

**CITY OF CORNING
CITY COUNCIL AGENDA**

**TUESDAY, FEBRUARY 14, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
Gary Strack**

Mayor:

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

D. INVOCATION: Led by Mayor Strack.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Presentation of Business and Employer of the Month Awards:

BUSINESS OF THE MONTH:

Daisy's Ice Cream Shop

EMPLOYER OF THE MONTH:

TA Travel Centers of America

2. Proclamation: Certificate of Recognition and Presentation of Excellence in Transportation Awards to Mayor Strack and Public Works Director John Brewer by Barbara O' Keeffe, Deputy Director of Transportation for Tehama County Transportation Commission & Transit Agency.

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

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

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

4. Waive the Reading and Approve the Minutes of the following meetings with any necessary corrections:

a) January 24, 2012 City Council Meeting and Closed Session.

b) January 26, 2012 Special City Council Meeting and Closed Session.

c) February 1, 2012 Special City Council Closed Session Meeting.

5. February 8, 2012 Claim Warrant - \$313,761.95.

6. February 8, 2012 Business License Report.

7. January 2012 Treasurer's Report.
8. January 2012 Wages and Salaries - \$330,774.43.
9. January 2012 Building Permit Valuation Report - \$291,338.60.
10. City of Corning Wastewater Operations Summary Report – January 2012.
11. Second Reading and Adoption of Ordinance 650, an Ordinance to Officially Disband the Corning Redevelopment Agency and Repeal Chapters 2.56 and 2.60 of the Corning Municipal Code.
12. Approve Progress Pay Estimate No. 7 in the amount of \$129,935.15 to Trent Construction for the Clark Park Municipal Water Well Project.
13. Authorize Staff to Seek Bids for Pruning of City Street Trees.
14. Accept Resignation of Ed Pitman from the Airport Commission.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

15. Adopt Resolution No. 02-14-2012-01, a Resolution authorizing the City's Public Works Department to work with Tehama County Public Works on a Joint Project to Reconstruct a 1600 foot long segment of Marguerite Avenue adjacent to the Corning Municipal Airport.
16. Adopt Resolution No. 02-14-2012-02, a Resolution Honoring the Corning Volunteer Fire Department for 100 Years of Service to Citizens and Businesses in the City of Corning.
17. Approve Application for State Indian Gaming Funds to support a portion of Police Officer salary.
18. Discussion of Options for City Manager Replacement, Option Selection and Possible Appointment.
19. Adopt Resolution No. 02-14-2012-03, A Resolution of the City Council of the City of Corning Clarifying Status of Police Chief.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Parkins:
 Leach:
 Dickison:
 Linnet:
 Strack:

N. ADJOURNMENT!:

POSTED: THURSDAY, FEBRUARY 9, 2012



The City of Corning

Recognizes

Daisy's Ice Cream Shop

as

BUSINESS OF THE MONTH

FOR

February 2012

The City of Corning presents this to you in recognition of your continued commitment to our Community through your generous support of the various local youth group activities, fund raisers and events.

Gary R. Strack, Mayor

Lisa M. Linnet, City Clerk



The City of Corning

Recognizes

**TA TRAVEL CENTERS
OF AMERICA**

as

EMPLOYER OF THE MONTH

FOR

February 2012

**In recognition of the services provided to the
Community by your Staff and your continued efforts
to hire locally.**

Gary R. Strack, Mayor

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, JANUARY 24, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
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. PUBLIC COMMENTS: None.

D. ADJOURN TO CLOSED SESSION:

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Miscellaneous Bargaining Unit**

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

Mayor Strack reported that Council met in Closed Session with the City's Labor Negotiator Bill May and gave him direction. He further announced that a Special Meeting has been scheduled for January 26th (Thursday) at 6:00 p.m.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:31 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JANUARY 24, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:31 p.m.

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
Gary Strack**

Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Councilman John Leach.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Cindy McClain and members of the Local 4-H Group announced their 4-H Fun Night to be held on February 4th at the Tehama District Fairgrounds.

Cindy McClain and five members of the Corning 4-H Group (Dorinda Walker, Kaitlyn Huntly, McKynzie Huntly, Dominic Azevedo and Quentin Azevedo) announced that the 4-H Fun Night will be held on February 4, 2012 at the Tehama District Fairgrounds from 4-8:30 p.m. They stated that the theme this year is "How the West was Fun" and informed the Council of the planned activities. They invited members of the Council and audience to attend stating that they had tickets if anyone was interested.

2. Presentation of Senior Center Profit & Loss Standard, 2012 Tentative Projects, Fundraisers and Activities, and Review of 2011 Senior Center Activities by Barbara Vandygriff and Linda Daniels Lima.

Barbara Vandygriff presented the City with the Senior Center Profit and Loss statement and informed the Council of the current financial status of their accounts. She stated that the Senior Center has provided a great service to the City and Linda Daniels Lima does an outstanding job at the Center.

Linda Daniels Lima presented a report of last year's activities and proposed activities for this year. She highlighted the various activities and the many speakers they have brought in that have provided Medicare benefit information, and various speakers providing information on benefits and businesses available to assist the Senior Citizens.

Following Councilor Dickison's question, and confirmation by City Manager Kimbrough, Mayor Strack announced that it is included in the City Budget for the City to provide \$2,700 to the Senior Center.

Presentation of Business/Employer of the Month Awards:

BUSINESS OF THE MONTH:

Robert C. Jones Insurance

EMPLOYER OF THE MONTH:

Corning Medical and Associates, Inc.

City Councilman Dave Linnet presented the Business of the Month Award to John Jones of Robert C. Jones Insurance, and to Adrienne Frost of Corning Medical and Associates, Inc.

F. BUSINESS FROM THE FLOOR: None.

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

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **Waive the reading and approve the Minutes of the January 10, 2012 Closed Session and Regular City Council Meeting with any necessary corrections:**
5. **January 18, 2012 Claim Warrant - \$389,151.72.**
6. **January 18, 2012 Business License Report.**
7. **Approve New Lease Agreement for Transportation Center Suite "A" (Hometown Café) to Bonnie Webster Grippin.**
8. **Approve Progress Pay Estimate No. 6 in the amount of \$69,668.27 to Trent Construction for the Clark Park Municipal Water Well Project.**

Mayor Strack introduced each item listed on the Consent Agenda by title. Councilor Leach asked the anticipated completion date on the Water Well Project; Public Works Director John Brewer stated that there is a short delay; we are currently waiting for the window louvers and door. Councilor Parkins moved to approve Consent Items 3-8. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS:

9. Public Hearing and Action on Request for Disposal Service Rate Increase.

Mayor Strack introduced this item by title and declared the public hearing open so that all discussion would become part of the public record. City Manager Kimbrough briefed the Council and audience on the proposed rate increase for residential, commercial and seniors. He outlined the current services the City receives from Corning Disposal and how these services were obtained through contractual negotiations. Mr. Kimbrough provided the comparison rates/services provided by surrounding communities stating that only two have lower rates, and explained that these two communities do not receive street sweeping services. He also explained the reasoning behind the fuel cost adjustment and CPI and how these proposed rates are derived.

Corning Disposal Representative Tim McGill reiterated the benefits they provide to the City via their current contract. He stated that they fully understand the strains from the current economy, however the fuel rate is not marked up for a profit; they are just passing on their costs. He also stated that the fees at the landfill have increased by \$1.

Mayor Strack confirmed that Solano Street is swept once a week from Edith Avenue to Marguerite Avenue, and that the bulky item pickup is quarterly. He also confirmed that anyone having bulky items can take them to Corning Disposal one Friday a month.

Teresa Smith stated that Corning Disposal does do a great job for the City, however we must remember that the City does the billing for them and that is a great service that the City provides to them also. Mayor Strack stated that there was no raise to Corning Disposal the year that the City took over billing for them. Teresa responded stated that this is true, however that was many years ago and the City continues to provide the billing services for them. She stated that she believes they should only receive a CPI increase. It was clarified that an error was printed on the mailed notice relating to the Commercial Rate, the commercial rate should have been \$20.76, the same as the residential rate.

Janice Zotner (letter in packet) asked why the notices only go to the property owners and not to the renters. Mayor Strack responded stating it was because ultimately the property owner is responsible for the bill.

With no other comments from the public Mayor Strack then closed the public hearing. Councilor Leach spoke stating that he doesn't oppose the CPI Increase however he does oppose the fuel cost adjustment. He stated that he has to pay for the fuel to drive to work every day and he cannot approach his boss and receive a cost adjustment for this...his pay doesn't increase for his fuel cost. Councilor Linnet stated he doesn't feel it is too much for the services they provide to the community. He stated that Councilor Leach could adjust his driving to save fuel, however Corning Disposal has a contract and they must provide the services as stated in their contract.

Councilor Dickison stated that the economy is bad, people are losing their jobs, the City is furloughing their employees, and with water and sewer rates increasing also, this has a great impact on our citizens. Councilor Parkins stated that she has known a business that has closed due to fuel costs, however she understands that this does have an impact on our residents...it is a tough decision.

Councilor Parkins moved to, having conducted the public hearing and received all protests, approve the proposed CPI Increase of 3.76% and the fuel cost adjustment of an additional 1.47% for a total rate increase of 5.23%. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins and Linnet. Opposed: Leach and Dickison. Absent/Abstain: None. Motion was approved by a 3-2 vote with Leach and Dickison opposed.**

J. REGULAR AGENDA:

10. Accept Rotary Club donation for two handicap accessible drinking fountains for City Parks and authorize installation of small plaques acknowledging the donation.

Mayor Strack introduced this item by title and City Manager Kimbrough briefed the Council. Councilor Dickison moved to thank the Corning Rotary Club for their donation of \$3,124.32 to fund the purchase of two accessible drinking fountains, and allow the installation of small engraved plaques acknowledging the Rotary Club donation onto accessible fountains at two Park locations as requested by the Rotary Club. Councilor Leach seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

11. Introduction and first reading of Ordinance 650, an Ordinance to officially disband the Corning Redevelopment Agency and repeal Chapters 2.56 and 2.60 of the Corning Municipal Code.

Mayor Strack introduced this item by title and confirmed with City Manager Kimbrough that although the Corning Redevelopment Agency was developed, it has been inactive and was never funded. City Manager Kimbrough explained that the California Supreme Court recently upheld AB26x1 which dissolves all of the Redevelopment Agencies in California. He further stated that since the Redevelopment Agency was never funded, disbanding it and repealing the associated section from our Municipal Code has no financial impact on the City. He further explained that since the Economic Development Commission no longer exists, it should also be repealed.

Commisisoner Parkins introduced Ordinance 650 by title and moved to conduct the first reading of Ordinance 650, an Ordinance to officially disband the Corning Redevelopment Agency and repeal Chapters 2.56 and 2.60 of the Corning Municipal Code. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

12. Adopt Resolution 01-24-2012-01 creating a "No Parking Zone" on the south side of 2100 block of Solano Street.

Mayor Strack introduced this item by title and explained that this "No Parking Zone" would be on the south side of Solano Street and extend from just west of the Corning Chevy Dealership and extend west approximately 230' to the end of the Super 8 Motel frontage. Mayor Strack asked if

the City had received any comments from the owners of the hotel and was informed by Public Works Director John Brewer that we had not. Mr. Brewer stated that this is proposed for safety reasons, and if approved, this will tie it in to the existing "No Parking Zone" that currently goes west through to Edith Avenue. This will be in front of the new Auto Zone store.

Councilor Parkins stated that she is happy when she sees trucks parked at this location because it means they are staying in our hotels and not out at the Casino.

Councilor Leach moved to approve Resolution No. 01-24-2012-01 creating a "No Parking Zone" located on the south side of the 2100 block of Solano Street. Councilor Dickison seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed: Parkins. Absent/Abstain: None. Approved by a 4-1 vote with Parkins opposing.**

13. Report regarding status of Blackburn Avenue Construction Project, Grant No. 10-STBG-6707.

Mayor Strack introduced this item by title and stated that he requested it be placed on the agenda so that Council can be apprised of the status. He confirmed that the City did receive a grant; however one of the stipulations of the grant is that 12 low income homes would be constructed. After approaching various independent sources to construct these homes (SHHIP, CHIP, etc.), it has been determined that at this time no one wants to assume this project due to the current housing situation, or because they have existing commitments. Mayor Strack stated his fears that the State could pull the funding as they have in the past.

City Manager Kimbrough stated that he would like the City to meet with the State to negotiate an extension on the date to complete the construction of the 12 homes until we are out of the housing recession. Mr. Kimbrough stated that if we are unable to obtain the extension, Staff will approach Council with the recommendation not to proceed any further. City Engineer Ed Anderson suggested that we utilize the fact that the Map Act has been extended due to the current housing and economic recession when meeting with the State. By consensus of the City Council, Staff has been directed to schedule a meeting ASAP with the State.

14. Declare surplus and approve disposal of 18 obsolete/unsafe Self Contained Breathing Apparatus (SCBA's).

Councilor Dickison moved to declare 18 Survivair SCBA's as surplus property and allow the Corning Fire Chief to dispose of the units in the best way to benefit the City. Councilor Leach seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Parkins: Reported on the Landfill meeting here in Corning.

Leach: Last Thursday he attended a very productive meeting with Community Action Committee.

Dickison: Reported on her attendance at the Economic Conference in Oroville (Steve and John also attended) and stated that it probably won't be until 2018 before we start recovering jobs had prior to recession and that all Cities and States are in the same predicament. She also reported that she attended the Tehama County Heritage Committee Meeting on January 19th, and the State Fair Exhibit Committee Meeting on January 20th. She stated that the State Fair Exhibit Committee is going to recommend skipping it this year as they have received no comments from those contacted with donations, etc. It will be taken to the County Board of Supervisors on January 31st.

Linnet: Reported that he attended the funeral of the fallen Marine in Anderson. He also stated that he would like to research whether we could initiate some kind of law against protesting at military funerals. He suggested possibly a law that would keep protesters 600 feet from the funeral.

Strack: Nothing.

N. ADJOURNMENT!: 8:48 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
SPECIAL COUNCIL MEETING MINUTES
THURSDAY, JANUARY 26, 2011
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
Gary Strack**

Mayor:

All members of the Council were present.

C. PLEDGE OF ALLEGIANCE:

D. BUSINESS FROM THE FLOOR: None

E. REGULAR AGENDA:

- 1. Adopt Resolution No. 01-26-2012-01 regarding the retirement of Police Officer James Dodge.**

Councilor Parkins moved to adopt Resolution No. 01-26-2012-01 regarding the retirement of Police Officer James Dodge. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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.

F. ADJOURN TO CLOSED SESSION: 6:15 p.m.

**PUBLIC EMPLOYMENT (Pursuant to California Government Code, Section 54957):
Title: City Manager Stephen J. Kimbrough**

G. RECONVENE REGULAR MEETING AND REPORT ON CLOSED SESSION: 7:26 p.m.

In closed session the Council discussed the City Manager's position and learned that Mr. Kimbrough as an appointee of the City Council cannot continue to serve as a part time City Manager without jeopardizing his retired annuitant status. The law places a one year limitation on how long he can serve.

The Council will be holding another closed session council meeting on Wednesday, February 1, 2012 at 11:00 a.m. to discuss the appointment of someone to fill the position of City Manager.

For advisory purposes only, this is not an issue involving the Police Chief in that he was appointed to his position by the City Manager and not by the City Council. Legal counsel has advised that the same one year limitation does not apply to the Police Chief's position for that reason.

H. ADJOURNMENT!: 7:26 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
SPECIAL CLOSED SESSION
OF THE CITY COUNCIL
WEDNESDAY, FEBRUARY 1, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 11:00 a.m.

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
Gary Strack**

Mayor:

All members of the City Council were present.

