



**CITY OF CORNING
CITY COUNCIL/PLANNING COMMISSION
SPECIAL JOINT MEETING
AGENDA**

**TUESDAY, JANUARY 27, 2015
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Councilmembers:

**Dickison
Linnet
Cardenas
Smith
Strack**

Mayor:

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

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

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

C. 1. Identify Stakeholders and present Project Overview & Goals for the Corning Bicycle and Pedestrian Improvement Plan being prepared by the Echelon Transportation Group.

D. ADJOURNMENT:

POSTED FRIDAY, JANUARY 23, 2015



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, JANUARY 27, 2015
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

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

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

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

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

D. INVOCATION: Led by Councilman Tony Cardenas.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation: February 2015 as National Girls and Women in Sports Month in the City of Corning.** Present to accept the Proclamation will be Kristin Behrens, Director of Support Services, St. Elizabeth Community Hospital's Marketing & Community Relations along with the SERRF Student Athlete Ambassador.

F. BUSINESS FROM THE FLOOR:

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

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes of the January 13, 2015 City Council Meeting with any necessary corrections.**
4. **January 21, 2015 Claim Warrant - \$120,543.02.**
5. **January 21, 2015 Business License Report.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

6. Public Hearing to receive comments on proposed Ordinance 658, and proposed adoption of Ordinance replacing/adding sections to the City's Building Codes to update them to include the 2012 and 2013 Code Editions adopted by the State of California. (Second reading & proposed adoption.)

J. REGULAR AGENDA:

7. Approve Partial Payment Request No. 7 releasing Partial Retention Funds in the amount of \$54,595.73 for the Corning Community Park, Phase 2 Project to Trent Construction.
8. Approval of Memorandum of Understanding (MOU) between Corning Union High School District and the City of Corning.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Dickison:

Linnet:

Cardenas:

Smith:

Strack:

N. ADJOURNMENT!:

Lisa M. Linnet, City Clerk

POSTED: FRIDAY, JANUARY 23, 2014

**ITEM NO.: C-1
PROJECT OVERVIEW AND GOALS
FOR THE CORNING BICYCLE AND
PEDESTRIAN IMPROVEMENT PLAN
BY ECHELON TRANSPORTATION
GROUP.**

JANUARY 27, 2015

**TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS, AND PLANNING
COMMISSION MEMBERS**

**FROM: JOHN L. BREWER, AICP, CITY MANAGER JB
PATRICK WALKER, PUBLIC WORKS DIRECTOR PW
JOHN STOUFER; PLANNING DIRECTOR CONSULTANT JS**

SUMMARY:

The City was awarded a grant from the California Department of Transportation (Caltrans) through the Community-Based Transportation Planning (CBTP) and Environmental Justice (EJ) Grants Programs for the preparation of a Bike and Pedestrian Transportation Improvement Plan (Plan). This plan should ultimately lead to the adoption, initiation, and programming of transportation improvements that will assist in advancing the cities effort to improve bike and pedestrian safety, design a "wayfinding" signage system, and reduce greenhouse gas emissions.

On October 28, 2014 the City Council approved a contract with Echelon Transportation Group (Echelon) from Sacramento to prepare the plan. Staff has had preliminary meetings with Echelon to commence with development of the plan. Staff from Echelon will be here to present the Council and Commission with a project overview and goals. One of the major components of the process to prepare the plan is to identify a "Stakeholders" group that will be involved with providing local guidance to Echelon in preparation of the plan. Below is a list of potential "stakeholders" that have been preliminary identified.

RECOMMENDATION:

That the City Council and Planning Commission:

- Listen to the Project Overview and Proposed Goals of the Plan as presented by Echelon; and
- Review the attached Preliminary Stakeholders List and add any groups or individuals that may be interested in participating in development of the plan.

PRELIMINARY STAKEHOLDERS LIST:

**Corning City Council
Corning Planning Commission
Corning City Staff and Consultants
Corning Volunteer Fire Department
Corning Police Department
Corning Elementary School District
Corning Union High School District
Corning Chamber of Commerce**

**Tehama County Transportation Commission/Public Works
Tehama County Air Pollution/Trails Coordinator
Tehama County Parks
Tehama County Economic Development Corporation**

**City of Tehama
City of Red Bluff**

**Caltrans District 2
State Parks (Woodson)
CAL FIRE**

**Corning Skate/Bike Association
Corning Youth Soccer
Corning Little League
Corning Youth Football**

**Corning Exchange Club
Corning Rotary Club
Corning Senior Citizens
Maywood Women's Club
Local Church's / Groups
Chico Century Ride Club
Redding Trails
Rolling Hills Casino**

Corning Bicycle and Pedestrian Improvement Plan



Project Overview

Also known as *active transportation*, walking and bicycling are essential transportation choices for healthy and livable communities. Safe, convenient, and well-connected active transportation routes improve quality of life and ease of travel for all Corning residents, while also providing an easily accessible form of exercise and entertainment. The Corning Bike and Pedestrian Improvement Plan aims to improve active transportation facilities throughout Corning by examining the existing bicycle and pedestrian network and recommending future improvements. Most importantly, the Plan will seek out guidance from Corning residents to determine what types of active transportation improvements fit their unique daily travel and recreational needs.



Contact Information

John Stoufer
 (530) 824-7026
jstoufer@corning.org

Greg Behrens
 (916) 442-4986
gbehrens@echelontransportationgroup.com

Para español: Paul Zykofsky
 (916) 448-1198 x317
pzykofsky@lgc.org

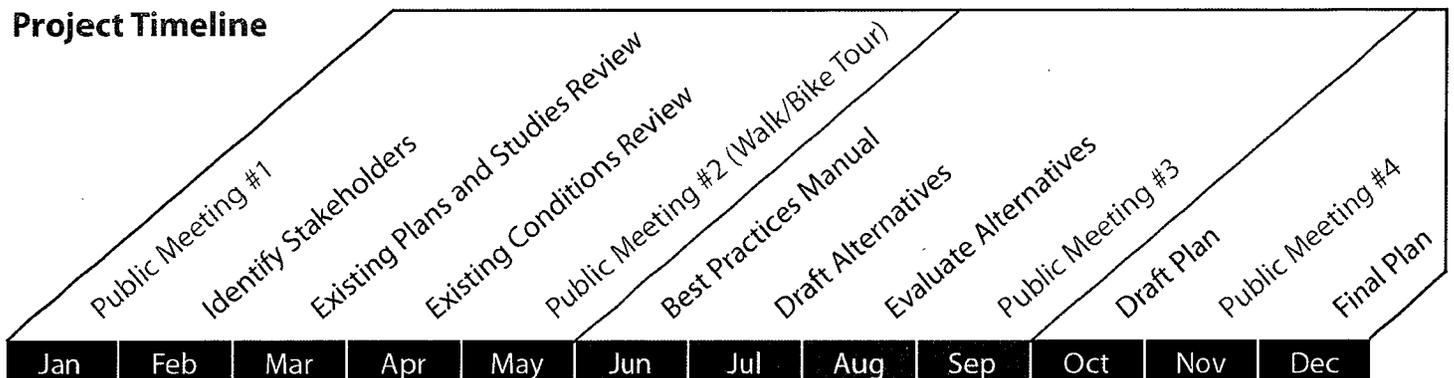


Project Goals

The Bike and Pedestrian Improvement Plan will accomplish the following goals:

- Coordinate and guide the provision of all bicycle and pedestrian related plans, programs, and projects in Corning.
- Identify existing and future linkages to key destinations.
- Identify future pedestrian and bicycle improvements, including characteristics, costs, prioritization, and funding sources.
- Position the City for active transportation funding opportunities as they become available.
- Establish wayfinding program for key community destinations.
- Integrate recommended active transportation improvements with local and regional plans and projects.
- Incorporate Complete Streets tools, techniques, and principles to facilitate bicycle and pedestrian travel.

