interfund activity.
 5) Water Stabilization Fund established April 10, 1997 to insure the adequacy of the Net Revenues pledged to Debt Service. See p.20 of the Official Statement 1997 Series A - Fund Closed June 30, 2005
 * Net income per general ledger less principal loan payments
 ** Net Operating Reserve will not equal Fund Balance. Consists of Operating Fund (630) Cash and Accounts Receivable Less Accounts Payable and Interest Payable only. All other Assets and Liabilities not included.

RESOLUTION NO. 12-08-09-02

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING, SETTING WATER RATES
EFFECTIVE APRIL 1, 2010, APRIL 1, 2011, APRIL 1, 2012, APRIL 1, 2013,
AND APRIL 1, 2014**

WHEREAS, the City Council has met and discussed the need for a Water Rate Increase, with public discussion and planning at a Public Hearing on December 8, 2009; and

WHEREAS, the City Council established the setting of Water Rates by Resolution, through the adoption of Ordinance No. 554, pertaining to Chapter 13.08, Water Service Regulations.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby set Water Rates, effective April 1, 2010, April 1, 2011, April 1, 2012, April 1, 2013, April 1, and 2014, which are attached hereto as "Exhibit A", and incorporated herein by reference.



The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on December 8, 2009, by the following vote:

AYES:
NOES:
ABSENT OR NOT VOTING:
ABSTAINING:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

WATER RATES
 (RESOLUTION NO. 12-08-09-02 Attachment)
EXHIBIT "A"

Basic Monthly Charge; (basic monthly charge includes the first 4,000 gallons of usage)	Current Water Rates	3% Increase April 1, 2010	3% Increase Apr 1, 2011	3% Increase Apr 1, 2012	3% Increase Apr 1, 2013	3% Increase Apr 1, 2014
5/8" & 3/4" Service Size	\$ 14.40	\$ 14.83	\$ 15.28	\$ 15.74	\$ 16.21	\$ 16.69
1" Service Size	\$ 27.01	\$ 27.82	\$ 28.65	\$ 29.51	\$ 30.40	\$ 31.31
1 1/2" Service Size	\$ 44.29	\$ 45.62	\$ 46.99	\$ 48.40	\$ 49.85	\$ 51.34
2" Service Size	\$ 70.83	\$ 72.95	\$ 75.14	\$ 77.40	\$ 79.72	\$ 82.11
3" Service Size	\$ 104.05	\$ 107.17	\$ 110.39	\$ 113.70	\$ 117.11	\$ 120.62
6" Service Size	\$ 203.68	\$ 209.79	\$ 216.08	\$ 222.57	\$ 229.24	\$ 236.12
USAGE RATE: (per 1,000 gallons per month after the base of 4,000 gallons.)	\$ 1.14	\$ 1.17	\$ 1.21	\$ 1.25	\$ 1.28	\$ 1.32

**ITEM NO: K-12
APPLICATION FOR A OFF SALE GENERAL
ALCOHOLIC BEVERAGE LICENSE AND FINDING OF
PUBLIC CONVENIENCE OR NECESSITY, CORNING 99
CENTS PLUS GROCERY, INC. ADDRESS: 2013
SOLANO ST.**

DECEMBER 8, 2009

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

FROM: JOHN STOUFER, PLANNING DIRECTOR

SUMMARY:

The California Alcoholic Beverage Control Department (ABC) has received an application from the Corning 99 Cents Plus Grocery Store for a "Off-Sale General Alcoholic Beverage" Type 21 License, to allow them to sell off-premises alcohol at the existing store. The store currently has a Type 20 License that allows them to sell off-site beer and wine.

ABC keeps track of alcohol licenses within individual Census Tracts-a geographic polygon used by the Census Bureau and others. This site is within Census Tract No. 0011. According to ABC there are currently 12 Off Sale Licenses, 4 – Type 21, Off-Sale General Licenses, and 8- Type 20, Off-Site Beer & Wine Licenses existing within Census Tract 0011. According to the application packet, submitted by the applicant, ABC indicates that 8 off-sale licenses are allowed, pursuant to the population of 6871, in this Census Tract. So, the applicant must seek a "Finding of Convenience or Necessity" prior to ABC issuing the desired license.

BACKGROUND:

Following the Los Angeles riots in the 90's, the State Legislature, at the urging of local government, amended the State Law pertaining to the sale of alcohol. As a result, ABC is not issuing licenses in areas "with an undue concentration" of alcohol vendors, without first referring it to the City for the City's "recommendation". State Law allows that the local governing body, or its designated subordinate officer, can make determination for approval.

Under the Law, the Council has three options. First, the City can make no determination, and the ABC will issue the License after 90 days. Second, the City can determine that "the public convenience or necessity would not be served by the issuance" and ABC will deny the License; or, third, the City Council can make the determination that the "public convenience and necessity would be served by the issuance". ABC has presented the attached form that seeks the City's recommendation.

This Application for "Off-Premises Consumption" does not require legal notice, or a Public Hearing.

RECOMMENDATION:

MAYOR AND COUNCIL REVIEW THE APPLICATION FOR AN OFF-SALE GENERAL TYPE 21 ALCOHOLIC BEVERAGE LICENSE AT THE 99 CENTS PLUS GROCERY STORE, 2013 SOLANO ST., AND HAVING CONSIDERED ANY PUBLIC AND STAFF INPUT, FIND THAT THE "PUBLIC CONVENIENCE OR NECESSITY" WILL BE SERVED, AS REQUIRED UNDER BUSINESS AND PROFESSIONS CODE SECTION 23958.5(B)(2), AND DIRECT STAFF TO SO COMPLETE THE ATTACHED FORM AND RETURN IT TO THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL.

ATTACHMENTS

EXHIBIT "A" APPLICANTS LETTER

EXHIBIT "B" ABC APPLICATION FORM

EXHIBIT "C" OFF SALE LICENSE INFO & MAP

Exhibit "A"

RECEIVED

NOV 30 2009

CITY OF CORNING

John Stoufer
Planning Director
City of Corning
794 Third Street
Corning, CA 96021

Re: Request for Determination of Public Convenience or Necessity

Dear Mr. Stoufer:

Please consider this letter our request for a determination of Public Convenience or Necessity which is required by the Department of Alcoholic Beverage Control (ABC) pursuant to Business and Professions code Section 23958.4. The following information is being provided to assist in the determination:

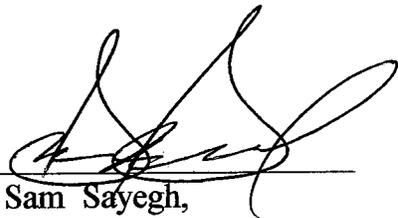
Corning 99 Cents Plus Grocery INC. D.B.A. 99 Cents Plus Grocery
(530)518-7908

Officers
Sam Sayegh,
Zuhair Sayegh
Maher Sayegh

Store Location.
2013 Solano St.
Corning, CA 96021

Mailing Address
2013 Solano St.
Corning, CA 96021

Following City Council consideration of this matter, please send a letter to Robert Farrar, Alcoholic Beverage Control, 1900 Churn Creek Road, Suite 216, Redding, CA 96002, advising him of the City of Chico's determination.



Sam Sayegh,

**INFORMATION AND INSTRUCTIONS -
SECTION 23958.4 B&P**

Exhibit "B"

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

CORNING 99 CENTS PLUS GROCERY INC.

2. PREMISES ADDRESS (Street number and name, city, zip code)

2013 Solano St., Corning CA 96021-2710

3. LICENSE TYPE

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input checked="" type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input checked="" type="checkbox"/> Other - describe: | 99 Cent Store | | |

5. COUNTY POPULATION

6871

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale Off-Sale

8. CENSUS TRACT NUMBER

0011.

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

8 On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

12 On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
 No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
 No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: _____

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Exhibit "C"



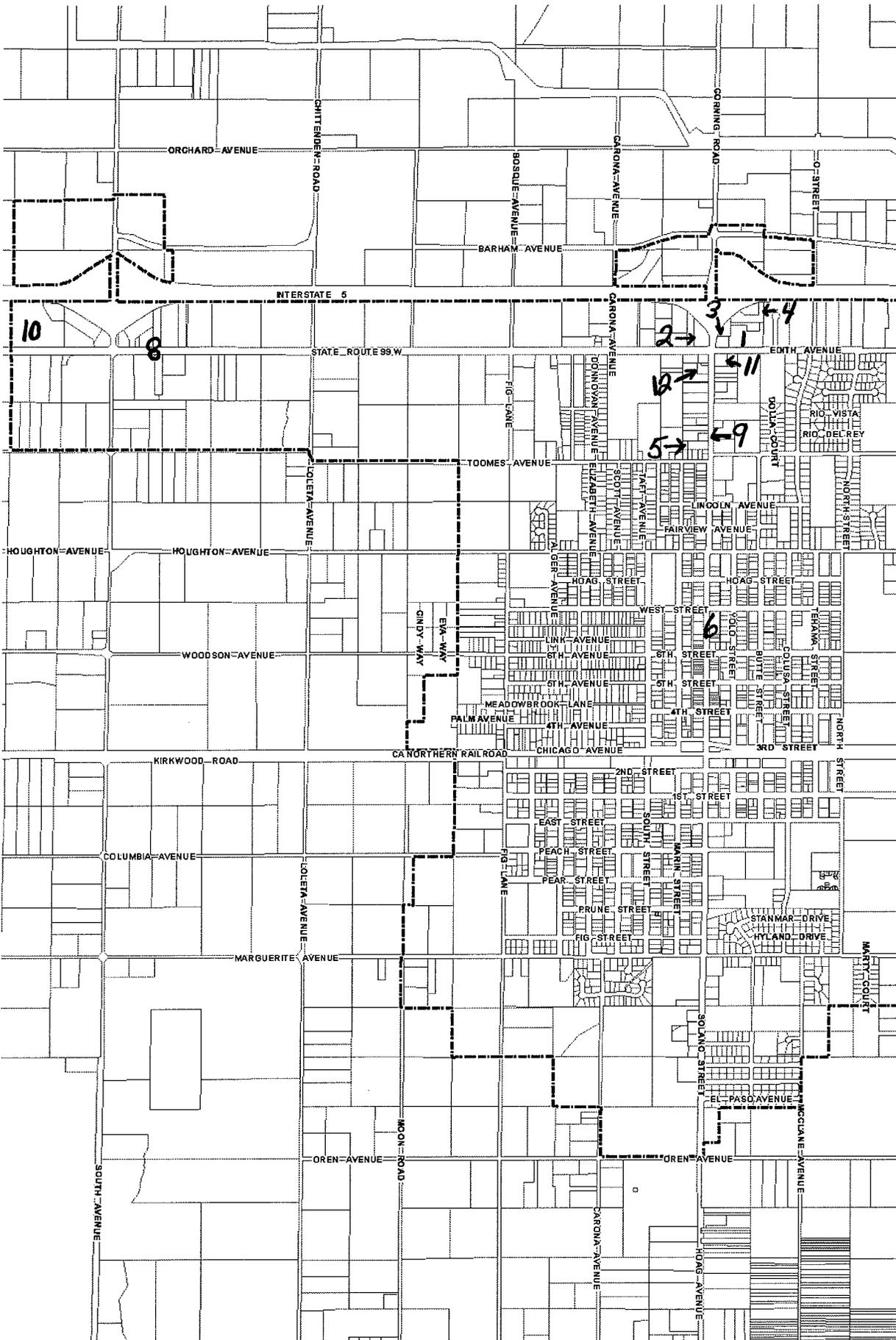
**California Department of Alcoholic Beverage
Control
For the County of TEHAMA - (Off-Sale Licenses)
and Census Tract = 0011**

Report as of 11/30/2009

MAP Numbering

↓	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	194189	ACT	21	1/22/1987	6/30/2010	SAFEWAY INC 600 EDITH AVE CORNING, CA 96021 Census Tract: 0011.	SAFEWAY INC 2295	PO BOX 29096 PHOENIX, AZ 85038-9096	5201
2)	301988	ACT	20	6/30/1995	5/31/2010	REDDING OIL COMPANY 790 EDITH AVE CORNING, CA 96021 Census Tract: 0011.	CORNING FOOD MART	PO BOX 990280 REDDING, CA 96099-0280	5201
3)	331367	ACT	20	7/29/1997	6/30/2010	MOUNTAIN COUNTIES SUPPLY COMPANY 820 99W CORNING, CA 96021 Census Tract: 0011.	CROSS COUNTRY TRAVEL CENTER	PO BOX 491687 REDDING, CA 96049-1687	5201
4)	332486	ACT	21	12/9/1998	6/30/2010	THRIFTY PAYLESS INC 640 EDITH AVE CORNING, CA 96021 Census Tract: 0011.	PAYLESS DRUG STORE 6188	PO BOX 3165 HARRISBURG, PA 17105-3165	5201
5)	373951	ACT	20	3/14/2001	2/28/2010	CORNING 99 CENTS PLUS GROCERY INC 2013 SOLANO ST CORNING, CA 96021-2710 Census Tract: 0011.	99 CENTS PLUS GROCERY		5201
6)	397386	ACT	20	3/25/2003	6/30/2010	7 ELEVEN INC 1425 SOLANO ST CORNING, CA	7 ELEVEN STORE 2235 20054E	PO BOX 2245 BREA, CA 92822- 2245	5201