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

C. PUBLIC COMMENT ON CLOSED SESSION SUBJECTS:

Ross Turner addressed the Council stating that he understands that you, as a governing body, cannot make any decisions today or comments as these are personnel issues, however he asked the following questions:

1. This Legislation was adopted and signed by Governor Brown in the latter part of December with pretty much unanimous support, he stated that his question is why it took the City of Corning, with their legal advice, not to be aware of this until such a late point in time?
2. In the Corning and Red Bluff papers press release, it stated that the Police Chief's position was different than this (City Manager's) because of the appointment by the City Manager of the Police Chief. He stated that it is his understanding, that the position is recommended by the City Manager, but it is the vote of the City Council that is a confirmation or denial of that position. When did the Police Chief position become appointed by the City Manager and not the Council?

Mayor Strack responded stating that the City Attorney would look into this question and report back. He further stated that the minutes at that time should reflect what occurred.

3. He then asked about the timing of this meeting. He stated he understands that the meeting was scheduled to accommodate those members of the Council who work. However he finds it very ironic that with this situation which could affect the City for the next two years, as the projected longevity of these two positions, the Police Chief and City Manager, that the meeting is scheduled for a time when members of the business community and potential applicants could not attend.
4. Will the job description for the Consultant position, if procedures are followed, will that position be flown or posted as a position for public applicants to be looked into as a potential Consultant, or will that position be tailored to satisfy a need to certain people?

Mayor Strack stated that Mr. Turner was correct in that the meeting was scheduled to allow for all members of the Council to be present at this meeting, unfortunately some members of the City Council do have jobs. He also stated that any decision will be open for discussion at the February 14th meeting so that public will have the opportunity to provide their input.

D. ADJOURN TO CLOSED SESSION: 11:05 a.m.

PUBLIC EMPLOYEE APPOINTMENT (Pursuant to California Government Code, Section 54957):

Title: City Manager position to be filled if and when vacated by Stephen J. Kimbrough.

Title: Public Works Director position to be changed if current Director, John Brewer, is appointed as City Manager.

E. RECONVENE IN OPEN SESSION AND REPORT ON CLOSED SESSION: 1:05 p.m.

Mayor Strack reconvened the meeting and reported the following:

The Council in closed session discussed options available for replacing the City Manager as of the end of February. They directed the City Attorney to prepare a Staff Report for the Council's meeting of February 14th which will outline the different options available to the Council. These options are:

1. Hire a permanent, full-time replacement for Mr. Kimbrough.
2. Hire an interim City Manager whose primary role would be to assist in recruiting a permanent replacement for Mr. Kimbrough.
3. Move Public Works Director John Brewer into the position of City Manager/Public Works Director, and bring back Mr. Kimbrough as a Consultant on a contract basis to assist strictly in the area of budgeting of City finances.

At the meeting of February 14th the Council will receive public input and discuss all of these options, and discuss their financial impact on the City. Council will make a decision at this meeting on which option to implement.

A copy of the closed session report as well as the Resolution and Ordinance relating to Mr. Turner's question on the initial employment of the Police Chief were presented to Mr. Turner.

Mayor Strack stated that there are no plans for any meetings to discuss this further prior to the February 14th City Council meeting.

Julie Zeeb of the Red Bluff Daily News asked if there was a reason behind the possible combining of the City Manager and Public Works positions...is there a reason behind that; is the reason financial? Mayor Strack stated yes, and all three options will be discussed and how they relate to City finances.

F. ADJOURN: 1:06 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING ASSISTANT

DATE: February 8, 2012

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, February 14, 2012 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 01-25-12	\$89,535.01
B.	Payroll Disbursements	Ending 01-24-12	\$42,504.59
C.	Cash Disbursements	Ending 01-31-12	\$40,018.60
D.	Payroll Disbursements	Ending 01-31-12	\$38,225.82
E.	Cash Disbursements	Ending 02-02-12	\$39,966.97
F.	Cash Disbursements	Ending 02-08-12	\$20,220.39
G.	Payroll Disbursements	Ending 02-07-12	\$43,290.57
GRAND TOTAL			<u>\$313,761.95</u>

REPORT.: Jan 25 12 Wednesday
 RUN....: Jan 25 12 Time: 12:01
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 01-12 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
013775	01/19/12	MOO01	MOORES AWARD CENTER	8.31	.00	8.31	12-0119	MAT & SUPPLIES-BLD MAINT
013776	01/25/12	ACC00	ACCESS INFORMATION	42.00	.00	42.00	N051326	EQUIP MAINT-GEN CITY
				42.00	.00	42.00	N051595	EQUIP MAINT-GEN CITY
				42.00	.00	42.00	N052593	EQUIP MAINT-GEN CITY
			Check Total.....	126.00	.00	126.00		
013777	01/25/12	ALL05	ALL METALS SUPPLY	95.24	.00	95.24	276867	MAT & SUPPLIES-BLD MAINT
013778	01/25/12	ARA02	ARAMARK UNIFORM SRV.INC.	39.41	.00	39.41	1467749	Mat/Supplies-BLD MAINT
013779	01/25/12	ATT13	AT&T	720.50	.00	720.50	120111	COMMUNICATIONS-
013780	01/25/12	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1200585	ProfServices Water Dept
013781	01/25/12	CEN01	CTR OF EXCELLENCE IN EDU.	750.00	.00	750.00	120119	TRAINING/ED-POLICE
013782	01/25/12	DAT03	DATCO SERVICES CORP	651.00	.00	651.00	19379950	DATCO DRUG & ALCOHOL TEST
013783	01/25/12	FED01	FEDERAL EXPRESS	16.53	.00	16.53	7-765-700	OFFICE SUPPLIES-CITY ADMI
013784	01/25/12	GEM00	GEMINI SIGNS & LETTERS	484.90	.00	484.90	4021	MARQUEE-RODGERS THEATER
013785	01/25/12	GRA02	GRAINGER, W.W., INC	1562.17	.00	1562.17	972598059	ADA FOUNTAIN-PARKS
				6248.64	.00	6248.64	972598060	ADA FOUNTAINS-PARKS
				3124.32	.00	3124.32	972598061	ADA FOUNTAINS-PARKS
				166.95	.00	166.95	973422492	MAT & SUPPLIES-
			Check Total.....	11102.08	.00	11102.08		
013786	01/25/12	HOL04	HOLIDAY MARKET #32	14.86	.00	14.86	3212307	Mat/Supplies BuildingMain
				20.37	.00	20.37	322280051	MAT & SUPPLIES-FINANCE
			Check Total.....	35.23	.00	35.23		
013787	01/25/12	MIS00	MISHOE, PHIL	118.24	.00	118.24	12-0123	YOUTH BASKETBALL-REC
013788	01/25/12	NEX02	NEXTEL	120.85	.00	120.85	086319122	COMMUNICATIONS-POLICE
013789	01/25/12	OFF01	OFFICE DEPOT	21.62	.00	21.62	594396890	Office Supplies PoliceDis
013790	01/25/12	PET03	PETTY CASH	291.79	.00	291.79	120124	PETTY CASH-
013791	01/25/12	PGE2A	PG&E	49.56	.00	49.56	120117	ELECT-BLUE HERON CT
013792	01/25/12	PJB00	PETER J. BOICE CONSULTANT	1351.70	.00	1351.70	12-0124	PROP 84/NON CONSTRUCT-PAR
013793	01/25/12	PON10	PONCI'S WELDING	197.10	.00	197.10	50872	VEH/OP MAINT-FIRE

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
013794	01/25/12	PRI05	PRIORITY DISPATCH	46.50	.00	46.50	70486	COMMUNICATIONS-FIRE
013795	01/25/12	RON03	RON DUPRATT FORD	335.08	.00	335.08	693465	VEH/OP MAINT-
				-335.08	.00	-335.08	693465u	Ck# 013795 Reversed
Check Total.....:				.00	.00	.00		
013796	01/25/12	SAF05	SAFARILAND, LLC	55.66	.00	55.66	I12-00696	MAT & SUPPLIES-POLICE
013797	01/25/12	SUB01	SUBURBAN PROPANE	60.00	.00	60.00	20696	PROPANE-AIRPORT
013798	01/25/12	TRE00	TRENT CONSTRUCTION INC.	69668.27	.00	69668.27	12-0125	CLARK PARK WELL-WTR CAP I
013799	01/25/12	USA01	USA BLUE BOOK	164.55	.00	164.55	578793	MAT & SUPPLIES-WTR
013800	01/25/12	COR18	CORNING SENIOR CENTER	2700.00	.00	2700.00	120125	SENIOR CENTER-GEN CITY
013801	01/25/12	DEP12	DEPT OF JUSTICE	34.00	.00	34.00	890205	PROF SVCS-POLICE
				34.00	.00	34.00	890267	PROF SVCS-POLICE
Check Total.....:				68.00	.00	68.00		
013802	01/25/12	NOR31	NORM'S PRINTING	75.61	.00	75.61	10830	PROF SVCS-BLD & SAFETY
013803	01/25/12	RON03	RON DUPRATT FORD	335.08	.00	335.08	692940	VEH/OP MAINT-
				67.28	.00	67.28	693465A	VEH/OP MAINT-POLICE
Check Total.....:				402.36	.00	402.36		
Cash Account Total.....:				89535.01	.00	89535.01		
Total Disbursements.....:				89535.01	.00	89535.01		
Cash Account Total.....:				.00	.00	.00		

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
5351	01/24/12	BAN03	POLICE OFFICER ASSOC.	300.00	.00	300.00	B20124	POLICE OFFICER ASSOC
5352	01/24/12	CAL37	CALIFORNIA STATE DISBURSE	179.07	.00	179.07	B20124	WITHHOLDING ORDER
5353	01/24/12	EDD01	EMPLOYMENT DEVELOPMENT	3182.73	.00	3182.73	B20124	STATE INCOME TAX
				946.01	.00	946.01	1B20124	SDI
Check Total.....:				4128.74	.00	4128.74		
5354	01/24/12	ICM01	ICMA RETIREMENT TRUST-457	50.00	.00	50.00	B20124	ICMA DEF. COMP
5355	01/24/12	OEU03	OPERATING ENGINEERS	500.00	.00	500.00	B20124	CREDIT UNION SAVINGS
5356	01/24/12	PERS1	PUBLIC EMPLOYEES RETIRE	28182.58	.00	28182.58	B20124	PERS PAYROLL REMITTANCE
5357	01/24/12	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	B20124	PERS DEF. COMP.
5358	01/24/12	PRE03	PREMIER WEST BANK	8285.70	.00	8285.70	B20124	HSA DEDUCTIBLE
5359	01/24/12	VAL06	VALIC	853.50	.00	853.50	B20124	AIG VALIC P TAX
Cash Account Total.....:				42504.59	.00	42504.59		
Total Disbursements.....:				42504.59	.00	42504.59		

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
013804	01/31/12	AME10	AMERICAN PLANNING ASSN	440.00	.00	440.00	095664111	APA & AICP ANNUAL DUES
013805	01/31/12	BAS01	BASIC LABORATORY, INC	280.00	.00	280.00	1200669	ProfServices Water Dept
				114.00	.00	114.00	1200806	ProfServices Water Dept
			Check Total.....	394.00	.00	394.00		
013806	01/31/12	CAM02	FERGUSON ENTERPRISES INC.	398.97	.00	398.97	0790982	MAT & SUPPLIES-WTR
				306.68	.00	306.68	0791155	MAT & SUPPLIES-WTR
				112.42	.00	112.42	0791261	MAT & SUPPLEIS-WTR
				1810.02	.00	1810.02	0791355	MAT & SUPPLIES-WTR
			Check Total.....	2628.09	.00	2628.09		
013807	01/31/12	CHE02	CHEM QUIP, INC.	62.53	.00	62.53	5136544	MAT & SUPPLIES-POOL
				1077.24	.00	1077.24	5136545	MAT & SUPPLIES-WTR
			Check Total.....	1139.77	.00	1139.77		
013808	01/31/12	COP00	COP SHOP INSTALLATION INC	121.25	.00	121.25	3962	VEH/OP MAINT-POLICE
013809	01/31/12	COR05	CORNING AUTO CENTER	39.90	.00	39.90	3614	VEH/OP MAINT-POLICE
013810	01/31/12	COR22	CORNING MEDICAL ASSOC	65.00	.00	65.00	120127	EMP PHYSICALS-PW ADMIN
013811	01/31/12	DEP12	DEPT OF JUSTICE	35.00	.00	35.00	890302	PROF SVCS-POLICE
013812	01/31/12	GRA01	GRANDFLOW, INC	295.69	.00	295.69	116608	OFFICE SUPPLIES-FINANCE
013813	01/31/12	GRA02	GRAINGER, W.W., INC	677.70	.00	677.70	973647295	MAT & SUPPLIES-PARKS
				4.91	.00	4.91	973682838	MAT & SUPPLIES-PARKS
				58.99	.00	58.99	973754561	MAT & SUPPLIES-WTR
				562.94	.00	562.94	973839319	MAT & SUPPLIES-POOL
			Check Total.....	1304.54	.00	1304.54		
013814	01/31/12	HIN01	HINDERLITER, DE LLAMAS &	4387.29	.00	4387.29	0018904IN	PROF SVCS-FINANCE
013815	01/31/12	JOH06	JOHNSON'S TURBO CLEAN	992.87	.00	992.87	4051	MAT & SUPPLIES-BLD MAINT
013816	01/31/12	NAP01	NAPA AUTO PARTS	315.30	.00	315.30	120123	Veh Opr/Maint-
013817	01/31/12	NEX01	NEXTEL COMMUNICATIONS	396.96	.00	396.96	120129	COMMUNICATIONS-
013818	01/31/12	PAC16	PACIFIC TELEMANAGEMENT SE	38.00	.00	38.00	345255	COMMUNICATIONS-GEN CITY
013819	01/31/12	PGE01	PG&E	19088.43	.00	19088.43	120119	Electricity General City-
013820	01/31/12	PGE2B	PG&E	6243.69	.00	6243.69	120124	ELECT-WWTP

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
013821	01/31/12	RON03	RON DUPRATT FORD	1090.41	.00	1090.41	186131	VEH/OP MAINT-POLICE
013822	01/31/12	SAF05	SAFARILAND, LLC	60.67	.00	60.67	I12-00939	MAT & SUPPLIES-POLICE
013823	01/31/12	USA01	USA BLUE BOOK	90.81	.00	90.81	582309	MAT & SUPPLIES-WTR
				266.22	.00	266.22	583159	MAT & SUPPLIES-WTR
Check Total.....:				357.03	.00	357.03		
013824	01/31/12	WAR05	WARREN, DANA KARL	222.30	.00	222.30	120130	REC INSTRUCTOR-REC
013825	01/31/12	\B055	BEATTIE, BREWSTER	19.39	.00	19.39	000B20101	MQ CUSTOMER REFUND FOR BE
013826	01/31/12	\B056	BINGHAM, JIM	6.24	.00	6.24	000B20101	MQ CUSTOMER REFUND FOR BI
013827	01/31/12	\H038	HARRISON, REBECCA	10.55	.00	10.55	000B20101	MQ CUSTOMER REFUND FOR HA
013828	01/31/12	\H039	HEMPING, MAX	6.74	.00	6.74	000B20101	MQ CUSTOMER REFUND FOR HE
013829	01/31/12	\J034	JAMISON PROPERTIES,	50.00	.00	50.00	000B20101	MQ CUSTOMER REFUND FOR JA
013830	01/31/12	\J035	JAMISON PROPERTIES,	50.00	.00	50.00	000B20101	MQ CUSTOMER REFUND FOR JA
013831	01/31/12	\J036	JAMISON PROPERTIES,	45.91	.00	45.91	000B20101	MQ CUSTOMER REFUND FOR JA
013832	01/31/12	\M084	MCNALLY, XIU GANG	53.63	.00	53.63	000B20101	MQ CUSTOMER REFUND FOR MC
013833	01/31/12	\M085	MENDOZA, MARIA	39.79	.00	39.79	000B20101	MQ CUSTOMER REFUND FOR ME
013834	01/31/12	\M086	MORFIN-MENDOZA, MARIA	30.16	.00	30.16	000B20101	MQ CUSTOMER REFUND FOR MO
013835	01/31/12	\T022	THUEMLER, TERRY	50.00	.00	50.00	000B20101	MQ CUSTOMER REFUND FOR TH
Cash Account Total.....:				40018.60	.00	40018.60		
Total Disbursements.....:				40018.60	.00	40018.60		
Cash Account Total.....:				.00	.00	.00		

