



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JANUARY 13, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

	Council:	Hill
		Turner
		Parkins
		Leach
	Mayor:	Strack

All members of Council were present.

C. ADJOURN TO CLOSED SESSION:

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Public Safety Employees Bargaining Unit
Dispatch Association Unit**

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

Mayor Strack announced that the Council had met in closed session with the Labor Relations Consultant Bill May and received information and gave him direction.

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

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

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

1. Chamber of Commerce Thanks City – Presentation by Yvonne Boles.

Yvonne Boles addressed the Council on behalf of the Chamber of Commerce. Mrs. Boles thanked the City Council and City Staff for their support and assistance with the yearly events sponsored by the Chamber of Commerce. She then presented a power point display of the Hometown Christmas 2008 festivities.

2. Proclamation: January 2009, National Mentoring Month in the City of Corning.

Mayor Strack presented the Proclamation to Melissa Mendonca from the Tehama County Department of Education proclaiming the month of January 2009 as National Mentoring Month in the City of Corning.

3. Informational Presentation by Members of the Corning Police Officers Association (Detective Mel Allison, Police Officers James Dodge and Jeremy White).

Mel Allison and Jeremy White of the Corning Police Officers Association presented a power point display that addressed hiring and training costs for Police Officers and the pay scale for the various positions within the department. They illustrated the costs for an interview and Oral Board, Background Check, Officer's Psychological Exam, Uniform, Medical Exam and Live Scan, Range Training, Taser Training, Defensive Tactics, Radar Certification, CPR Certification, etc. for a total cost of \$40,338.91 per position and the City currently has 14 positions.

G. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:

Nolan Schlereth informed the City Council that the canned food drive ended recently and they collected 9,000 cans. He also stated that the Winter Formal is coming up this Friday.

H. BUSINESS FROM THE FLOOR:

Gene May: He congratulated Councilors John Leach and Toni Parkins on their election to the City Council. He also addressed the Council regarding his neighbor's property on Marin Street and tore on Solano Street. He is requesting that the City do something to enforce the cleanup of this property and modify the Ordinance to allow fines or something to entice residents to clean up their properties.

Joe DeScala: Addressed the Council regarding Lucero Olive Oil, the Flying J Reimbursement, and the City Encroachment Permit wording. Mayor Strack and Councilor Turner suggested that Mr. DeScala discuss these matters with City Staff, informing Mr. DeScala that the Council cannot discuss these matters at this time because some of these issues may come before the Council on an appeal and discussion of these issues at this time could result in Council members being required to repose themselves should an appeal be filed at a later date.

Steve Turner: Stated that he is aware that some of his collection is junk to others and that he has addressed some of the issues Mr. May has brought up.

Darlene Dickison: Stated that she wanted to inform the Council that the Lease Agreement with the Senior Center specifies that a member of the City or City Council serve as a member of the Board. She stated that they recently had their election and currently there is no City representation on the new Board.

Dean Cofer: Stated that the City of Orland has medical after retirement and other incentives for their Police Officers. He also stated that many Departments have a contract with Police Department Applicants stating that they must stay for a certain numbers of years or reimburse for training costs.

I. 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.

4. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
5. **Waive the Reading and Approve the Minutes of the December 9, 2008 Meeting with any necessary corrections.**
6. **January 7, 2009 Claim Warrant - \$726,917.86.**
7. **Business License Report – January 7, 2009.**
8. **Treasurer's Report –December 2008.**
9. **Wages and Salaries – December 2008 - \$326,214.75.**
10. **December 2008 Building Permit Valuation - \$74,401.**
11. **December 2008 – Southwest Water Company Wastewater Operation Summary Report.**
12. **Approve Resolution 01-13-09-01 Authorizing the Tehama County Sanitary Landfill Agency to Submit a Regional Tire Recycling Grant Application.**

13. **Resolution No. 01-13-09-02 Authorizing the Building Official to Establish and Collect SB 1473 State Mandated Building Standards Fees.**
14. **Approve Resolution No. 01-13-09-03 Affirming that City Pays Employee Retirement Contributions.**
15. **Approve 25-Year Fixed Base Operator Lease Agreement with Bryan and Carol Carpenter of Rainbow Aviation.**
16. **Authorize Staff to Investigate Expanding Safe Routes to School Project to Include East Street.**
17. **Approve Progress Pay Estimate 3 for \$55,964 for the Safe Routes to School Cycle 7 Project.**

Mayor Strack introduced each Consent Agenda Item by titles and asked if any member of Council would like to remove any items for further discussion. Councilor Hill requested to remove Consent Agenda Item No. 16 for further discussion.

With no further discussion on the remaining Consent Agenda Items Councilor Hill moved to approve Consent Agenda Item's 4 through 15 and 17. Councilor Turner seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

J. ITEMS REMOVED FROM THE CONSENT AGENDA:

16. **Authorize Staff to Investigate Expanding Safe Routes to School Project to Include East Street.**

City Engineer Ed Anderson explained that \$130,000 should be left over upon completion of the existing project. He informed the Council that he had spoken with the High School Superintendent and was informed by him that many of the students utilize East Street to traverse between home and school. Therefore, Staff is investigating using the residual funds to install sidewalks, curb and gutter on the east side of East Street from Solano to North Street and overlay East Street in this area.

With no further discussion Councilor Hill moved to authorize Staff to investigate expanding the Safe Routes to School Project to include facilities along East Street. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

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

18. **Rezone 2008-2, Ordinance 633 Amending Chapters 17.10, 17.12, 17.14 & 17.16 of the Corning Municipal Code regarding Minimum Height, Bulk and Space Requirements in Residential Zones.**

Mayor Strack introduced this item by title and Planning Director John Stoufer provided the Council further details and background information regarding the 25-foot lots located throughout the City. Mr. Stoufer stated that he has met with local realtors on two occasions to discuss this item, and sent letters to the owners of these lots. Councilor Leach asked how many of these lots existed and was informed by Mr. Stoufer approximately 200.

Mayor Strack opened the public hearing. Steve Turner addressed the Council and requested and received information on the effects of this Ordinance in relation to his property. With no further discussion Mayor Strack closed the public hearing.

Councilor Hill moved to waive the first reading of Ordinance 633, an Ordinance amending the minimum height, bulk and space requirements for residential zone parcels, the Ordinance to implement Rezone 2008-2, and adopt the five subfindings and findings. Councilor Turner seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

L. REGULAR AGENDA:

19. Ratify Memorandum of Understanding between City and Operating Engineers Local #3 Representing City of Corning Dispatchers Association Bargaining Unit.

Councilor Turner moved to ratify the Memorandum of Understanding between the City of Corning and the City of Corning Dispatch Association at an annual increased cost of \$30,524 plus an average \$19,000 more in years 2 and 3 of the Agreement. Councilor Hill seconded the motion. City Manager Kimbrough briefed the Council on the cost of this contract. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

20. Prioritizing Economic Stimulus List for the City of Corning.

Mayor Strack introduced this item by title and outlined some of the projects listed with the associated costs. Public Works Director John Brewer stated that originally the State and Tri-County Economic Development requested the attached list. Councilor Parkins stated that she would like item "P" to take the place of item "A", she would also like to see North Street added to the list.

The priority list was approved by Council consensus.

21. Rodgers Theatre: Approve Plan of Action.

Mayor Strack introduced this item by title. Councilor Parkins stated that she believes this is the best plan presented to date...and it has a backup. Councilor Leach stated that he is not opposed to having the Theatre in town, however he is not in favor of a loan or using the Park money for the Theatre, he is in favor of obtaining a grant. Mayor Strack stated that he is not in favor with using the Park Bond Monies...the Park Bond money must be used within the next two years and he doesn't believe the Theatre would be ready to move forward in two years. Councilor Hill stated that due to the economy, we might be able to obtain lower bids for some of these projects. Councilor Turner requested and received the dollar amounts of the other funds available.

Mayor Strack suggested utilizing an RFP (Request for Proposal) for a grant writer, instead of just assuming to use the school's grant writer stating that there have been others who have offered their services.

Councilor Hill stated that she believes the Theatre would be used as a Community Cultural Center. She stated that the Council should never delude themselves into believing that the Theatre would ever be self-supporting. She stated that we should think of the Theatre as an investment in the City and its residents, and hope that from that investment it will grow fruit and tax revenues.

Councilors Hill and Parkins both stated that they like the proposal and acknowledged that the only item it seems that the Council is not in agreement on is item 3 (committing the State Park 2002 Park Bond Act Funds).

Councilor Turner stated that he was not in favor of using the Parks Grant monies for the Theatre when the City has other funds available to use.

Darlene Dickison stated that she had collected 175 signatures in support of reopening the Theatre and that these signatures were collected in a one-week period. Danny Dunigan outlined the history of the discussions on the Theatre and discussions on possible grants available.

Mayor Strack stated that in this plan no restrooms were mentioned, he stated that the restrooms must be restored.

The City Manager stated that he needed a specific dollar amount for the City's matching funds for the Grant Writer to Use in the Application; Council set the dollar amount at \$.

Tony Cardenas updated the Council and the audience on resent information he had received from the Cowell Foundations, they stated that if the City can supply 50% of the funding at prevailing wage the Cowell Foundation may consider it.

Councilor Hill moved for Mayor and Council to:

1. Approve the "Action Plan" to renovate and reopen the Rodgers Theatre; and
2. Direct the City Manager to return to Council with a proposal for grant writing services; and
3. Commit funds from Park Acquisition Funds 341 and 355 up to \$200,000 as a foundation Grant match; and
5. City Council makes no commitment to the "Alternative Plan of Action" nor City funding until the private foundation opportunity is exhausted.

(The motion excluded recommendation 4 "Authorizing the City Manager to submit the application for the State Park Bond money in order to commit the State to the Project and define any State conditions of Grant which may add to the project cost with the condition that the City Council can reallocate and modify the State Grant Application should private foundation funds not be available".

Councilor Leach seconded the motion. **Ayes: Hill, Parkins and Leach. Opposed: Strack and Turner. Absent/Abstain: None. Motion approved by a 3-2 vote with Strack and Turner opposing.**

22. Setting the Date for the Public Hearing on the Proposed Annual Rate Increase for Corning Disposal Service.

Councilor Hill moved to set a new date of March 10th for a Public Hearing on the proposed rate increase for Corning Disposal Service. Councilor Parkins seconded the motion. 5-0 Vote approved. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

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

N. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

O. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

23. Hill: Thanked City Staff for their assistance on the coordination of the League Division Meeting here. She acknowledged the dinner provided by the Corning Exchange Club. Councilor Hill requested Staff to discuss 2 items in their staff meeting, these items were: 1) Corning Olive Grove Apartments, she stated that she would like Staff to do a report to update the Council on the status of Use Permit compliance; and 2) A Staff Report on parades...specifically the Staff time spent in preparation for these parades, and what the process and standards are to have a parade in the City, etc.

24. Turner: Stated for the record that he was apprehensive about the rare meat at the League Division Meeting, not concerned.

25. **Parkins:** Stated that she, John and Gary would be attending the League of California Cities 2009 New Mayors and Council Members Academy meeting next week in Sacramento.
26. **Leach:** Updated the Council on the Tripartite Board Meeting dates and stated that he was looking forward to the meeting next week.
27. **Strack:** Updated the Council on the entry signs status. He stated that they are done and that they turned out nice.

P. **ADJOURNMENT!: 9:45 p.m.**

Lisa M. Linnet, City Clerk