Project Timeline



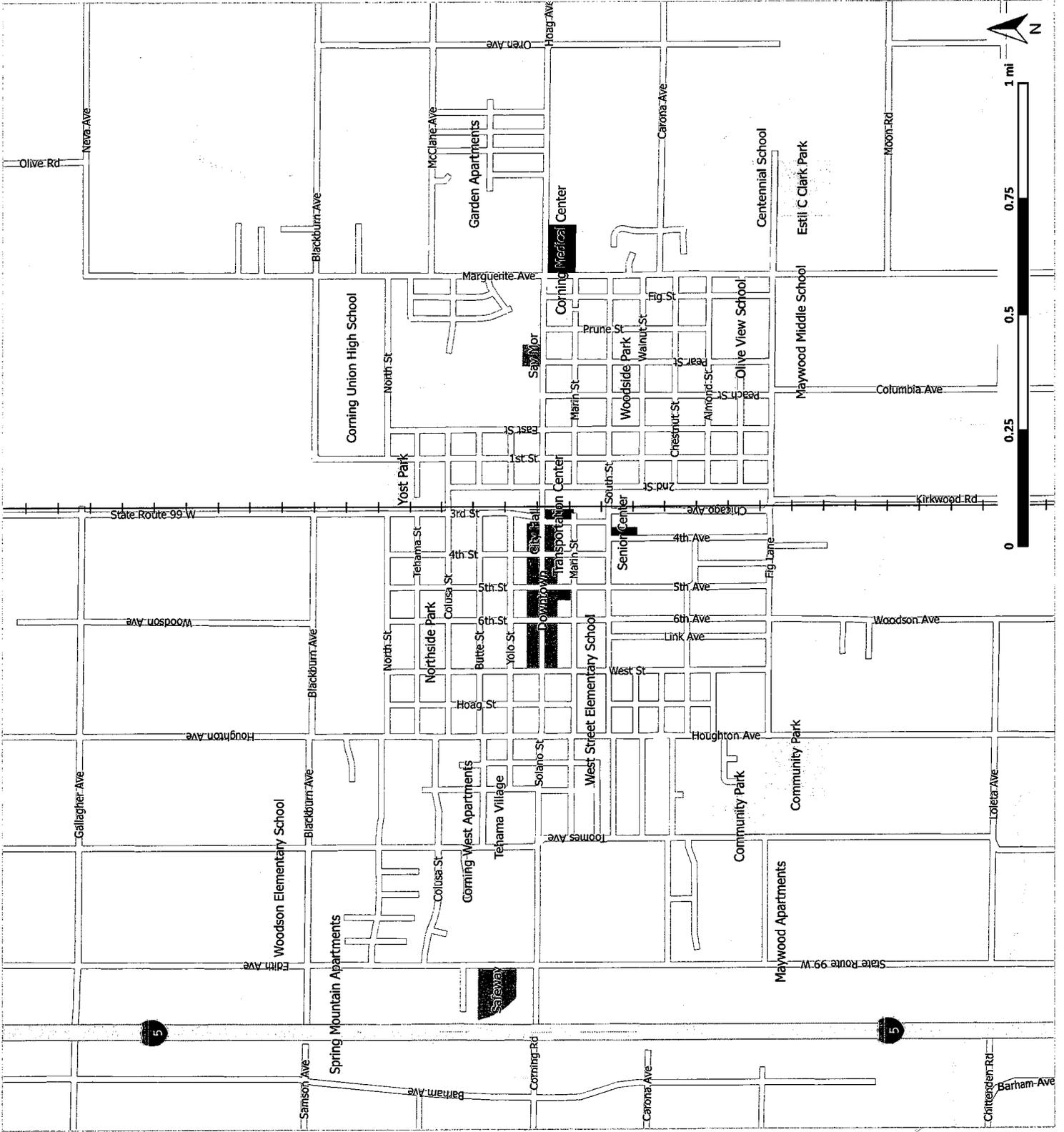
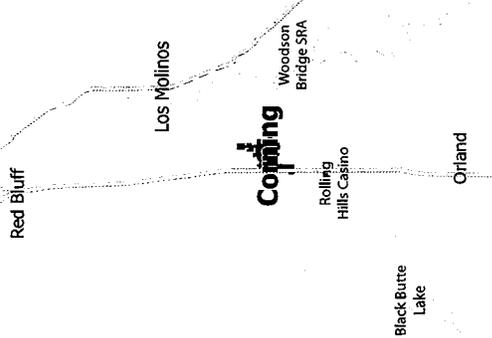
Corning Overview

Legend

-  Local Street
-  Highway
-  Railroad
-  Water
-  Corning City Limits
- Activity Centers**
-  School
-  Park
-  Public Facility
-  Shopping
-  Multi-Family Housing
-  Other



Regional Context



PROCLAMATION
FEBRUARY 2015
NATIONAL GIRLS AND WOMEN IN SPORTS MONTH
IN THE CITY OF CORNING

WHEREAS, this initiative period exists to acknowledge and recognize current sports achievements, the positive influence of sports participation, and the continuing need for focus on equality and access to sports opportunities for girls and women; and

WHEREAS, the Corning City Council stands along with St. Elizabeth Community Hospital Sports Medicine, Tehama County SERRF Program, Tehama County Department of Education, and various other local businesses to celebrate and acknowledge the Annual National Girls and Women in Sports Initiative; and

WHEREAS initially, the National Girls and Women in Sports Day began in 1987 as a day to remember Olympic volleyball player Flo Hyman for her athletic achievements and her commitment to ensure equality for women's sports, the history of girls and women in sports is rich and long, yet there has been little national recognition of girls and women's athletic achievements.

WHEREAS, athletics at all levels encourage cooperation, communication and the removal of social barriers, while being an effective tool through which girls and women can develop self-discipline, initiative, confidence and leadership skills.

WHEREAS, we support girl's and women's athletic programs that encourage the development of lifelong fitness habits at an early age, and strive to increase opportunities that enable girls to participate in, and pursue physical activity at both the community and scholastic level; and

WHEREAS, this year's efforts include the SERRF Student Athlete Ambassador Program site visits and a "Color Dash" Run on March 7th at Corning Union High School.

**NOW THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO
HEREBY PROCLAIM THE MONTH OF FEBRUARY 2015 AS NATIONAL GIRLS AND
WOMEN IN SPORTS MONTH IN THE CITY OF CORNING.**

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Great Seal of the City of Corning to be
affixed this 10th day of February
2015.

GARY R. STRACK, MAYOR



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JANUARY 13, 2015
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present except Councilor Smith who was ill.

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

D. INVOCATION: Led by Mayor Gary Strack.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None

F. BUSINESS FROM THE FLOOR: None

G. CONSENT AGENDA:

1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
2. Waive the reading and approve the Minutes of the December 9, 2014 City Council meeting with any necessary corrections:
3. January 7, 2015 Claim Warrant - \$786,292.72.
4. January 7, 2015 Business License Report.
5. December 2014 Wages and Salaries: \$355,384.88.
6. December 2014 Treasurer's Report.
7. December 2014 Building Permit Valuation Report: \$200,760.20.
8. Accept the December 2014 City of Corning Wastewater Operation Summary Report.

Councilor Linnet moved to approve Consent Items 1-8; Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None.** Motion was approved by a 4-0 vote with Smith absent.

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

9. Review and approve the updated City of Corning Illness and Injury Prevention Program. City Manager John Brewer explained that the Program has been updated and periodically reviewed, most recently in 2011. Administrative Services Manager Tom Watson who is in attendance tonight has been involved with the preparation of this document and can respond to any questions. Mayor Strack confirmed that the City is following the Policy.

Councilor Dickison moved to, having reviewed the document, approve the updated City of Corning Illness and Injury Prevention Program. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None.** Motion was approved by a 4-0 vote with Smith absent.

- 10. Approve Contract Change Order No. 5 in the amount of \$24,048.78 increasing the Contract cost to \$1,100,954.63; and approve Partial Payment Estimate No. 6 in the amount of \$26,308.78 to Trent Construction for the Corning Community Park Phase 2 Project.**

Public Works Director Patrick Walker stated that Staff has scheduled a State inspection for both Phases of the Park Construction on Tuesday, January 20th which, if all goes well will enable the State to release City's Project Retention Funds in the amount of \$260,362. He also noted that the storm damage had been cleaned up. Mayor Strack confirmed that there is a 120-day Maintenance Contract in place for the seeding.

Councilor Cardenas moved to approve Contract Change Order No. 5 increasing the contract amount by \$24,048.78 for a total contract amount of \$1,100,954.63; approve Partial Payment Estimate No. 6 in the amount of \$26,308.78; retain the 5% Contract Retention of \$1,315.44; and issue payment in the amount of \$24,993.34 to Trent Construction for the Corning Community Park Project, Phase 2. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Smith absent.**

- 11. Introduction of Ordinance 658, An Ordinance adopting by reference the 2013 editions of the California Building Standards Codes, known as the California Code of Regulations, Title 24, and the Uniform Swimming Pool, Spa and Hot Tub Code and the Uniform Solar Energy & Hydronics Code Published by the International Association of Plumbing and Mechanical Officials. (1st Reading).**

Mayor Strack confirmed that no big changes are included? Mr. Hoofard stated no, not really, the main thing is the City cannot enforce the Codes unless we approve them and bring them up to date. Councilor Dickison confirmed that no fees were increased.