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
5360	01/31/12	AFL01	AMERICAN FAMILY LIFE	2005.66	.00	2005.66	B20131	AFLAC INS.PRE TAX
				125.09	.00	125.09	1B20131	AFLAC INS.AFTER TAX
			Check Total.....:	2130.75	.00	2130.75		
5361	01/31/12	BLU02	BLUE SHIELD OF CALIFORNIA	18555.00	.00	18555.00	B20131	MEDICAL INSURANCE
5362	01/31/12	OEU01	OPERATING ENGINEERS #3	6328.00	.00	6328.00	B20131	MEDICAL INSURANCE
5363	01/31/12	OEU02	OPERATING ENG. (DUES)	318.00	.00	318.00	B20131	UNION DUES MGMNT
				663.00	.00	663.00	1B20131	UNION DUES POLICE
				315.00	.00	315.00	2B20131	UNION DUES DISPATCH
				546.00	.00	546.00	3B20131	UNION DUES-MISC
			Check Total.....:	1842.00	.00	1842.00		
5364	01/31/12	PRI04	PRINCIPAL	6842.63	.00	6842.63	B20131	DENTAL INSURANCE
				1400.44	.00	1400.44	1B20131	VISION INSURANCE
			Check Total.....:	8243.07	.00	8243.07		
5365	01/31/12	TRA03	TRANSAMERICA LIFE INS CO.	1127.00	.00	1127.00	B20131	LIFE INSURANCE
			Cash Account Total.....:	38225.82	.00	38225.82		
			Total Disbursements.....:	38225.82	.00	38225.82		

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013836	02/01/12	ATT14	AT&T	182.03	.00	182.03	120123P	COMMUNICATIONS-POLICE
013837	02/01/12	CLA01	CLARKS DRUG STORE	7.96	.00	7.96	84381	SAFETY ITEMS-PW ADMIN
013838	02/01/12	CME00	CMESA CONSULTING MADE EAS	2572.50	.00	2572.50	1006	PROP 84 PARK-NON CONSTR
013839	02/01/12	COM01	COMPUTER LOGISTICS, INC	116.67	.00	116.67	55222	COMMUNICATIONS-POLICE
				26.00	.00	26.00	55235	COMMUNICATIONS-POLICE
			Check Total.....:	142.67	.00	142.67		
013840	02/01/12	COR07	CORBIN WILLITS SYSTEMS	729.72	.00	729.72	000B202011	Finance Dept.
013841	02/01/12	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000B202011	CngChamberComm. Economic
013842	02/01/12	COR22	CORNING MEDICAL ASSOC	118.50	.00	118.50	20120118	PROF SVCS-POLICE
013843	02/01/12	DAY03	DAY WIRELESS SYSTEMS {04}	10.73	.00	10.73	971150	COMMUNICATIONS-POLICE
013844	02/01/12	EDD02	EMPLOYMENT DEVELOPMENT	1227.00	.00	1227.00	120125	UNEMPLOYMENT INS-GEN CITY
013845	02/01/12	FIT01	FITZPATRICK LAW OFFICES	3575.00	.00	3575.00	000B202011	Consulting Serv LegalServ
013846	02/01/12	HAL05	HALL, ROBERT	104.70	.00	104.70	000B202011	ProfServices FireDepartme
013847	02/01/12	KEN00	KEN VAUGHAN & SONS	950.00	.00	950.00	000B202011	LANDSCAPE MAINT-
013848	02/01/12	MAI00	MAIRE & BURGESS	2025.00	.00	2025.00	000B202011	CONSULTING SVCS-LEGAL SVC
013849	02/01/12	MCC07	MCCOY'S HARDWARE & SUPPLY	531.88	.00	531.88	120125	MAT & SUPPLIES-WTR
013850	02/01/12	MOR02	RAY MORGAN COMPANY	160.87	.00	160.87	202971	EQUIP MAINT-FINANCE
				160.87	.00	160.87	202972	EQUIP MAINT-FINANCE
			Check Total.....:	321.74	.00	321.74		
013851	02/01/12	MUN03	MUNNELL & SHERRILL, INC.	289.58	.00	289.58	997762	MAT & SUPPLIES-
				83.00	.00	83.00	997763	MAT & SUPPLIES-
			Check Total.....:	372.58	.00	372.58		
013852	02/01/12	PGE01	PG&E	125.44	.00	125.44	120127	ELECT-STR & TRF LIGHTS
013853	02/01/12	PIT01	PITNEY BOWES	192.92	.00	192.92	000B202011	Rents/Leases Finance Dept
013854	02/01/12	QUI02	QUILL CORPORATION	249.80	.00	249.80	9524524	OFFICE SUPPLIES-
				76.84	.00	76.84	9564069	OFFICE SUPPLIES-
			Check Total.....:	326.64	.00	326.64		
013855	02/01/12	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000B202011	K-9 PROGRAM-POLICE

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013856	02/01/12	TLD01	TEDC	208.33	.00	208.33	000B202011	Economic Development
013857	02/01/12	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000B202011	PROF. SVCS-FIRE DEPT
013858	02/01/12	WHI05	WHITE GLOVE CLEANING SERV	2800.00	.00	2800.00	000B202011	JANITORIAL SVCS-
013859	02/02/12	AND01	ED ANDERSON	4293.22	.00	4293.22	12-0201	PROF SVCS-
013860	02/02/12	ATT02	AT&T	1076.79	.00	1076.79	120125	COMMUNICATIONS-
013861	02/02/12	ATT14	AT&T	161.18	.00	161.18	120123F	COMMUNICATIONS-FIRE
013862	02/02/12	BAT01	BATTERIES PLUS	183.53	.00	183.53	100878-01	EQUIP MAINT-FIRE
013863	02/02/12	BIL02	BILL GREER LANDSCAPING	2775.00	.00	2775.00	12-0131	TRAFFIC SIGNAL IMPROV-STR
013864	02/02/12	CHI06	CHICO POWER EQUIPMENT	428.96	.00	428.96	0062510	CLEANIN CONTRACT-STR PROJ
013865	02/02/12	COM01	COMPUTER LOGISTICS, INC	1840.00	.00	1840.00	55221	EQUIP MAINT-
				22.00	.00	22.00	55234	EQUIP MAINT-
			Check Total.....:	1862.00	.00	1862.00		
013866	02/02/12	COP00	COP SHOP INSTALLATION INC	174.00	.00	174.00	3997	EQUIP MAINT-POLICE
013867	02/02/12	COR01	CORNING VETERINARY CLINIC	280.00	.00	280.00	33389	SPAY/NEUTER PROGRAM-ACO
013868	02/02/12	COR03	CORNING RENTALS	560.00	.00	560.00	34675	RENT/LEASES-COMM EVENTS
				170.00	.00	170.00	34683	PROP 84 PARK-NON CONSTR
			Check Total.....:	730.00	.00	730.00		
013869	02/02/12	COR08	CORNING LUMBER CO INC	200.85	.00	200.85	120125	MAT & SUPPLIES-
013870	02/02/12	COR45	CORNING ACE HARDWARE	480.16	.00	480.16	120125	MAT & SUPPLIES-
				96.51	.00	96.51	120125F	BLD MAINT-FIRE
			Check Total.....:	576.67	.00	576.67		
013871	02/02/12	HEN03	HENRY SCHEIN INC.,	91.81	.00	91.81	369243700	SAFETY ITEMS-FIRE
013872	02/02/12	LIN01	LINCOLN EQUIPMENT, INC.	1062.12	.00	1062.12	SI179595	MAT & SUPPLIES-POOL
013873	02/02/12	NOR25	NORTHERN LIGHTS ENRGY, INC	2843.23	.00	2843.23	57158	MAT & SUPPLIES-
				337.07	.00	337.07	57159	VEH/OP MAINT-FIRE
			Check Total.....:	3180.30	.00	3180.30		
013874	02/02/12	NOR31	NORM'S PRINTING	81.19	.00	81.19	010864	OFFICE SUPPLIES-FINANCE

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013875	02/02/12	PGE2A	PG&E	215.61	.00	215.61	120130	ELECT-MCDONALD,CASSANDRA,
013876	02/02/12	QUI02	QUILL CORPORATION	60.04	.00	60.04	9293576	OFFICE SUPPLIES-FIRE
013877	02/02/12	SEI01	SEILER, ROY R., CPA	1079.10	.00	1079.10	24730	PROF SVCS-FINANCE
013878	02/02/12	THO01	THOMES CREEK ROCK CO	569.34	.00	569.34	120131	MAT & SUPPLIES-
013879	02/02/12	UNI07	UNION BANK OF CALIF	3015.00	.00	3015.00	7547	Bond Trustee-
013880	02/02/12	XER00	XEROX CORPORATION	90.22	.00	90.22	059884665	EQUIP MAINT-POLICE
Cash Account Total.....:				39966.97	.00	39966.97		
Total Disbursements.....:				39966.97	.00	39966.97		

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013881	02/08/12	ALL05	ALL METALS SUPPLY	746.46	.00	746.46	277625	MAT & SUPPLIES-
013882	02/08/12	AME15	AMERIGAS	315.55	.00	315.55	010076803	NATURAL GAS-AC0
013883	02/08/12	AND03	ANDERS, JOANN	1190.00	.00	1190.00	12-104	PROF SVCS-BLKBRN IMPROV
				560.00	.00	560.00	12-105	PROF SVCS-HOUSING REHAB
Check Total.....:				1750.00	.00	1750.00		
013884	02/08/12	ARA02	ARAMARK UNIFORM SRV.INC.	39.41	.00	39.41	1447827	MAT & SUPPLIES-BLD MAINT
				39.41	.00	39.41	1457794	MAT & SUPPLIES-BLD MAINT
				39.41	.00	39.41	1478049	MAT & SUPPLIES-BLD MAINT
Check Total.....:				118.23	.00	118.23		
013885	02/08/12	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	1201004	ProfServices Water Dept
013886	02/08/12	CAM02	FERGUSON ENTERPRISES INC.	484.56	.00	484.56	0791987	MAT & SUPPLIES-WTR
				335.01	.00	335.01	0790982-1	MAT & SUPPLIES-WTR
Check Total.....:				819.57	.00	819.57		
013887	02/08/12	COR01	CORNING VETERINARY CLINIC	382.25	.00	382.25	33388	MAT & SUPPLIES-
013888	02/08/12	FIR00	FIRST NATIONAL BANK	130.00	.00	130.00	123001	CONF/MTGS-
013889	02/08/12	FIR01	FIRST NATIONAL BANK	3.99	.00	3.99	12-0109	MAT & SUPPLIES-BLD MAINT
013890	02/08/12	GEO01	GEO PLUS	9063.20	.00	9063.20	847	PROF SVCS-WTR
013891	02/08/12	GRA02	GRAINGER, W.W., INC	117.95	.00	117.95	974197053	MAT & SUPPLIES-WTR
013892	02/08/12	HOM03	HOME DEPOT	1186.54	.00	1186.54	12-0207	CURB,GUTTER & SIDEWALK-ST
013893	02/08/12	INT01	INTERLAND BUSINESS SUPPLY	18.93	.00	18.93	120202	MAT & SUPPLIES-
013894	02/08/12	NOR25	NORTHERN LIGHTS ENRGY,INC	2996.08	.00	2996.08	57124	VEH/OP MAINT-
013895	02/08/12	PGE01	PG&E	252.17	.00	252.17	120127A	ELECT-SWR
013896	02/08/12	PGE03	PG&E	15.38	.00	15.38	120130	Mat/Supplies PoliceServic
013897	02/08/12	PGE04	PG&E	627.89	.00	627.89	120130	TranspFacility-
013898	02/08/12	PGE2A	PG&E	76.90	.00	76.90	120131	ELECT-MARTINI PLAZA
				33.30	.00	33.30	120201	ELECT-CLELAND PROP
Check Total.....:				110.20	.00	110.20		
013899	02/08/12	RED15	RED TRUCK ROCK YARD, LLC	128.70	.00	128.70	294	CURB,GUTTER, SIDEWALK-STR

REPORT.: Feb 08 12 Wednesday
 RUN....: Feb 08 12 Time: 12:53
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 02-12 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 #	Description
013900	02/08/12	SCH01	LES SCHWAB TIRE CENTER	45.00	.00	45.00	611000103	VEH/OP MAINT-STR
013901	02/08/12	TEH15	TEHAMA CO SHERIFF'S DEPT	24.50	.00	24.50	120202	PROF SVCS-FIRE
013902	02/08/12	TRI02	TRI-COUNTY NEWSPAPERS	82.10	.00	82.10	13224	Print/Advert. City Clerk
013903	02/08/12	VAL07	VALLEY VETERINARY CLINIC,	185.84	.00	185.84	84665	K-9 PROGRAM-POLICE
013904	02/08/12	AME06	AMERICAN RIVER COLLEGE	22.00	.00	22.00	120208	TRAINING/ED-POLICE
013905	02/08/12	CHE02	CHEM QUIP, INC.	207.42	.00	207.42	5137529	MAT & SUPPLIES-POOL
013906	02/08/12	DOU04	DOUBLETREE HOTEL SAC	190.83	.00	190.83	120208	TRAINING/ED-POLICE
013907	02/08/12	FIR02	FIRST NATIONAL BANK	593.61	.00	593.61	120130	OFFICE SUPPLIES-
Cash Account Total.....:				20220.39	.00	20220.39		
Total Disbursements.....:				20220.39	.00	20220.39		
Cash Account Total.....:				.00	.00	.00		

REPORT.: Feb 08 12 Wednesday
 RUN...: Feb 08 12 Time: 12:53
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 02-12 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 #	Description
5370	02/07/12	BAN03	POLICE OFFICER ASSOC.	300.00	.00	300.00	B20206	POLICE OFFICER ASSOC
5371	02/07/12	CAL37	CALIFORNIA STATE DISBURSE	179.07	.00	179.07	B20206	WITHHOLDING ORDER
5372	02/07/12	EDD01	EMPLOYMENT DEVELOPMENT	3298.92	.00	3298.92	B20206	STATE INCOME TAX
				1010.46	.00	1010.46	1B20206	SDI
Check Total.....:				4309.38	.00	4309.38		
5373	02/07/12	ICM01	ICMA RETIREMENT TRUST-457	50.00	.00	50.00	B20206	ICMA DEF. COMP
5374	02/07/12	OEU03	OPERATING ENGINEERS	500.00	.00	500.00	B20206	CREDIT UNION SAVINGS
5375	02/07/12	PERS1	PUBLIC EMPLOYEES RETIRE	28637.92	.00	28637.92	B20206	PERS PAYROLL REMITTANCE
5376	02/07/12	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	B20206	PERS DEF. COMP.
5377	02/07/12	PRE03	PREMIER WEST BANK	8435.70	.00	8435.70	B20206	HSA DEDUCTIBLE
5378	02/07/12	VAL06	VALIC	853.50	.00	853.50	B20206	AIG VALIC P TAX
Cash Account Total.....:				43290.57	.00	43290.57		
Total Disbursements.....:				43290.57	.00	43290.57		