						96021 Census Tract: 0011.			
7)	<u>433171</u>	ACT	20	12/19/2005	11/30/2009	MOUNTAIN COUNTIES SUPPLY COMPANY 2635 BARHAM AVE CORNING, CA 96021 Census Tract: 0011.	ROLLING HILLS CHEVRON	PO BOX 491687 REDDING, CA 96049-1687	5201
8)	<u>438287</u>	ACT	21	8/7/2006	7/31/2010	SANDHU JAGTAR SINGH 3090 HWY 99 WEST CORNING, CA 96021 Census Tract: 0011.	LIQUOR CABINET 2		5201
9)	<u>451230</u>	ACT	20	6/27/2007	5/31/2010	A2Z ASSOCIATES INC 2015 SOLANO ST CORNING, CA 96021-2710 Census Tract: 0011.	SPIRIT GAS & FOOD MART	PO BOX 572 CORNING, CA 96021-0572	5201
10)	<u>466252</u>	ACT	20	7/23/2008	6/30/2010	TA OPERATING LLC 3524 S HIGHWAY 99 W CORNING, CA 96021-9306 Census Tract: 0011.	CORNING TRAVELCENTER	400 CENTRE ST NEWTON, MA 02458	5201
11)	<u>474971</u>	ACT	20	2/18/2009	1/31/2010	TBS PETROLEUM LLC 2176 SOLANO ST CORNING, CA 96021 Census Tract: 0011.	CORNING SHELL	4544 MOUNTAIN LAKES BLVD REDDING, CA 96003-1447	5201
12)	<u>475313</u>	ACT	21	5/5/2009	6/30/2010	CHATHA BALWINDER SINGH 2185 SOLANO ST CORNING, CA 96021 Census Tract: 0011.	LIQUOR CABINET		5201



10

8

2 3 4

11

5 9

6

ORCHARD AVENUE

CHITTENDEN ROAD

BOSQUE AVENUE

CARONA AVENUE

CORNING ROAD

O STREET

BARHAM AVENUE

INTERSTATE 5

STATE ROUTE 99 W

EDITH AVENUE

FIG LANE

CARONA AVENUE

DONOVAN AVENUE

ELIZABETH AVENUE

SCOTT AVENUE

STAFF AVENUE

LINK AVENUE

6TH AVENUE

5TH AVENUE

MEADOWBROOK LANE

PALM AVENUE

4TH AVENUE

CHICAGO AVENUE

DOLLA COURT

FAIRVIEW AVENUE

HOAG STREET

WEST STREET

HOAG STREET

6TH STREET

5TH STREET

4TH STREET

3RD STREET

2ND STREET

1ST STREET

EAST STREET

PEACH STREET

PEAR STREET

PRUNE STREET

FIG STREET

STANMAR DRIVE

HYLAND DRIVE

MARTY COURT

EL PASO AVENUE

MOCCIANE AVENUE

HOAG AVENUE

HOUGHTON AVENUE

HOUGHTON AVENUE

LOLETA AVENUE

CINDY WAY

EVA WAY

WOODSON AVENUE

KIRKWOOD ROAD

CA NORTHERN RAILROAD

COLUMBIA AVENUE

LOLETA AVENUE

MARGUERITE AVENUE

OREN AVENUE

MOON ROAD

OREN AVENUE

CARONA AVENUE

HOAG AVENUE

SOUTH AVENUE

**ITEM NO: K-13
APPROVE RESOLUTION 12-08-09-01;
AUTHORIZING SUBMITTAL OF AN ENERGY
EFFICIENCY AND CONSERVATION BLOCK
GRANT APPLICATION, AND AUTHORIZE
CITY MANAGER TO EXECUTE REQUIRED
DOCUMENTS AND IMPLEMENT PROJECT
SPECIFICATIONS.
DECEMBER 8, 2009**

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

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
TERRY HOOFARD, BUILDING OFFICIAL**



SUMMARY:

Staff recommends City Council approval of Resolution 12-08-09-01. This Resolution would authorize the submittal of an Energy Efficiency and Conservation Block Grant (EECBG) application in the amount of \$40,469, and authorize the City Manager to execute the required documents and implement project specifications. To qualify, the California Energy Commission must receive our application no later than Tuesday, January 12, 2010.

If awarded this grant, staff proposes to utilize funds for the replacement of the Rodger's Theater heating, ventilation and air conditioning (HVAC) system and other energy efficiency improving measures in other City buildings as shown on the attached list (Exhibit "A"). This list was compiled by the California Energy Commission after they completed an "energy audit" of several City buildings.

The total grant amount available to the City is \$40,469. While the estimated cost to replace the Theatre HVAC, including ducting is \$67,250; the grant would cover only \$27,500 of that amount. The remaining funds would target to replace one (of six) AC units at City Hall and upgrade lighting at the Fire department, Library, Corporation Yard, Police Dept., City Hall and the Museum/Chamber building. All grant funded projects must be completed by September 13, 2012.

BACKGROUND:

The American Recovery and Reinvestment Act of 2009 (ARRA) provides funding for the State implemented "Energy Efficiency and Conservation Block Grant Program (EECBG)". This program offers grants to Cities throughout the State for projects that improve energy efficiency. The California Energy Commission has been allocated \$49.6 million for the EECBG Program, not less than 60% or approximately \$29.7 million of these funds to small Cities and Counties not eligible for direct grants from DOE (US Dept. of Energy).

As stated above, in preparation for this grant application, California Energy Commission staff audited City buildings and completed a spreadsheet that identified various energy efficiency improving measures that would qualify for funding under the EECBG program. The City is now ready to proceed with the grant application.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE RESOLUTION 12-08-09-01 AUTHORIZING:

- **SUBMITTAL OF AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT APPLICATION IN THE AMOUNT OF \$40,469; AND,**
- **FIND THAT APPROVAL OF THE ENERGY EFFICIENCY PROJECT DESCRIBED IN "EXHIBIT A" IS NO EXPANSION OF AN EXISTING USE AND THEREFORE EXEMPT FROM CEQA PURSUANT TO SECTION 15301, CLASS 1; AND,**
- **AUTHORIZE THE CITY MANAGER TO EXECUTE REQUIRED DOCUMENTS AND IMPLEMENT PROJECT SPECIFICATIONS.**

RESOLUTION NO. 12-08-09-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
AUTHORIZING SUBMITTAL OF AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT
APPLICATION, AND AUTHORIZING THE CITY MANAGER TO EXECUTE REQUIRED DOCUMENTS
AND IMPLEMENT PROJECT SPECIFICATIONS.**

WHEREAS, the City Council of the City of Corning recognizes that it is in the interest of the regional, state, and national economy to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency within our jurisdiction; and

WHEREAS, Energy Efficiency and Conservation Block Grant (EECBG) funds are available through the California Energy Commission's EECBG Program for grants to eligible local governments for cost-effective energy efficiency projects; and

WHEREAS, the City of Corning is eligible for EECBG funding under the California Energy Commission's EECBG Program; and

WHEREAS, the City of Corning is proposing to implement the energy efficiency project/s described in Exhibit A in order to qualify for EECBG funds from the California Energy Commission; and

WHEREAS, the City of Corning has considered the application of the California Environmental Quality Act (CEQA) to the approval of the energy efficiency project/s described in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED that in compliance with the CEQA, the City Council of the City of Corning finds that the approval of the energy efficiency project/s described in Exhibit A is/are "project" under CEQA that is exempt pursuant to Section 15301, Class 1, because it is a minor alteration of an existing public structure involving no expansion of an existing use.

BE IT ALSO RESOLVED that the City Council of the City of Corning authorizes the submittal of the application to the California Energy Commission's EECBG Program for funds to execute the proposed project/s described in Exhibit A.

BE IT ALSO RESOLVED, if recommended for funding by the California Energy Commission, the City Council of the City of Corning authorizes the City of Corning to accept a grant award up to the amount of this application for \$40,469, and, that Stephen J. Kimbrough, City Manager acting for the City of Corning is hereby authorized and empowered to execute in the name of the City of Corning, all necessary contracts and agreements, and amendments hereto, to implement and carry out the purposes specified in the application.

The foregoing Resolution was passed and approved by the City Council of the City of Corning on this 8th day of December, 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary R. Strack, Mayor

Lisa M. Linnet, City Clerk

ITEM NO: K-14
CORNING SKATE AND BIKE PARK
ASSOCIATION'S INFORMATIONAL
REPORT
DECEMBER 8, 2009

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

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
KIMBERLY L. BECK, RECREATION SUPERVISOR

STEVE

SUMMARY:

The Corning Skate and Bike Park Association Committee presented their informational report to the Recreation Commission on December 1, 2009. After questions and feedback, the Commission approved the informational report to go to Council as a progress report. The Committee will present their report at the December 8, 2009 meeting and return on February 9, 2010 for guidance from Council. Recreation Commissioners expressed appreciation for the work of the Committee and felt that the Council should receive the information as soon as possible.

BACKGROUND:

The Corning Skate and Bike Park Association Committee put a great deal of effort into forming a fully functional committee and creating the attached informational report. They are currently focusing on fundraising which will include raffles, benefit dinners, car washes, bake sales, and donations.

The Committee is at a point where they need further guidance and direction from City Council. The Committee recognizes that the cost of building the Park will exceed \$200,000 and the City may still need to buy land. They recognize that trying to raise \$200,000 privately is not an attainable goal for the Volunteers. Therefore, what commitment by the Volunteers will the City Council expect in order to receive a City financial commitment?

The Corning Skate and Bike Park Committee would like to return in February to further discuss how far the City will go to assist in developing the new Park. In the meantime the Committee will continue it's fundraising.

In the report submitted to the commission, the Committee included four of the properties they have considered. they are studying eight properties and volunteer Teresa Smith prepared property profiles included in the Council's Agenda.

RECOMMENDATION:

Corning Recreation Commission recommends City Council review of the Corning Skate and Bike Park Association's Informational Report in order to provide direction and objectives for the Corning Skate and Bike Park Committee.

Corning Skatepark Association

INFORMATIONAL REPORT



Corning Skate Park Association
Informational Report

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Corning SkatePark Association
Informational Report

The Corning Skatepark Association is a group of individuals dedicated to the cause of providing not only a Skatepark for the enjoyment of our community but to provide an opportunity for the youth to be involved in building their sense of community and earning an asset to their community at the same time.

BOARD MEMBERS:

Madaline Brooks - 819 Chestnut Street, Corning CA 96021

Shannon Petersen - 263 Rio Bravo Ct., Corning CA 96021

John Richards - 263 Rio Bravo Ct., Corning CA 96021

Dean Cofer - 419 Marguerite Ave, Corning CA 96021

Allen Turner - 1204 5th Street, Corning CA 96021

Dot Emerson - P.O. Box 55, Corning CA 96021

Ron Stubbs - 1216 Fig Lane, Corning CA 96021

Sharon Stubbs - 1216 Fig Lane, Corning CA 96021

John Eller - P.O. Box 530, Corning CA 96021

Teresa Smith - 1607 Solano Street, Corning CA 96021

Justin Devers - 4740 Barham #45, Corning CA 96021

Cody Tibbetts - 819 Chestnut Street, Corning CA 96021

Blake Richards - 263 Rio Bravo Ct., Corning CA 96021

Corning Skate Park Association
Informational Report

SKATE PARK FACTS:

There are 9.2 million skateboarders in the United States and growing every year. Skateboarding generates over \$450 million per year in revenue in the United States.

Skateboarding is not as dangerous as one would expect as you will read further in our report.

Skate parks should be constructed of concrete thus requiring low maintenance and lasting a long time.

Skateboarding is a sport that is enjoyed by all ages.

Unlike City pools, tennis courts, baseball parks, and soccer fields a skate park would get year round use.

Corning Skate Park Association
Informational Report

OUR GOALS:

The goals of the Corning Skate Park Association are to create a community involvement project that will provide a safe and permanent environment for the community, especially the youth to enjoy their chosen sport of skateboarding.

To utilize the ideas and manpower of our youth in the design, construction, fundraising and operation of the facility. Thereby allowing the youth of our community to know they are important, vital and a valued part our community.

To locate a site for our skate park. This project will become a great asset to the City of Corning once completed.

To use this project as an educational experience for the youth involved. To help them learn how to set goals and achieve them, to show them what it takes and what can be earned by working within their community.

Corning Skate Park Association
Informational Report

MISSION STATEMENT:

It is the Corning Skate Park Association's mission to request that the City of Corning enter into a partnership with the Corning Skate Park Association to develop, construct, operate and maintain the facilities where the activity of skateboarding can be enjoyed in a safe, well maintained and permanent environment.

The Corning Skate Park Association asks that the City of Corning work with the Corning Skate Park Association in locating and developing an appropriate site for the skate park.

The Corning Skate Park Association will with the oversight of the City of Corning design and construct facilities for skateboarding. All designs, engineering, and construction will meet or exceed current building codes and must be approved by the City of Corning.

Upon completion of construction of the skate park facility, all improvements to city park property will belong to the City of Corning.

The Corning Skate Park Association is currently and will continue to raise funds for this project from public donations of money, in kind services, and the pursuit of public grants.

Corning Skate Park Association
Informational Report

FUNDING STATUS:

The Corning Skate Park Association has been approved to operate under the umbrella of the Corning Community Foundation's tax exempt status and bank account.

We are currently in the process of having our first fundraising raffle. We will continue to raise funds through events such as car washes, raffles, bake sales, and benefit dinners.

We have received offers from many local people in the construction industry for the donation of in kind services and materials to help in the construction of the facility.

We plan on applying to national and local foundations for grants to help defray the costs of constructing the facility.

Corning Skate Park Association
Informational Report

LETTERS OF SUPPORT:

The Corning Skate Park Association has been collecting letters of support from various business owners in the community. We have also been collecting signature cards from community members who have expressed interest in helping during the construction phase of the park and their support of a skate park for our community.

Samples of these are included.