Councilor Dickison moved to have the City Clerk read Ordinance No. 658 by short title; move to introduce Ordinance No. 658, an Ordinance proposing to adopt the current editions of various Uniform Codes; and set January 27, 2015 as the date for the second reading, public hearing and proposed adoption of this Ordinance. Councilor Cardenas seconded the motion. City Clerk Lisa Linnet then read Ordinance No. 658 by short title.

Ayes: Strack, Dickison, and Cardenas. Absent: Smith. Opposed: Linnet. Abstain: None. Motion was approved by a 3-1-0 vote with Linnet opposing and Smith absent.

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Dickison: LAFCO Meeting for tomorrow has been cancelled; she has two meetings on Thursday, Tehama County Heritage and Historical Records Commission in the morning and the Community Action Agency Tripartite Board in the afternoon.

Linnet: January 24th will be the Tire Disposal and on the 31st will be the electronic disposal across the street at the Park and Ride. He also reported on the removal of graffiti. Hatfields is a drop off for used batteries.

Cardenas: Reported on his short attendance at the Chamber Board of Directors meeting and they are still working on the Annual Installation dinner on January 24th. He also stated that they had a meeting with Matt Russell regarding the research portion of the Byrne Criminal Justice Innovation (BCJI) Program Grant for the High School and he has completed everything needed for implementation to start. They are still trying to figure out how to access the funds. City Manager Brewer stated that we are awaiting an \$85,000 check for the School Resource Police Officer at the High School.

City Manager John Brewer announced a public meeting with Emergency Services (Fire, Police and Ambulance) and affected local business owners to discuss the nuts and bolts of the upcoming

Streetscape Project. This will be held next Wednesday, January 21st here in the City Council Chambers. The Project Plans are currently at the Office of Division of State Architect for review and approval prior to going to the California Transportation Commission for funding. Mayor Strack questioned whether the project will be able to be completed this coming summer. Mr. Brewer stated it is a moving target...we had hoped to get to CTC in March (they meet every other month, Jan., March and May) however it depends how long it takes at the Division of State Architect. We received an email today which stated that there is about a six-week turn-around time out of the Division of State Architect and the Plans were presented there around December 26th-27th.

Smith: Absent.

Strack: Mayor Strack asked for a report on Rodger's Theater; Building Official Terry Hoofard stated that Councilor Cardenas has been there digging and cleaning, Tom Watson has stated he would volunteer one day and another individual has also offered to volunteer. Things are moving along.

Mayor Strack stated that we have a public hearing scheduled for the garbage rate increase and would like something added for removal of residential garbage cans from streets – gutters following garbage pickup.

Councilor Linnet stated that there are free lemons from his tree on the table; and Councilor Dickison asked about potholes on the Solano Street overpass. Public Works Director Patrick Walker stated that work is scheduled for next year, however we can check on this.

N. ADJOURNMENT!: 6:48 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: January 21, 2015

SUBJECT: Cash Disbursement Detail Report for the
Tuesday January 27, 2015 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 01-16-15	\$ 85,516.65
B.	Cash Disbursements	Ending 01-21-15	\$ 35,026.37

GRAND TOTAL \$ 120,543.02

REPORT.: Jan 16 15 Friday
 RUN.: Jan 16 15 Time: 11.39
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 01-15 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
019707	01/08/15	PAT02	PATTERSON ELECTRIC, INC.	65.00	.00	65.00	3719	WELL REPAIRS-WATER IMPROV
019708	01/13/15	DIA04	DIAZ ASSOCIATES	2175.00	.00	2175.00	123104-03	GEN PLAN UPDATE-PLANNING
019709	01/15/15	ACC00	ACCESS INFORMATION MANAGE	114.32	.00	114.32	0862941	EQUIP MAINT-GEN CITY
019710	01/15/15	BAK01	BAKER AND TAYLOR	42.22	.00	42.22	501343087	Books/Periodic. Library
019711	01/15/15	BAS01	BASIC LABORATORY, INC	126.00	.00	126.00	1500212	ProfServices Water Dept
019712	01/15/15	BIC01	BICKLEY'S AIR CONDITIONIN	86.00	.00	86.00	00027890	BLD MAINT-ACO
019713	01/15/15	CAL35	CALIFORNIA BUILDING STAND	73.80	.00	73.80	15-0113	SB 1473-BLD & SAFETY
019714	01/15/15	CAR12	CARREL'S OFFICE MACHINES	7.18	.00	7.18	131171	MAT & SUPPLIES-LIBRARY
019715	01/15/15	CAR13	CAROLLO ENGINEERS, INC.	2496.25	.00	2496.25	139143	MIXING ZONE STUDY-WWTP
019716	01/15/15	COR11	CORNING SAFE & LOCK	5.38	.00	5.38	4472	MAT & SUPPLIES-BLD MAINT
019717	01/15/15	DEP12	DEPT OF JUSTICE	84.00	.00	84.00	074206	PROF SVCS-POLICE
019718	01/15/15	DIS01	DISCOUNT DISPOSABLES	92.41	.00	92.41	125179	SAFETY ITEMS-POLICE
019719	01/15/15	GRA02	GRAINGER, W.W., INC	62.12	.00	62.12	963268317	MAT & SUPPLIES-STR
019720	01/15/15	HOL04	HOLIDAY MARKET #32	17.78	.00	17.78	248321301	MAT & SUPPLIES-FINANCE
019721	01/15/15	ICM02	ICMA MEMBERSHIP RENEWALS	883.73	.00	883.73	433117A	ASSOC DUES-CITY ADMIN
019722	01/15/15	JAC02	JACOBUS, BOB	60.31	.00	60.31	010815240	MAT & SUPPLIES-
019723	01/15/15	KNI00	KNIFE RIVER CONSTRUCTION	668.11	.00	668.11	155042	MAT & SUPPLIES-STR
019724	01/15/15	MGT00	MGT OF AMERICA, INC.	750.00	.00	750.00	26078	PROF SVCS-GEN CITY
019725	01/15/15	MOR02	RAY MORGAN COMPANY	543.48	.00	543.48	813769	COMMUNICATIONS-
019726	01/15/15	OGD00	OGDEN INVESTIGATIONS	639.00	.00	639.00	150108	PROF SVCS-DISPATCH
019727	01/15/15	PIT03	PITNEY BOWES, INC	182.72	.00	182.72	370869	MAT & SUPPLIES-
019728	01/15/15	SEV00	SEVERN TRENT ENVIRONMENTA	51507.69	.00	51507.69	2077042	PRETREATMENT PROGRAM-
019729	01/15/15	WAL05	SERGE V. DANA, D.V.M.	249.73	.00	249.73	269980	MAT & SUPPLIES-ACO
019730	01/15/15	WHI03	WHITE, JEREMY D.	949.20	.00	949.20	150114	TRAINING/ED-POLICE
019731	01/15/15	XER00	XEROX CORPORATION	90.43	.00	90.43	077633573	EQUIP MAINT-POLICE

REPORT: Jan 16 15 Friday
 RUN: Jan 16 15 Time: 11:39
 Run By: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 01-15 Bank Account: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
019732	01/16/15	BAS01	BASIC LABORATORY, INC	126.00	.00	126.00	1500496	ProfServices Water Dept
019733	01/16/15	BEN03	LEXISNEXIS MATTHEW BENDER	88.24	.00	88.24	67846513	BOOKS/PERIODICS-LIBRARY
019734	01/16/15	COM06	COMCAST	26.91	.00	26.91	150109	COMMUNICATIONS-PW ADMIN
019735	01/16/15	DIV02	DIVISION OF STATE ARCHITE	8.40	.00	8.40	150115	PROF SVCS-FINANCE
019736	01/16/15	FOO01	FOOTHILL READY MIX	1129.46	.00	1129.46	1501052	EQUIP REPLAC-FIRE CAP REP
019737	01/16/15	HOL04	HOLIDAY MARKET #32	42.59	.00	42.59	43321101/	MAT & SUPPLIES-
019738	01/16/15	KNI00	KNIFE RIVER CONSTRUCTION	1596.38	.00	1596.38	155533	MAT & SUPPLIES-STR
019739	01/16/15	PGE01	PG&E	18538.95	.00	18538.95	150112	Electricity General City-
019740	01/16/15	TEH28	TEHAMA CO HEALTH AGENCY	236.93	.00	236.93	2015-01/0	HEALTH DEPT SVCS-
019741	01/16/15	UNI02	UNIFORMS, TUXEDOS & MORE	307.13	.00	307.13	133993	UNIFORMS/CLOTH-POLICE
019742	01/16/15	WAL08	WALBERG INC.	1060.00	.00	1060.00	0106	CLEANING CONTRACT-STR
019743	01/16/15	WAR05	WARREN, DANA KARL	383.80	.00	383.80	150115	REC INSTRUCTOR-REC