Date.: Feb 8, 2012
Time.: 12:36 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
BIG GUYS	19337 SIMPSON RD	CORNING, CA 96021	LANNING CODY	PRINT, DESIGN (GRAPHIC), AND PUBLISHING	01/23/12	(530)784-4460
BILL GREER LANDSCAPI	24265 ELECTRIC AVE	RED BLUFF, CA 96080	GREER BILL	CONTRACTOR	01/23/12	(530)529-5296
DS WATERS OF AMERICA	3114 THORNTREE DRIVE	CHICO, CA 95973	SPRINGS SIERRA	DELIVERY OF BOTTLED WATER (HOME & OFFICE	01/23/12	(770)933-1400
ENCORE	1620 SOLANO ST	CORNING, CA 96021	CLAY INEZ	NEW AND USED GOODS-PARTY WARE & ACCESS.	02/06/12	(530)824-6615
RANCHERS DELI & MEAT	890 MARGUERITE AVE	CORNING, CA 96021	MCFALL DALE	DELI AND CUSTOM MEATS	01/20/12	(530)824-3819
TACO'S EXPRESS	1723 SOLANO ST	CORNING, CA 96021	FUENTES LORENA	FAST FOOD TACO TRUCK	02/06/12	(530)567-5696
WELLS, JERRIE	230 KAREL AVE	RED BLUFF, CA 96080	WELLS JERRIE	CAR TRANSPORTING	01/23/12	(530)527-4278

CITY OF CORNING**JANUARY 2012****TREASURERS REPORT**

AGENCY	BALANCE	RATE	MATURES ON
LOCAL AGENCY INVESTMENT FUND	1,265,345.56	.38	
PREMIER WEST BANK	199,687.37	.45	03/28/12
PREMIER WEST BANK	179,190.60	.45	04/20/12
RIDELL FUND	212,821.09		CD to Ridell Fund Dec 2011

Respectfully Submitted

Pala Cantrell
City Treasurer

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 1/1/2012 thru 1/31/2012

Owner and Address	Parcel Number	Issued On	Valuation
LOVES TRAVEL STOPS 2120 SOUTH AVE. CORNING CA 96021 Permit Description: INSTALL NEW METAL BUILD FOR TIRE FACILI	8705069 Site Street Address: 2120 SOUTH AVE.	1/6/2012	250,000.00
CHARLES CRAGO 1517 SIXTH AVE CORNING CA 96021 Permit Description: CHANGE OUT HVAC UNIT	7127117 Site Street Address: 1517 SIXTH AVE	1/5/2012	5,438.60
JOSETTE ST.MARIIN 998 HWY 99W CORNING CA 96021 Permit Description: JOSETTE ST. MARTIN	6922014 Site Street Address: 998 HWY 99W	1/4/2012	5,000.00
SKN PROPERTIES 950 HWY 99W CORNING CA 96021 Permit Description: REPLACE 1.5 TON COOLING DUCTLESS SYSTEM	6972022 Site Street Address: 950 HWY 99W	1/9/2012	6,461.00
CITY OF CORNING 794 THIRD ST CORNING CA 96021 Permit Description: ADD NEW ELECT. CIRCUIT TO P. D. DISPATCH	7113503 Site Street Address: 794 THIRD ST	1/9/2012	350.00
ST ANDREWS EPISCOPAL CHURCH 815 FIRST ST CORNING CA 96021 Permit Description: CHANGE OUT SINGLE SIDED WALL FURNACE	7306607 Site Street Address: 815 FIRST ST	1/12/2012	2,472.00
CINDY HARRIS 618 HOUGHTON AVE CORNING CA 96021 Permit Description: TEAR OFF WOOD SHAKES & REPLACE WITH CC	7109305 Site Street Address: 618 HOUGHTON AVE	1/17/2012	9,217.00

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 1/1/2012 thru 1/31/2012

Owner and Address	Parcel Number	Issued On	Valuation
LARRY GIFFORD 1424 SIXTH AVE CORNING CA 96021 Permit Description: ADD METAL ROOF OVER EXIST/REPLACE FRO	7126303 Site Street Address: 1424 SIXTH AVE	1/19/2012	2,400.00
ROY GUMM 508 CHESTNUT ST CORNING CA 96021 Permit Description: REPLACE WATER HEATER	7311205 Site Street Address: 508 CHESTNUT ST	1/26/2012	2,000.00
ANTON MANSOUR 1910 GRANT ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7115209 Site Street Address: 1910 GRANT ST	1/30/2012	5,000.00
CHURCH OF CHRIST 1440 YOLO ST CORNING CA 96021 Permit Description: INSTALL MONUMENT SIGN	7110615 Site Street Address: 1440 YOLO ST	1/31/2012	3,000.00
11 Permits Issued from		1/1/2012 Thru 1/31/2012	OR A TOTAL VALUATION OF \$ 291,338.60
*** END OF REPORT ***			



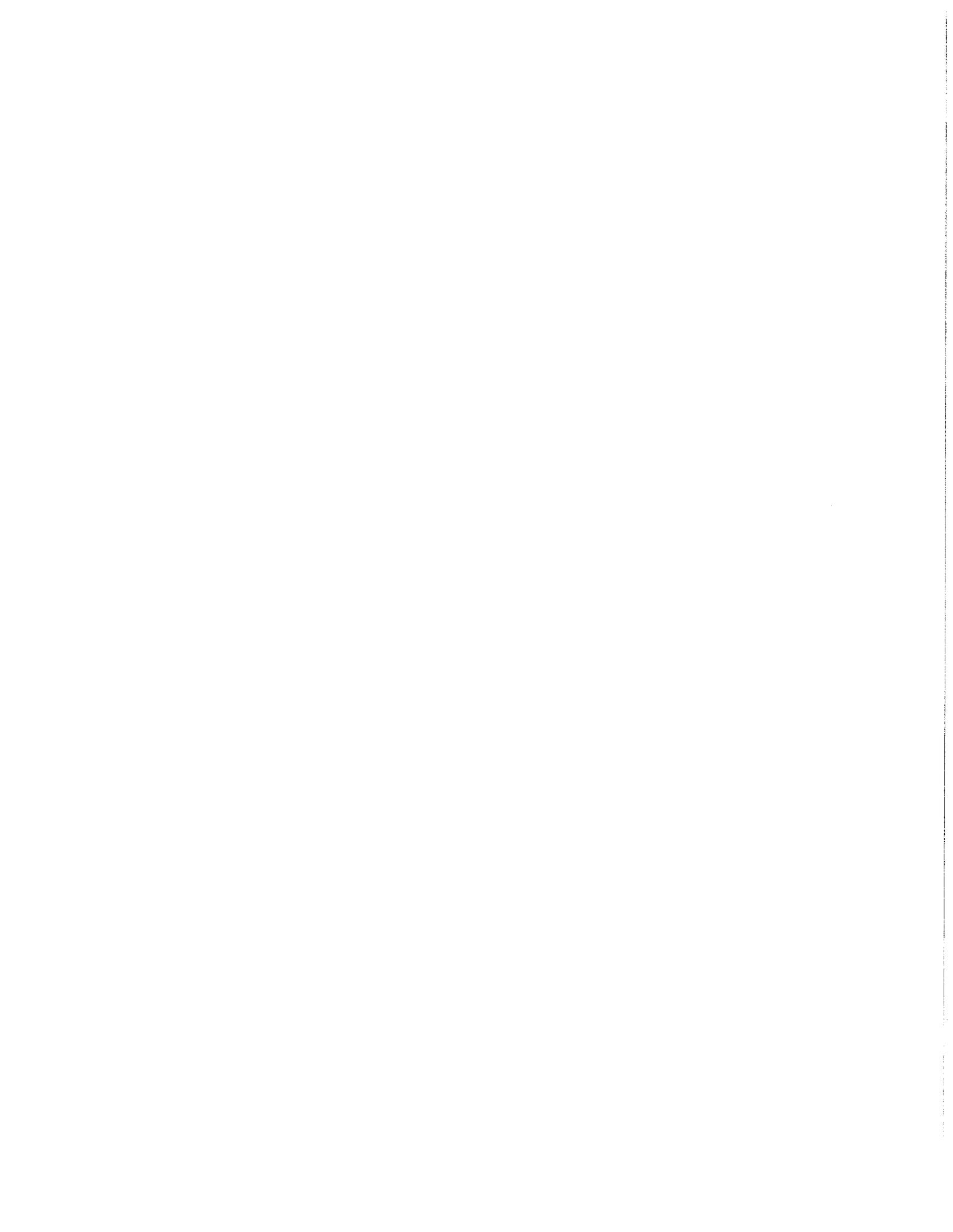
**CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT
JANUARY 2012**

Below is a summary of the Monthly Operations Report that will be available for City review on February 2012

- 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) Staff meeting on plant operations and issues.
- 7) Changed chart on So3 analyzer.
- 8) Safety meeting.
- 9) Sprayed weeds around plant
- 10) Inspected eyewash and emergency showers.
- 11) Unloaded chlorine truck.
- 12) Cleaned So2 pump.
- 13) Checked storm water discharge sites at WWTP and airport.
- 14) Cleaned distiller.
- 15) Tested all chlorine and So2 sensors

- 16) Cleaned probe at lift station.
- 17) Tested alarms with Fire Dept.
- 18) Exercised lift station stand –by pump
- 19) Collected sample and ran Colilert test on eye wash station.
- 20) Exercised emergency generator.
- 21) Held employee training.
- 22) IIPP plant inspection
- 23) TelStar performed annual maintenance on CL2 and SO2 systems.
- 24) Checked all fire extinguishers.
- 25) Changed oil in # 2 screw pump.
- 26) Downloaded data logger from effluent chart recorder
- 27) Completed SSO report
- 28) Collected River samples
- 29) Performed maintenance on auto samplers.
- 30) Ran bioassay test.
- 31) Submitted annual report to Regional Board.
- 32) Rebuilt bracket for SO2 lines.
- 33) Cleaned bioassay tanks.
- 34) Cleaned trouble spots in collection system.
- 35) Regional Board and EPA consultants performed inspection of pretreatment program and inspected Corning Olive Oil.





January 2012

Domestic Flow Monthly Average = 722,290 GPD

**ITEM NO.: G-11
ORDINANCE NO. 650, AN ORDINANCE TO
OFFICIALLY DISBAND THE CORNING
REDEVELOPMENT AGENCY AND REPEAL
CHAPTERS 2.56 AND 2.60 OF THE CORNING
MUNICIPAL CODE. (Second Reading & Adoption)**

February 14, 2012

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: STEPHEN J. KIMBROUGH, CITY MANAGER**



SUMMARY:

The proposed Ordinance was presented, introduced and read at the January 24, 2012 City Council meeting.

BACKGROUND:

In 1985 the City of Corning adopted Ordinance No. 437 creating the Corning Redevelopment Agency. Later the City Council decided not to move forward with a redevelopment program and a project area was never adopted. The Corning Redevelopment Agency has been listed as dormant during the ensuing years.

On December 29, 2011, the California Supreme Court upheld AB 26x1, which dissolves all of the Redevelopment Agencies in California.

This Ordinance implements the State Law upheld by the Supreme Court and dissolves the Corning Redevelopment Agency. Because there is no project area or outstanding debt, the City does not need to create a successor agency.

Following the adoption of the Redevelopment Agency, the City Council created the "Economic Development Commission" to assist in the redevelopment effort. In 1994, the City Council recognized that the Commission's responsibilities overlap many of the responsibilities of the Planning Commission and City Council. The City Council then disbanded the Commission but did not remove Chapter 2.60 from the City of Corning Municipal Codes.

Staff is now also recommending that Chapter 2.60, Economic Development Commission also be rescinded from the City Code.

RECOMMENDATION:

**MAYOR AND COUNCIL CONDUCT THE SECOND READING AND ADOPT
ORDINANCE NO. 650, AN ORDINANCE TO OFFICIALLY DISBAND THE CORNING
REDEVELOPMENT AGENCY AND REPEAL CHAPTERS 2.56 AND 2.60 OF THE
CORNING MUNICIPAL CODE.**

ORDINANCE NO. 650

**AN ORDINANCE OF THE CITY OF COUNCIL
OF THE CITY OF CORNING
DISBANDING THE CORNING REDEVELOPMENT AGENCY
AND
REPEALING CHAPTERS 2.56 AND 2.60 OF THE CORNING MUNICIPAL CODE**

The City Council of the City of Corning, in conformance with State Law on January 24, 2012 does hereby ordain as follows:

PURPOSE:

The purpose of this Ordinance is to repeal Ordinance 437 and remove Chapter 2.56 – Redevelopment Agency, Sections 1-3 from the Corning Municipal Code. This action is being taken in accordance with California State Law AB 26x1 that was recently upheld by the California Supreme Court on December 29, 2011.

This Ordinance will also repeal Ordinance 448, removing the entire Chapter 2.60 – Economic Development Commission from the Corning Municipal Code. This Commission was determined to be obsolete and disbanded in by the City Council in 1994.

REPEAL: City of Corning Municipal Code Chapter 2.56 – Redevelopment Agency (all Sections as listed below):

Section 2.56.010: Declaration of Necessity. The City Council hereby declares that there is need for a Redevelopment Agency to function in the City of Corning. (Ord. 437 §1, 1985);

Section 2.56.020: City Council Powers. The City Council declares itself to be the Redevelopment Agency. Based upon the reports and other information presented to the City Council, the City Council finds that such action will serve the public interest and promote the public safety in an effective manner. (Ord. 437 §2, 1985);

Section 2.56.030: Filing of Document with State. The City Clerk is authorized and directed to cause a certified copy of the Ordinance codified in this Chapter to be filed in the office of the Secretary of State. (Ord. 437 §3, 1985).

REPEAL: City of Corning Municipal Code Chapter 2.60 – Economic Development Commission (all Sections as listed below):

Section 2.60.010: Established. An Economic Development Commission is established for the City of Corning, such Commission to be known as the Corning Economic Development Commission. (Ord. 448 (part), 1986);

Section 2.60.020: Members –Appointment. The Economic Development Commission shall consist of five members. The City Manager and City Councilmember who is the Economic Development Commissioner shall interview potential candidates for the Economic Development Commission. Following said interview, the City Manager and the Economic Development Commissioner shall make recommendations to the City Council. The members of the Economic Development Commission shall be appointed by not less than a majority of the members of the City Council present at a regular, adjourned, or special meeting of the City Council. (Ord. 448 (part), 1986).

Section 2.60.030: Term of Office. The term of office of the members of the Economic Development Commission shall be four years. The initial members of the Commission shall, by lot, select two members to serve a term of two years, and three members to serve a term of four years, and thereafter all terms shall be four years. Commissioners shall serve for their term and until the appointment of their successors in office. Excepting for the first Commission, which shall assume office immediately upon appointment, the terms of office of the commission members shall commence on July 1st of the year of their appointment. (Ord. 448 (part), 1986).

Section 2.60.040: Purpose—Rules of Procedure. Members of the Economic Development Commission shall serve in a review and advisory capacity to the City Council of the City of Corning. The purpose of this Commission is to facilitate, act upon and develop strategies and tactics to retain business and to express a commitment to growth within the area of the City of Corning. Rules of procedure to be followed by the Commission shall be adopted by it and submitted to the City Council for approval by Resolution. Any changes in the rules of procedure of the Commission shall likewise be approved by the City Council by Resolution. (Ord. 448 (part), 1986).

Section 2.60.050: Removal from Office. Members of the Economic Development Commission may be removed from their position by the City Council, upon the affirmative vote of not less than four members of the Council. They be bound by the Brown Act and the Commissioners be required to file a 730 Conflict of Interest form with the City Clerk. (Ord. 448 (part), 1986).

Section 2.60.060: Compensation—Reimbursement for Expenses. Members of the Corning Economic Development Commission shall serve without compensation. Necessary expenses incurred by them may be paid by the City of Corning, provided that the approval of such expenses shall be obtained from the City Council prior to the time that such obligations are actually incurred. (Ord. 448 (part), 1986).

EFFECTIVE DATE AND PUBLICATION:

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **January 24, 2012** and adopted at a regular meeting of the City Council of the City of Corning held on **February 14, 2012** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

It shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the Councilpersons voting for and against the same, in a newspaper of general circulation in the County of Tehama.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

Published:

ITEM NO: G-12
 APPROVE PROGRESS PAY ESTIMATE
 NO. 7 IN THE AMOUNT OF \$129,935.15 TO
 TRENT CONSTRUCTION FOR THE CLARK
 PARK MUNICIPAL WATER WELL
 PROJECT

FEBRUARY 14, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS
 OF THE CITY OF CORNING

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

Steve
JL

SUMMARY:

Attached for City Council review is a copy of Partial Pay Estimate No. 7 requesting payment of \$129,935.15 for the Clark Park Municipal Water Well Project. The Pay Estimate lists the original contract amount, any change orders/adjustments, work completed to date, retention amount and current amount due to Trent Construction.