ROTARY CLUB OF CORNING

P.O. Box 764
Corning, CA 96021

November 9, 2009

Corning Skateboard & Bike Association
P. O. Box 1260
Corning Ca 96021

Dear Ms. Madeline Brooks and Ms. Shannon Petersen,

I am writing this letter as a letter of support for the Corning Skateboard & Bike Association. Corning Rotary would very much like to see a park built within the City of Corning that could facilitate the youth of Corning for their skateboarding and biking needs.

The City of Corning desperately needs this facility. Corning Rotary supports local projects and likes to give not only monetarily, but also physically. If there is a project in the future that requires a lot of volunteers, please let us know!

We would like to see the community of Corning work together with the City in order to build and maintain a great skateboard and bike park. We believe that a park such as this would accomplish many goals that our community desires: 1. the safety and security of our children, 2. the preservation of other parks, schools, and private structures that are abused by skateboarders, and 3. an attraction to draw children from other outlying areas which will boost commerce in our local businesses.

Please continue to keep up the good work that you have started and petition the City for all the assistance that they can provide to your efforts!

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle M. Lauderdale".

Kyle M. Lauderdale
Corning Rotary President 2009-2010

November 9, 2009

Corning Skateboard & Bike Association
P. O. Box 1260
Corning Ca 96021

Dear Ms. Madeline Brooks and Ms. Shannon Petersen,

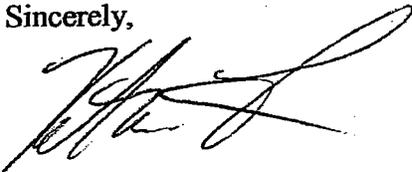
I am writing this letter as a personal letter of support for the Corning Skateboard & Bike Association. I would very much like to see a park built within the City of Corning that could facilitate the youth of Corning for their skateboarding and biking needs.

The City of Corning desperately needs this facility. All too often I have had to chase skateboarders off the premises of my own workplace - PremierWest Bank. Because they have no designated area to go, many skateboarders take to the streets, parking lots, and private residences to practice their sport. Often this creates a dangerous environment where kids are mixing with moving and parked vehicles.

I would like to see the community of Corning work together with the City in order to build and maintain a great skateboard and bike park. I believe that a park such as this would accomplish many goals that our community desires: 1. the safety and security of our children, 2. the preservation of other parks, schools, and private structures that are abused by skateboarders, and 3. an attraction to draw children from other outlying areas which will boost commerce in our local businesses.

Please continue to keep up the good work that you have started and petition the City for all the assistance that they can provide to your efforts!

Sincerely,



Kyle M. Lauderdale
AVP - Branch Manager
PremierWest Bank

OLIVE VIEW ELEMENTARY SCHOOL

Beckie Bouchard, Ed.D. Principal

Dave Sweringen, Assistant Principal

October 8, 2009

Dear Coming Skateboard and Bike Park Association:

Please accept this as an official letter of support for process underway toward the creation of a skateboard and BMX bike park for our Coming youth. Having been a Principal at all levels and in three geographic areas I can tell you that when communities get together to provide students with positive, safe and engaging activities they enjoy, their tendencies toward unhealthy activities are greatly reduced.

Your efforts are laudable to say the least in our small rural, low-income community but the benefits derived from the process has potential to be more valuable than the end product. The process that is undergoing can be a strong catalyst for binding together teenagers, parents, police, politicians, business leaders and civic groups who come together and push for this common cause. This effort alone will make the world a better place.

I have had multiple opportunities to see and interact with the skateboarders in front of both schools and hear their frustrations repeatedly expressed about not having a location that is "theirs." As adults, we must trust a sense of ownership and pride will develop within our youth to take care of and respect this new skateboard park. As adults, we must give the future generation the support and opportunity to be outdoors, get out from behind a joystick, television and/or computer and interact with one another in a safe social setting. I look forward to this park being filled with skateboarders, roller skaters and in-line skaters practicing their sport safely, legally and cooperatively.

Thank you,


Beckie Bouchard, Ed.D.

Olive View and West Street Principal

1402 Fig Street
Coming, CA 96021

PHONE (530) 824-7715

FAX (530) 824-7740

WEB SITE

<http://www.cuesd.tehama.k12.ca.us/oliveview/index.htm>



1436 Solano St.

Corning, Ca 96021

October 8, 2009

To whom it may concern,

Les Schwab Tire Center in Corning supports the idea of building a skateboarding park. We think that it would be a good idea, by giving the children in the community a place to skateboard.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Ward".

Bruce Ward (Manager),

A handwritten signature in cursive script that reads "Chris Hoag".

Chris Hoag (Assistant Manager),

Marco's Pizza

2116 Solano St.
Yreka, Ca. 96021
(530) 824-6661

We at Marco's Pizza would like to extend our support in the proposed building of a skate park in our city. We believe that the positive effect will far out weigh the negative.

The skate park would give the kids a place of their own to skate and hopefully keep them from skating up and down our parking lot and ramping and grinding on our speed bump.

We also believe that having a skate park would free up Police Officers to enforce rules and laws regarding the use of skateboards on our streets and sidewalks.

There is no guarantee that the skating community will embrace and appreciate a skate park but we say why not give them a chance to show the town that they are capable of making this a successful contribution to our city.

Thank You.

Steve and Tracy Barbo

Nor-Cal Environmental Solutions, LLC.
4383 Co. Rd. HH
Orland, CA 95963
530-624-0422

October 7, 2009

Corning Skateboard & Bike Association
P.O. Box 1260
Corning, CA 96021

To Whom It May Concern:

As a local businessman, a parent of two, and a concerned member of our community, I would like to take this opportunity to express my support for your association's efforts to provide a safe, supervised and a much needed recreational opportunity for our youth and young in Corning.

Not all children have the interest in playing after school sports, but their interest includes skateboarding and bike riding. I feel by providing a safe environment for their entertainment, it will help them thrive as community members.

I support the Corning Skateboard & Bike Association's efforts. By getting the youth of Corning involved in this project, will give them a sense of pride in the community and help them become productive citizens.

Sincerely,



Shane Farrell



Wednesday, October 07, 2009

Corning Skateboard & Bike Association
Attn. Madeline Brooks
POB 1260
Corning, CA 96021

Dear Madeline;

As owner of Sims & Sons Roofing & Construction, and a grandparent, I want to express my support for your association's efforts to provide a skateboard and bike park for our youth and young people.

There has always been after school sports offered for football, baseball, soccer and other sports. Not all kids like those sports. Those young people that have the talent and energy for skateboarding and biking should also have an opportunity to play their sport in a safe and protected environment.

I support the Corning Skateboard & Bike Association's efforts and support, of our youth. Your enthusiasm in getting our young people of the community to get involved for such a worthy project, will certainly help them become better individuals and build their sense of community.

Sincerely,

A handwritten signature in black ink that reads "Michael Sims". The signature is written in a cursive style.

Michael Sims
Owner
Sims & Sons Roofing & Construction

P.O. Box 370 Gerber, CA 96035
Phone / Fax (530) 385-2000 CA Lic. #786233 B, C39
[http:// www.simsandsons.com](http://www.simsandsons.com)

Pizza Factory
1006 South Street
Orland, CA 95963
530-865-4747

October 7, 2009

Corning Skateboard & Bike Association
P.O. Box 1260
Corning, CA 96021

To Whom It May Concern:

As a local businesswoman, a parent of two, and a concerned member of our community, I would like to take this opportunity to express my support for your association's efforts to provide a safe, supervised and a much needed recreational opportunity for our youth and young in Corning.

Not all children have the interest in playing after school sports, but their interest includes skateboarding and bike riding. I feel by providing a safe environment for their entertainment, it will help them thrive as community members.

As a member of the Orland community I do all I can to support the youth of Orland. I commend you for your efforts.

Sincerely,



Kimberly Cutshall
Owner

Nor-Cal Environmental Solutions, Inc.
DBA Nor-Cal Septic & Trench Work
P.O. Box 928
Orland, CA 95963
530-865-2721

October 8, 2009

Corning Skateboard & Bike Association
P.O. Box 1260
Corning, CA 96021

To Whom It May Concern:

As a local businessman, a parent of two, a former City of Orland councilmember, and a concerned member of our community, I would like to take this opportunity to express my support for your association's efforts to provide a safe, supervised and a much needed recreational opportunity for our youth and young in the surrounding counties.

Not all children have the interest in playing after school sports, but their interest includes skateboarding and bike riding. I feel by providing a safe environment for their entertainment, it will help them thrive as community members.

I support the Corning Skateboard & Bike Association's efforts. By getting the youth of Corning involved in this project, will give them a sense of pride in the community and help them become productive citizens.

Sincerely,



Chuck Cutshall
Owner of Nor-Cal Septic & Trench Work



Corning Exchange Club

P.O. Box 490 Corning, CA 96021 Ph: (530) 824-4407

Monday, October 12, 2009

Corning Skateboard & Bike Association
P O Box 1260
Corning, CA 96021

To Whom It may concern:

On behalf of The Corning Exchange Club this letter to inform your Association of our concern and approval of your attempt to bring into existence the Corning Skateboard & Bike Park. This has been needed for many years. Our young skaters and bikers really need a place to be able to call their own. They have no other place to skate but on public property and they have been basically told that they cannot skate or bike there.

We as a local community club is in favor of this park and will do what we can to see that it is built.

Sincerely,

John Leach
President
Corning Exchange Club



Gerber Union Elementary School District

23014 Chard Avenue
Gerber CA 96035
(530) 385-1041
FAX (530) 385-1451

"Achieving Excellence"

Rod Stone
Superintendent/Principal

October 20, 2009

Corning Skateboard & Bike Association
PO Box 1260
Corning, CA 96021

Association Members,

At the regularly scheduled Gerber Union Elementary School District Board of Trustees meeting held on October 19, 2009, it was discussed and unanimously agreed to support the volunteer work being done by the Corning Skateboard & Bike Park Association, in cooperation with the City of Corning on behalf of children in Tehama County. It was discussed and noted that even though Trustee members did not believe this park would have a significant impact on our students, it was agreed that providing a venue for children to exercise and play in a designated area is both positive for the community and its youth.

The Gerber Union Elementary School District Board of Trustees offers its support to the Skateboard & Bike Park for the youth in Tehama County.

Respectfully,

Rod Stone
Superintendent/Principal
Gerber Union Elementary School District

To whom it may concern:

I just wanted to take a minute to let you know I applaud your efforts to give the youth of the town something to do by putting in a skateboard park. I fully support all that you might do to make this happen. You should also know that all the people I talk to in my place of business support it also.

A handwritten signature in black ink, appearing to read "Ron Rath". The signature is stylized with large, sweeping loops and a long horizontal stroke at the bottom.

**Ron Rath
SavMor Foods
590 Solano St.
Corning Ca. 96021**

To whom it may concern:

I am 100 % in agreement that our kids should have something to do in our community that would allow them to have fun, hang with their friends, and most importantly, stay out of trouble. I feel a skate park would allow the kids to do all of these things.

Being a business manager, I deal with a lot of the kids that need a place to skate safely and my parking lot is not a safe place but this is where the kids end up. It is very dangerous.

The new life assembly used to have a skate area for the kids in our community but their only mistake was there was never any kind of supervision or rules for them to follow so it was more of a nuisance than anything but I feel if you provide a park and make all the kids responsible to keep it a safe and fun place then it will benefit all of us.

Kids need things to do and not having much of a choice here in Corning I think we owe it to our kids to at least try to give them something to be responsible for. And in return I think you may see more kids off the streets and not joining gangs.

I vote yes!!!

**Pamela Johnston
Store Manager
SavMor Foods
590 Solano St.
Corning Ca. 96021**

**NORTH STATE GROCERY, INC.
Dba**



**PAM JOHNSTON
STORE MANAGER #32**

**Address:
590 Solano Street
Corning, CA 96021
Headquarters:**

**Phone: (530) 824-5807
Fax: (530) 824-6543
Toll Free: (877) 728-6671**



Superintendent

Stephen Kelish
1590 South Street
Corning, CA 96021
530.824.7700

www.cuesd.tehama.k12.ca.us

West Street Elementary

Beckie Bouchard, Principal
900 West Street
Corning, CA 96021
530.824.7705

Woodson Elementary

Mona Miller, Principal
N 150 Toomes Avenue
Corning, CA 96021
530.824.7720

Olive View Elementary

Beckie Bouchard, Principal
1402 Fig Street
Corning, CA 96021
530.824.7715

Tehama Elementary

na Miller, Principal
57 Stagecoach Road
PO Box 5775
Corning, CA 96021
530.585.2800

Maywood Middle School

Jeff Harris, Principal
1666 Marguerite Avenue
Corning, CA 96021
530.824.7730

Columbia Academy

Jeff Harris, Principal
1785 Columbia Avenue
Corning, CA 96021
530.824.7730

Discovery Academy

Jeff Harris, Principal
1733 Columbia Avenue
Corning, CA 96021
530.824.7730

Board Members

Martin Mathisen
Helen Pitkin
Ronda Holland
Shanna Long
Laura Crane

**Preparing Students
For Their Future!**

November 6, 2009

Mr. Dean Cofer

Corning Skateboard and Bike Association
P. O. Box 1260
Corning, CA 96021

Dear Mr. Cofer and members of the Corning Skateboard and Bike Association

I am writing this letter in support of the efforts on the part of the Corning Skateboard and Bike Association to establish a Skateboard and BMX Bike Park for our youth in the city of Corning. Both activities, skateboarding and biking, are extremely popular with our youth. For many years these groups have looked for a safe place in order to practice their skills. Unfortunately, these locations tend to be designed for other uses than skateboarding and biking. Our schools are a perfect example.

I truly believe that skateboarders and bikers are no different than soccer players, baseball players, or basketball players. Without a safe facility to play in, they will improvise and come up with their own place. We build facilities to accommodate our soccer, baseball and basketball players in the community. I think it would be wonderful if we could do the same for the skateboarders and bikers.

As Superintendent of the Corning Union Elementary School District, I strongly support the creation of a Skateboard / BMX Bike Park for the youth of our community.

Sincerely,

Stephen Kelish
Superintendent
Corning Union Elementary School District

Freddy Holman, Jr.
22331 Samson Ave.
Corning, CA 96021

10/6/09

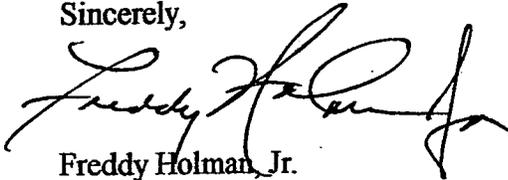
To Whom It May Concern:

Regarding a new skateboard park that has been proposed for the city of Corning, I would like to express my sincere endorsement. There are several different reasons I feel such a park would benefit our city. One: it demonstrates an interest in the young people of our community. If it is within our power to channel their creativity into something positive, we should take advantage of that opportunity. Youths who genuinely feel they are not outcasts of society, but accepted, will be less inclined to tolerate trouble when it comes looking for them. Instead, pride will be generated, pride in this town and a park they will no doubt consider their own. Therefore, youths will be less inclined to vandalize or destroy public property.

Second: young people are going to use their skateboards whether there is a park or not. An alternative to a park is the parking lots and sidewalks that should be used only by pedestrians. True, it is illegal for them to skate in such areas. But young people seem consumed by the moment. They want what they want, when they want, regardless of the consequences. As a community, we have to face the consequences as well-- such use will damage parking lots and sidewalks. Pedestrians will be injured. Such problems can be and should be avoided.

Third: a skateboard park means progress. Our small city has been stunted for the past several years. We should be growing in a positive direction, concurrent with our modern age and with a sense of security for our citizens. That is something we have not had for a long time. Merely waiting for our community to get better, or dreaming of the "good old days", or wanting to keep Corning a sleepy little hamlet will not improve the conditions we live under. Maybe building a skateboard park will be the first step in all of us taking a sincere interest in this city, with a determination to make Corning a better place to live. We owe that, not only to ourselves, but to our children.

Sincerely,

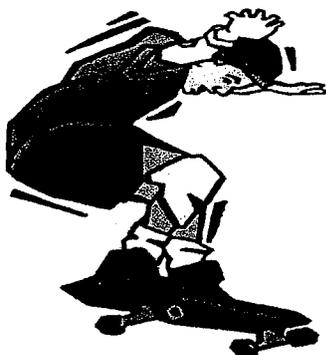


Freddy Holman, Jr.

Corning Skatepark Association

PART

2



Corning Skate Park Association
Informational Report

The creation of a skateboard park will benefit our community in many ways.

Our youth will benefit not only from the health aspects of participating in the activities but will show them that their community cares for them and is concerned for their safety by providing them a safe, legal, fun filled atmosphere where they can exercise their sport of choice.

The safety of our community will benefit due to these activities taking place in an environment designed and engineered with safety in mind. Our children would no longer be forced to use parking lots, sidewalks, school facilities and other sites where these activities are considered unsafe not only for themselves but for other people in the vicinity.

Our local business community will benefit from this project by the reduction of the use of their places of business as sites for enjoying skateboarding, thus allowing customers to enter without the nuisance of groups of skateboarders in the way. Events and competitions at the skate park could bring people from outside our area that will shop in our stores, eat in our restaurants and sleep in our motels.

Corning Skate Park Association
Informational Report

SITE LOCATION

The Corning Skate Park Association has reviewed nine possible site locations. These locations have been identified and researched through interaction with city officials and personal observation. Ownerships, possible costs, parcel size, location, utilities, street access, topography as well as proximity to residential neighborhoods, schools and existing parks have been identified. We recommend five sites that we believe are best suited to a skate park, as well as the possibility for new development of youth soccer fields and walking paths.

Attached are the details and maps associated with each site:

- Site 1: South Street and Chicago Ave - Private Owned
- Site 2: 104 East Fig Lane - Private Owned
- Site 3: Fig Lane and Margarite Ave - Private Owned
- Site 4: North side Park - City Owned
- Site 5: Yost Park - City Owned

We ask that the City of Corning partner with our organization in providing a facility for our community to enjoy Skateboarding.

We ask that the City of Corning utilize its resources for funding, land, and manpower to provide this much needed and beneficial community asset.

Corning Skatepark Association

SITE LOCATION **ONE**



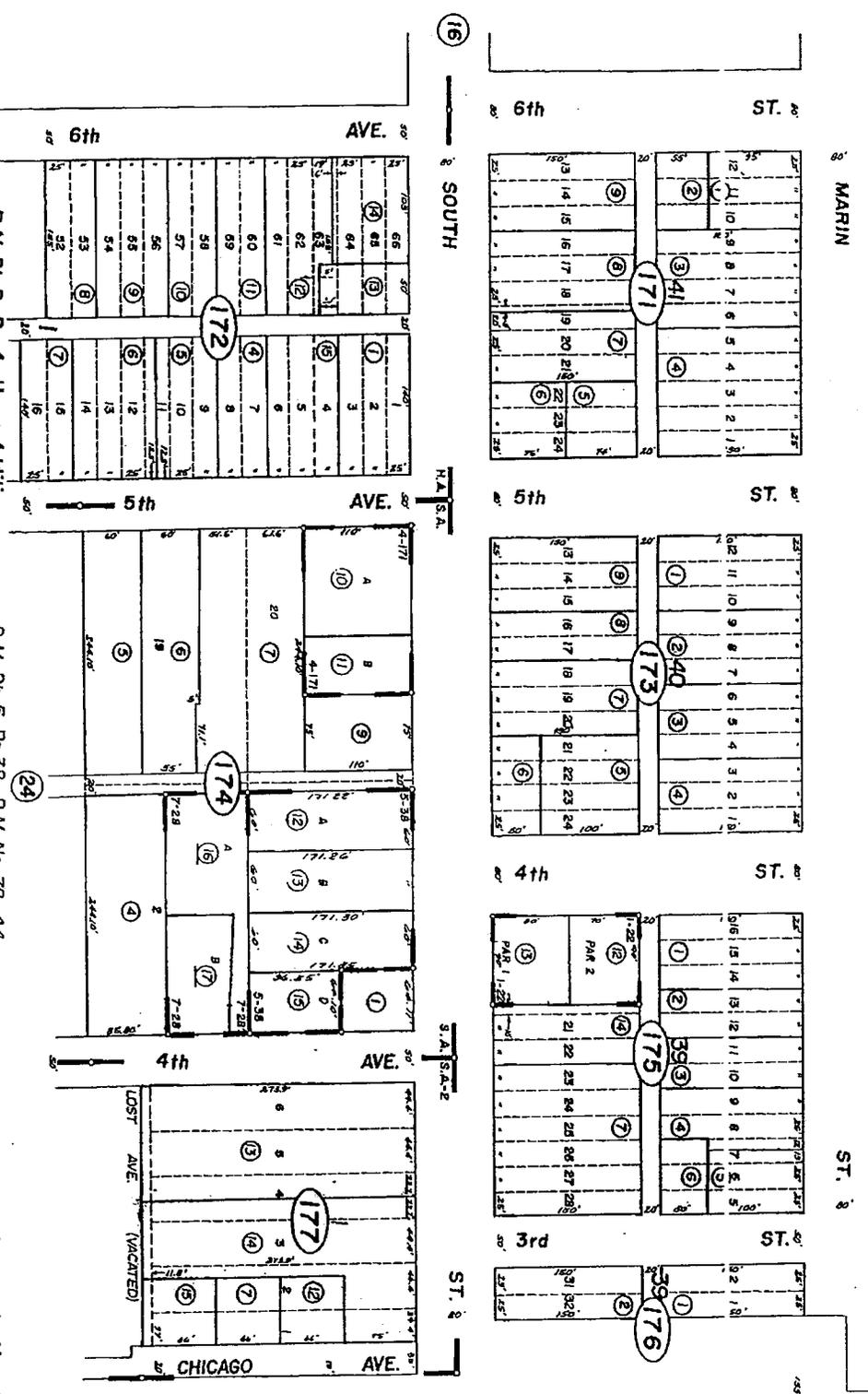
1. At South Street and Chicago Ave.
 - a. Location: South Side of South Street, adjacent to the Senior Center, behind two homes on Chicago Ave.
 - b. Parcels: 14
 - c. APN: 071-177-14
 - d. Zoning:
 - i. Flood Zone:
 - ii. County Use: Vacant Industrial (202)
 - iii. City Use:
 - e. Size: .63 Acres
 - f. Utilities: Water, Sewer and Electricity easily accessible
 - g. Street Access:
 - i. 100' along South Street
 - ii. 76' along Chicago Ave.
 - h. Topography:
 - i. The land is undeveloped and relatively flat.
 - i. Neighbors:
 - i. The Senior Center lies to the West
 - ii. A small residential park lies to the West.
 - iii. Two Residences lie to the East along Chicago
 - iv. One residence lies to the south
 - v. The Ca. Northern Railroad lies across Chicago to the East
 - vi. Commercial property lies to the north.
 - j. Possible Configurations / Uses of the land
 - i. A Skate and Bike Park could be built to the south of the parking
 - ii. Parking could be developed at the north end along South Street
 - iii. Concession/Restrooms could be developed at the north end along South Street
 - iv. Soccer Fields could not be incorporated in this site
 - v. Walking Paths would be too short at this site
 - vi. The adjacent park could become part of a shaded picnic area designed for families who accompany youth at the park.
 - k. Potential Costs:
 - i. Purchase of the land from Bradley and Shirley Green
 - ii. Construction of:
 1. Skate/Bike Park
 2. On-site parking
 3. Concession / Restrooms
 4. Curb, Gutter and Sidewalks along South and Chicago
 5. Picnic Area
 - iii. Utilities are nearby and could be connected easily

071-177-14

SUBDIVIDED LAND IN NE 1/4, SEC. 22, T. 24N., R. 3W., M. D. B. & M.

Tax Area Code
I-00

71-17



R.M. Bk. B, Pg. 4 - Home Addition
 R.M. Bk. B, Pg. 10 - South Side Addition
 R.M. Bk. B, Pg. 11 - South Side Addition No. 2
 P.M. Bk. 4, Pg. 22 - Parcel Map No. 187
 P.M. Bk. 4, Pg. 171 - P.M. No. 77-119

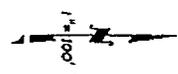
P.M. Bk. 5, Pg. 38 - P.M. No. 78-44
 P.M. Bk. 7, Pg. 28 - P.M. No. 80-134

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 71 - Pg. 17
 JULY 26 2000
 County of Tehama, Calif.

SEC. 22
 SEC. 23

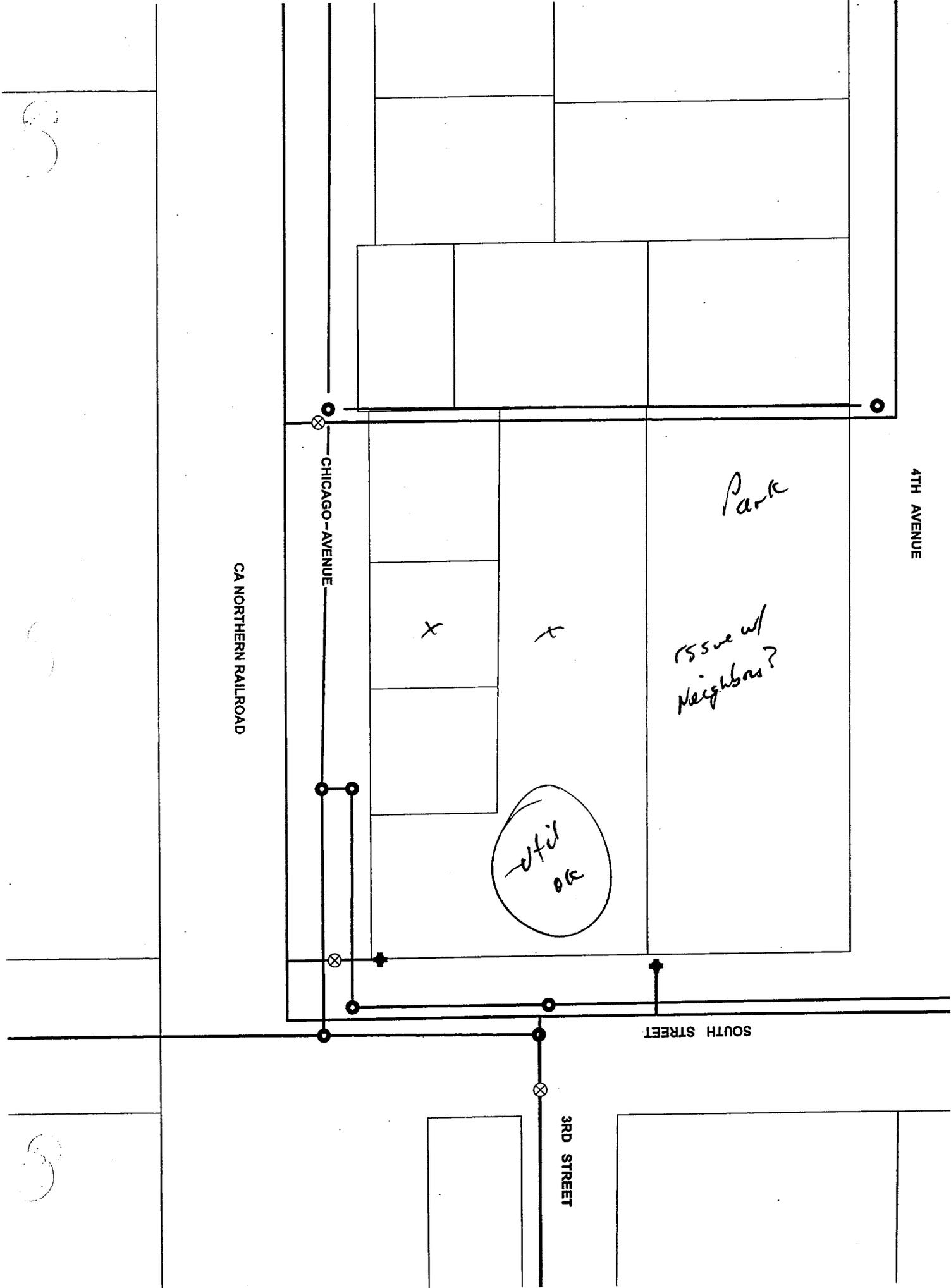
Bk. 73



3

3

3



CA NORTHERN RAILROAD

CHICAGO AVENUE

4TH AVENUE

SOUTH STREET

3RD STREET

Park

Issue w/
Neighbors?

util
ok

x

+



South St & Chicago Ave, Corning

Chicago Ave

Chicago Ave

Image © 2009 DigitalGlobe

© 2009 Google

Google

Imagery Date: Jun 4, 2006 39°55'31.39" N 122°10'45.38" W elev. 273 ft

Eye alt: 833ft

CUSTOMER PUBLIC REPORT

MLS #: 200900773
Status: ACTIVE
Type: SINGLE FAMILY
Address: 1080 CHICAGO AVENUE
Cross St: SOUTH ST.
City: CORNING
State: CA
Zip: 96021
Area: CORNING
Class: RESIDENTIAL

of Bedrooms: 2
of Full Baths: 1
of Partial Baths: 0
Garage Capacity: 0
Garage Type: NONE
Stories: ONE
Acres: 0.00
DOM: 181
Total Sq Ft: 800
Possession: COE

ASKING PRICE: \$85,900

DIRECTIONS:
SOUTH TO CHICAGO

GENERAL

Year Built: 1936
APN#: 071-244-29

Lot Dimensions:
Zoning: R1

Virtual Tour:

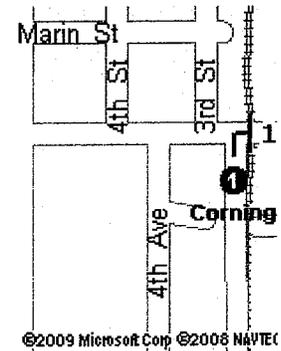
Listing Office: UNITED COUNTRY ALLEGIANCE R.E.A.

FEATURES

Appliances: ELEC RANGE/OVEN
Bath: SHOWER-TUB
Cooling: EVAPORATIVE
Exterior Amenities:

Interior Amenities:

Rooms:



Heat: WALL HEATER
Roads: PAVED
Roof: COMPOSITION

PUBLIC REMARKS

CUTE HOME WAITING FOR YOU! FRENCH DOORS, NEW PAINT IN AND OUT, NEW ROOF, DUAL WINDOWS AND WOOD LAMINATE FLOOR THROUGHOUT! CLOSE TO SCHOOLS AND SHOPPING

Prepared By: **TERESA SMITH Lic#01500355 - CELL: (530) 680-3848**

Corning Skatepark Association

SITE LOCATION TWO



2. At 104 East Fig Lane.

- a. Location: North Side of Fig Lane, adjacent to Centennial High School
- b. Parcels: Lots 38, 39 & 40
- c. APN: 073-120-39-1
- d. Zoning:
 - i. Flood Zone: X
 - ii. County Use: Rural Residential (051)
 - iii. City Use: _____
- e. Size: 3.8 acres
- f. Utilities: Water, Sewer and Electricity easily accessible along Fig Lane.
- g. Street Access:
 - i. Fig Lane
 - ii. Adjacent to the paved road/driveway/right of way? at Centennial High School
- h. Topography:
 - i. A drainage ditch/depression cuts through the middle of the property at a southwest-to-northeast angle.
 - ii. The site is relatively flat.
 - iii. There are several large trees on the property
- i. Neighbors:
 - i. Centennial High School and Corning Adult School lie next to the east side of the site.
 - ii. The parking lot, horseshoe pits and tennis courts of Clark Park are directly south of the property, across Fig Lane.
 - iii. A mobile home park is located to the southwest of the property.
 - iv. Orchards line the northern end and the northern half of the west side
 - v. A vacant parcel lies along the southern half of the western side.
 - vi. Olive View and Maywood Schools are nearby.
- j. Possible Configurations / Uses of the land
 - i. A skate and Bike Park could be located at the southern end of the property
 - ii. Parking could be developed along the right of way / driveway of Centennial High School if needed or along Fig Lane.
 - iii. A concession/restroom facility could be located at the southern end of the property
 - iv. Youth sized Soccer Fields could be located on the north end of the property.
 1. 5-10 Youth-sized soccer fields (50 X 100 yards) could be located side by side in several configurations. Some grading would be required.
 2. Youth sized soccer fields would fit well with a youth oriented skate and bike park.
 - v. A long walking/running path could be developed through and around the property
 - vi. The trees could become part of a shaded picnic area designed for families who accompany youth at the park.
- k. Potential Costs:
 - i. Purchase of the land from Dana Montgomery
 - ii. Construction of:
 1. Skate/Bike Park
 2. On-site parking or use of Clark Park
 3. Concession / Restrooms - could be upgraded at Clark Park or built on-site
 4. Curb, Gutter and Sidewalks along South and Chicago - could be paid for by a "safe path to school" grant
 5. Soccer Fields with water lines to the fields
 6. Walking Path
 7. Picnic Area
 - iii. Utilities - located along Fig Lane, basic hook-up required. Water lines would need to extend to the soccer fields.

3

3

3

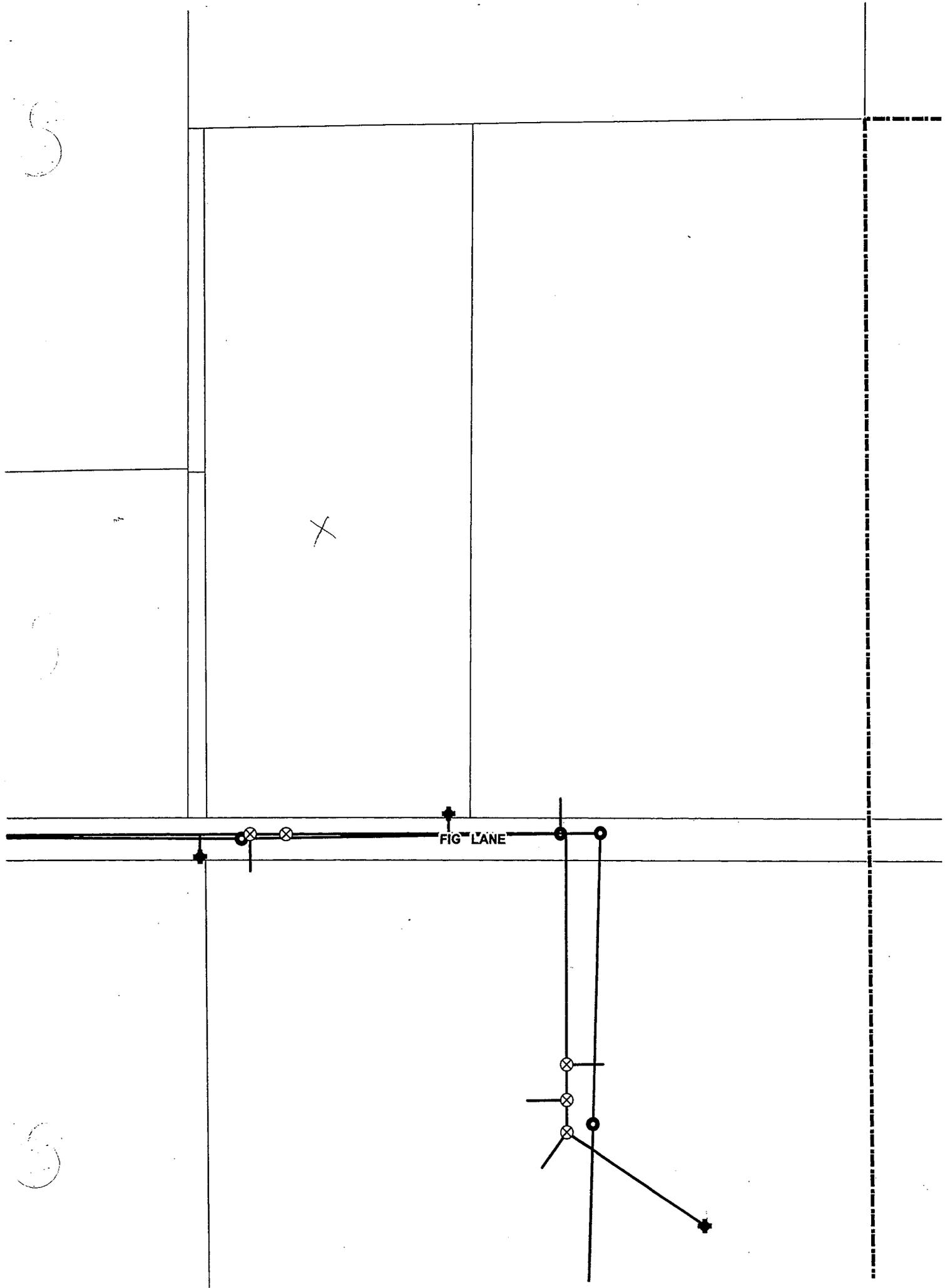


FIG LANE

104 E Fig Ln, Corning, CA 96021

E Fig Ln

Image © 2009 DigitalGlobe

© 2009 Google

Google

Imagery Date: Jun 4, 2006

39:55:16.57" N 122:09:57.71" W elev: 263 ft

Eye alt: 1013 ft

CUSTOMER PUBLIC REPORT



MLS #: 200900819
Status: CANCELLED
Type: SINGLE FAMILY
Address: 104 E FIG LANE
Cross St: MARGUERITE
City: CORNING
State: CA
Zip: 96021
Area: CORNING
Class: RESIDENTIAL

of Bedrooms: 2
of Full Baths: 1
of Partial Baths: 0
Garage Capacity: 0
Garage Type: NONE
Stories: TWO
Acres: 3.80
DOM: 128
Total Sq Ft: 1058
Possession: COE

ASKING PRICE: \$185,000

DIRECTIONS:

FROM SOLANO ST, SOUTH ON MARGUI
ON FIG LANE.

GENERAL

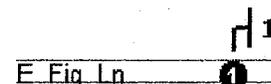
Year Built: 1931
APN#: 073-120-39
Virtual Tour:

Lot Dimensions:
Zoning: R-1

Listing Office: AMERICAN HOMES & LAND REALTY

FEATURES

Appliances:
Bath:
Cooling: NONE
Exterior Amenities:



Interior Amenities:

Rooms:

©2009 Microsoft Corp ©2008 NAVTEC
Heat: OTHER/SEE REMAR
Roads: PAVED
Roof: COMPOSITION

PUBLIC REMARKS

OLD HOUSE ON ACREAGE NEXT TO CENTENNIAL HIGH SCHOOL, ACROSS STREET FROM ESTIL CLARK PARK. THERE ARE QUITE A FEW OLIVES ON THE PROPERTY INCLUDING OLIVES AND A HUGE WALNUT TREE. AS WELL AS SOME GRAPE VINES. THERE ARE 3 PARCELS, LOTS 41. PROPERTY COULD BE SUBDIVIDED FOR DEVELOPMENT.



Corning Skatepark Association

SITE LOCATION **THREE**



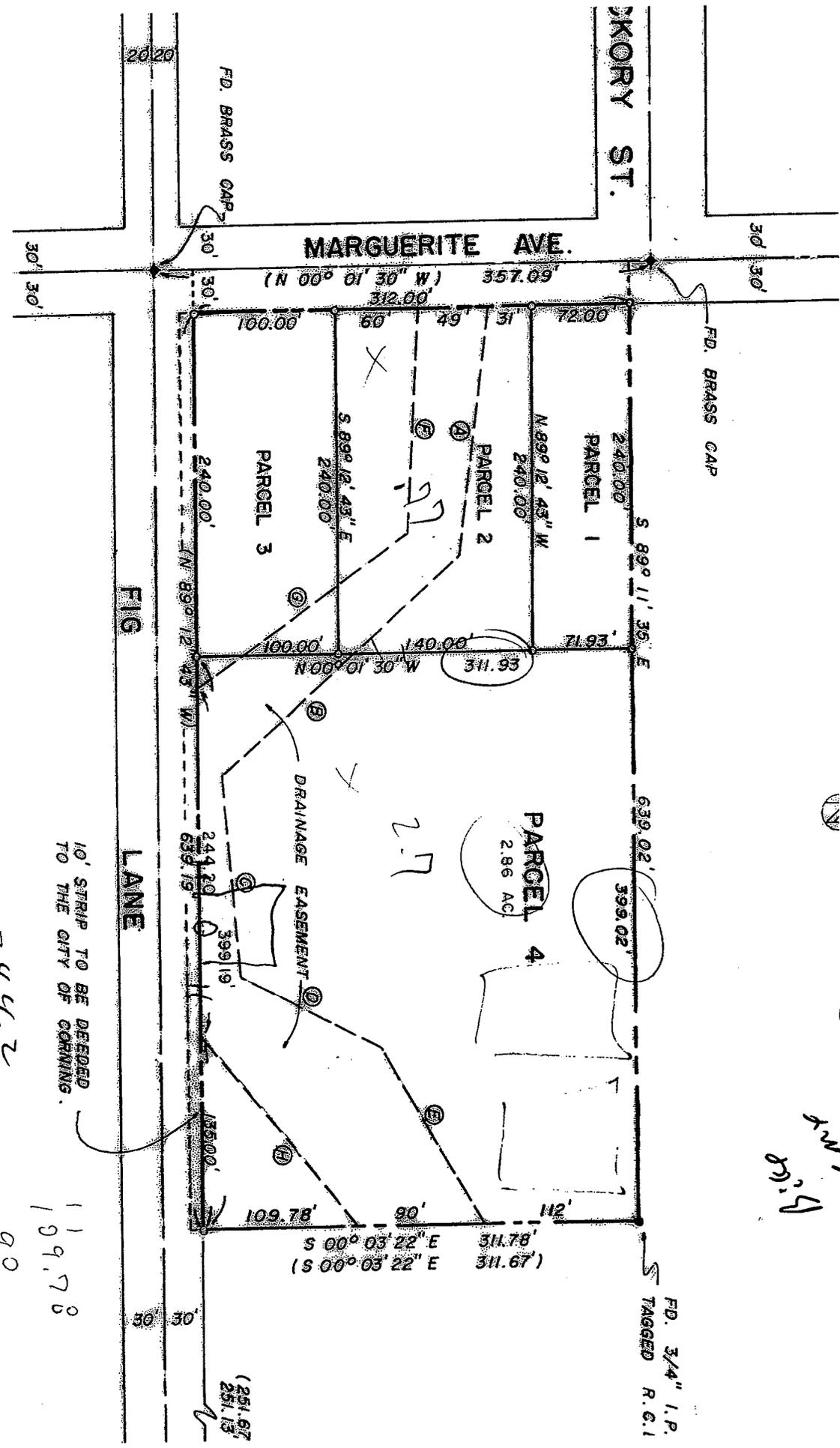
3. At Fig Lane and Marguerite Ave.

- a. Location: East Side of Marguerite and North Side of Fig Lane
- b. Parcels: #2 & #4 PN #77-255 Book 5, Page 137
- c. APN: 073-120-77-1; 073-120-76-1
- d. Zoning:
 - i. Flood Zone: _____
 - ii. County Use: Vacant Residential (000)
 - iii. City Use Zone: _____
- e. Size: 3.63 Acres (Parcel 2 = .77 acres, Parcel 4 = 2.86 acres)
- f. Utilities: Water, Sewer and Electricity are easily accessible along Fig Lane.
- g. Street Access: 140' on Marguerite Ave.; 379' on Fig Lane
- h. Topography:
 - i. A drainage ditch/depression runs through the property west to east.
 - ii. The land is undeveloped with little vegetation
- i. Neighbors:
 - i. One home on the corner of Fig and Marguerite
 - ii. An orchard lines the northern end of the property
 - iii. A mobile home park sits to the South of Fig Lane
 - iv. An abandoned residence on a large undeveloped parcel sits to the east of the property
 - v. Olive View School, Maywood Middle School, Centennial High School and Corning Adult School are all nearby.
 - vi. Clark Park lies to the South East in close proximity. Parking, Water Fountains and Restrooms are available.
- j. Possible Configurations / Uses of the land
 - i. The skate/bike park could be located on the south end of Parcel #4, close to Fig Lane, along with a concession/restroom facility. The drainage ditch/depression could be incorporated in the design of the skate and bike park.
 - ii. Parking could be located on Parcel #2 with an entry from Marguerite Ave., placed on the north and south sides of the drainage ditch/depression.
 - iii. A concession/restroom facility could be located on the south end of Parcel #4, close to Fig Lane.
 - iv. Youth sized Soccer Fields could be located on the north side of parcel #4.
 1. 3-7 Youth-sized soccer fields (50 X 100 yards) could be located side by side in a north-to-south goal to goal orientation along the 400' long north side of parcel #4. Some grading would be required.
 2. Youth sized soccer fields would fit well with a youth oriented skate and bike park.
 - v. Walking Paths could be developed in and around the skate park and soccer fields.
 - vi. A Picnic Area could be placed near the skate and bike park. Trees would be added.
- k. Potential costs:
 - i. Purchase of the land from John and Nan Eller
 - ii. Construction of:
 1. Skate/Bike Park
 2. On-site parking along Marguerite Ave. or use of Clark Park
 3. Concession / Restrooms - could be upgraded at Clark Park or built on-site
 4. Curb, Gutter and Sidewalks along South and Chicago - could be paid for by a "safe path to school" grant
 5. Soccer Fields with water lines to the fields
 6. Walking Path
 7. Picnic Area with Added Trees
 - iii. Utilities - located along Fig Lane, basic hook-up required.

7-2-11-1004

200

Walter's
Successor
of
8/10/11



10' STRIP TO BE DEDED TO THE CITY OF CORNING.

FIG LANE

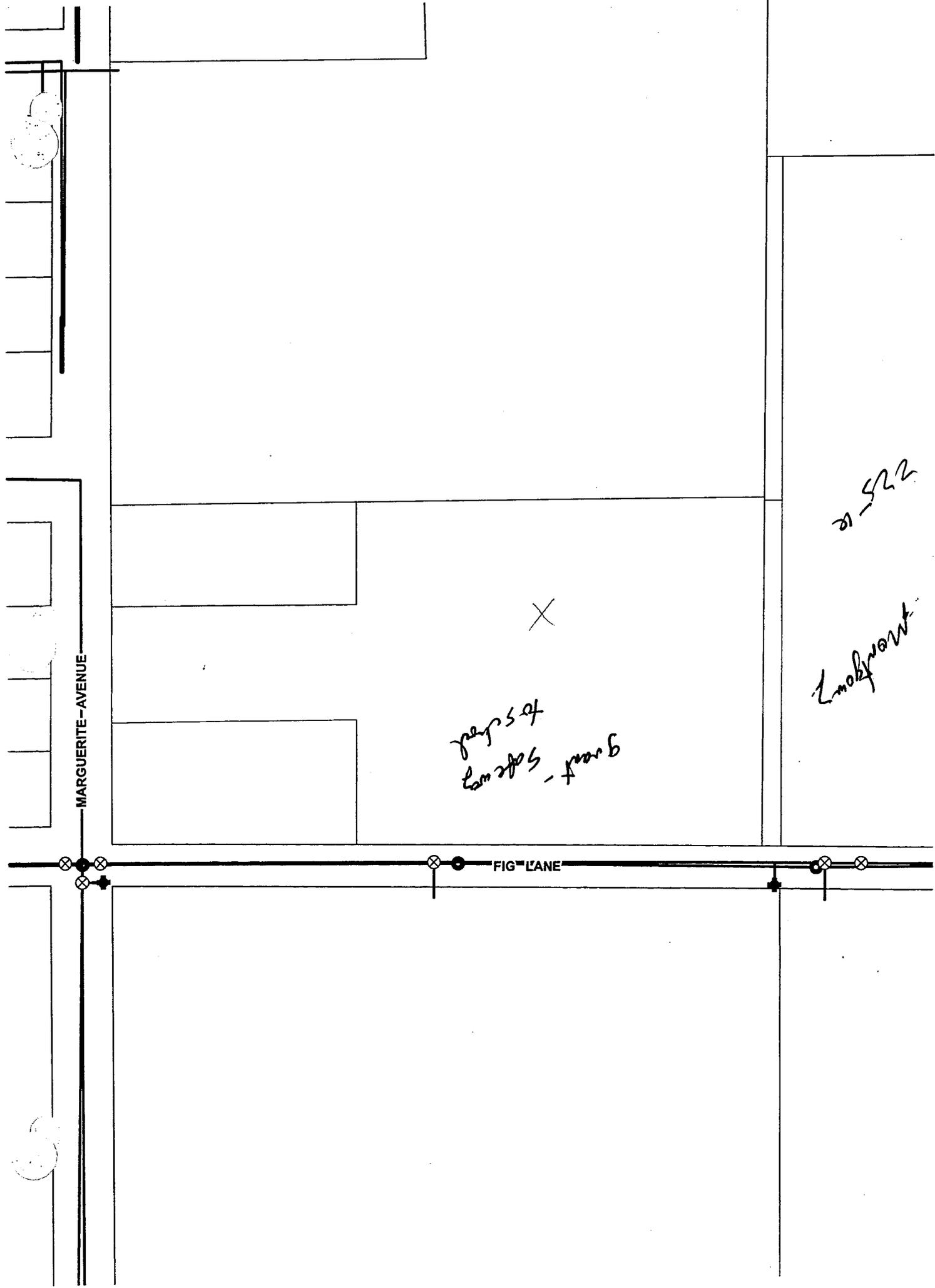
FD. 3/4" I.P. TAGGED R.C.1

244.2
 135
 379.2

118.22
 112
 311.78

1199.78
 90

(251.67
 251.13



MARGUERITE-AVENUE

FIG-LANE

grant - safe way
to school

L'noy'noy'

225-12



Hickory St

Fig Ln

Marguerite Ave & Fig Ln, Corning

Marguerite Ave

Mobile Dr

Image © 2009 DigitalGlobe

© 2009 Google

Google

Imagery Date: Jun 4, 2006

39°55'43.35" N 122°10'11.69" W elev. 267 ft

Eyealt. 1164 ft

Fig Lane, currently not listed owner will sell for what they owe on it which is approx. \$150,000.00- just over 3 acres is adjoined to the property for sell by Jean Eller.

Corning Skate Park Association
Informational Report

PROJECT PHASES:

The Corning Skate Park Association provides the following as a general outline of the steps and phases to be followed in completions of this project.

1. Present to the City of Corning Parks and Recreation Committee our Informational Report
2. Presentation to the City Council of the City of Corning the Informational Report
3. Acceptance of the Report and approval to move forward
4. Selection of Site Location
5. Selection of the design committee to include the following representation.
 - A. City of Corning Personnel
 - B. Professional skate park design engineer
 - C. Local youth and facility users
 - D. Representatives from the Corning Skate Park Assoc.
6. Submission to and acceptance of design by the City of Corning and its Risk management group.
7. Installation of skate park and its amenities

Once completed, donation of all facility improvements to the City of Corning

Corning Skate Park Association
Informational Report

PROJECTED COST

The cost of skate parks varies depending on the design and size of the facility. The recommended size for a skate park is between 10,000 to 20,000 square feet. We have included the costs of skate parks that have been completed in the surrounding areas:

Redding: Approximately \$200,000.00 for 20,000 square feet of park

Red Bluff: 207,000.00 Approximately 24,000 square feet of park

Chico: \$224,095 for 10,000 square feet of park

These costs were for the construction of the park and do not include the purchase of the property.

Corning Skate Park Association
Informational Report

LEGAL, INSURANCE & INJURY INFORMATION:

LEGAL:

Provided with this report are copies of AB115800 and AB874, as well as an informational memo describing SB994/AB1296 dated from Dec 2005. These bills outline the Hazardous Recreational Activity status for skateboarding. These bills require that the city pass an ordinance requiring the use of helmets and pads at any facility operated by the city. These bills also require signs be posted at the facility stating the required use of protective gear by the users of the facility.

Enforcement of the City of Corning ordinances that will be required by construction of the facility, would be at the direction of the Corning City Council.

INSURANCE:

Insurance issues are a concern during both the construction and operation phases of this project. We have outlined the following as possible solutions to these areas of concerns.

1. During Construction

One of the primary elements of our project is to utilize the donated time and services of local business, community members and youth. The contractor chosen to install the facility would be required to extend his liability coverage to any volunteer that is working on the construction of the project.

2. When Facility is in Operation

The City of Corning would need to assume risk. This would be an unsupervised facility and warning signs should be posted. Supervision increases the City's liability and for the same reason there should be no fees charged for using the park.



Memo History of SB994
From: Jim Fitzpatrick
To: John Bernards and the IASC Board of directors

Dec. 5, 2005

Re: SB 994 / AB 1296 / HRA

What is SB 994?—

Senate Bill (SB) 994 was introduced by Sen. Bill Morrow in 2001 to “renew” the legislation known as AB (Assembly Bill) 1296, which had passed successfully through the legislative process and was signed into law January 1, 1997. SB 994 was signed into law in January 2003.

SB 994 is in effect until December 31, 2007, and specifically provides limited exemptions of liability to public entities for injuries suffered by skateboarders (14 years of age and older) who are injured while skateboarding in a public skateboard facility.

SB 994, like AB 1296, amends section 115800 of the California Health and Safety Code—the section of the Health and Safety code, which has existed since 1975, requiring skateboarders in any CA skatepark (public or private) to wear a helmet and safety pads while skateboarding.

Despite assertions to the contrary, SB 994 and or AB 1296 had nothing whatsoever to do with safety equipment or helmets. The language of SB 994 and AB 1296 added the specifics of exemption from liability to the already existing H&S Code, nothing more, and certainly nothing about requirements for safety equipment or helmets.

SB 994 What is the current controversy?

The internet petition currently being circulated (sponsored by ‘Clarkie’ and Heidi Lemmon?) includes a preamble suggesting IASC and Jim Fitzpatrick supported AB 1296 and SB 994 in order to create legislation requiring new helmet laws and new safety equipment regulations in California. These statements are false and distort and misrepresent what IASC did, and what AB 1296 and SB 994 intended.

IASC’s goal, working with Bill Morrow, was to add skateboarding to CA’s HRA in order to give California cities exemption from liability to provide them the opportunity to open public skateparks.

Furthermore, other recent communications from ‘Clarkie’ and or Heidi stated IASC’s motivation was to create legal regulations that would benefit IASC member companies—they claimed IASC supported new safety and helmet laws in order to allow safety equipment companies greater revenue. Not only is that patently false, but safety equipment companies did not join IASC, nor did they participate in supporting IASC’s lobbying efforts in the 1990s.

SB 994 Current standing

With a ‘sunset’ clause in place for SB 994 to expire on December 31, 2007, any steps to ‘renew’ SB 994 must be taken in 2006 to assure preparation for calendaring the renewal in early 2007 (legislation approval typically requires 6-8 months on the legislative calendar).

If SB 994 were to be repealed now, without regard or passage of other legislation, then California communities would immediately lose their exemption from liability for injuries sustained by skateboarders in CA's public skateparks. A reasonable prediction would be the immediate closure of many, if not all of California's public skateparks.

Thus, SB 994 must be 'renewed,' or new legislation created before it expires, in order to maintain the liability exemptions for the public entities responsible for each and every public skatepark in California. Without exemption from liability it's reasonable to assume California's public skateparks would close. Historically, it was the perception of liability lawsuits that forced the private owners of California's private skateparks to shut down their businesses in the 1980's. Insurance rates skyrocketed and the parks closed up.

There is little reason to believe today's California legislature would be any more willing than previous legislatures to change the TORT law regarding skateboarding. However, California's governor does need help if he's to continue in office, and there may be others in the senate or assembly willing to consider authoring another attempt at adding 'skateboarding' to the HRA.

Also, it's important to note AB 1296 and SB 994 both referred to skateboarding as a "hazardous recreational activity" and perhaps this type of precedent can be utilized in a new strategy when approaching today's legislature. Plus, there is nation-wide precedent being established every day as more and more public skateparks operate safely nationwide.

I believe Sen. Morrow would be interested; he's certainly vested in the whole project. His new head of staff is: Wayne Teasdale (916-651-4038).

If IASC (or specific companies or individuals) is interested in pursuing a feasibility study for adding 'skateboarding' to California's HRA the first step would include contacting Senator Morrow's office to determine his interest and also to discover which lobbying interests they would recommend as support groups. There are dozens of other groups (League of California Cities and others) who would probably work with IASC (they did before).

The HRA:

California's state law, Section 831.7 of the Government Code, lists dozens of recreational activities (bicycling, tree climbing, spelunking, surfing, etc.) deemed to be 'hazardous' by the state's legislators. Thus, the **Hazardous Recreational Activities "list"** amounts to the code stating which activities have been recognized as so hazardous that public entities are exempt from any liability for injuries to those participating in the activities included in the HRA list.

No new or developing activity has been added to the HRA list since surfing was added in the late 1960s (CA cities wanted to designate certain areas of their beaches for surfing and in so doing they created high-risk zones).

Had cities, and not private investors, built CA's skateparks in the early 1970s then cities probably would have pushed for skateboarding to be included with the HRA. Public entities would have needed liability exemption and the HRA would have provided it. However, with liability insurance so inexpensive, at the time, individuals took on the risk and built the parks.

The HRA and skateboarding

If 'skateboarding' were added to California's HRA then skateboarders injured while skateboarding would be responsible, despite the circumstances, for the consequences of

their own injuries. Public entities, and everyone else, would be exempt from liability. If skateboarding became part of the HRA there would be no reason for helmet or safety pad requirements. Skateboarders, skateboarding anywhere at any time, couldn't blame anyone else for their injuries, and public entities and or private property owners would be exempt from liability. (Thus IASC's / Jim Fitzpatrick's initial intent to add skateboarding to the CA HRA).

Why don't legislators support adding 'skateboarding' to CA's HRA? Liability lawsuits became a lucrative business for California attorneys in the late 1970s. It was the perception of potential lawsuits that prompted the private business owners to close CA's skateparks in the late 1970s.

Virginia is a state without liability laws or TORT restrictions in relation to recreational activities. Thus, Mt. Trashmore and other skatepark facilities in VA are not limited by safety equipment. Colorado also has liberal liability laws, as do Michigan and Minnesota and other states. In fact, the legal precedent being established with so many public skateparks in so many different states and so many locations could give weight to new attempts to add to CA's HRA.

Background:

AB 1296 had been introduced in 1997 by then Assemblyman Bill Morrow. Morrow worked closely with IASC after Thrasher Magazine's Kevin Thatcher connected him with Jim Fitzpatrick in 1964. Fitzpatrick's motivation was to create public skateparks and the initial hurdle to overcome was the burden of liability for injuries sustained by skateboarders. Insurance was too expensive or simply non-existent for public skateparks.

The language and intention of AB 1296 was to modify California's Government Code by literally adding the word "skateboarding" to what is known as the Hazardous Recreational Activities 'list'—HRA. The language of the HRA actually includes a list of several recreational activities that past legislatures have agreed are so dangerous as to eliminate even the consideration of liability for injuries participating in those identified activities. It's important to note that no new sport (activity) has been added to the HRA since 1967 (skateboarding missed its chance!).

Morrow had introduced legislation in 1995 which 'died' in the legislative process (bills disappear in committees), ISAC was just beginning to function and there was much to learn about the legislative process. Morrow reintroduced legislation in 1996, and perhaps because of the beginning lobbying efforts of IASC, and perhaps because of personal appearances by IASC's Jim Fitzpatrick in Sacramento, the bill made its way through committee before it was rejected by the Senate's Judiciary committee. The memorable quote from that experience as I departed the committee's chambers, "You'll never get this through the judiciary, it deals with TORT reform, and you'll never get it passed," so claimed then State Senator Jack O'Connell.

By 1997 IASC's lobbying machine was well tuned and ready for the next round in Sacramento. With the help of ads in magazines, IASC member companies, ASR, Brian Schaefer, Thrasher, TWS, several retailers, and specifically Paul Schmitt, IASC's grass roots letter-writing campaign would generate more than 70,000 letters and postcards that would find their way to Sacramento.

When Morrow reintroduced his legislation, AB 1296, the skateboard community more than did its part to generate public input toward the California legislators. Members of the Assembly and Senate's judiciary committees received weekly mailings of thousands of letters, cards, and petitions informing them of skateboarders support of AB 1296.

USA Today published an article highlighting how unusual it was that skateboarders wanted the law passed, which in effect, would eliminate any protection for themselves for the injuries they might receive while skateboarding.

The Compromise – What Happened? Why isn't 'skateboarding' on CA's HRA
In late August 1997 AB 1296 went before the Senate's Judiciary Committee meeting in the capitol in Sacramento. Jim Fitzpatrick appeared alongside Sen. Morrow. Fitzpatrick had his clay-wheeled Makaha Skateboard and his steel-wheeled Roller Derby Skateboard with him, in addition to three large US Mail bags filled with approximately 5000 letters and cards from skateboarders supporting AB 1296.

It was immediately clear that the committee wanted to do something for skateboarding, but they weren't going to change the state government code—they weren't going to add 'skateboarding' to the HRA. The discussion was surprisingly candid and free-flowing. Several of the committee members made reference to the hundreds of letters they had received prior to the meeting.

The committee members discussed several options, which prompted more discussion. What they created on the spot would, according to their perspective 'achieved many of the same goals' as Morrow's legislation. Their proposal was to amend the existing Health and Safety Code sections involving skateboarding, instead of adding 'skateboarding' to the HRA.

The question of "What if we don't accept this compromise?" was greeted with the immediate answer, "Then this goes away, again." It wasn't an easy decision because Morrow and Fitzpatrick recognized the Health and Safety Code amendment fell short of what inclusion on the HRA would provide. However, because the compromise provided exemption from liability California cities would be able to build public skateparks, that was the initial goal, and accordingly the compromise was accepted.

Then, literally as we all began to step away from the committee, one of the senators proposed an age-limit for the liability exemption, "We need an age-limit!" 14 years, arbitrarily, was the age proposed and accepted by the committee.

AB 1296 amended the Health and Safety Code, was passed out of committee, was passed by the Assembly and the Senate, was signed by the governor and became law on January 1, 1998 with the provision that it would 'sunset' (expire) five years later (December 31, 2002).

CALIFORNIA CODES

1. HEALTH AND SAFETY CODE
SECTION 115775-115800

115800. (a) No operator of a skateboard park shall permit any person to ride a skateboard therein, unless that person is wearing a helmet, elbow pads, and knee pads.

(b) With respect to any facility, owned or operated by a local public agency, that is designed and maintained for the purpose of recreational skateboard use, and that is not supervised on a regular basis, the requirements of subdivision (a) may be satisfied by compliance with the following:

(1) Adoption by the local public agency of an ordinance requiring any person riding a skateboard at the facility to wear a helmet, elbow pads, and knee pads.

(2) The posting of signs at the facility affording reasonable notice that any person riding a skateboard in the facility must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation under the ordinance required by paragraph (1).

(c) "Local public agency" for purposes of this section includes, but is not limited to, a city, county, or city and county.

(d) (1) Skateboarding at any facility or park owned or operated by a public entity as a public skateboard park, as provided in paragraph (3), shall be deemed a hazardous recreational activity within the meaning of Section 831.7 of the Government Code if all of the following conditions are met:

(A) The person skateboarding is 12 years of age or older.

(B) The skateboarding activity that caused the injury was stunt, trick, or luge skateboarding.

(C) The skateboard park is on public property that complies with subdivision (a) or (b).

(2) In addition to the provisions of subdivision (c) of Section 831.7 of the Government Code, nothing in this section is intended to limit the liability of a public entity with respect to any other duty imposed pursuant to existing law, including the duty to protect against dangerous conditions of public property pursuant to Chapter 2 (commencing with Section 830) of Part 2 of Division 3.6 of Title 1 of the Government Code. However, nothing in this section is intended to abrogate or limit any other legal rights, defenses, or immunities that may otherwise be available at law.

(3) For public skateboard parks that were constructed on or before January 1, 1998, this subdivision shall apply to hazardous recreational activity injuries incurred on or after January 1, 1998, and before January 1, 2001. For public skateboard parks that are constructed after January 1, 1998, this subdivision shall apply to hazardous recreational activity injuries incurred on or after January 1, 1998, and before January 1, 2012. For purposes of this subdivision, any skateboard facility that is a movable facility shall be deemed constructed on the first date it is initially made available for use at any location by the local public agency.

(4) The appropriate local public agency shall maintain a record of all known or reported injuries incurred by a skateboarder in a public skateboard park or facility. The local public agency shall

also maintain a record of all claims, paid and not paid, including any lawsuits and their results, arising from those incidents that were filed against the public agency. Beginning in 1999, copies of these records shall be filed annually, no later than January 30 each year, with the Judicial Council, which shall submit a report to the Legislature on or before March 31, 2011, on the incidences of injuries incurred, claims asserted, and the results of any lawsuit filed, by persons injured while skateboarding in public skateboard parks or facilities.

(5) This subdivision shall not apply on or after January 1, 2001, to public skateboard parks that were constructed on or before January 1, 1998, but shall continue to apply to public skateboard parks that are constructed after January 1, 1998.

(e) This section shall remain in effect until January 1, 2012, and as of that date is repealed, unless a later enacted statute, enacted before January 1, 2012, deletes or extends that date.

115800. (a) No operator of a skateboard park shall permit any person to ride a skateboard therein, unless that person is wearing a helmet, elbow pads, and knee pads.

(b) With respect to any facility, owned or operated by a local public agency, that is designed and maintained for the purpose of recreational skateboard use, and that is not supervised on a regular basis, the requirements of subdivision (a) may be satisfied by compliance with the following:

(1) Adoption by the local public agency of an ordinance requiring any person riding a skateboard at the facility to wear a helmet, elbow pads, and knee pads.

(2) The posting of signs at the facility affording reasonable notice that any person riding a skateboard in the facility must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation under the ordinance required by paragraph (1).

(c) "Local public agency" for purposes of this section includes, but is not limited to, a city, county, or city and county.

(d) This section shall become operative on January 1, 2012.

ASSEMBLY BILL

No. 874

Introduced by Assembly Member Saldana

February 26, 2009

An act to amend Section 115800 of the Health and Safety Code, relating to recreational activities.

LEGISLATIVE COUNSEL'S DIGEST

AB 874, as introduced, Saldana. Recreational activities: skateboarding.

Existing law prohibits an operator of a skateboard park from permitting any person to ride a skateboard in the park unless that person is wearing a helmet, elbow pads, and knee pads. Existing law further describes how those requirements may be satisfied with respect to a recreational skateboard facility owned or operated by a local agency, as specified.

This bill would remove the requirement that any person riding a skateboard in the park must wear elbow pads and knee pads.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

- 1 SECTION 1. Section 115800 of the Health and Safety Code,
- 2 as amended by Section 1 of Chapter 140 of the Statutes of 2006,
- 3 is amended to read:
- 4 115800. (a) No operator of a skateboard park shall permit any
- 5 person to ride a skateboard therein, unless that person is wearing
- 6 a helmet, ~~elbow pads, and knee pads.~~

1 (b) With respect to any facility, owned or operated by a local
2 public agency, that is designed and maintained for the purpose of
3 recreational skateboard use, and that is not supervised on a regular
4 basis, the requirements of subdivision (a) may be satisfied by
5 compliance with the following:

6 (1) Adoption by the local public agency of an ordinance
7 requiring any person riding a skateboard at the facility to wear a
8 helmet, ~~elbow pads, and knee pads.~~

9 (2) The posting of signs at the facility affording reasonable
10 notice that any person riding a skateboard in the facility must wear
11 a helmet, ~~elbow pads, and knee pads,~~ and that any person failing
12 to do so will be subject to citation under the ordinance required
13 by paragraph (1).

14 (c) "Local public agency" for purposes of this section includes,
15 but is not limited to, a city, county, or city and county.

16 (d) (1) Skateboarding at any facility or park owned or operated
17 by a public entity as a public skateboard park, as provided in
18 paragraph (3), shall be deemed a hazardous recreational activity
19 within the meaning of Section 831.7 of the Government Code if
20 all of the following conditions are met:

21 (A) The person skateboarding is 12 years of age or older.

22 (B) The skateboarding activity that caused the injury was stunt,
23 trick, or luge skateboarding.

24 (C) The skateboard park is on public property that complies
25 with subdivision (a) or (b).

26 (2) In addition to the provisions of subdivision (c) of Section
27 831.7 of the Government Code, nothing in this section is intended
28 to limit the liability of a public entity with respect to any other
29 duty imposed pursuant to existing law, including the duty to protect
30 against dangerous conditions of public property pursuant to Chapter
31 2 (commencing with Section 830) of Part 2 of Division 3.6 of Title
32 1 of the Government Code. However, nothing in this section is
33 intended to abrogate or limit any other legal rights, defenses, or
34 immunities that may otherwise be available at law.

35 (3) For public skateboard parks that were constructed on or
36 before January 1, 1998, this subdivision shall apply to hazardous
37 recreational activity injuries incurred on or after January 1, 1998,
38 and before January 1, 2001. For public skateboard parks that are
39 constructed after January 1, 1998, this subdivision shall apply to
40 hazardous recreational activity injuries incurred on or after January

1 1, 1998, and before January 1, 2012. For purposes of this
2 subdivision, any skateboard facility that is a movable facility shall
3 be deemed constructed on the first date it is initially made available
4 for use at any location by the local public agency.

5 (4) The appropriate local public agency shall maintain a record
6 of all known or reported injuries incurred by a skateboarder in a
7 public skateboard park or facility. The local public agency shall
8 also maintain a record of all claims, paid and not paid, including
9 any lawsuits and their results, arising from those incidents that
10 were filed against the public agency. Beginning in 1999, copies
11 of these records shall be filed annually, no later than January 30
12 each year, with the Judicial Council, which shall submit a report
13 to the Legislature on or before March 31, 2011, on the incidences
14 of injuries incurred, claims asserted, and the results of any lawsuit
15 filed, by persons injured while skateboarding in public skateboard
16 parks or facilities.

17 (5) This subdivision shall not apply on or after January 1, 2001,
18 to public skateboard parks that were constructed on or before
19 January 1, 1998, but shall continue to apply to public skateboard
20 parks that are constructed after January 1, 1998.

21 (e) This section shall remain in effect until January 1, 2012, and
22 as of that date is repealed, unless a later enacted statute, enacted
23 before January 1, 2012, deletes or extends that date.

24 SEC. 2. Section 115800 of the Health and Safety Code, as
25 amended by Section 2 of Chapter 140 of the Statutes of 2006, is
26 amended to read:

27 115800. (a) No operator of a skateboard park shall permit any
28 person to ride a skateboard therein, unless that person is wearing
29 a helmet, ~~elbow pads, and knee pads.~~

30 (b) With respect to any facility, owned or operated by a local
31 public agency, that is designed and maintained for the purpose of
32 recreational skateboard use, and that is not supervised on a regular
33 basis, the requirements of subdivision (a) may be satisfied by
34 compliance with the following:

35 (1) Adoption by the local public agency of an ordinance
36 requiring any person riding a skateboard at the facility to wear a
37 helmet, ~~elbow pads, and knee pads.~~

38 (2) The posting of signs at the facility affording reasonable
39 notice that any person riding a skateboard in the facility must wear
40 a helmet, ~~elbow pads, and knee pads,~~ and that any person failing

1 to do so will be subject to citation under the ordinance required
2 by paragraph (1).

3 (c) "Local public agency" for purposes of this section includes,
4 but is not limited to, a city, county, or city and county.

5 (d) This section shall become operative on January 1, 2012.

Corning Skate Park Association
Informational Report

INJURY INFORMATION:

Skateboarding as with any physical activity includes a risk of injury. All facilities built will be posted with signs that require the use of helmets and pads when using the facility. This along with an ordinance requiring the use of this equipment are requirements of the state laws granting these activities as a Hazardous Recreational Activity status. We have included emergency room statistics that show the relative safety of these activities when compared with other sports. This data comes from the National Electronic Injury Surveillance System from a time period of January 1, 2008 thru December 31, 2008.

<u>SPORT:</u>	<u># OF INJURIES:</u>
BASKETBALL	761,024
BASEBALL	437,207
FOOTBALL	409,296
SOCCER	146,409
VOLLEYBALL	112,120
SWIMMING POOLS	48,133
SKATEBOARDING	26,718

Corning Skate Park Association
Informational Report

MAINTENANCE:

Once this facility has been built and is used on a regular basis, maintenance of the facility needs to be addressed. The following options have been suggested.

1. Utilizing our State funded programs such as the CAL-WORKS program
2. Utilizing court ordered community service programs
3. The Corning Skate Park Association will organize and sponsor clean up days
4. City of Corning Maintenance staff

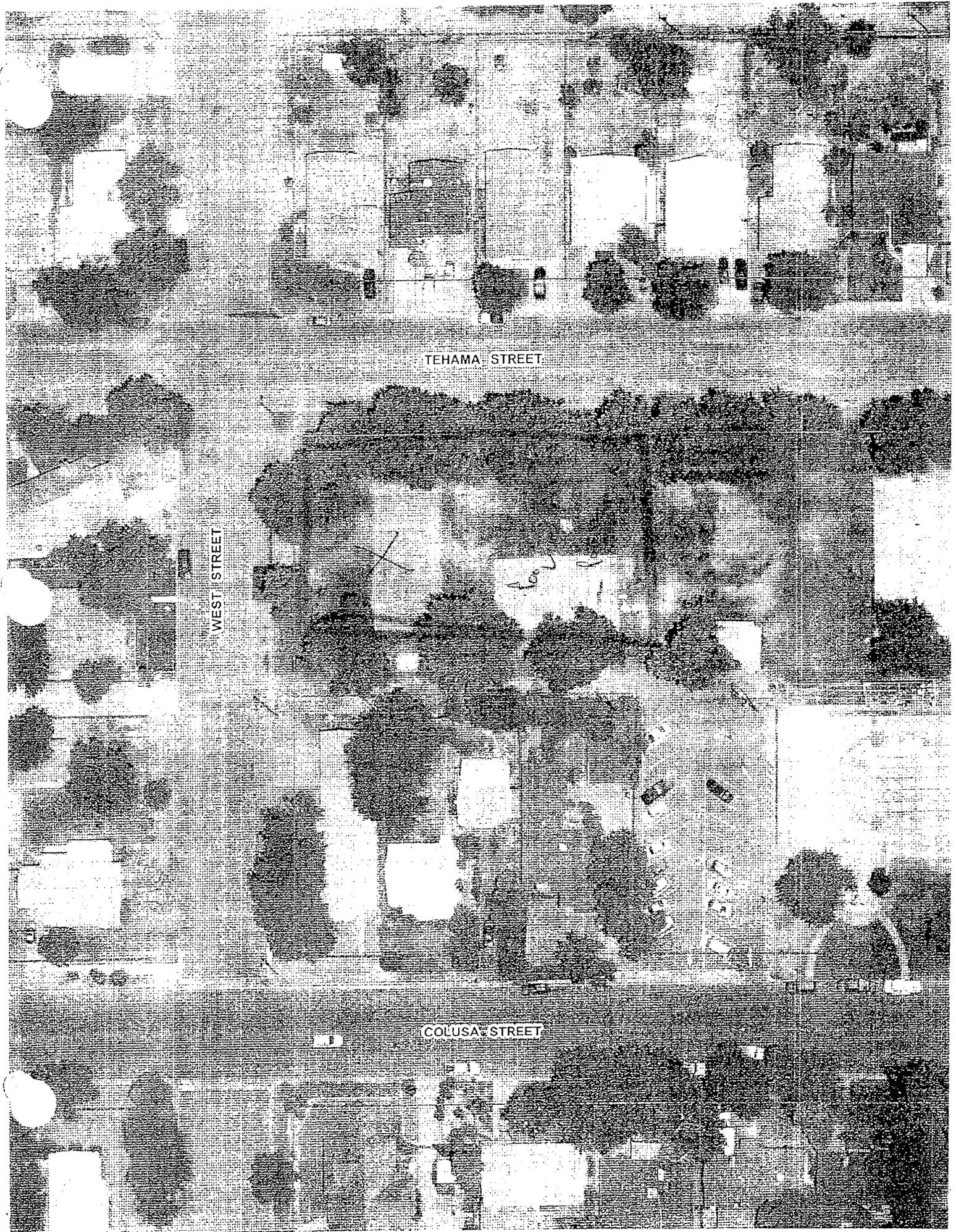
Corning Skatepark Association

SITE LOCATION

4

PUBLIC OPTION





TEHAMA STREET

WEST STREET

COLUSA STREET

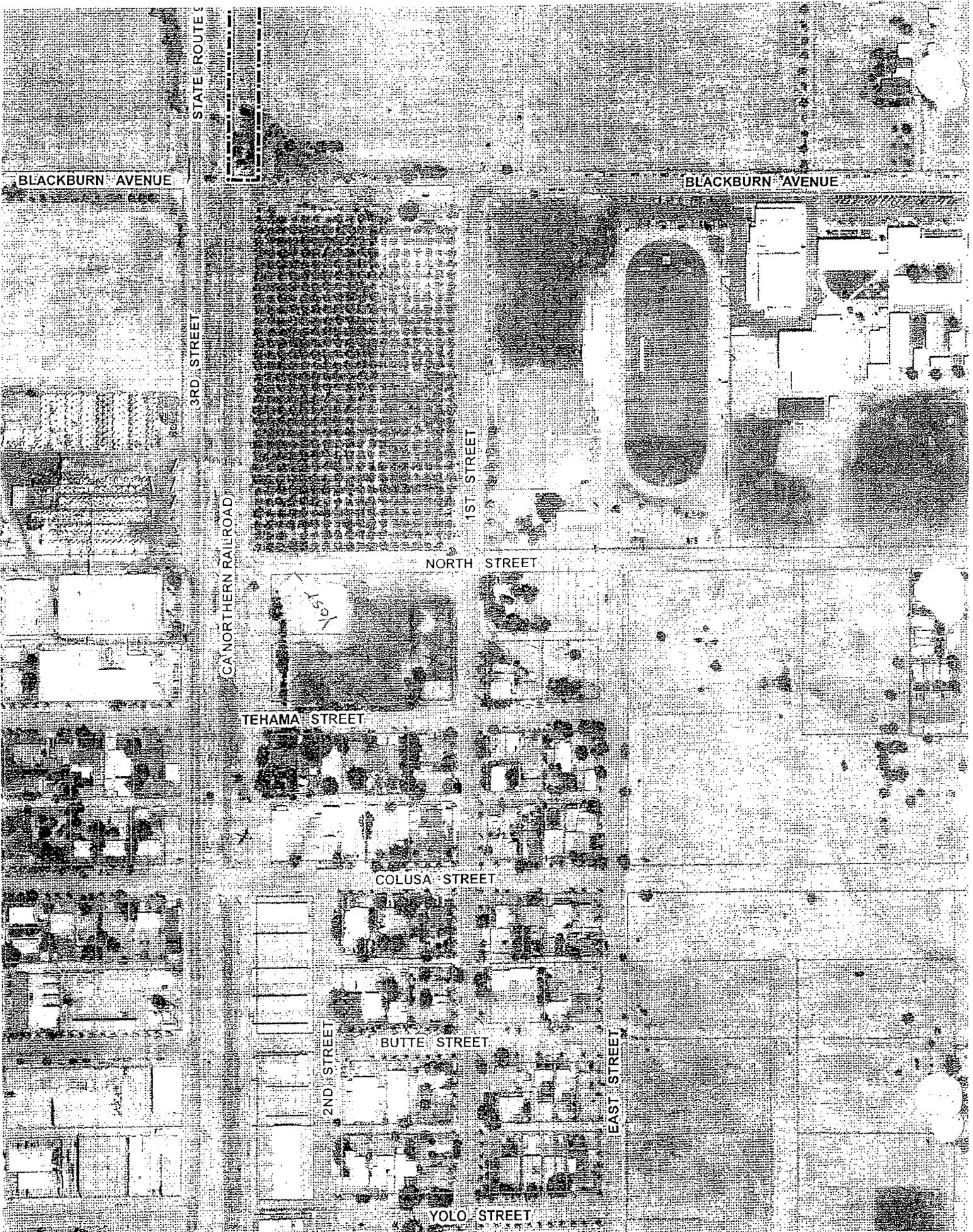
Corning Skatepark Association

SITE LOCATION

5

PUBLIC OPTION





BLACKBURN AVENUE

BLACKBURN AVENUE

STATE ROUTE 9

3RD STREET

CA NORTHERN RAILROAD

1ST STREET

NORTH STREET

TEHAMA STREET

COLUSA STREET

2ND STREET

BUTTE STREET

EAST STREET

YOLO STREET

Toomes,(actually HWY 99) not currently listed owner will sell for \$230,000.00 - just over 10 acres (owner owes \$260,000.00) for more information Ed Devers with Preferred Agents is working with this gentleman.