Cash Account Total.....: 85516.65
 Total Disbursements.....: 85516.65
 =====

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
019744	01/19/15	EX000	EXOTIC CAR AUDIO OR	3736.95	.00	3736.95	A 40427	VEH REPL PROGRAM-POLICE
019745	01/19/15	TRE00	TRENT CONSTRUCTION INC.	24993.34	.00	24993.34	15-0119	PROP 84 PHASE 2 CONSTR-PA
019746	01/21/15	AIR00	AIRGAS USA, LLC	64.44	.00	64.44	992402839	MAT & SUPPLIES-FIRE
019747	01/21/15	AME20	AMERICAN WEST BANK	25.00	.00	25.00	150209	OFFICE SUPPLIES-POLICE
019748	01/21/15	ATT13	AT&T	737.97	.00	737.97	150111	COMMUNICATIONS-DISPATCH
019749	01/21/15	COR09	CORNING CHAMBER OF COMM.	4000.00	.00	4000.00	2015/01-2	CngChamberComm. Economic
019750	01/21/15	COR11	CORNING SAFE & LOCK	4.84	.00	4.84	4481	BLD MAINT-TRANS FAC
019751	01/21/15	DEP03	DEPT OF TRANS/CAL TRANS	217.72	.00	217.72	SL150390	Equip.Maint. St&Trf Light
019752	01/21/15	DEP12	DEPT OF JUSTICE	70.00	.00	70.00	078822	PROF SVCS-POLICE
019753	01/21/15	FED01	FEDERAL EXPRESS	19.93	.00	19.93	2-909-954	MAT & SUPPLIES-STR
019754	01/21/15	GRA02	GRAINGER, W.W., INC	73.53	.00	73.53	963889346	MAT & SUPPLIES-PARKS
				26.14	.00	26.14	964127887	BLD MAINT-TRANS FAC
			Check Total.....	99.67	.00	99.67		
019755	01/21/15	HOL04	HOLIDAY MARKET #32	249.94	.00	249.94	22321301/	MAT & SUPPLIES-COUNCIL
019756	01/21/15	JAC02	JACOBUS, BOB	25.85	.00	25.85	011515244	SMALL TOOLS-MECH MAINT
019757	01/21/15	NOR18	NORTH VALLEY DISTRIBUTING	193.95	.00	193.95	S11716930	THEATRE FLOORING-RODGERS
019758	01/21/15	NOR31	NORM'S PRINTING	95.22	.00	95.22	014666	OFFICE SUPPLIES-FINANCE
019759	01/21/15	NOR42	NORMAC	23.80	.00	23.80	618112	MAT & SUPPLIES-PARKS
019760	01/21/15	OFF01	OFFICE DEPOT	184.22	.00	184.22	749336126	Office Supplies PoliceDis
				8.56	.00	8.56	749336217	Office Supplies PoliceDis
			Check Total.....	192.78	.00	192.78		
019761	01/21/15	PON10	PONCI'S WELDING	16.66	.00	16.66	60429	MAT & SUPPLIES-PARKS
019762	01/21/15	COR11	CORNING SAFE & LOCK	73.54	.00	73.54	4479	MAT & SUPPLIES-PARKS
019763	01/21/15	TOM04	TOM'S APPLIANCE	184.77	.00	184.77	0339	BLD MAINT-AIRPORT

Cash Account Total.....: 35026.37
 Total Disbursements.....: 35026.37

Date.: Jan 21, 2015
Time.: 3:10 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
BARDO RAMIREZ ROOFIN	1324 BERGGREY WAY	SACRAMENTO, CA 95815	RAMIREZ	BAROMIA	01/14/15	(916)459-0416
SPOT FREE CLEANING	250 TOOMES AVE. #106	CORNING, CA 96021	MERAS	LAURA	01/14/15	(530)717-7825

Item No.: G-5

**ITEM NO.: I-6
PUBLIC HEARING, SECOND READING
AND PROPOSED ADOPTION OF
ORDINANCE NO. 658, AN ORDINANCE
UPDATING BUILDING CODES FOR THE
CITY OF CORNING**

January 27, 2015

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JOHN BREWER, AICP, CITY MANAGER
TERRY HOOFARD, BUILDING OFFICIAL
JODY BURGESS, CITY ATTORNEY



SUMMARY:

The City of Corning has adopted State-wide Uniform Building Codes for many years to regulate the construction and remodeling of buildings and structures within the City of Corning. These Codes have been updated at the State level and the new Codes now need to be adopted by the City of Corning. This needs to be done every few years as the State Codes are modified and new Codes come into existence to deal with current conditions.

This public hearing to receive comments on the proposed Ordinance 658, an Ordinance updating the City's Building Codes to include portions of the 2012 and 2013 Editions of various Codes adopted by the State of California is being conducted prior to the possible adoption of said Ordinance.

BACKGROUND:

The current Uniform Building Codes (the 2010 editions adopted by the City in 2011) need to be replaced by the new Codes adopted by the State of California. These include the 2013 Editions of:

California Building Standards Administrative Code, California Building Code and Appendices, California Residential Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Building Code, California Fire Code, California Existing Building Code, California Green Building Standards Code and the California Referenced Standards Code.

The 2012 Edition of the Uniform Swimming Pool, Spa and Hot Tub Code and the 2012 Edition of the Uniform Solar Energy and Hydronics Code also need to be adopted.

This Ordinance would leave the previously adopted editions of the Uniform Code for Abatement of Dangerous Buildings and the Uniform Housing Code still in effect without changes since more current editions of those two codes have not been adopted at the State level.

In 2011 we adopted two new Codes not previously applied in Corning. One was the California Residential Building Code and the other was the Green Building Standards Code. The California Residential Building Code applies to one and two family homes and townhouses, and includes the requirement for sprinkler systems which apply to all new construction, including residential construction. The California Green Standards Code implements mandatory measures aimed at curbing greenhouse emissions, energy conservation, water use and other environmental impacts of new construction. We are updating both of those Codes with this Ordinance.

For most of our City's history, the City was free to adopt its own codes regulating building and safety. The International Conference of Building Officials (ICBO), and later the International Code Council produced these Uniform Codes for adoption by Cities and Counties. At some point in our recent State history, the State of California took control of Code adoption and through State Health and Safety Code Section 17958 et. seq. mandate that Cities either adopt these Codes consistent with State Law, or submit to the regulations of the State's Department of Housing and Community Development on these subjects. Now the State of California Building Standards Commission reviews and proposes those changes to these Codes from time to time, and the State Legislature then implements those proposals by amending the Law. Cities and counties throughout the State then review and adopt by reference such updated Codes so that they will apply to their jurisdictions.

RECOMMENDATION:

MAYOR AND CITY COUNCIL, HAVING COMPLETED THE PUBLIC HEARING TO RECEIVE COMMENTS PRIOR TO TAKING ACTION:

- **MOVE TO ADOPT ORDINANCE NO. 658, AN ORDINANCE PROPOSING TO ADOPT THE CURRENT EDITIONS OF VARIOUS UNIFORM CODES; AND**
- **REQUEST THAT THE CITY CLERK PUBLISH ATTACHED ORDINANCE SUMMARY WITHIN 15 DAYS OF ADOPTION DATE AS REQUIRED BY LAW.**

ORDINANCE NO.: 658
SUMMARY OF ORDINANCE NO. 658
OF THE
CITY OF CORNING
ADOPTING BY REFERENCE THE 2013 EDITIONS
OF THE CALIFORNIA BUILDING STANDARDS CODES
AND RELATED CODES

INCORPORATING:

THE **CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE**, 2013 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA BUILDING CODE**, 2013 EDITION, BASED ON THE 2006 INTERNATIONAL BUILDING CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA RESIDENTIAL BUILDING CODE**, 2013 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA ELECTRICAL CODE**, 2013 EDITION, BASED ON THE 2005 EDITION OF THE NATIONAL ELECTRICAL CODE PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA MECHANICAL CODE**, 2013 EDITION, BASED ON THE 2006 UNIFORM MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA PLUMBING CODE**, 2013 EDITION, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, AND PART 5, PLUMBING CODE SUPPLEMENT, EFFECTIVE DECEMBER 7, 2013,

THE **CALIFORNIA ENERGY CODE**, 2013 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA HISTORICAL BUILDING CODE**, 2013 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA FIRE CODE**, 2013 EDITION, BASED ON THE 2006 INTERNATIONAL FIRE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA EXISTING BUILDINGS CODE**, BASED ON APPENDIX CHAPTER A1 OF THE 2006 INTERNATIONAL EXISTING BUILDING CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA GREEN BUILDING STANDARDS CODE**, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA REFERENCED STANDARDS CODE, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

AMENDING AND SUPPLEMENTING THOSE PORTIONS OF CALIFORNIA CODE OF REGULATIONS, TITLE 24 AS IDENTIFIED HEREIN,

AND ADOPTING ADMINISTRATIVE AND NON-BUILDING REGULATIONS CONTAINED IN THE ABOVE REFERENCED CODES

AND ADOPTING THE 2012 EDITION OF THE UNIFORM SWIMMING POOL, SPA & HOT TUB CODE AND 2012 EDITION OF THE UNIFORM SOLAR ENERGY AND HYDRONICS CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS (IAPMO).

COUNCIL DATE TO CONSIDER ADOPTION

The Ordinance proposing the adoption of these codes was introduced at a regular meeting of the City Council of the City of Corning on January 13, 2015, and will be considered for adoption following a public hearing to receive comments on the proposed Ordinance at a regular meeting of the City Council of the City of Corning to be held on January 27, 2015.

Lisa M. Linnet, City Clerk

**Published: Wednesday, January 21, 2015
Lisa M. Linnet, City Clerk**

ORDINANCE NO. 658

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF CORNING
ADOPTING BY REFERENCE THE 2013 EDITIONS
OF THE CALIFORNIA BUILDING STANDARDS CODES, KNOWN AS THE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, AND THE UNIFORM SWIMMING
POOL, SPA AND HOT TUB CODE AND THE UNIFORM SOLAR ENERGY &
HYDRONICS CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF
PLUMBING AND MECHANICAL OFFICIALS**

INCORPORATING:

THE CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, 2013 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, IN PART 1, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CALIFORNIA BUILDING CODE and Appendices, 2013 EDITION, BASED ON THE MOST CURRENT EDITION OF THE INTERNATIONAL BUILDING CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 2, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CALIFORNIA RESIDENTIAL BUILDING CODE, 2013 EDITION, BASED ON THE MOST CURRENT EDITION OF THE INTERNATIONAL RESIDENTIAL BUILDING CODE AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 2.5, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CALIFORNIA ELECTRICAL CODE, 2013 EDITION, BASED ON THE MOST CURRENT EDITION OF THE NATIONAL ELECTRICAL CODE PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 3, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CALIFORNIA MECHANICAL CODE, 2013 EDITION, BASED ON THE MOST CURRENT EDITION OF THE UNIFORM MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 4, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CALIFORNIA PLUMBING CODE, 2013 EDITION, BASED ON THE MOST CURRENT EDITION OF THE UNIFORM PLUMBING CODE, AS PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS AND AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 5, TITLE 24, PLUMBING CODE SUPPLEMENT, EFFECTIVE DECEMBER 7, 2013,

THE CALIFORNIA ENERGY CODE, 2013 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 6, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE CALIFORNIA HISTORICAL BUILDING CODE, 2013 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 8, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE **CALIFORNIA FIRE CODE**, 2013 EDITION, BASED ON THE MOST CURRENT EDITION OF THE INTERNATIONAL FIRE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE **CALIFORNIA EXISTING BUILDINGS CODE**, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 10, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE **CALIFORNIA GREEN BUILDING STANDARDS CODE**, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 11, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

THE **CALIFORNIA REFERENCED STANDARDS CODE**, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION IN PART 12, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

AMENDING AND SUPPLEMENTING THOSE PORTIONS OF CALIFORNIA CODE OF REGULATIONS, TITLE 24 AS IDENTIFIED HEREIN,

AND ADOPTING ADMINISTRATIVE AND NON-BUILDING REGULATIONS CONTAINED IN THE ABOVE REFERENCED CODES

AND ADOPTING THE 2012 EDITION OF THE UNIFORM SWIMMING POOL, SPA & HOT TUB CODE AND 2012 EDITION OF THE UNIFORM SOLAR ENERGY AND HYDRONICS CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS (IAPMO).

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

SECTION 1 – PURPOSE AND AUTHORITY

The purpose of this Ordinance is to adopt by reference the 2013 editions of the California Building Standards Codes, Title 24 of the California Code of Regulations, and various rulemakings of the California Building Standards Commission in its 2014 meetings, subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The purpose of this Ordinance is also to adopt by reference two uniform codes published by the International Association of Plumbing and Mechanical Officials. This Ordinance is adopted under the authority of California Government Code Section 50022.2 and California Health and Safety Code Section 18941.5.

SECTION 2 – TECHNICAL CODES

Section 15.08.040 of Chapter 15 of the Corning Municipal Code is amended to read as set forth below, but retaining the language contained in subparts M and N (**Uniform Housing Code, 1997 Edition, and Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition**) of Ordinance 647, adopted October 25, 2011:

15.08.040 Adoption of Uniform Codes.

The following publications are hereby adopted by reference and incorporated into this Code, except as expressly amended or superceded by the provisions of this Chapter.

- A.** The 2013 Edition of the **California Building Standards Administrative Code** as published by the International Code Council, and as adopted by the California Building Standards Commission, Part 1, Title 24 of the California Code of Regulations.

- B. The 2013 Edition of the **California Building Code and Appendices**, based upon the most current Edition of the International Building Code and Appendices, as published by the International Conference of Building Officials, as amended and adopted by the California Building Standards Commission in the California Building Code, Part 2, Title 24 of the California Code of Regulations.
- C. The 2013 Edition of the **California Residential Building Code**, based on the most current edition of the International Residential Building Code as published by the International Conference of Building Officials, as amended and adopted by the California Building Standards Commission in the California Building Standards Code, Part 2, Title 24 of the California Code of Regulations.
- D. The 2013 Edition of the **California Electrical Code**, based upon the most current Edition of the National Electric Code, as published by the National Fire Protection Association, as adopted by the California Building Standards Commission in Part 3, Title 24 of the California Code of Regulations.
- E. The 2013 Edition of the **California Mechanical Code**, based upon the most current edition of the Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted by the California Building Standards Commission in Part 4, Title 24 of the California Code of Regulations.
- F. The 2013 Edition of the **California Plumbing Code**, based upon the most current edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted by the California Building Standards Commission in Part 5, Title 24 of the California Code of Regulations and Part 5, Plumbing Code Supplement effective December 7, 2013,
- G. The 2013 Edition of the **California Energy Code**, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 6, Title 24 of the California Code of Regulations.
- H. The 2013 Edition of the **California Historical Building Code**, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 8, Title 24 of the California Code of Regulations.
- I. The 2013 Edition of the **California Fire Code**, based on the most current edition of the International Fire Code as published by the International Code Council as amended and adopted by the California Building Standards Commission.
- J. The 2013 Edition of the **California Existing Buildings Code**, as published by the International Code Council, as amended and adopted by the California Building Standards Commission in the California Building Standards Code in Part 10, Title 24 of the California Code of Regulations.
- K. The 2013 Edition of the **California Green Building Standards Code**, as published by the International Code Council, as amended and adopted by the California Building Standards Commission in the California Building Standards Code in Part 11, Title 24 of the California Code of Regulations.
- L. The 2013 Edition of the **California Referenced Standards Code**, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 12, Title 24 of the California Code of Regulations.
- M. **Changes and Supplements to the foregoing Codes:** Changes and Supplements to Title 24 of the California Building Standards Code during meetings of the California Building Standards Commission (CBSC) during its July 22, 2014 and October 21, 2014 meetings are hereby incorporated into the Corning Municipal Code, those changes being to:

- Part 1 California Administrative Code
- Part 2 California Building Code, Volumes 1 and 2
- Part 2.5 California Residential Code
- Part 3 California Electrical Code
- Part 5 California Plumbing Code
- Part 9 California Fire Code
- Part 11 California Green Building Standards Code (CALGreen)

And the effective dates thereof shall be according to the statewide effective date for rulemakings approved by CBSC (July 1, 2015 for the majority of the rulemakings approved by the CBSC at the two identified meetings) pursuant to Health and Safety Code 18938(c) subject to the exceptions provided for the administrative provisions of Part 1 and the changes which are without regulatory effect, both of which came into effect in 2014 per directives of the CBSC,

N. Uniform Codes Published by the International Association of Plumbing and Mechanical Officials (IAPMO): The following Uniform Codes published by the IAPMO: (1) 2012 Edition of the **Uniform Swimming Pool, Spa and Hot Tub Code**; and (2) 2012 Edition of the **Uniform Solar Energy and Hydronics Code**.

SECTION 3 – FILING OF FINDINGS

The City Clerk is hereby directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California if required by law.

SECTION 4 – EFFECTIVE DATE AND SUMMARY PUBLICATION

This Ordinance shall take effect February 28, 2015, after its adoption and pursuant to its publication in summary format prior to adoption and within fifteen days after its adoption in the *Corning Observer*, a newspaper of general circulation published and circulated in the City of Corning.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning on January 13, 2015, and adopted following a public hearing to receive comments at a regular meeting of the City Council of the City of Corning held on January 27, 2015, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

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

I, Lisa M. Linnet, City Clerk of the City of Corning do hereby certify that the foregoing is a true and correct copy of Ordinance No. 658. This Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **January 13, 2015**, and was adopted at a regular meeting of the City Council of the City of Corning held on **January 27, 2015**. Ordinance No. 658 was published in a newspaper of general circulation within the required legal time lines.

ATTEST:

LISA M. LINNET, CITY CLERK

**ITEM NO.: J-7
APPROVE PARTIAL PAYMENT REQUEST
NO. 7 RELEASING PARTIAL RETENTION
FUNDS IN THE AMOUNT OF \$54,595.73 FOR
THE CORNING COMMUNITY PARK, PHASE
TWO PROJECT TO TRENT CONSTRUCTION**

JANUARY 27, 2015

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

**FROM: JOHN L. BREWER, AICP; CITY MANAGER *JB*
PATRICK WALKER, DIRECTOR OF PUBLIC WORKS *PW*
ED ANDERSON, CITY ENGINEER *EA***

SUMMARY:

Construction of Phase 2 of the new Corning Community Park Project is now complete. All that is remaining is the 120-day maintenance period which began on December 10th and will finish on April 8, 2015. Contractor Kendel Trent has requested partial release of the project retention. Mr. Trent has also provided a letter confirming responsibility for the remaining maintenance period. Staff recommends the City Council approve the attached Partial Payment Request No. 7 releasing partial retention funds in the amount of \$54,595.73. Final retention funds will be eligible for release once the 120-day maintenance period has been satisfied. Final retention funds will total \$452 which is 5% of the \$9,040 (Contract Bid Item #LS-7) charge for the post-construction maintenance period. Partial Pay Estimate No. 7 is attached for Council review and approval.

Original Contract:	\$997,955.52
Contract Change Orders:	<u>\$102,999.11</u>
Total Revised Contract:	\$1,100,954.63

Previous Payments:	\$1,039,465.90
Contract Retention (5%):	\$54,595.73
Maintenance Retention (5%):	\$113.00
Remaining Maintenance:	<u>\$6,780.00</u>
Total Contract Amount:	\$1,100,954.63

BACKGROUND:

Trent Construction was the prime contractor for Phase 1 of the Corning Community Project. Phase 1 consisted of the skate and bike area, the gazebo, playground and multi-use court located at 1485 Toomes Avenue, Corning. Phase 1 was accepted by the City as complete on March 25, 2014 and was completed at a total cost of \$1,898,624.68.

Phase 2 of the new park project was awarded to Trent Construction at the June 24, 2014 City Council Meeting. Phase two will primarily include the construction of 2 soccer fields, a footbridge, parking lot, restrooms with a connecting concession stand located at 1624 Houghton Avenue, Corning.

A Notice of Substantial Completion was filed with the Tehama County Clerk's office on December 10, 2014. The 120-day maintenance period is now in progress.

RECOMMENDATION:

Mayor and Council Approve Partial Payment Request No. 7; Releasing Partial Retention Funds in the amount of \$54,595.73 to Kendel Trent Construction for Phase 2 of the Corning Community Park Project.

TRENT CONSTRUCTION

8270 Truckee Avenue
Gerber, CA. 96035
PHONE: 530-385-1778
FAX: 530-385-1421
Email: trentconst@yahoo.com

January 21, 2015

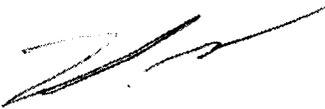
City of Corning
794 Third Street
Corning, CA. 96021

Attn.: Patrick Walker

Patrick,

Trent Construction will accept the responsibility of the landscape contractor (Sierra Landscape & Maintenance) in the event that they do not complete their work through the maintenance period. After the maintenance period is complete our responsibility will end.

Sincerely,
Kendel Trent



PARTIAL PAYMENT ESTIMATE

Corning Community Park Project, Phase 2

Progress Payment Estimate No. 7

OWNER:

City of Corning

CONTRACTOR:

Trent Construction, Gerber, CA

PERIOD OF ESTIMATE:

From: 1/1/15 through 1/12/15

CONTRACT CHANGE ORDER SUMMARY**ESTIMATE**

No.	Approval Date	Amount			
		Additions	Deductions		
				1. Original Contract	\$997,955.52
				2. Change Orders	\$102,999.11
				3. Revised Contract (1+2)	\$1,100,954.63
				4. Work Completed	\$1,094,174.63
				5. Stored Materials	\$0.00
				6. Subtotal (4+5)	\$1,094,174.63
				7. Retainage5%	\$113.00
				8. Previous Payments	\$1,039,465.90
				9. Amount Due (6-7-8)	\$54,595.73
				NET CHANGE	\$102,999.11

CONTRACT TIMEOriginal (days) 270

Revised:

Remaining: 80On Schedule Yes NoStarting Date: 7/7/2014Projected Completion: 4/2/2015**CONTRACTOR'S CERTIFICATION:**

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.

ENGINEER'S CERTIFICATION:

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

Contractor: _____

By: Trent Construction

Date _____

City Engineer: _____

By: Ed Anderson

Date: _____

APPROVED BY OWNER:

Owner _____

By: John L. Brewer, AICP; City Manager

Date _____

Progress Estimate #7

Owner: City of Corning		Period Covered: 1/1/15 - 1/12/15										
Contractor: Trent Construction, Gerber, CA												
Bid Item No.	Item Description	Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Stored Materials	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish	
LS-1	Finish Grade	1	\$55,652.50	\$55,652.50		1.00		\$0.00	\$55,652.50	100.0%	\$0.00	
LS-2	Irrigation System	1	\$84,750.00	\$84,750.00		1.00		\$0.00	\$84,750.00	100.0%	\$0.00	
LS-3	Plantings	1	\$45,200.00	\$45,200.00		1.00		\$0.00	\$45,200.00	100.0%	\$0.00	
LS-4	Bark	1	\$8,373.30	\$8,373.30		1.00		\$0.00	\$8,373.30	100.0%	\$0.00	
LS-5	Hydro Seed	1	\$22,816.96	\$22,816.96		1.00		\$0.00	\$22,816.96	100.0%	\$0.00	
LS-6	Top Soil	1	\$610.20	\$610.20		1.00		\$0.00	\$610.20	100.0%	\$0.00	
LS-7	120 Day Maint	1	\$9,040.00	\$9,040.00		0.25		\$0.00	\$2,260.00	25.0%	\$6,780.00	
Add-1	Entrance Sign	1	\$10,388.94	\$10,388.94		1.00		\$0.00	\$10,388.94	100.0%	\$0.00	
Add-2	Type B Bollards	7	\$1,399.58	\$9,797.06		7.00		\$0.00	\$9,797.06	100.0%	\$0.00	
Add-3	Drinking Fountain	1	\$3,778.72	\$3,778.72		1.00		\$0.00	\$3,778.72	100.0%	\$0.00	
Add-4	BBQ	2	\$254.25	\$508.50		2.00		\$0.00	\$508.50	100.0%	\$0.00	
Add-5	Bench	6	\$56.50	\$339.00		6.00		\$0.00	\$339.00	100.0%	\$0.00	
Add-6	Picnic Table	6	\$232.59	\$1,395.54		6.00		\$0.00	\$1,395.54	100.0%	\$0.00	
Add-7	Trash Receptacle	3	\$113.00	\$339.00		3.00		\$0.00	\$339.00	100.0%	\$0.00	
Add-8	Bike Rack	1	\$1,440.75	\$1,440.75		1.00		\$0.00	\$1,440.75	100.0%	\$0.00	
Add-9	Closeout Docs	1	\$6,780.00	\$6,780.00		1.00		\$0.00	\$6,780.00	100.0%	\$0.00	
C-1	Demo	1	\$13,218.74	\$13,218.74		1.00		\$0.00	\$13,218.74	100.0%	\$0.00	
C-2	Clearing/Grubbing	1	\$26,764.05	\$26,764.05		1.00		\$0.00	\$26,764.05	100.0%	\$0.00	
C-3	Storm Drain Catch	14	\$1,154.20	\$16,158.80		14.00		\$0.00	\$16,158.80	100.0%	\$0.00	
C-4	Catch Basin	2	\$1,992.76	\$3,985.52		2.00		\$0.00	\$3,985.52	100.0%	\$0.00	
C-5	8" Storm Drain	340	\$17.67	\$6,007.80		340.00		\$0.00	\$6,007.80	100.0%	\$0.00	
C-6	12" Storm Drain	273	\$22.31	\$6,090.63		273.00		\$0.00	\$6,090.63	100.0%	\$0.00	
C-8	48" Manhole	1	\$5,198.00	\$5,198.00		1.00		\$0.00	\$5,198.00	100.0%	\$0.00	
C-9	Sewer Lateral	30	\$28.88	\$866.40		30.00		\$0.00	\$866.40	100.0%	\$0.00	
C-10	Cleanout	1	\$1,130.00	\$1,130.00		1.00		\$0.00	\$1,130.00	100.0%	\$0.00	
C-11	Sidewalk	3550	\$5.25	\$18,637.50		3550.00		\$0.00	\$18,637.50	100.0%	\$0.00	

Corning Community Park Project, Phase 2
 1624 Houghton Ave., Corning, CA 96021

C-12	4" Concrete	11993	\$4.21	\$50,490.53		11993.00		\$0.00	\$50,490.53	100.0%	\$0.00
C-13	Remove Pathway	557	\$0.61	\$339.77		557.00		\$0.00	\$339.77	100.0%	\$0.00
C-14	Waterline/Restroom	275	\$12.28	\$3,377.00		275		\$0.00	\$3,377.00	100.0%	\$0.00
C-15	Waterline/Fountain	10	\$37.29	\$372.90		10.00		\$0.00	\$372.90	100.0%	\$0.00
C-16	Backflow Device	1	\$16,950.00	\$16,950.00		1.00		\$0.00	\$16,950.00	100.0%	\$0.00
C-17	Aggregate Base	17386	\$1.23	\$21,384.78		17386.00		\$0.00	\$21,384.78	100.0%	\$0.00
C-18	Parking Lot A/C	17386	\$1.53	\$26,600.58		17386.00		\$0.00	\$26,600.58	100.0%	\$0.00
C-19	Parking Lot Curb	874	\$18.10	\$15,819.40		874.00		\$0.00	\$15,819.40	100.0%	\$0.00
C-20	Stiping	645	\$3.11	\$2,005.95		645.00		\$0.00	\$2,005.95	100.0%	\$0.00
C-21	Arrows	8	\$135.60	\$1,084.80		8.00		\$0.00	\$1,084.80	100.0%	\$0.00
C-22	Access Symbol	2	\$327.70	\$655.40		2.00		\$0.00	\$655.40	100.0%	\$0.00
C-23	Parking Stall	2	\$395.50	\$791.00		2.00		\$0.00	\$791.00	100.0%	\$0.00
C-24	Tow Away	2	\$406.80	\$813.60		2.00		\$0.00	\$813.60	100.0%	\$0.00
C-25	Parking Stall Slab	695	\$5.50	\$3,822.50		695.00		\$0.00	\$3,822.50	100.0%	\$0.00
C-26	Saw Cut	585	\$1.98	\$1,158.30		585.00		\$0.00	\$1,158.30	100.0%	\$0.00
C-27	Aggregate Base	3301	\$3.70	\$12,213.70		3301.00		\$0.00	\$12,213.70	100.0%	\$0.00
C-28	Houghton Ave A/C	3301	\$1.53	\$5,050.53		3301		\$0.00	\$5,050.53	100.0%	\$0.00
C-29	Install Curb & Gutter	500	\$22.05	\$11,025.00		500		\$0.00	\$11,025.00	100.0%	\$0.00
C-30	Demo Curb & Gutter	10	\$11.30	\$113.00		10.00		\$0.00	\$113.00	100.0%	\$0.00
C-31	Drop Inlet	2	\$2,542.50	\$5,085.00		2.00		\$0.00	\$5,085.00	100.0%	\$0.00
C-32	Valley Gutter	288	\$16.18	\$4,659.84		288.00		\$0.00	\$4,659.84	100.0%	\$0.00
C-33	Ped Ramp	2	\$1,446.40	\$2,892.80		2.00		\$0.00	\$2,892.80	100.0%	\$0.00
C-34	STOP Legend	1	\$1,017.00	\$1,017.00		1.00		\$0.00	\$1,017.00	100.0%	\$0.00
C-38	Traffic Control	1	\$1,130.00	\$1,130.00		1.00		\$0.00	\$1,130.00	100.0%	\$0.00
C-39	Driveway	120	\$20.41	\$2,449.20		120.00		\$0.00	\$2,449.20	100.0%	\$0.00
C-40	C&G on Fig	278	\$24.69	\$6,863.82		278.00		\$0.00	\$6,863.82	100.0%	\$0.00
C-41	C&G at Driveway	36	\$30.00	\$1,080.00		36.00		\$0.00	\$1,080.00	100.0%	\$0.00
C-42	C&G painted red	25	\$25.36	\$634.00		25.00		\$0.00	\$634.00	100.0%	\$0.00
C-43	Base Rock on Fig	3417	\$1.99	\$6,799.83		3417.00		\$0.00	\$6,799.83	100.0%	\$0.00
C-44	Fig Lane A/C	3417	\$1.53	\$5,228.01		3417.00		\$0.00	\$5,228.01	100.0%	\$0.00
C-45	Destroy Well	1	\$3,390.00	\$3,390.00		1.00		\$0.00	\$3,390.00	100.0%	\$0.00
C-46	6' Chain Link Fence	245	\$22.60	\$5,537.00		245.00		\$0.00	\$5,537.00	100.0%	\$0.00
C-47	4' Chain Link Fence	470	\$31.64	\$14,870.80		470.00		\$0.00	\$14,870.80	100.0%	\$0.00
C-48	Wood Fence	372	\$45.20	\$16,814.40		372		\$0.00	\$16,814.40	100.0%	\$0.00
C-49	Excavate Play Area	1	\$5,811.59	\$5,811.59		1.00		\$0.00	\$5,811.59	100.0%	\$0.00
C-50	Perimeter Curb	213	\$39.79	\$8,475.27		213		\$0.00	\$8,475.27	100.0%	\$0.00
C-51	H/cap Ramp Play Area	1	\$565.00	\$565.00		1.00		\$0.00	\$565.00	100.0%	\$0.00

Corning Community Park Project, Phase 2
 1624 Houghton Ave., Corning, CA 96021

C-52	Electrical Service	1	\$14,814.30	\$14,814.30		1.00		\$0.00	\$14,814.30	100.0%	\$0.00
C-53	Footings Solar Lights 24" Pole	8	\$1,754.04	\$14,032.32		8.00		\$0.00	\$14,032.32	100.0%	\$0.00
C-54	Footings Solar Lights 16' Pole	5	\$1,671.27	\$8,356.35		5.00		\$0.00	\$8,356.35	100.0%	\$0.00
C-55	Excavate & Dispose of Materials	1	\$91,132.24	\$91,132.24		1.00		\$0.00	\$91,132.24	100.0%	\$0.00
C-56	Footings Foot Bridge	2	\$4,124.50	\$8,249.00		2		\$0.00	\$8,249.00	100.0%	\$0.00
C-57	Fill Material Foot Br.	1	\$12,995.00	\$12,995.00		1		\$0.00	\$12,995.00	100.0%	\$0.00
C-58	Trash Enclosure	1	\$11,526.00	\$11,526.00		1.00		\$0.00	\$11,526.00	100.0%	\$0.00
C-59	Elec Plan Sheet C10	1	\$5,118.90	\$5,118.90		1.00		\$0.00	\$5,118.90	100.0%	\$0.00
C-60	Elec Sub Panel	1	\$5,453.38	\$5,453.38		1.00		\$0.00	\$5,453.38	100.0%	\$0.00
C-61	Elec Conduit	140	\$17.98	\$2,517.20		140		\$0.00	\$2,517.20	100.0%	\$0.00
C-62	Booster Pump	1	\$1,130.00	\$1,130.00		1.00		\$0.00	\$1,130.00	100.0%	\$0.00
C-63	Musco Sports Light	1	\$44,762.69	\$44,762.69		1.00		\$0.00	\$44,762.69	100.0%	\$0.00
C-64	Constuction Staking	1	\$11,300.00	\$11,300.00		1.00		\$0.00	\$11,300.00	100.0%	\$0.00
C-65	SWPPP	1	\$3,390.00	\$3,390.00		1.00		\$0.00	\$3,390.00	100.0%	\$0.00
C-Alt-1	Constr. Restroom	1	\$101,834.47	\$101,834.47		1		\$0.00	\$101,834.47	100.0%	\$0.00
C-Alt-2	Install 12" perforated pipe vs Infiltrator pipe	1122	\$30.93	\$34,703.46		1122.00		\$0.00	\$34,703.46	100.0%	\$0.00
CCO 1-1	Construct Concession	1	\$39,951.00	\$39,951.00		1.00		\$0.00	\$39,951.00	100.0%	\$0.00
CCO 1.2	Increase Conduit	1	\$253.00	\$253.00		1.00		\$0.00	\$253.00	100.0%	\$0.00
CCO 1.3	Remove Gravel/Grade	1	\$7,825.75	\$7,825.75		1.00		\$0.00	\$7,825.75	100.0%	\$0.00
CCO 2-1	Destroy Additional Well	1	\$3,740.00	\$3,740.00		1.00		\$0.00	\$3,740.00	100.0%	\$0.00
CCO 2-2	Remove Gravel	1	\$2,081.50	\$2,081.50		1.00		\$0.00	\$2,081.50	100.0%	\$0.00
CCO 3-1	Additional Rebar	1	\$973.48	\$973.48		1.00		\$0.00	\$973.48	100.0%	\$0.00
CCO 3-2	Irrigation Controller	1	\$0.00	\$0.00				\$0.00	\$0.00	#DIV/0!	\$0.00
CCO 3-3	Irrigation Valves	1	\$3,019.42	\$3,019.42		1.00		\$0.00	\$3,019.42	100.0%	\$0.00

Corning Community Park Project, Phase 2
 1624 Houghton Ave., Corning, CA 96021

CCO 3-4	Sprinklers	1	\$2,697.46	\$2,697.46		1.00		\$0.00	\$2,697.46	100.0%	\$0.00
CCO 3-5	Install Stollens	1	\$951.42	\$951.42		1.00		\$0.00	\$951.42	100.0%	\$0.00
CCO 3-6	Base Rock in Playground	1	\$7,851.63	\$7,851.63		1.00		\$0.00	\$7,851.63	100.0%	\$0.00
CCO 3.7	Upgrade Transformer	1	\$2,432.00	\$2,432.00		1.00		\$0.00	\$2,432.00	100.0%	\$0.00
CCO 4.1	Add 2 yds Granite	1	\$2,651.96	\$2,651.96		1.00		\$0.00	\$2,651.96	100.0%	\$0.00
CCO 4.2	Furnish/Install 3yds DG	1	\$4,349.21	\$4,349.21		1.00		\$0.00	\$4,349.21	100.0%	\$0.00
CCO 4.3	Eradicate Rodents	1	\$172.50	\$172.50		1.00		\$0.00	\$172.50	100.0%	\$0.00
CCO 4.4	Hydro Seed	0	\$0.00	\$0.00		1.00		\$0.00	\$0.00	#DIV/0!	\$0.00
CCO 5.1	Dirt Mounds	1	\$3,174.00	\$3,174.00		1.00		\$0.00	\$3,174.00	100.0%	\$0.00
CCO 5.2	Solar Lights / Labor	1	\$1,554.78	\$1,554.78		1.00		\$0.00	\$1,554.78	100.0%	\$0.00
CCO 5.3	SWPPP	1	\$19,320.00	\$19,320.00		1.00		\$0.00	\$19,320.00	100.0%	\$0.00
				\$1,100,954.63	0.00			\$0.00	\$1,094,174.63	99.4%	\$6,780.00

Bid Value

Total Completed

Balance to finish

**ITEM NO: J-8
APPROVAL OF MEMORANDUM
OF UNDERSTANDING (MOU)
BETWEEN CORNING UNION HIGH
SCHOOL DISTRICT AND THE CITY
OF CORNING**

JANUARY 27, 2015

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: JOHN L. BREWER, CITY MANAGER JS
DONALD R. ATKINS, POLICE CHIEF

SUMMARY:

On September 13, 2013, following the submittal of the City's approved grant proposal known as the "*Everett Freeman Initiative*", the City of Corning was awarded a Bureau of Justice Assistance (BJA) Grant through the Byrne Criminal Justice Innovation Program (BCJI). The grant program was designed as a two-step process; the Planning Phase and the Implementation Phase. The first phase of the grant was completed and the second phase plan has been approved for implementation.

Part of the grant implementation plan includes funding counseling support services for students of Corning Union High School District (CUHSD). A Memorandum of Understanding (MOU) has been developed and approved by the City's Attorney that defines the Agreement between the City and CUHSD. Staff now seeks Council approval of the attached MOU between the CUHSD and the City.

BACKGROUND:

Approval of the Everett Freeman Initiative BCJI Grant on September 13, 2013 made the City eligible to receive \$999,320 over a 36-month period. The Grant has two project periods, the initial 15-month Planning Phase and the Implementation Phase. During the Planning Phase, which was completed in September 2014, the City had access to \$150,000. At the conclusion of the Planning Phase the City was required to submit to BJA a Project Proposal for review and approval.

On December 5, 2014, the City received BJA approval to advance to the Implementation Phase of the Grant and approval to extend the project period to the 36-month period. The City is currently awaiting approval for expenditure of the remaining grant funds.

In anticipation of funding being made available in the near future, the attached MOU between CUHSD and the City has been prepared to include review and input from the City Attorney. The MOU Agreement details the relationship and responsibilities between CUHSD and the City as it relates to the counseling support services for students provided through the use of grant funds. The MOU has been presented to, and approved by the CUHSD Board of Trustees.

FINANCIAL:

BCJI Grant Funds will be the funding source for the counseling support services.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE ATTACHED MOU BETWEEN CUHSD AND THE CITY FOR COUNSELING SUPPORT SERVICES AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT.

CITY OF CORNING
.794 Third Street
Corning, CA 96021

MEMORANDUM OF UNDERSTANDING

This Agreement is entered into by and between the **City of Corning**, herein called **THE CITY**, and **Corning Union High School District** herein called **CUHSD** for the provision of counseling support services to students in CUHSD schools through use of grant monies actually received by the City of Corning.

The term of this agreement is **January 1, 2015** through **September 30, 2015**.

A. THE CITY agrees to:

1. Pay CUHSD with monies actually received, on a timely basis, for counseling services provided up to and not exceeding \$125,000.

B. CUHSD agrees to:

1. Provide counseling support for its students during the term of the agreement.
2. Provide the services of California State licensed counselors who have earned Master Degrees and are qualified to serve in California public school districts.
3. Provide all necessary supervision and follow all State statutes pertaining to the counseling of youth and their families.
4. Require counselors to report to schools' administrative staff.
5. Require counselors to keep track of the number and type of student contacts and to submit the data on a monthly basis to the Center for Evaluation and Research, LLC.
6. Submit quarterly invoices to THE CITY.

Each party hereto agrees to hold harmless, defend and to indemnify the other party, its officers and employees, against liability for damages for death or bodily injury to persons, injury to property, or any other loss, damage, or expense arising from the negligence, willful misconduct or omission of the party which committed the act, and while acting under the terms and conditions of the Agreement.

This Agreement and the tasks contemplated herein do not form a joint venture nor shall this Agreement be interpreted in a manner to create such a joint venture. It is further acknowledged that Entity makes no representation and has no involvement as to the manner of counselling provided as set forth herein and/or the retention/engagement Counselors contemplated herein.

Either party not intending to continue or intending to revise this Agreement for the succeeding year shall give written notice of such intent no less than **thirty (30) days** in advance of the effective date of cancellation.

THE CITY and CUHSD reserve the right to modify or extend the terms of this contract by mutual agreement.

Should any action be brought to enforce any of the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees.

The parties acknowledge that this Agreement's performance is dependent upon the actual receipt of Grant funding. In the absence of such funding, this Agreement may be terminated and/or modified to provide such services pursuant to available funding.

Both parties as certified by the signatures below agree to the provisions of this agreement:

Gary R. Stack
Mayor, City of Corning



John Burch

Date

1-15-15

Date