The work completed for this pay estimate includes the installation of the 150-HP pump and motor and all related electrical & mechanical controls, piping, chlorinator, and related work. The Director of Public Works and the City Engineer have reviewed and approved this payment request.

Original Construction Contract	\$ 594,089.00
Contract Change Order #1	\$ 7,619.00
Contract Change Order #2	\$ 4,896.00
Contract Change Order #3	\$ 6,733.78
Total Adjusted Contract Amount	\$ 613,337.78

PPE No. 1	\$ 56,753.94
Work completed	\$ 40,984.50
Stored Materials	\$ 15,769.44
Retention to be held (10%)	\$ (5,675.40)
Amount paid to Contractor	\$ 51,078.54

PPE No. 2	\$ 205,608.50
Work Completed to date	\$ (20,560.85)
Retention to be held (10%)	\$ (51,078.54)
Amount previously paid	\$ 133,969.11

PPE No. 3	\$ 240,797.61
Work Completed to date	\$ (24,079.77)
Retention to be held (10%)	\$ (185,047.65)
Amount previously paid	\$ 31,670.19

PPE No. 4	\$ 289,971.25
Work Completed to date	\$ (28,997.13)
Retention to be held (10%)	\$ (216,717.84)
Amount previously paid	\$ 44,256.28

<u>PPE No. 5</u>	
Work Completed to date	\$ 296,902.92
Retention to be held (10%)	\$ (29,690.29)
Amount previously paid	<u>\$ (260,974.12)</u>
Amount paid to Contractor	\$ 6,238.51

<u>PPE No. 6</u>	
Work Completed to date	\$ 374,312.12
Retention to be held (10%)	\$ (37,431.22)
Amount previously paid	<u>\$ (267,212.63)</u>
Amount paid to Contractor	\$ 69,668.27

<u>PPE No. 7</u>	
Work Completed to date	\$ 518,684.50
Retention to be held (10%)	\$ (51,868.45)
Amount previously paid	<u>\$ (336,880.90)</u>
Amount due to Contractor	\$ 129,935.15

Funding for this project is provided by FY 11/12 budget line number 384-9275-7420 (Clark Park Water Well/Water Improvements).

BACKGROUND:

The Clark Park Municipal Water Well Project contract was awarded to Trent Construction of Gerber, CA at the May 24, 2011 Regular City Council Meeting. The new water well is currently under construction at Estil Clark Park located on Fig Lane in Corning.

RECOMMENDATION:

That the Mayor and Council approve Progress Pay Estimate No. 7 in the amount of \$129,935.15 to Trent Construction for the Clark Park Municipal Water Well Project

Progress Estimate

Contractor's Application

For Estil Clark Park Project							Application # Seven			
Application Period 1-1-12 to 1-31-12							Application Date: Jan. 31, 2012			
A			B	C	D	E	F		G	
Bid Item No.	Description	Bid Quantity	Unit Price	Bid Value	Estimated Quantity Installed	Value	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F) B	Balance to Finish (B - F)
1	Mob & Demo of eq. site work cleanup, water & mud disposal, complete in place.	Lump sum	\$27,045.00	\$27,045.00	100%	\$27,045.00		\$27,045.00	100.0%	\$0.00
2	Drilling & electric logging test bore, complete in place.	400 lf	\$41.30	\$16,520.00	400	\$16,520.00		\$16,520.00	100.0%	\$0.00
3	Reaming test bore to 2" diameter, complete in place.	400 lf	\$73.16	\$29,264.00	400	\$29,264.00		\$29,264.00	100.0%	\$0.00
4	Furnish & install 14" well screen, complete in place.	300 lf	\$35.20	\$10,560.00	300	\$10,560.00		\$10,560.00	100.0%	\$0.00
5	Furnish & install 14" well screen, complete in place.	100 lf	\$117.60	\$11,760.00	100	\$11,760.00		\$11,760.00	100.0%	\$0.00
6	Furnish & install cement grout sanitary seal including 2" gravel fill pipe, complete in place.	50	\$60.00	\$3,000.00	50	\$3,000.00		\$3,000.00	100.0%	\$0.00
7	Furnish & install continuous pour gravel pack, complete in place.	350 lf	\$29.50	\$10,325.00	350	\$10,325.00		\$10,325.00	100.0%	\$0.00
8	Furnish, install & remove test pump, complete	Lump sum	\$7,200.00	\$7,200.00	100%	\$7,200.00		\$7,200.00	100.0%	\$0.00
9	Operate test pump & dispose of water, complete	24 hrs	\$210.00	\$5,040.00	100%	\$5,040.00		\$5,040.00	100.0%	\$0.00
10	Obtain water sample & provide complete mineral analysis per DPHS requirements, complete	Lump sum	\$1,800.00	\$1,800.00	100%	\$1,800.00		\$1,800.00	100.0%	\$0.00
11	Disinfect & cap well, complete in place.	Lump sum	\$1,320.00	\$1,320.00	100%	\$1,320.00		\$1,320.00	100.0%	\$0.00
12	Abandonment of test bore, if required, complete in place.	Lump sum	\$1,200.00	\$1,200.00	100%	\$1,200.00		\$1,200.00	100.0%	\$0.00
13	Furnish & install a complete pumping unit consisting of 150-HP DWT pump & motor, column, bowls, VFD unit, 1" chlorine injection pipe, sounding pipe, & all related electrical & mechanical controls, piping, chlorinator, & all related misc. work, complete in place.	Lump sum	\$125,410.00	\$125,410.00	98%	\$122,910.00		\$122,910.00	98.0%	\$2,500.00
14	Furnish & install a 200 KW, Diesel Generator, Auto transfer switch, & all required electrical components complete in place.	Lump sum	\$95,993.00	\$95,993.00	4%	\$3,839.72		\$3,839.72	4.0%	\$92,153.28

15	Construct slump block building, including electrical, air conditioning, structural, louvers, concrete, mechanical, & all related work, complete in place.	Lump sum	\$143,746.00	\$143,746.00	100%	\$143,746.00	\$143,746.00	100.0%	\$0.00
	Foundation		\$8,969.39						
	Block		\$22,166.69						
	Framing		\$7,056.79						
	Doors & Hardware		\$5,914.15						
	Paint		\$7,540.59						
	Plumbing		\$5,463.79						
	Trench for Electrical		\$2,390.68						
	Electrical		\$60,888.00						
	Trusses		\$918.04						
	Roof		\$4,130.00						
	HVAC		\$18,308.88						
16	Furnish & install 10" PVC, CI.150 water main, complete in place.	\$60.00	\$118.00	\$7,080.00	57	\$7,080.00	\$7,080.00	100%	\$0.00
17	Furnish & install 10" gate valve, w/valve box & concrete collar, complete in place.	1 ea.	\$4,344.00	\$4,344.00	1	\$4,344.00	\$4,344.00	100%	\$0.00
18	Connect 10" PVC to existing 8" PVC with CI tee & fittings, complete in place.	1 ea.	\$3,300.00	\$3,300.00	1	\$3,300.00	\$3,300.00	100%	\$0.00
19	Furnish & install 8" PVC, CI.150 water main, complete in place.	930lf	\$67.30	\$62,589.00	600	\$62,589.00	\$62,589.00	100%	\$0.00
20	Connect new 8" PVC water main to existing 8" PVC water main, complete in place.	4 ea.	\$1,450.00	\$5,800.00	4	\$5,800.00	\$5,800.00	100%	\$0.00
21	Furnish & install 8" gate valve, w/valve box & concrete collar, complete in place.	3 ea.	\$2,870.00	\$8,610.00	3	\$8,610.00	\$8,610.00	100%	\$0.00
22	Culvert crossing on Marguerite Ave. Complete in place.	Lump sum	\$4,328.00	\$4,328.00	100%	\$4,328.00	\$4,328.00	100%	\$0.00
23	Furnish & install 8" double saddle & corporation stop on new 8" PVC water main, complete in place.	8 ea.	\$285.00	\$2,280.00	8	\$2,280.00	\$2,280.00	100%	\$0.00
24	Traffic control, complete	Lump sum	\$3,000.00	\$3,000.00	100%	\$3,000.00	\$3,000.00	100%	\$0.00
25	Prepare, obtain & implement a SWPP from the CRWQCB & pay the permit fee (estimated \$317.00 & install all required drainage protection facilities to comply with the permit requirements, complete in place.	Lump sum	\$2,000.00	\$2,000.00	100%	\$2,000.00	\$2,000.00	100%	\$0.00
26	Furnish & install a 4' x 8' project sign, in accordance with the sign parameters, complete in place.	Lump sum	\$575.00	\$575.00	100%	\$575.00	\$575.00	100%	\$0.00

Contract Amount			\$594,089.00		\$499,435.72	\$499,435.72		\$94,653.28
Change Order #1		\$7,619.00	\$7,619.00	100%	\$7,619.00	\$7,619.00		\$0.00
Change Order #2								
Line #1 increase		\$16,511.70	\$16,511.70	100%	\$16,511.70	\$16,511.70	100%	\$0.00
Line #2 increase		\$8,687.15	\$8,687.15	100%	\$8,687.15	\$8,687.15	100%	\$0.00
Line #3 increase		\$6,234.15	\$6,234.15	100%	\$6,234.15	\$6,234.15	100%	\$0.00
Line 4 Decrease (Sv#19)		(\$22,209.00)	(\$22,209.00)	100%	(\$22,209.00)	(\$22,209.00)	100%	\$0.00
Line 5 Decrease (SV#22)		(\$4,328.00)	(\$4,328.00)	100%	(\$4,328.00)	(\$4,328.00)	100%	\$0.00
Change Order #3		\$6,733.78	\$6,733.78	100%	\$6,733.78	\$6,733.78	100%	\$0.00
New Contract Amount			\$613,337.78		\$518,684.50	\$0.00		\$94,653.28

ITEM NO: G-13
AUTHORIZE STAFF TO SEEK
BIDS FOR THE PRUNING OF
CITY STREET TREES

FEBRUARY 14, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

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

Steve
JLB

SUMMARY:

Staff requests Council authorization to seek bids for the pruning of City street trees for fiscal year 2011/2012. The Public Works Department has identified approximately 850 City trees of various sizes and species. The majority of the trees to be trimmed are located in the City's southeast quadrant; that area east of the railroad tracks and south of Solano Street to the City Limits.

Also included in this project is trimming of the Chinese Pistache, (or pistachio) trees located along both sides of Solano Street from West Street through Houghton Avenue will be included in this project. For clarity, Chinese Pistache trees are an ornamental variety (*pistacia chinensis*) of pistachio tree, and not to be confused with the nut producing *pistacia vera* variety.

Pending the outcome of the bidding process the Public Works Department will have the Pistache trees and as many of the 850 identified trees pruned as the 2011/2012 Budget funding will permit.

BACKGROUND:

Each year the Public Works Department requests Council approval to seek bids for the pruning of City trees within the City Limits. Last January, M&S Wesley Tree Services pruned 514 palm trees. The 2011/2012 City Budget has allocated a total of \$30,000 to fund the pruning of City trees. The funding is budgeted under Public Works Street Projects, Tree Pruning 111-8002-3001.

Because they take extra care to prevent the spread of blight, we separately bid the pruning of the Solano Street Ornamental Pear trees in December of 2011. M&W Wesley Tree Services submitted the lowest proposal for that work and recently completed it. The cost of that project was \$3,500 leaving a balance of \$26,500 in the 2011/2012 budget for tree trimming services.

For your info, we've taken the liberty of preparing a draft notice and the bid specifications-see attached. If authorized, we plan to publish notice of the bid request on Feb. 22, collect and open the bids on March 20th and then present a bid award recommendation to the Council on March 27th.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE STAFF TO SEEK BIDS FOR THE PRUNING OF CITY STREET TREES WITHIN THE CITY LIMITS INCLUDING THE SOLANO STREET CHINESE PISTACHE TREES, AND OTHERWISE FOCUSED ON THE SOUTHEAST QUADRANT OF THE CITY.

LEGAL NOTICE

NOTICE OF REQUEST FOR BIDS FOR PRUNING CITY STREET TREES IN THE CITY OF CORNING

NOTICE IS HEREBY GIVEN, that pursuant to the order of the City Council of the City of Corning, Request for Bids will be received by the City Clerk of the City of Corning at 794 Third Street, Corning, CA 96021 **until 10:00 am on Tuesday, March 20, 2012** for the following:

- Pruning maintenance of approximately 850 street trees within the Corning City limits. (Bidding documents and specifications may be obtained at Corning City Hall located at 794 Third Street, Corning or can be found at the City of Corning Web Page: www.corning.org listed under Public Information.)
- **Pursuant to Section 1770, and following, of the California Labor Code, the successful bidder shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. Copies of such prevailing rate of per diem wages are on file at the District office. The successful bidder shall post a copy of such determination at the job site.**

Request for Proposals shall be submitted in sealed envelopes plainly marked on the outside "**SEALED BID – STREET TREE PRUNING - DO NOT OPEN**". All Proposals submitted will be opened and read promptly following the 10:00 am. proposal closing period. Proposal results will be presented March 27, 2012 at the 7:30 p.m. Corning City Council meeting for award.

The City of Corning reserves the right to reject any and all bids submitted, to waive any irregularity in the Request for Proposals, or in the event of identical proposals, be the sole judge of the individual/company to receive the contract.

Lisa Linnet
City Clerk

PUBLISH: 2/22/2012

**CITY OF CORNING
SCOPE OF WORK AND SPECIFICATIONS FOR
MAINTENANCE OF CITY STREET TREES**

Scope of Work:

Scope of work includes the pruning Standard for Class (4) pruning for Crown Reduction, Crown Elevation and Lifting. Crown reduction pruning shall consist of the reduction of tops, sides or individual limbs. The terms “cutting back” and “drop crotch pruning” are sometimes used interchangeably with the term crown reduction pruning. “Crown Elevation” is a regional term synonymous with under-clearance, and “Lifting” is the removal of lower branches for under-clearance.

The area of work will encompass trees located within the City of Corning City Limits, for an estimated total of 850 trees. Each bidder shall be responsible for reviewing the areas to be bid and asking any questions of the Assistant Director of Public Works Patrick Walker at (530) 824-7035 before presenting their bid proposal for the work described.

All bids shall be submitted to the City of Corning, 794 Third Street, Corning California, 96021 by 10:00 am on Tuesday, January 31, 2012 in an envelope clearly marked “SEALED BID – STREET TREE PRUNING - DO NOT OPEN”. All bids submitted will be opened and read promptly following the 10:00 am bid closing. All proposals will be presented for award at the City Council meeting scheduled for Tuesday, February 14, 2012 at 7:30 pm.

Specifications:

The primary location of trees to be pruned will be in the City’s southeast quadrant, beginning east of the railroad tracks and south of Solano Street to the City Limits in both directions. Also included in this project will be the Solano Street Pistachio trees located along both sides of Solano Street from West Street through Houghton Avenue.

Requirements of Bid:

Bid recipient will be required to provide proof (copy) of Workers Compensation Insurance and Liability Insurance in the amount of \$1,000,000 listing the City of Corning as an Additional Insured on an Additional Insured Endorsement. This project also requires the payment of Prevailing Wages to all Employees with proof of wages sent to City Hall on a weekly basis. Contractor shall also be responsible for the following:

- Obtaining a City of Corning Business License.
- Notifying residents three days prior to pruning work in their area.
- Sweep Street, sidewalk and any lawn areas removing all wood chip debris and small branches.
- Clean all debris (tree trimmings, leaves, etc.) from work site. A key will be provided for use to dispose of wood trimmings at the City Woodwaste Dumpsite located west of town at the intersection of Rawson Road and Carona Avenue.
- Work hours are from 7:00 am to 6:00 pm Monday through Friday.
- Large wood from the pruning may be left at curbside upon residents request for their use (residents must be informed that it must be removed within two days of the pruning).
- Must provide own State Regulated road signage at each end of working site.

**CITY OF CORNING
DEPARTMENT OF PUBLIC WORKS
CORNING, CALIFORNIA**

**STREET TREE PRUNING
SEALED PROPOSAL**

DATE: _____

The undersigned _____
(Name of Company)

Request for Proposals to provide services for the pruning of approximately 850 Street Trees within the City of Corning City Limits including the Solano Street Pistachio Trees.

PROPOSAL AMOUNT: \$ _____ PER TREE

The price quoted herein is firm and is not subject to change.

The City of Corning reserves the right to reject any and all proposals submitted or to waive any irregularity. In the event of identical proposals, the City of Corning will be the sole judge of the Company to receive the proposal.

Formal proposals will be accepted at 794 Third Street, Corning, CA 96021 until **10:00 a.m. on Tuesday, March 20, 2012**. All proposals must be clearly marked **"SEALED BID – STREET TREE PRUNING - DO NOT OPEN."**

Signature of Company Representative

Date

Printed Name of Representative

Company Name

Address

Phone

FORM OF CONTRACT

THIS AGREEMENT, made and entered into on the below written, by and between The City of Corning, hereinafter called the **OWNER**, and _____, hereinafter called the **CONTRACTOR**.

WITNESSETH, that, for the considerations hereinafter mentioned, the Owner and Contractor agree as follows:

ARTICLE I. The Contractor agrees to furnish all labor, materials, tools and equipment and to perform all work required to construct and complete in a good and workmanlike manner, and in strict accordance with the Contract Documents, those certain improvements entitled:

City of Corning
2012 Street Tree Pruning Project

Contract Documents for which have been prepared by: **John L. Brewer, Director of Public Works.**

ARTICLE II. The Owner agrees to pay the Contractor for the performance of the Contract, subject to additions and deductions provided therein, the following prices, and the Contractor agrees to receive and accept said following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement, and for all loss or damage arising out of the nature of the aforesaid work or from the action of the elements and from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by Owner, and for all risks of every description connected with the work, and for all expenses incurred by or in consequence of the suspension or discontinuance of the work, and for well and faithfully completing the work and the whole thereof in the manner and according to the Contract Documents and the requirements of the Engineer under them to wit:

1. Street Tree Pruning Scope of Work and Specifications

As shown on the Proposal attached hereto and incorporated herein.

ARTICLE III. The Contractor shall begin work within 15 days after the date of execution of the Contract. He shall diligently prosecute the same to completion with the number of days as shown on the Proposal attached hereto and incorporated herein.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands on the date below written.

OWNER:

Date

Owner's Signature

City of Corning
794 Third Street
Corning, CA 96021

CONTRACTOR:

Date

Signature

Printed Name

Address

ITEM NO.: G-14
ACCEPT RESIGNATION FROM
AIRPORT COMMISSIONER
ED PITMAN
February 14, 2012

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

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



SUMMARY:

Airport Commissioner Ed Pitman submitted his resignation from the Airport Commission effective immediately.

BACKGROUND:

Commissioner Ed Pitman was appointed to the Airport Commission on August 25, 2009.

RECOMMENDATION:

MAYOR AND COUNCIL ACCEPT THE RESIGNATION OF AIRPORT COMMISSIONER ED PITMAN EFFECTIVE AS OF FEBRUARY 14, 2012.

February 3, 2012

Mr. Ed Pitman
P.O. Box 499
Corning, CA 96021

City of Corning
Attn: Honorable Mayor and Council Members
794 Third Street
Corning, CA 96021

Subject: Resignation as member of the City of Corning Airport Commission

Honorable Mayor and Members of the City Council:

I am regretfully tendering my resignation as a member of the City of Corning Airport Commission effective immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Pitman', with a large, sweeping flourish extending to the right.

Ed Pitman

ITEM NO. J-15
MARGUERITE AVENUE PROJECT; A JOINT
CITY-COUNTY ROAD RECONSTRUCTION
PROJECT; AFFECTING MARGUERITE AVENUE
FROM VICTORIAN PARK DRIVE TO NEVA
AVENUE

FEBRUARY 14, 2012

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

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

JB Steve

SUMMARY:

Staff recommends the City Council adopt the attached Resolution 02-14-2012-01. The resolution would officially authorize the City Public Works Department to jointly proceed with the County Public Works Department to reconstruct about a 1600 foot long segment of Marguerite Avenue adjacent to the Corning Municipal Airport.

In a nutshell, the City would excavate, grade and prepare the roadbed, and the County would apply the chip-seal surface and stripe the street. See the attached drawing for the location of the project.

BACKGROUND:

Marguerite Avenue straddles the boundary between the City and the County between Victorian Park Drive and Neva Avenue. The roadway has little if any substructure and is minimally surfaced with a deteriorating chip sealed surface. When we put together our 2011 paving project, staff included a recommendation to pursue reconstruction of this segment as a joint project with the County. In fact, in the July 26, 2011 staff report directed staff to:

"pursue a joint project agreement for the reconstruction of Marguerite Avenue between Victorian Park Dr. and Neva Avenue with the Tehama County Public Works Department, and return to the Council for final approval of the agreement."

The County chose to adopt a resolution to authorize the joint project. A copy of Tehama County Resolution 134-2011 is attached. Proposed Resolution 02-14-2012-01 essentially mirrors the County Resolution.

DUTIES:

John Brewer prepared a draft "agreement" document that details the respective responsibilities to which he and Mr. Antone tentatively agreed. A copy of that document is attached. You will note the County Resolution addresses the County responsibility to "provide labor, equipment, and materials for the application of a double chip seal surface and striping". Proposed Resolution 02-14-2012-01 describes the City's portion of the work:

"...provide the surveying and design and staking expenses, remove existing surfacing, complete preliminary grading, provide, place and compact aggregate base materials, and to prepare notices of temporary road closures and set out barricades with notice of road closure"

FINANCIAL:

Our 2011 Paving Project included resurfacing three segments of Solano Street, a half-block segment of Sixth Street and Pear Street between Almond St. and Fig Lane, as well as reconstructing this part of Marguerite Avenue.

Since we plan to use our crew to complete the work, our anticipated costs are limited to materials and equipment rental costs. We previously estimated those costs would be about \$18,000 and budgeted accordingly. Additionally, we have about \$9,000 of unexpended contingency funds remaining from our 2011 paving project allocation approved October 25, 2011. So, we believe we have sufficient funds available to complete the work that we've committed to complete; i.e., survey staking, grading, aggregate placement, compaction and surface preparation. The County has committed to fund the surfacing and pavement marking.

TIMING:

To avoid conflicts with the school traffic, we plan to complete the work this summer. The County would like to do the surfacing in mid July. We expect that we'll need about two weeks to complete the grading, fill and compaction work. We intend to deliver notice of temporary road closures to area residents and businesses as well as publish it in the newspaper.

RECOMMENDATION:

That the City Council:

- **ADOPT RESOLUTION 02-14-2012-01, A RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO WORK COOPERATIVELY WITH THE COUNTY OF TEHAMA PUBLIC WORKS DEPARTMENT ON THE MARGUERITE AVENUE PROJECT.**

cc: Mr. Gary Antone, Tehama County Director of Public Works

RESOLUTION 02-14-2012-01

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING
AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO WORK
COOPERATIVELY WITH THE COUNTY OF TEHAMA PUBLIC WORKS
DEPARTMENT ON THE MARGUERITE AVENUE PROJECT**

WHEREAS, the City of Corning and the Tehama County Public Works Department have expressed a desire to work jointly to repair and upgrade a segment of Marguerite Avenue that is in poor condition, and

WHEREAS, Marguerite Avenue lies both in City and County jurisdiction from Neva Avenue (Co. Rd. No. 236) south approximately 1600 feet, with the west half in City and east half in County, and

WHEREAS, the City of Corning has the ability to provide the surveying and design and staking expenses, remove existing surfacing, complete preliminary grading, provide, place and compact aggregate base materials, and to prepare notices of temporary road closures and set out barricades with notice of road closure, and

WHEREAS, the Tehama County Board of Supervisors took action on December 9, 2011 adopting County Resolution No. 134-2011 a Resolution authorizing the Tehama County Public Works Department to proceed with a County/City project for the maintenance and repair of the identified segment of Marguerite Avenue.

NOW THEREFORE BE IT RESOLVED, that the City of Corning Public Works Department is authorized to proceed with a County/City project for the maintenance and repair of the identified segment of Marguerite Avenue to include the surveying and design and staking expenses, provide materials, prepare notices of temporary road closures and set out barricades with notice of road closure to aid in the completion of the road resurfacing work.

The foregoing Resolution was considered by the City Council at a regular meeting of the City Council of the City of Corning on the 14th day of February 2012 and upon a motion duly made and seconded was passed and adopted by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

RESOLUTION NO. 134-2011

A RESOLUTION OF THE TEHAMA COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO WORK COOPERATIVELY WITH THE CITY OF CORNING ON THE MARGUERITE AVE. PROJECT

WHEREAS, the Tehama County Public Works Department and the City of Corning have expressed a desire to work jointly to repair and upgrade a segment of Marguerite Ave. that is in poor condition, and

WHEREAS, Marguerite Ave. lies within both County and City jurisdiction from Neva Ave. (Co.Rd.No.236) south approximately 1600 feet, with the west half in City and east half in County, and

WHEREAS, Streets and Highways Code Section 1680 allows the county, "by a resolution adopted by a four-fifths vote of its members" to "repair or alter all or any part of any street within a city or extending along or across the boundary of a city", and

WHEREAS, the Department of Public Works has the ability to provide the labor, equipment, and materials for the application of a double chip seal surface and striping along the identified segment of Marguerite Ave., and

WHEREAS, current road maintenance funds within the Road Fund Account are sufficient to cover the anticipated cost of work, and

WHEREAS, the City of Corning took action on July 26, 2011 allowing its Public Works Department to proceed with the Marguerite Ave. maintenance and repair project on the above identified segment and on September 13, 2011 authorized their Public Works Director to jointly work with the County to complete the project,

NOW THEREFORE BE IT RESOLVED, that the Tehama County Director of Public Works is authorized to proceed with a County/City project for the maintenance and repair of the identified segment of Marguerite Ave. to include the labor, equipment, and materials necessary to aid in the completion of the road resurfacing work.

The foregoing resolution was offered on a motion by Warner, second by Williams, and carried by the following vote of the Board:

AYES: Supervisors Warner, Williams, Russell, Garton and Avilla

NOES: None

ABSENT OR NOT VOTING: None

STATE OF CALIFORNIA)
) SS
COUNTY OF TEHAMA)

I BEVERLY ROSS, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the 6th day of December, 2011.

DATED: This 9th day of December, 2011.

BEVERLY ROSS, County Clerk and ex-officio
Clerk of the Board of Supervisors of the
County of Tehama, State of California.

By: Marking Parkinson
Deputy

**Marguerite Avenue Reconstruction
Joint City and County Project Agreement (Draft-9-26-2011)**

Project Description:

To remove current paved surface of Marguerite Avenue, cut and fill and add aggregate base, compact and prepare for surfacing with a double chip sealed surface, from a point (Sta. 1+31) approximately 131 feet north of the centerline of Victorian Park Dr. through the intersection of Neva Avenue (Sta. 17+50), a distance of approximately 1619 feet, as per the grading plan dated 9-13-2011.

Agency Responsibilities:

• **City of Corning will:**

1. Complete surveying and design and staking costs.
2. Prepare notices of temporary street closure and publish in local newspaper. Set out barricades with notice of closure.
3. Remove current surfacing. City may utilize County equipment to grind road surface. Grindings may be used as part of subbase.
4. Excavate for sub-base per the grading plan dated September 13, 2011. Provide for an overall width of 28 feet to provide two 12' wide travel lanes with 2' wide shoulders (modified County Road Standard 0905)
5. Import and pay for aggregate base totaling approximately 1,135 cubic yards at an average subbase depth of 8".
6. Place and compact the aggregate base in preparation for surfacing.

• **County of Tehama will:**

1. Pretreat the compacted aggregate surface with penetration oil.
2. Apply a layer of hot liquid emulsified asphalt.
3. Immediately follow emulsified asphalt layer with a layer of ½" crushed rock.
4. Roll the rock into the asphalt layer.
5. Apply a second layer of hot liquid emulsified asphalt.
6. Immediately follow emulsified asphalt layer with a layer of ¼" crushed rock.
7. Roll the rock into the asphalt layer.
8. After the crushed rock/asphalt has set, sweep loose rocks from the surface.

DRAFT

RESOLUTION NO.: 02-14-2012-02
A RESOLUTION HONORING
THE CORNING VOLUNTEER FIRE DEPARTMENT
FOR 100 YEARS OF SERVICE
TO
CITIZENS AND BUSINESSES IN THE CITY OF CORNING

WHEREAS, on February 14, 1912, the Corning Trustees, after completion of a dedicated water system, held a Town meeting for the purpose of forming a "First Class firefighting Machine" to ensure the protection of life and property for the town's citizens and businesses, and

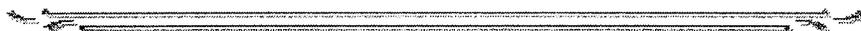
WHEREAS, at this enthusiastic meeting "full of vim and determination", 3 hose Companies were formed and A. H. Marshall was named Fire Chief.

WHEREAS, since the inception of the Corning Volunteer Fire Department, there have been 11 Fire Chiefs, over 350 non-paid Volunteer Firefighters, and numerous Dispatchers.

WHEREAS, now, 100 years later, the Corning Volunteer Fire Department still has three Hose Companies and 35 Volunteer Members that respond to over 1,000 calls for service per year, participate in countless hours of training, and support and participate in local community events.

WHEREAS, the Corning Volunteer Fire Department's official "**Centennial Celebration**" will commence on April 28, 2012 and include a Pancake breakfast at the Fire Hall, followed by a Parade, statistic displays, a "Muster" and will conclude with a dinner.

WHEREAS, the Corning Volunteer Fire Department, with the continued support of both the Community and City Council's support, look forward to another 100 years of service to the Citizens and Businesses of Corning.



NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Corning, hereby acknowledges the 100 years of dedication, risk of injury or death, and the countless hours of service provided by the members, both past and present, of the Corning Volunteer Fire Department, to this community; and

BE IT FURTHER RESOLVED, that the City Council of the City of Corning commends the Corning Volunteer Fire Department for their services throughout the past 100 years and invite residents and business members to participate in the celebration events to commemorate and honor the spirit of all those who have honorably served this community, both past and present.

PASSED, ADOPTED AND APPROVED this 14th day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

ITEM NO: J-17
APPROVE APPLICATION FOR
STATE INDIAN GAMING FUNDS
TO SUPPORT A PORTION OF
POLICE OFFICER SALARY
FEBRUARY 14, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
LISA M. LINNET, CITY CLERK
ANTHONY F. CARDENAS, POLICE CHIEF



SUMMARY:

This year the City of Corning will be receiving Indian Gaming Funds through the State of California. The Tehama County Indian Gaming Committee distributes the funds for the State of California.

This year the City has been told it will receive \$4,875.43.

BACKGROUND:

The State of California through Agreements with a number of Tribes operating Casinos, will distribute the funds to the County Indian Gaming Committee. The City of Corning and the County of Tehama are both close to the tribal lands of the Paskenta Band of Nomlaki Indians; for this reason we may receive a portion of the funds.

Mayor Gary Strack, Councilwoman Toni Parkins and City Treasurer Pala Cantrell represent the City of Corning on the County Indian Gaming Committee. The Commission will be meeting soon to receive the application from the County and the City, consider them and award the funding.

The City of Corning utilizes the funds to support a portion of the salary of one Police Officer. State Auditors have indicated that the clearest connection between a Tribal Casino and the Local Government would be through actual Police Officer support rather than using the funds to acquire equipment. This is the reason the City only applies for the salary support.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE SUBMITTAL OF AN APPLICATION FOR INDIAN GAMING FUNDS IN THE AMOUNT OF \$4,875.43 TO SUPPORT FUNDING A PORTION OF THE SALARY OF A POLICE OFFICER.

**TEHAMA COUNTY INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
INDIAN GAMING SPECIAL DISTRIBUTION FUND
GRANT APPLICATION**

<p>UPON COMPLETION RETURN TO: Tehama County Administration Attn: Cindee Brewer 727 Oak Street Red Bluff, CA 96080 (530) 527-4655 ext. 3027 FAX (530) 529-0980 cbrewer@tehamacountyadmin.org</p>	<p align="center">Office Use Only Date Stamp</p>
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APPLICANT INFORMATION

<p>NAME OF JURISDICTION: City of Corning</p>		<p>CONTACT PERSON: Stephen J. Kimbrough, City Manager</p>	
<p>LEGAL ADDRESS OF JURISDICTION: 794 Third Street</p>		<p>CITY: Corning</p>	<p>ZIP CODE: 96021</p>
<p>PHONE: (530) 824-7034</p>	<p>FAX: (530) 824-2489</p>	<p>E-MAIL: stevek@corning.org</p>	<p>FEDERAL TAX ID NUMBER: 94-6000317</p>

MITIGATION FUNDING IS DESIRED FOR IMPACTS ASSOCIATED WITH ROLLING HILLS CASINO

TYPE OF GRANT FOR WHICH YOU ARE APPLYING:

<p><input type="checkbox"/> <i>NON-NEXUS GRANT</i></p> <p>A. Local Government Jurisdiction impacted by tribal casinos not paying into the Special Distribution Fund.</p>
--

AMOUNT OF MITIGATION FUNDING REQUESTED THROUGH THIS APPLICATION: \$ 4,875.43

THE FOLLOWING USES ARE PRIORITIES FOR RECEIPT OF GRANT FUNDS. PLEASE CHECK THE PRIORITY(IES) YOUR GRANT PROJECT SATISFIES:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Law Enforcement | <input type="checkbox"/> Environmental Impacts | <input type="checkbox"/> Waste Disposal |
| <input type="checkbox"/> Fire Services | <input type="checkbox"/> Emergency Medical Services | <input type="checkbox"/> Water Supplies |
| <input type="checkbox"/> Behavioral Health | <input type="checkbox"/> Recreation & Youth Programs | <input type="checkbox"/> Public Health |
| <input type="checkbox"/> Child Care Programs | <input type="checkbox"/> Planning & Adjacent Land Uses | <input type="checkbox"/> Roads |
| <input type="checkbox"/> Other (briefly describe _____) | | |

FURTHER INSTRUCTIONS – On a separate sheet(s) of paper, provide the following:

1. A complete description of the project: **The funds will be used to pay for front line law enforcement Personnel costs provided by the Corning Police Department.**
2. Detail the impacts associated with the Tribal Casino and/or gaming: **Due to the proximity of the Rolling Hills Casino to the City of Corning, the Corning Police Department responds to calls for service at the Casino when the Sheriff's Department personnel are unavailable, or when the Sheriff's Department requests additional backup units through a Mutual Aid Agreement.**
3. Explain how the project will mitigate impacts of the Tribal Casino: **The funds will pay for a portion of law enforcement personnel costs currently paid by the City of Corning.**
4. Describe how you intend to meet the requirement of SB 621 that grant recipients must provide notice to the public, either through a slogan, signage or other mechanism, which states that the project has received funding from the Indian Gaming Special Distribution Fund and further identifies the Paskenta Band of Nomlaki Indians/Rolling Hills Casino Account from which the grant derives. **SB 621 requirements were met when the grant application and proposed use of funds were publically noticed on the Corning City Council Agenda for February 14, 2012 (see attached copy of the Agenda posted according to law). This item was presented and approved by the Corning City Council at the public meeting held on February 14, 2012.**
5. Identify total project cost (*or, if applicable, indicate that the total project cost does not exceed the amount of the grant funds requested.*) **The personnel cost covered by this grant will not exceed \$4,875.43.**
6. Identify other funding sources, if any, that will be contributed to the project and the amount provided by each source. **The funding source for the remainder of the City's Police personnel costs will come from the City's General Fund.**
7. Identify the project time frame. **Fiscal Year 2011-2012.**

Grant Applicant Authorized Signature

Stephen J. Kimbrough
Title

February 15, 2012
Date

FOR OFFICE USE ONLY

APPROVED BY COMMITTEE: Yes No AMOUNT APPROVED: _____

SPONSORED BY TRIBAL COUNCIL: Yes No AMOUNT APPROVED: _____

TRIBAL RESOLUTION ATTACHED: Yes No

COUNTY OF TEHAMA
Administration
727 Oak Street
Red Bluff, CA 96080
Telephone: (530) 527-4655, Extension 3027
FAX: (530) 529-0980

Memorandum

To: Steve Kimbrough, Corning City Manager
Dave Hencratt, Tehama County Sheriff

From: Cindee Brewer, Staff Analyst

Date: 1/30/2012

CC: Corning City Clerk

Re: INDIAN GAMING SPECIAL DISTRIBUTION FUND GRANT APPLICATION

Attached is the Grant Application Form for funding relative to the Indian Gaming Special Distribution Fund. Please complete the application form and return to me as soon as possible. Also attached is a spreadsheet that shows the proposed funding award for 2011.

The 2011/2012 funding allocation for Tehama County is \$19,899.73. Pursuant to previous years allocations, the formula is a 2% administrative fee and a 75/25 split between the Sheriff's Department and the City of Corning respectively.

The IGLCB Committee Bylaws indicate that the next meeting of the Committee will be held at 3 p.m. on Tuesday, February 28, 2012 in the Corning City Council Chambers. Corning City staff has the room booked for the committee meeting.

Please return your completed application to me no later than February 20th. An agenda and supporting packet materials for the meeting on the 28th will be provided to the committee prior to the meeting.

Please give me a call at 527-4655 ext. 3027 if you have any questions.

**2011 / 2012 PROPOSED
INDIAN GAMING SPECIAL DISTRIBUTION FUND
TEHAMA COUNTY TRIBAL CASINO ACCOUNT**

		PROPOSED AWARDS*
2011-2012 Fund Allocation to Tehama County	\$19,899.73	
Less 2% Grant Program Administration Fees *	\$397.99	
Total Funds Available for Grant Award	\$19,501.74	
Tehama County Sheriff's Dept. - 75%		\$14,626.30
City of Corning - 25%		\$4,875.43
Remaining Balance		\$0

*Requires Tehama County Indian Gaming Local Community Benefit Committee approval

**ITEM NO: J-18
CITY MANAGER
REPLACEMENT**

February 14, 2012

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

FROM: MIKE FITZPATRICK, CITY ATTORNEY



BACKGROUND:

The law, recently clarified in Assembly Bill 1028 effective as of January 1, 2012, prohibits the City of Corning from continuing to employ Mr. Kimbrough as its City Manager for more than one year now that he's a "retired annuitant" under the Public Employees Retirement System (PERS). This one year date under his current post-retirement employment agreement is the end of this month. This places the City in the position of having to decide how Mr. Kimbrough will be replaced and what role, if any, he will have beginning March 1, 2012. The City Council will have to consider what options it has available to it for his replacement, how his replacement will impact other departments and personnel within the City and the financial impact these changes will have on the City's budget.

DISCUSSION:

With the downturn in the economy and the adverse effect it had upon City finances, the City implemented furloughs with the full cooperation of its employees as a means of saving money. It then accepted the recommendation of the City Manager that both he and the Police Chief, Tony Cardenas, be allowed to retire under PERS but continue to work in their current positions as employees of the City on a part-time basis, again as a further means of saving money. These measures reduced City expenses by close to \$532,000 annually. If the City can no longer employ its current City Manager even part time, it must consider other options available to it, options which won't substantially erode the budget savings it has already seen.

OPTIONS:

1. **Option 1:** Replace Mr. Kimbrough as City Manager effective March 1, 2012 with a new City Manager, allowing other City staff to perform his duties pending arrival of the new manager.
2. **Option 2:** Hire an "interim" City Manager effective March 1, 2012 to

temporarily perform the duties of the office but whose primary role would be to assist in the recruitment of a replacement City Manager.

3. **Option 3:** Move John Brewer, the City's Public Works Director into the position of City Manager/Public Works Director and bring Mr. Kimbrough back as a consultant and independent contractor to assist the City strictly in the area of budgeting.

TIME CONSTRAINTS FOR EACH OPTION:

1. **Option 1:** If the City allows other City staff, probably Mr. Brewer, to fill in for Mr. Kimbrough beginning March 1 and begins a recruitment, it would likely take at least 2 to 4 months to find and bring a new person here. If the City were attempting to hire a part-time City Manager due to budget constraints, it would likely take much longer to find someone capable and willing to serve in that role.
2. **Option 2:** If the City brings in an "interim" City Manager such as has recently been done by the cities of Orland and Anderson, that could be done quickly, possibly even before March 1, 2012, but the time required for the recruitment process thereafter would be similar to Option 1 above.
3. **Option 3:** If the City decides to move Mr. Brewer into the combined position of City Manager and Public Works Director, that could be done immediately, effective March 1, 2012 and, if it decides to bring back Mr. Kimbrough as a budgeting "consultant" that could also be done within this same time frame.

FINANCIAL IMPACTS OF EACH OPTION:

All three options might involve bringing Mr. Kimbrough back as a consultant to assist with budgeting, at least for the upcoming fiscal year. Although the City's outside accountant, Roy Seiler, is very familiar with the City's budgeting process and could provide assistance, it would probably be less expensive for the City to use Mr. Kimbrough at approximately \$60/hour to do most of the budgeting work. Under Option 2 it's possible that an "interim" City Manager with experience in budgeting might be able to handle this task without the assistance of Mr. Kimbrough.

If Mr. Kimbrough works for the City in the budgeting area under contract, what he has proposed is to work approximately 75 hours per month for a flat fee of \$4500 per month for the next four months and then to have the Council consider extending his contract on terms to be negotiated through June 30, 2013.

1. **Option 1:** If "other City staff" (probably John Brewer) were to temporarily perform the City Manager duties during the recruitment process (however long that process might be), he would need to be paid more than he is now earning because he would be assuming more duties, duties outside of his current job description. Past practice of the City has been that a person moving into an "acting" position be given at least a 5% increase in pay while so acting. Mr. Brewer is currently at Step E of the pay scale which, with furloughs in effect, amounts to base pay of \$6,198 per month. Were he to become the "acting" City Manager and "past practice" were to be followed, he would be paid at least an additional \$310 per month while serving in this capacity on top of his job as Public Works Director for the City. That would make his pay rate the amount of \$6,508 per month.

[Step A of the pay scale for the City Manager is currently \$6,354 per month. Step B of the pay scale for the City Manager's position is \$6,689 per month. Step C of the pay scale is \$7041 per month. Section 44.6a of the City's Personnel Rules and Regulations provides that "When promoted an employee shall begin at Step 1 or one step higher than his/her current salary, whichever is higher." Under Option 1, Mr. Brewer would not technically have been "promoted" and this requirement would not apply.]

Comparison:	Current Cost	Option 1 Cost
Mr. Kimbrough	\$4,610/mo.	\$4,500/mo. (per contract?)
Mr. Brewer	<u>\$6,198/mo.</u>	<u>\$6,508/mo.</u> (with add'l 5%)
	\$10,808/mo.	\$11,008/mo.

2. **Option 2:** If the City of Corning does what the cities of Orland and Anderson have recently done, it could hire an "interim" experienced City Manager as a "fill in" to perform the manager's duties temporarily and assist with recruiting a "permanent" replacement. Documents are attached to assist in estimating the cost of such an arrangement.

Comparison:	Current Cost	Option 2 Cost
Mr. Kimbrough	\$4,610/mo.	\$0.00/mo. (if not needed?)
Mr. Brewer	\$6,198/mo.	\$6,198/mo. (no change)
Interim Mgr.	<u>\$ 0/mo.</u>	<u>\$ hourly</u>
	\$10,808/mo.	\$? /mo.

3. **Option 3:** If the City of Corning moves Mr. Brewer into the position of City Manager and he also continues to work as the Public Works Director for the City, this would be a “promotion” and Section 44.6a of the City’s Personnel Rules and Regulations, referenced above, would apply. Mr. Brewer would not be able to move to “one step higher than his/her current salary” since he is already at the top step for the Public Works Director’s position. If he were put into “Step 1” or “A” of the City Manager’s pay scale, that figure is less than the 5% increase which has always been the City’s practice. The first pay rate for City Manager above the 5% threshold would be “Step 2” or “B” in the amount of \$6,689 per month and, if started here, Mr. Brewer would be eligible for a Merit raise one year later to \$7,041/month. If Mr. Brewer were started at “Step 3” or “C” of the City Manager’s pay scale, he would receive \$7,041/mo. and be eligible for a Merit raise one year later to \$7,412/mo. If this Option 3 is selected, this 3rd Step should be given serious consideration in view of the past excellent performance of Mr. Brewer and his willingness now to take on two very difficult jobs at the same time to assist the City with its serious financial challenges.

Comparison:	Current Cost	Option 3 Cost
Mr. Kimbrough	\$4,610/mo.	\$4,500/mo. (per contract?)
Mr. Brewer	<u>\$6,198/mo.</u>	<u>\$6,689/mo.</u> @ Step B
	\$10,808/mo.	\$11,189 /mo.
	or	
Mr. Kimbrough		\$4,500/mo. (per contract?)
Mr. Brewer		<u>\$7,041/mo.</u> @ Step C
		\$11,541/mo.

OTHER CONSIDERATIONS FOR EACH OPTION:

1. **Option 1:** Using City “staff” to fill in for the City Manager while the City solicits applications for a “permanent” replacement for Mr. Kimbrough may have an adverse impact on morale. An even larger problem might be the difficulty of recruiting a qualified applicant for what would have to be a part-time position in order for the City to afford his or her services.
2. **Option 2:** Bringing in an “interim” experienced City Manager to temporarily perform City Manager tasks would avoid having to use Mr. Brewer to work two positions. It might, however, still require the City to contract with Mr. Kimbrough to assist with the budgeting process, at least until the end of June 2012. However, this Option would

encounter the same problem as Option 1 in trying to recruit a part-time City Manager.

3. **Option 3:** This is the only option which satisfies the need for a part-time City Manager since Mr. Brewer could perform the job of Public Works Director at the same time. He can explain to the Council the availability of other personnel within his department who could assume more public works duties if he were to begin wearing two hats. He can also describe how he might adjust the hours he puts in between the two positions if both were assigned to him.

He has extensive experience in various kinds of positions with multiple public and private agencies and would bring that experience to the table. Although he has experience in budget preparation for the largest department within the City, he has not prepared a complete budget for all departments of the City and this would be the primary area where he would need assistance if appointed to the City Manager position. The City's outside accountant, Roy Seiler, has been with the City for many years and has been very involved assisting Mr. Kimbrough in putting together the City's budgets over the years.

Although Mr. Seiler could help Mr. Brewer put together a budget for the upcoming fiscal year, it would make sense to use Mr. Kimbrough on a contract basis to also assist Mr. Brewer since Mr. Kimbrough has been the lead person putting together the City's budget now for many years. He could provide training to Mr. Brewer in how the budget has been put together in past years and in how to learn all the information necessary to make accurate revenue and expense projections for the City Council. His services, if needed, would be available throughout the balance of the current fiscal year and likely until the fiscal year ending June 30, 2013.

ACTION ITEMS FOR EACH OPTION:

1. **Option 1:** Move to direct John Brewer to work as the "acting" City Manager in addition to his job as the City's Public Works Director and to begin soliciting applications for a "permanent" replacement for Mr. Kimbrough. Further move to temporarily raise Mr. Brewer's base pay from \$6198 per month to \$6508 per month while serving in this capacity.

Further move to approve a contract in the form provided by the City Attorney with Mr. Kimbrough to act as an independent contractor providing the City of Corning with assistance in preparing budgets.

2. **Option 2:** Move to direct Mr. Kimbrough to find an "interim" experienced City Manager to temporarily perform City Manager duties for the City and to return a proposed contract to the Council for action at its meeting of February 28, 2012. Further move to have the Council at that same meeting consider approving a contract in the form provided by the City Attorney with Mr. Kimbrough to act as an independent contractor providing the City of Corning with assistance in preparing budgets if the "interim" City Manager needs such help.

3. **Option 3:** Move to appoint Mr. Brewer effective March 1, 2012 as the Corning City Manager at Step , while continuing to act as Public Works Director, with the assurance that, should he leave the City Manager position he would have the right to return to his former position as Public Works Director if that position has not yet been filled by another individual; and

Further move to approve the contract prepared by the City Attorney which provides that Mr. Kimbrough shall act as an independent contractor with the limited duty of providing the City of Corning with training and assistance in the preparation of budgets; and

Further move to authorize the Mayor to sign both contracts on behalf of the City.

City of Orland (Per City Clerk Angie Crook)

Interim City Manager: Gail Wingard (Contract Employee with no benefits)

Hourly Rate: \$60 per hour

Schedule: 3-4 days per week for 8 hours.

City of Anderson (Per City Clerk Juanita Barnett)

Interim City Manager: John Blacklock (No benefits other than travel & per diem up to \$150 per day).

Hourly Rate: \$90 per hour

Schedule: 3 days per week (not full 8-hour days) with an hourly limit per year as he is a retiree.

AGENDA REPORT



Meeting Date: February 7, 2012

Agenda Item # _____

City Manager Approval:

TO: Honorable Mayor and Members of the City Council

**FROM: Martin J. Nichols
City Manager**

SUBJECT: NEW CITY MANAGER AND APPROVAL OF EMPLOYMENT AGREEMENT

RECOMMENDED COUNCIL ACTION:

That the City Council appoint Richard L. Crabtree as a combined Red Bluff City Manager and City Attorney and approve an employment agreement with Mr. Crabtree for both positions.

SUMMARY:

Appoint Richard L. Crabtree as the Red Bluff City Manager and City Attorney at a salary of \$120,000 as City Manager and \$50,000 as City Attorney effective April 2, 2012 and approve an employment agreement for the combined positions.

PREVIOUS COUNCIL ACTION:

Appointed Mr. Crabtree as City Attorney on December 4, 2002.

DISCUSSION:

The City Council has reached an agreement with Mr. Crabtree to serve as both City Manager and City Attorney. By combining the offices, the City will experience significant annual savings.

	<u>Proposed Salary</u>	<u>Previous Contract</u>	<u>Savings</u>
As City Manager	\$ 120,000	\$124,913*	(\$ 4,913)
As City Attorney	\$ 50,000	\$ 85,375**	(\$35,375)
New PERS Costs	\$ 3,546***	-0-	\$ 3,546
Car allowance	\$ -0-	\$ 4,200	(\$ 4,200)
Totals	\$173,546	\$214,488	(\$ 40,942)****

* City Managers salary in 2008 before reductions

** City Attorney contract cost in FY 2010-11

*** Employer PERS share on \$50,000 City Attorney Salary

**** If based on current City Manager Salary, the saving would be about \$6,000 less

Also the amount of time Mr. Crabtree spends, as City Attorney, on the Wal-Mart litigation would be reimbursed by Wal-Mart. We have also had years of City Attorney billing higher than last year's \$85,375:

1. 2009-10 \$ 94,111
2. 2008-09 \$ 111,326
3. 2007-08 \$ 89,459

In addition, having the City Attorney as an employee fixes the City's future costs to \$50,000 per annum, and eliminates a budget uncertainty. It also will increase productivity and reduces risks by having legal advice readily available.

Mr. Crabtree's starting date as City Manager – City Attorney will be April 2, 2012. He will remain as City Attorney until he assumes the combined office.

Qualifications

Mr. Crabtree is well qualified for these positions.

His legal background is lengthy and is detailed on the attached resume.

His executive experience includes service as the Lassen County Counsel, County Administrative Officer, Manager of two law firms and ownership of Paradise Ambulance Service.

Mr. Crabtree has also served on the Paradise Town Council.

He is well versed on Red Bluff City operations, finances and policy issues having served as our City Attorney for more than 9 years.

Contract Terms:

- a. Salary
 1. As City Manager \$ 120,000
 2. As City Attorney \$ 50,000
- b. Retirement and Health Benefits – same as other department heads, pays employee share of costs.
- c. Term – 4 years
- d. Severance - 6 months (for the first 2 years, then 3 months)
- e. Vacation, Sick Leave, Administrative Leave
 1. Separate vacation and sick leave accruals
 2. Accruals:
 - Vacation - 4 weeks per year
 - Sick Leave - 12 days per year
 - Administrative Leave – 10 days per year

The City of Red Bluff is an Equal Opportunity Provider

CITY FISCAL IMPACT:

Annual savings of over \$40,000 per year.

ATTACHMENTS:

Crabtree Employment Agreement
Crabtree Resume

**CITY OF CORNING
AGREEMENT FOR
BUDGETING CONSULTANT SERVICES**

THIS AGREEMENT, made and entered into this 1st day of March, 2012 is by and between the City of Corning, hereinafter referred to as "CITY" and STEPHEN J. KIMBROUGH, an individual doing business as Kimbrough Budgeting Consultant Services, hereinafter referred to as "BUDGET CONSULTANT."

RECITALS

WHEREAS, CITY desires to use the professional services of a qualified consultant to assist it in preparing a budget for the City of Corning and also to train City staff in preparing future budgets for CITY; and

WHEREAS, CITY knowing that BUDGET CONSULTANT is qualified and experienced, and has the specialized skills to perform these particular services needed by the CITY, now wants to proceed with contracting with BUDGET CONSULTANT, and such person is ready, willing and able to perform such services for the CITY for the upcoming and possibly one additional Fiscal Year;

TERMS AND CONDITIONS

NOW THEREFORE, in consideration of the mutual promises, covenants, and conditions set forth herein the parties agree as follows:

SERVICES: BUDGET CONSULTANT will provide to the CITY all necessary professional services to perform the following duties for the City:

- Consult and coordinate with CITY staff and its departments in accumulating the information needed for the FY 2012-13 CITY budget and, if this contract is not terminated by either party, the FY 2013-14 budget of the CITY.
- Consult with and work closely with Roy Seiler, CITY's outside accountant, in the preparation of the budgets needed by the CITY.
- Review materials and prepare agenda reports to be used by staff, or by BUDGET CONSULTANT when requested, in making presentations and recommendations to the City Council on subjects related to the budget(s).
- Train the new City Manager and other City staff in budget preparation, analysis and reporting.

BUDGET CONSULTANT will not perform managerial activities nor participate directly in the decision making process for the CITY budgets. CITY will not direct or supervise the work of BUDGET CONSULTANT in regard to anything he is working on but will expect the end product to be completed to CITY's satisfaction.

City Manager will:

- Assume responsibility for CITY's records related to work provided to BUDGET CONSULTANT
- Be the contact person in CITY for BUDGET CONSULTANT with regard to all work provided to BUDGET CONSULTANT
- Not request services that, in the opinion of the City Manager or BUDGET CONSULTANT would impair BUDGET CONSULTANT's independence.

WORK DAYS AND HOURS: BUDGET CONSULTANT will work for CITY on days and hours of his choosing as dictated by the need to accomplish the tasks provided to him and such work will be performed at various locations in City Hall and in BUDGET CONSULTANT'S private residence or at other locations of BUDGET CONSULTANT's choosing.

COMPENSATION: CITY, for and in consideration of the promises, covenants, conditions and stipulations of BUDGET CONSULTANT set forth herein, hereby agrees to provide, as total compensation to BUDGET CONSULTANT, the following:

- BUDGET CONSULTANT will provide the foregoing services for a fixed sum of four thousand five hundred dollars (\$4500.00) per month; and
- Reimbursement shall be made for all reasonable out of pocket expenses, such as long distance phone charges and the cost of any stationary or other such materials provided by BUDGET CONSULTANT.

TERM: This agreement shall be for an initial term of four months (March 2012 through June 2012) unless either party provides the other with notice of termination. Either party may terminate the Agreement by providing the other party not less than thirty (30) calendar days written notice of termination. The termination shall become effective upon the 30th or later designated day following delivery of written notice thereof. BUDGET CONSULTANT shall be compensated for all services performed to the effective date of termination.

EXTENSION OF TERM: If this agreement has not been terminated by either party as of the end of the current Fiscal Year (June 30, 2012) it shall automatically renew for one additional Fiscal Year (July 1, 2012 through June 30, 2013) subject to the same 30 day notice and compensation terms provided in the foregoing two paragraphs.

PERFORMANCE STANDARDS: BUDGET CONSULTANT agrees that he will at all times faithfully, industriously, and to the best of his ability, experience and talent, perform all of the duties and functions that may be required of or from him pursuant to all terms of this Agreement in a manner reasonably satisfactory to the CITY, and in accordance with the standards reasonably expected of a professional person so engaged.

BUDGET CONSULTANT AS INDEPENDENT CONTRACTOR: It is understood that BUDGET CONSULTANT is an independent contractor. BUDGET CONSULTANT may maintain an office separate from the CITY and may perform budget consultant services for other clients in addition to CITY. CITY does not specify how BUDGET CONSULTANT is to work but does specify the functions to be performed and approves or disapproves the final work product requested of BUDGET CONSULTANT.

CITY'S INDEMNITY OF BUDGET CONSULTANT: During the term of this Agreement, the CITY shall indemnify, defend, and hold BUDGET CONSULTANT harmless for those acts, including acts that may result in injury to another, arising during the course and within the scope of his services provided to CITY. This Section is intended to neither provide any greater nor any fewer protections than those afforded to public employees under Government Code section 820 *et seq.* although BUDGET CONSULTANT is not an employee of CITY. CITY's obligations hereunder shall not extend to willful acts intended to cause harm to another nor to injuries or damages arising out of the gross negligence of BUDGET CONSULTANT.

ENTIRE AGREEMENT; MODIFICATION: This Agreement embodies the whole Agreement between the parties hereto and there are no inducements, promises, terms, conditions or obligations made or entered into by CITY or BUDGET CONSULTANT other than those contained herein. No modification, alterations, or variation in the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.

Any notices required to be given, pursuant to this Agreement shall be deemed to have been given by their deposit, postage prepaid, in the United States Postal Service, addressed to the parties as follows:

1. To CITY: City Manager
City of Corning
794 Third Street
Corning, CA 96021

2. To BUDGET CONSULTANT:
Stephen J. Kimbrough
712 Stanmar Drive
Corning, CA 96021

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF CORNING

BUDGET CONSULTANT

Gary Strack, Mayor

Stephen J. Kimbrough

ITEM NO: J-19
CLARIFY POLICE CHIEF
STATUS

February 14, 2012

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

FROM: MIKE FITZPATRICK, CITY ATTORNEY



BACKGROUND:

The law, recently clarified in Assembly Bill 1028 effective as of January 1, 2012, leaves some ambiguity with regard to the question of having "retired annuitants" under PERS work for a PERS agency more than 12 months past their retirement. There are two different Code sections which apply, one of which says that "retired annuitants" appointed to a position by the City Council ("the governing body of a contracting agency") such as the City Manager are subject to this time limit.¹ There is another Code section which says that a "retired annuitant" who has been appointed by an "appointing authority" (other than the City Council) such as the Police Chief (appointed by the City Manager) is not subject to that same 12 month limit.²

DISCUSSION:

The reason this item is on the agenda is for the Council to clarify "for the record" who made the appointment of the Police Chief to his position. The proposed Resolution

¹ Section 21221 is the section which applies to the City Manager. Subsection (h) allows an "interim" appointment by the City Council to a vacant position during recruitment for a permanent appointment if specialized skills are deemed necessary by the Council. There is a 12 month limit on how long such a person can be employed (and a 960 hour limit in any fiscal year). Recent changes in the law clarified that such an interim appointment is limited to 12 months from the appointment date (even if PERS grants permission to work more than 960 hours in a FY) and that a person appointed by the Council under this section cannot be re-appointed under another code section after the 12 months expires.

² Section 21224 is the section which applies to the Police Chief since he is appointed not by the City Council but by the City Manager. That section says that, even though retired, he can be employed by the City....with the same 960 hour FY limit...but it doesn't contain the same 12 month limit. However, Circular Letter 200-002-12 which is dated January 26, 2012 referring to someone in the Chief's position says "A retiree can work for more than one fiscal year for the same employer only if the employment is temporary 'extra help' work as defined above." Then, above, it says "To include the word 'temporary' is to clarify that these sections apply to retirees employed as temporary 'extra help' appointments...during an emergency to prevent stoppage of public business or to perform work of limited duration, i.e., elimination of backlog, special projects, work in excess of what the employer's permanent employees can do, etc. Retirees should not be appointed to vacant permanent part-time, permanent intermittent, or permanent full-time positions, even if the hours worked will not exceed 960 hours per fiscal year or the retiree will be subject to mandatory reinstatement from retirement."

declares that it was the Council's intention when it approved the employment agreement one year ago not to make an appointment, something it considered the job of its City Manager, but rather to approve the terms and conditions which would apply to that employment. The appointment itself was to be made, and was in fact made, by the City Manager.

Should that interpretation of the Council's action ever be challenged, as an added precaution the proposed Resolution would rescind the previously approved agreement (subject, of course, to the Police Chief's concurrence) and authorize the City Manager to appoint Anthony F. Cardenas to the Police Chief position on a temporary basis as an "extra help" appointment as authorized under Government Code section 21224.

RECOMMENDED ACTION:

Move adoption of Resolution 02-14-2012-03.

RESOLUTION NO. 02-14-2012-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
CLARIFYING STATUS OF POLICE CHIEF**

WHEREAS, the Corning Municipal Code grants the City Manager the authority to appoint competent, qualified officers and employees for the City of Corning; and

WHEREAS, the City Manager, pursuant to such authority, appointed Anthony F. Cardenas to the position of Police Chief of the City of Corning in 1993; and

WHEREAS, the City Council then, by Resolution 5-25-93-2 adopted on May 25, 1993 acknowledged this appointment and welcomed Chief Cardenas as the City's new police chief; and

WHEREAS, the City Council then approved the terms and conditions of employment as recommended by the City Manager with Anthony F. Cardenas upon his retirement through PERS under which he would continue to work for the City in the position of Police Chief from March 1, 2011 through July 4, 2013; and

WHEREAS, Assembly Bill 1028, effective January 1, 2012, clarified some of the law pertaining to post-retirement employment by PERS retired annuitants but left other issues not clearly resolved; and

WHEREAS, because of this ambiguity the City Council wishes to clarify that it was not its intention in approving this employment agreement to make an appointment but rather to approve the terms and conditions for the Police Chief position while it was to be filled by Anthony F. Cardenas whose appointment was to be made, and was actually made, by the City Manager; and

NOW, THEREFORE, BE IT RESOLVED the City Council declares that its act on December 14, 2010 approving an employment agreement for Anthony F. Cardenas did not appoint him to the position of Police Chief of the City but left the actual appointment, subject to the terms of that agreement, up to the City Manager of the City of Corning who then made such appointment; and

BE IT FURTHER RESOLVED, as a further precaution the City Council hereby rescinds and revokes such employment agreement from its inception and specifically authorizes the City Manager of the City of Corning, if he in his discretion chooses to do so, to reappoint Anthony F. Cardenas to the police chief position (because of the specialized skills he has which are needed by the department) for a temporary

period of time ending July 4, 2013 subject to all the same responsibilities, privileges and benefits set forth in the agreement hereby rescinded.

PASSED AND ADOPTED by the City Council of the City of Corning on this 14th day of February, 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk