



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, JUNE 11, 2013
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: 7:30 p.m.

B. ROLL CALL:

Council:

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

Mayor:

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

D. INVOCATION: Led by Mayor Gary R. 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: None.

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.

- 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 May 28, 2013 meeting with any necessary corrections.**
- 3. June 5, 2013 Claim Warrant - \$178,289.79.**
- 4. May 2013 Wages and Salaries: \$484,880.**
- 5. May 2013 Building Permit Valuation Report - \$511,540.**

6. May 2013 Treasurer's Report.
7. City of Corning Wastewater Operations Summary Report – May 2013.
8. Approve Progress Pay Estimate No. 2 in the amount of \$220,944.28 to Trent Construction for the Corning Community Park Project, Phase 1.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

9. Approve Agreement with MGT of America, Inc. to provide comprehensive State Mandated Cost Claiming Services to the City at an annual cost of \$1,500.
10. Adopt Resolution 06-11-2013-01 Permitting continued service by the Part-time Planning Consultant John Stoufer, DBA JBS Planning Consultant Services.
11. Introduction, presentation, discussion and action on the proposed 2013-2014 City Budget.

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!:

Posted: Friday, June 7, 2013



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MAY 28, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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A. CALL TO ORDER: 7:30 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.

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: None.

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.

- 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 May 14, 2013 City Council Meeting with any necessary corrections:**
- 3. May 22, 2013 Claim Warrant - \$191,043.63.**
- 4. May 22, 2013 Business License Report.**
- 5. Ordinance 652; An Ordinance amending Chapter 15.17 of the Corning Municipal Code regarding Flood Damage Prevention. (Second Reading & Adoption)**
- 6. Authorize Fire Chief to negotiate rate increase for Fire Dispatch Services to other agencies.**

7. Budget adjustment due to receipt of Insurance Damages Claim resulting from Transportation Center Fire.

8. Budget adjustment due to receipt of Proposition 30 Funds for Police Services.

Councilor Dickison moved to approve consent agenda items 1-8. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

9. Designation of League of California Cities Voting Delegate and Alternate.

Mayor Strack stated he didn't feel that a representative from the City would be attending this year. Following further discussion, Councilor Dickison moved to appoint the Mayor as the City's "Voting Delegate". An alternate delegate was not appointed. Councilor Cardenas seconded Councilor Dickison's motion for the Mayor to be the Delegate. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

10. Authorization for Corning Chamber of Commerce to hold Farmers Market at Northside Park.

Mayor Strack introduced this item by title and confirmed the location of the parking on the west side of the park and that Public Works would mark off parking spaces with chalk. He also confirmed with the Chamber Manager that there would be a one time \$5 fee for vendors and that no additional fees would be charged by the Chamber of Commerce.

Councilor Dickison moved for Council to authorize the Corning Chamber of Commerce to conduct the Corning Certified Market on Thursday evenings in the designated area of Northside Park. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: Yes, City Clerk Lisa Linnet stated that the Council and Staff received a thank you card from City Manager Brewer and his wife in response to the card received following the loss of his Sister.

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: Reported on her attendance at the recent Community Action Agency Meeting.

Linnet: Reported on attendance at the Landfill meeting, the next one will be in Corning either the end of June or first of July and stated he was unable to attend the Pay it Forward Committee meeting.

Cardenas: Reported on attendance at 3Core Meeting.

Smith: Nothing.

Strack: Reported he cleaned out paint from the back of the Museum and announced that ACE Hardware will take old paint.

Chamber of Commerce Manager Valanne Cardenas announced that a ribbon cutting would be held at the Liquor Cabinet on Saturday at 10:45 a.m. for their reopening.

N. ADJOURNMENT!: 7:40 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING ASSISTANT

DATE: June 5, 2013

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, June 11, 2013 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 05-31-13	\$19,464.33
B.	Payroll Disbursements	Ending 05-30-13	\$79,200.61
C.	Cash Disbursements	Ending 06-04-13	\$34,382.00
D.	Cash Disbursements	Ending 06-05-13	\$45,242.85

GRAND TOTAL **\$178,289.79**

REPORT.: May 31 13 Friday
 RUN . . . : May 31 13 Time: 11:54
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-13 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
016531	05/29/13	APP02	APPLIED TESTING CONSULT	170.00	.00	170.00	110565	PROP 84 CONSTR-PARK DEV
016532	05/29/13	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1304878	ProfServices Water Dept
016533	05/29/13	COM01	COMPUTER LOGISTICS, INC	644.77	.00	644.77	EQ 2752	BOOKS/PERIODICS-LEGAL SVC
016534	05/29/13	COR12	CORNING FORD MERCURY, INC	553.56	.00	553.56	167842	VEH/OP MAINT-
016535	05/29/13	DM001	DM-TECH	119.90	.00	119.90	36869	COMMUNICATIONS-GEN CITY
016536	05/29/13	EWI00	EWING IRRIGATION	456.91	.00	456.91	7795843-A	MAT & SUPPLIES-PARKS
016537	05/29/13	EXO00	EXOTIC CAR AUDIO OR	276.25	.00	276.25	A39746	VEH/OP MAINT-POLICE
016538	05/29/13	GRA02	GRAINGER, W. W., INC	81.27	.00	81.27	914672973	MAT & SUPPLIES-PARKS
				352.86	.00	352.86	914672976	MAT & SUPPLIES-PARKS
				39.84	.00	39.84	914747433	MAT & SUPPLIES-PARKS
				32.93	.00	32.93	914845931	MAT & SUPPLIES-PARKS
			Check Total.....	506.90	.00	506.90		
016539	05/29/13	HOL04	HOLIDAY MARKET #32	18.72	.00	18.72	69321205/	MAT & SUPPLIES-
016540	05/29/13	OFF01	OFFICE DEPOT	8.85	.00	8.85	157753563	OFFICE SUPPLIES-DISPATCH
				233.32	.00	233.32	657129559	OFFICE SUPPLIES-DISPATCH
			Check Total.....	242.17	.00	242.17		
016541	05/29/13	PAC16	PACIFIC TELEMANAGEMENT SE	38.00	.00	38.00	534013	COMMUNICATIONS-GEN CITY
016542	05/29/13	PGE01	PG&E	12636.81	.00	12636.81	130512	Electricity General City-
016543	05/29/13	RED15	RED TRUCK ROCK YARD, LLC	153.71	.00	153.71	409	CURB, GUTTER, SIDEWALK RE
016544	05/29/13	STA20	STANTEC ARCHITECTURE INC.	2796.24	.00	2796.24	689584	PROP 84 CONSTR-NEW PARK
016545	05/29/13	WHI03	WHITE, JEREMY D.	93.40	.00	93.40	130524	TRAINING/ED-POLICE
016546	05/31/13	\A070	ACEVEDO, SALOMON	22.92	.00	22.92	000B30501	MQ CUSTOMER REFUND FOR AC
016547	05/31/13	\F035	FAS/FIELD ASSET SERVICES,	17.52	.00	17.52	000B30501	MQ CUSTOMER REFUND FOR FA
016548	05/31/13	\F036	FEDERAL NATIONAL LOAN MOR	9.46	.00	9.46	000B30501	MQ CUSTOMER REFUND FOR FE
016549	05/31/13	\F037	FERNANDEZ, CAROL	173.30	.00	173.30	000B30501	MQ CUSTOMER REFUND FOR FE
016550	05/31/13	\H051	HERNANDEZ, DANIELLE	17.52	.00	17.52	000B30501	MQ CUSTOMER REFUND FOR HE
016551	05/31/13	\J068	JAMISON PROPERTIES,	50.00	.00	50.00	000B30501	MQ CUSTOMER REFUND FOR JA

REPORT.: May 31 13 Friday
 RUN....: May 31 13 Time: 11:54
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CITY OF CORNING
 Cash Disbursement Detail Report
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PAGE: 002
 ID #: PY-DP
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016552	05/31/13	\J069	JOURDAN, JUSTIN	21.20	.00	21.20	000B30501	MQ CUSTOMER REFUND FOR JO
016553	05/31/13	\W108	MENDOZA, REINALDO	27.27	.00	27.27	000B30501	MQ CUSTOMER REFUND FOR ME
016554	05/31/13	\N030	NICHOLS, CHRISTIE	96.23	.00	96.23	000B30501	MQ CUSTOMER REFUND FOR NI
016555	05/31/13	\P048	PANTA RAY INVESTMENTS,	37.92	.00	37.92	000B30501	MQ CUSTOMER REFUND FOR PA
016556	05/31/13	\P049	PIERCE, JESSICA	4.54	.00	4.54	000B30501	MQ CUSTOMER REFUND FOR PI
016557	05/31/13	\R059	RIDDLE, CASSIE	7.14	.00	7.14	000B30501	MQ CUSTOMER REFUND FOR RI
016558	05/31/13	\R060	RUTLAND, JENNIFER	41.88	.00	41.88	000B30501	MQ CUSTOMER REFUND FOR RU
016559	05/31/13	\S102	SAFEGUARD,	50.00	.00	50.00	000B30501	MQ CUSTOMER REFUND FOR SA
016560	05/31/13	\S103	SANCHEZ, ARTURO B.	50.00	.00	50.00	000B30501	MQ CUSTOMER REFUND FOR SA
016561	05/31/13	\U005	UMANA JR, IVAN	16.09	.00	16.09	000B30501	MQ CUSTOMER REFUND FOR UM

Cash Account Total.....: 19464.33

Total Disbursements.....: 19464.33

Cash Account Total.....: .00

REPORT.: May 31 13 Friday
 RUN..... May 31 13 Time: 11:54
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment (s)
 Check Listing for 05-13 Bank Account.: 1025

PAGE: 003
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
5934	05/28/13	BAN03	POLICE OFFICER ASSOC.	250.00	.00	250.00	B30528	POLICE OFFICER ASSOC
5935	05/28/13	CAL37	CALIFORNIA STATE DISBURSE	481.38	.00	481.38	B30528	WITHHOLDING ORDER
5936	05/28/13	EDD01	EMPLOYMENT DEVELOPMENT	3147.45	.00	3147.45	B30528	STATE INCOME TAX
				930.17	.00	930.17	1B30528	SDI
			Check Total.....	4077.62	.00	4077.62		
5937	05/28/13	PERS1	PUBLIC EMPLOYEES RETIRE	30353.33	.00	30353.33	B30528	PERS PAYROLL REMITTANCE
5938	05/28/13	PERS4	Cal Pers 457 Def. Comp	150.00	.00	150.00	B30528	PERS DEF. COMP.
5939	05/28/13	STA04	STATE OF CALIFORNIA	571.50	.00	571.50	B30528	WAGEASN CS#549826524
5940	05/28/13	VAL06	VALIC	395.00	.00	395.00	B30528	AIG VALIC P TAX
5941	05/30/13	AFL01	AMERICAN FAMILY LIFE	4832.25	.00	4832.25	B30531	AFLAC INS.PRE TAX
				359.46	.00	359.46	1B30531	AFLAC INS.AFTER TAX
			Check Total.....	5191.71	.00	5191.71		
5942	05/30/13	BLU02	BLUE SHIELD OF CALIFORNIA	23621.00	.00	23621.00	B30531	MEDICAL INSURANCE
5943	05/30/13	CIT01	CITY OF CORNING	9.00	.00	9.00	B30531	CHGS FOR WAGE ATCHMT
5944	05/30/13	OEU01	OPERATING ENGINEERS #3	7110.00	.00	7110.00	B30531	MEDICAL INSURANCE
5957	05/30/13	OEU02	OPERATING ENG. (DUES)	342.00	.00	342.00	B30531	UNION DUES MGMNT
				660.00	.00	660.00	1B30531	UNION DUES POLICE
				336.00	.00	336.00	2B30531	UNION DUES DISPATCH
				572.00	.00	572.00	3B30531	UNION DUES-MISC
			Check Total.....	1910.00	.00	1910.00		
5958	05/30/13	PRI04	PRINCIPAL	3402.98	.00	3402.98	B30531	DENTAL INSURANCE
				648.09	.00	648.09	1B30531	VISION INSURANCE
			Check Total.....	4051.07	.00	4051.07		
5959	05/30/13	TRA03	TRANSAMERICA LIFE INS CO.	1029.00	.00	1029.00	B30531	LIFE INSURANCE
			Cash Account Total.....	79200.61	.00	79200.61		
			Total Disbursements.....	79200.61	.00	79200.61		

REPORT.: Jun 04 13 Tuesday
 RUN....: Jun 04 13 Time: 14:51
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016562	06/03/13	CAR03	CARDENAS, ANTHONY	1853.34	.00	1853.34	000B306021	MEDICAL REIMBURSEMENT
016563	06/03/13	COR07	CORBIN WILLIITS SYSTEMS	729.72	.00	729.72	000B306011	EQUIP MAINT-FINANCE
016564	06/03/13	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000B306011	ECONOMIC DEVELOPMENT
016565	06/03/13	CRA10	CRAIN, CARL	715.00	.00	715.00	000B306011	MEDICAL REIMBURSEMENT
016566	06/03/13	FIT01	FITZPATRICK LAW OFFICES	3575.00	.00	3575.00	000B306011	CONSULTING SVCS-LEGAL SVC
016567	06/03/13	HAL05	HALL, ROBERT	104.70	.00	104.70	000B306011	PROF SVCS-FIRE DEPT
016568	06/03/13	KEN00	KEN VAUGHAN & SONS	950.00	.00	950.00	000B306011	LANDSCAPE MAINT-
016569	06/03/13	MAI00	MAIRE & BURGESS	2025.00	.00	2025.00	000B306021	CONSULTING SVCS-LGL SVCS
016570	06/03/13	PIT01	PITNEY BOWES	192.92	.00	192.92	000B306011	EQUIP LEASE-FINANCE
016571	06/03/13	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000B306011	K-9 PROGRAM-POLICE
016572	06/03/13	TLD01	TEDC	208.33	.00	208.33	000B306011	ECONOMIC DEVELOPMENT
016573	06/03/13	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000B306011	PROF SVCS-FIRE
016574	06/03/13	WHI05	WHITE GLOVE CLEANING SERV	2800.00	.00	2800.00	000B306011	JANITORIAL SVCS-
016575	06/04/13	ARA02	ARAMARK UNIFORM SERVICES	53.56	.00	53.56	2246540	MAT & SUPPLIES-BLD MAINT
				53.56	.00	53.56	2261181	MAT & SUPPLIES-BLD MAINT
				53.56	.00	53.56	2275787	MAT & SUPPLIES-BLD MAINT
				53.56	.00	53.56	2288108	MAT & SUPPLIES-BLD MAINT
			Check Total.....:	214.24	.00	214.24		
016576	06/04/13	ATT14	AT&T	182.03	.00	182.03	132305P	COMMUNICATIONS-POLICE
016577	06/04/13	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1305095	PROF SVCS-WTR
016578	06/04/13	COR08	CORNING LUMBER CO INC	566.58	.00	566.58	130525	MAT & SUPPLIES-
016579	06/04/13	COR22	CORNING MEDICAL ASSOC	1224.00	.00	1224.00	13-0603	EMP PHYSICALS-POOL
016580	06/04/13	COR45	CORNING ACE HARDWARE	330.45	.00	330.45	130527	MAT & SUPPLIES-
016581	06/04/13	DEP05	CDPH-OCF, DRINKING WATER	60.00	.00	60.00	13-0530	MAT & SUPPLIES-WTR
016582	06/04/13	FLE01	FLEMING BOOKBINDING CO.	69.31	.00	69.31	20148	BOOKS/PERIODICS-LIBRARY
016583	06/04/13	GAL02	GALLS, AN ARAMARK COMPANY	43.72	.00	43.72	000631502	SAFETY ITEMS-FIRE

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016584	06/04/13	JOH06	JOHNSON'S TURBO CLEAN	792.87	.00	792.87	5109	MAT & SUPPLIES-BLD MAINT
016585	06/04/13	KNI00	KNIFE RIVER CONSTRUCTION	473.78	.00	473.78	138331	MAT & SUPPLIES-WTR
016586	06/04/13	LIN01	LINCOLN EQUIPMENT, INC.	669.86	.00	669.86	SI213809	MAT & SUPPLIES-POOL
				726.75	.00	726.75	SI213810	MAT & SUPPLIES-POOL
			Check Total.....	1396.61	.00	1396.61		
016587	06/04/13	MCC07	MCCOY'S HARDWARE & SUPPLY	81.32	.00	81.32	130527	MAT & SUPPLIES-
016588	06/04/13	MUN03	MUNNELL & SHERRILL, INC.	56.14	.00	56.14	053169	SAFETY ITEMS-PW ADMIN
				28.06	.00	28.06	053185	SAFETY ITEMS-PW ADMIN
			Check Total.....	84.20	.00	84.20		
016589	06/04/13	NOR25	NORTHERN LIGHTS ENRGY, INC	2526.93	.00	2526.93	89160	MAT & SUPPLIES-
016590	06/04/13	PGE01	PG&E	481.83	.00	481.83	130528	ELECT-
016591	06/04/13	PGE2B	PG&E	5805.18	.00	5805.18	130523	ELECT-WWTP
016592	06/04/13	QUI02	QUILL CORPORATION	247.74	.00	247.74	2904670	OFFICE SUPPLIES-
016593	06/04/13	SAF05	SAFARILAND, LLC	314.04	.00	314.04	II3-06933	MAT & SUPPLIES-POLICE
016594	06/04/13	SCH01	LES SCHWAB TIRE CENTER	35.00	.00	35.00	611000724	VEH/OP MAINT-POLICE
016595	06/04/13	SEI01	SEILER, ROY R., CPA	4470.20	.00	4470.20	25751	PROF SVCS-FINANCE
016596	06/04/13	TEH34	TEHAMA COUNTY PROBATION D	40.00	.00	40.00	13-0530	EQUIP MAINT-PW ADMIN
016597	06/04/13	VAL07	VALLEY VETERINARY CLINIC,	177.96	.00	177.96	102125	X-9 PROGRAM-POLICE
016598	06/04/13	WIN03	WINGO, JENNIFER	60.00	.00	60.00	130531	LIFEGUARD LABOR-POOL
016599	06/04/13	XER00	XEROX CORPORATION	181.30	.00	181.30	068384055	EQUIP MAINT-POLICE

Cash Account Total.....: 34382.00
 Total Disbursements.....: 34382.00
 =====

REPORT.: Jun 05 13 Wednesday
 RUN.....: Jun 05 13 Time: 14:27
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-13 Bank Account.: 1020

PAGE: 001
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016600	06/05/13	AND01	ED ANDERSON	4776.15	.00	4776.15	13-0603	PROP 84 CONSTR-
016601	06/05/13	ATT02	AT&T	1110.34	.00	1110.34	130525	COMMUNICATIONS-
016602	06/05/13	ATT14	AT&T	161.18	.00	161.18	132305F	COMMUNICATIONS-FIRE
016603	06/05/13	ATT15	AT&T MOBILITY	397.52	.00	397.52	130520	COMMUNICATIONS-
016604	06/05/13	BAC00	BACKGROUNDS AND MORE	2700.00	.00	2700.00	3089	PROF SVCS-
016605	06/05/13	BIG02	BIG VALLEY SANITATION II	305.00	.00	305.00	857831	MAT & SUPPLIES-PARKS
016606	06/05/13	CHE02	CHEM QUIP, INC.	1130.16	.00	1130.16	5226960	MAT & SUPPLIES-WTR
016607	06/05/13	COM01	COMPUTER LOGISTICS, INC	116.67	.00	116.67	60229	COMMUNICATIONS-POLICE
				24.00	.00	24.00	60237	EQUIP MAINT-GEN CITY
				26.00	.00	26.00	60238	COMMUNICATIONS-POLICE
				1840.00	.00	1840.00	360227	EQUIP MAINT-
			Check Total.....:	2006.67	.00	2006.67		
016608	06/05/13	DEP03	DEPT OF TRANS/CAL TRANS	914.84	.00	914.84	13005938	EQUIP MAINT-STR & TRF LIG
016609	06/05/13	DEP05	CDPH-OCF, DRINKING WATER	60.00	.00	60.00	13-0529	MAT & SUPPLIES-WTR
016610	06/05/13	FIR01	FIRST NATIONAL BANK OMAHA	196.97	.00	196.97	130530	MAT & SUPPLIES-
016611	06/05/13	FIR05	FIRST NATIONAL BANK OMAHA	161.50	.00	161.50	130530	OFFICE SUPPLIES-CITY ADMI
016612	06/05/13	FIR06	FIRST NATIONAL BANK OMAHA	839.08	.00	839.08	130530	TRAINING/ED-
016613	06/05/13	GRA02	GRAINGER, W.W., INC	398.68	.00	398.68	91545498	MAT & SUPPLIES-PARKS
				93.10	.00	93.10	915522722	MAT & SUPPLIES-STR
			Check Total.....:	491.78	.00	491.78		
016614	06/05/13	INT01	INTERLAND BUSINESS SUPPLY	98.33	.00	98.33	130603	Office Supplies-
016615	06/05/13	MSC00	MSC INDUSTRIAL SUPPLY CO.	110.58	.00	110.58	C24918763	MAT & SUPPLIES-STR
016616	06/05/13	NOR25	NORTHERN LIGHTS ENRGY, INC	3180.58	.00	3180.58	89124	VEH/OP MAINT-POLICE
				622.42	.00	622.42	89161	VEH/OP MAINT-FIRE
			Check Total.....:	3803.00	.00	3803.00		
016617	06/05/13	QUI02	QUILL CORPORATION	58.99	.00	58.99	2999467	OFFICE SUPPLIES-
016618	06/05/13	STA21	STATEWIDE TRAFFIC & SAFET	786.31	.00	786.31	JOB# 998	STR BARRICADE-STR

REPORT.: Jun 05 13 Wednesday
 RUN.....: Jun 05 13 Time: 14:27
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-13 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
015619	06/05/13	STO07	STOUFER, JOHN BEDFORD	3200.00	.00	3200.00	130604	PROF SVCS-PLANNING
015620	06/05/13	UNI02	UNIFORMS, TUXEDOS & MORE	115.99	.00	115.99	122337	UNIFORMS/CLOTH-POLICE
015621	06/05/13	WAR05	WARREN, DANA KARL	169.10	.00	169.10	130604	REC INSTRUCTOR-REC
015622	06/05/13	COR01	CORNING VETERINARY CLINIC	114.85	.00	114.85	38847	PROF SVCS-ACO
015623	06/05/13	COR11	CORNING SAFE & LOCK	2.41	.00	2.41	3898	MAT & SUPPLIES-POLICE
015624	06/05/13	COR13	CORNING VOLUNTEER FIRE	9500.00	.00	9500.00	130605	AnnualFire/Fee FireDepart
015625	06/05/13	DIA04	DIAZ ASSOCIATES	3947.50	.00	3947.50	060313-08	PLANNING/TECH ASST-GEN PL
015626	06/05/13	KNI00	KNIFE RIVER CONSTRUCTION	650.26	.00	650.26	138650	MAT & SUPPLIES-STR
015627	06/05/13	NOR31	NORM'S PRINTING	245.49	.00	245.49	012792	OFFICE SUPPLIES-CITY ADMI
015628	06/05/13	PGE01	PG&E	4417.87	.00	4417.87	130531	CLARK PARK WELL-WTR
015629	06/05/13	PGE04	PG&E	388.97	.00	388.97	130531	TranspFacility-
015630	06/05/13	PGE05	PG&E	1435.90	.00	1435.90	130531	FIRE-ELECT & GAS
015631	06/05/13	PGE2A	PG&E	78.12	.00	78.12	130531	ELECT-CLELAND PROP
015632	06/05/13	REY02	REYNOLDS, BILL	320.00	.00	320.00	272424	WEED ABATEMENT-FIRE
015633	06/05/13	TEH15	TEHAMA CO SHERIFF'S DEPT	73.50	.00	73.50	130603	EMPLOYEE PHYSICALS-POOL
015634	06/05/13	THO01	THOMES CREEK ROCK CO	474.49	.00	474.49	130603	MAT & SUPPLIES-

Cash Account Total.....: 45242.85
 Total Disbursements.....: 45242.85

6/4/2013
1:36:50PM

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 5/1/2013 thru 5/31/2013

Owner and Address	Parcel Number	Issued On	Valuation
CHURCH OF JESUS CHRIST O L D SA 111 N. MARGUERITE AVE CORNING CA 96021 Permit Description: REROOF, SEISMIC UPGRADES	7302025 Site Street Address: 111 N. MARGUERITE AVE	5/22/2013	400,000.00
JOHN KIRKPATRICK 2011 SOLANO ST CORNING CA 96021 Permit Description: CHANGE OUT HVAC	7114040 Site Street Address: 2011 SOLANO ST	5/2/2013	6,458.00
PACIFIC LIVING PROPERTIES 240 EDITH AVE #289 CORNING CA 96021 Permit Description: CHANGE OUT WATER HEATER	6926031 Site Street Address: 240 EDITH AVE #289	5/1/2013	400.00
LOGAN JINNINGS 311 SIXTH ST CORNING CA 96021 Permit Description: REPLACE STICK FRAMED ROOF	7105108 Site Street Address: 311 SIXTH ST	5/16/2013	10,000.00
BRAD MANAGEMENT 636 EDITH AVE CORNING CA 96021 Permit Description: REPAIR STORE FRONT	6918068 Site Street Address: 636 EDITH AVE	5/2/2013	10,000.00
DEBBIE HEBREW 1909 COLUSA ST CORNING CA 96021 Permit Description: REPLACE SEWER MAIN	7107207 Site Street Address: 1909 COLUSA ST	5/6/2013	3,607.00
STEVEN STOUT 2036 BLOSSOM AVE CORNING CA 96021 Permit Description: INSTALL ROOF TOP SOAR ELECT SYSTEM	7120429 Site Street Address: 2036 BLOSSOM AVE	5/16/2013	16,300.00
Terri Gasler 2075 Blossom Ave Corning Install Roof Top Solar Elect System	71-205-07 Site Street Address: 2075 Blossom Ave	5/16/13	\$16,000

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 5/1/2013 thru 5/31/2013

Owner and Address	Parcel Number	Issued On	Valuation
AUGUSTINE SNOW 385 FIFTH ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7105311 Site Street Address: 385 FIFTH ST	5/8/2013	9,985.00
CLOSE LUMBER 1102 YOLO ST CORNING CA 96021 Permit Description: REPLACE SIGNS	7111602 Site Street Address: 1102 YOLO ST	5/9/2013	500.00
LARRY WILLIFORD 611 FIFTH ST CORNING CA 96021 Permit Description: 2ND LAYER REROOF	7111410 Site Street Address: 611 FIFTH ST	5/10/2013	3,800.00
JOANNE McNUTT 914 FIFTH ST CORNING CA 96021 Permit Description: 6' REAR & 4' FRONT CHAIN LINK FENCE	7117105 Site Street Address: 914 FIFTH ST	5/14/2013	2,800.00
RANDY HARDWICK 299 N MARGUERITE AVE CORNING CA 96021 Permit Description: DEMO SHOP	7331001 Site Street Address: 299 N MARGUERITE AVE	5/14/2013	500.00
JULIAN CASTREJON 1103 MARIN ST CORNING CA 96021 Permit Description: INSTALL SWAMP COOLER	7117505 Site Street Address: 1103 MARIN ST	5/14/2013	400.00
KARTAR SINGM 3070 HWY 99W CORNING CA 96021 Permit Description: ADD 200 AMP SUB PANEL	8704057 Site Street Address: 3070 HWY 99W	5/15/2013	3,100.00
KARTAR SINGM 3070 1/2 HWY 99W CORNING CA 96021 Permit Description: REPLACE 100 AMP ELECT SERVICE	8704057 Site Street Address: 3070 1/2 HWY 99W	5/15/2013	3,100.00

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 5/1/2013 thru 5/31/2013

Owner and Address	Parcel Number	Issued On	Valuation
ANGEL MORFIN 565 STANMAR DR CORNING CA 96021 Permit Description: 2ND LAYER REROOF	7321404 Site Street Address: 565 STANMAR DR	5/20/2013	5,200.00
PANTA RAY INVESTMENTS ,LLC 1743 PALM AVE CORNING CA 96021 Permit Description: PANTA RAY INVESTMENTS ,LLC	7129208 Site Street Address: 1743 PALM AVE	5/20/2013	2,500.00
CHARLIE CHASE 660 HICKORY ST CORNING CA 96021 Permit Description: INSTALL NEW HVAC	7314508 Site Street Address: 660 HICKORY ST	5/20/2013	7,500.00
DONNA ZIMMERMAN 1360 HOUGHTON AVE CORNING CA 96021 Permit Description: ADD 8'X8' LANNDRY RM	7121221 Site Street Address: 1360 HOUGHTON AVE	5/21/2013	6,000.00
PAUL SEIPEL 410 HOAG ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF DETACHED GARAGE	7104206 Site Street Address: 410 HOAG ST	5/28/2013	450.00
DAN CRAMP 919 WALNUT ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7313201 Site Street Address: 919 WALNUT ST	5/29/2013	2,940.00
22 Permits Issued from 5/1/2013 Thru 5/31/2013		OR A TOTAL VALUATION OF \$511,540.00	
*** END OF REPORT ***			

CITY OF CORNING

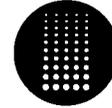
MAY 2013

TREASURERS REPORT

AGENCY	BALANCE	RATE
LOCAL AGENCY INVESTMENT FUND	2,274,933.68	.28

Respectfully Submitted

Pala Cantrell
City Treasurer



**CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT
MAY 2013**

Below is a summary of the Monthly Operations Report that will be available for City review on JUNE 2013

- 1) Filled out monthly reports.
- 2) Performed weekly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Completed vehicle maintenance reports
- 5) Wasted solids to EQ basin
- 6) Staff meeting on plant operations and issues.
- 7) Changed chart on So3 analyzer.
- 8) Safety meeting.
- 9) Installed new brush on helisieve
- 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) Installed repaired helisieve
- 15) Tested all chlorine and So2 sensors

RECEIVED

JUN 03 2013

CITY OF CORNING

- 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) Changed oil in helisieve gear box

- 22) Performed monthly IIPP inspection
- 23) Checked all fire extinguishers.
- 24) Replaced fitting on SO3 analyzer air pump
- 25) Collected second series of Dioxin and Furan test samples
- 26) Completed SSO no spill report.
- 27) Cleaned drying beds
- 28) Collected monthly river samples

- 29) Sent bobcat in for oil leak repairs

MAY 2013

Domestic Flow Monthly Average = 631,129 GPD

**ITEM NO.: G-8
APPROVE PROGRESS PAY ESTIMATE NO. 2
IN THE AMOUNT OF \$220,944.28 TO TRENT
CONSTRUCTION FOR THE CORNING
COMMUNITY PARK PROJECT, PHASE 1**

JUNE 11, 2013

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA
FROM: JOHN L. BREWER, AICP; CITY MANAGER 
PATRICK WALKER, PUBLIC WORKS DIRECTOR ^{PW}
ED ANDERSON, CITY ENGINEER

SUMMARY:

Attached for City Council review is a copy of the Progress Pay Estimate No. 2 for Phase 1 of the Corning Community Park Project which is now under construction. City Engineer Ed Anderson has reviewed and concurs with the payment request submitted by the project contractor Kendel Trent.

Trent Construction, Inc. has submitted a partial payment request for \$220,944.28 for the Corning Community Park Project. The Pay Estimate lists the original contract amount, any change orders/adjustments, work completed to date, retention amount due to Trent Construction, Inc.

Original Construction Contract:	\$1,843,346.20
<u>PPE No. 1</u>	
Work Completed	\$ 108,948.74
Retention to be held (5%)	<u>\$ 5,447.44</u>
Amount paid to Contractor	\$ 103,501.30
<u>PPE No. 2</u>	
Work Completed	\$ 220,944.28
Retention to be held (5%)	<u>\$ 11,047.21</u>
Amount due to Contractor	\$ 209,897.07

BACKGROUND:

The Corning Community Park Project, Phase 1 was awarded to Trent Construction, Inc. at the March 12, 2013 City Council Meeting. The Project and the Contract for development of Phase 1 approved by Council at that time includes:

- Skate/Bike Park Base Bid,
- Landscape & Irrigation Base Bid with Seed Alternate (Alt-1)
- Additive Bid Items 1 through 9,
- Civil Base Bid (C-1 through 67), and
- Civil Additive Bid Items (C-Add. 1 through 4)

The Project may require the implementation of a Rain Event Action Plan (REAP). If it does, the costs included as the Supplemental Bid (Items C-67A through H) will become applicable. The Stormwater Pollution Prevention Plan (SWPPP) is being monitored by Quality Stormwater Practitioner/Developer Kristi Rose of Santos Excavating, Inc., Chico.

FINANCIAL:

The primary funding source for the new park project is the Prop. 84 Funds received through the State of California Parks and Recreation Grant. The grant cannot fund any of the contracted "offsite" improvements.

Account No.	Amount
354-6335-9025 (Prop 84 Park Construction)	\$1,797,990.70
355-6337-9025 (Offsite Park Development)	\$45,355.50
Total Contract Amount:	\$1,843,346.20

RECOMMENDATION:

That the Mayor and City Council Approve Progress Pay Estimate No. 2 in the amount of \$220,944.28 to Trent Construction, Inc. for the Corning Community Park Project, Phase 1

PARTIAL PAYMENT ESTIMATE

Corning Community Park Project, Phase 1

Progress Payment Estimate No. 2

OWNER:

City of Corning

CONTRACTOR:

Trent Construction, Gerber, CA

PERIOD OF ESTIMATE:

From: 5/2/2013 to 5/31/2013

CONTRACT CHANGE ORDER SUMMARY**ESTIMATE**

No.	Approval Date	Amount			
		Additions	Deductions		
(Pending)				1. Original Contract	\$1,843,346.20
				2. Change Orders	\$0.00
				3. Revised Contract (1+2)	\$1,843,346.20
				4. Work Completed	\$329,893.02
				5. Stored Materials	\$0.00
				6. Subtotal (4+5)	\$329,893.02
				7. Retainage5%	\$16,494.65
				8. Previous Payments	\$103,501.30
				9. Amount Due (6-7-8)	\$209,897.07
TOTALS					
NET CHANGE					

CONTRACT TIMEOriginal (days) 270

Revised:

Remaining: 231On Schedule Yes NoStarting Date: 4/22/2013Projected Completion: 12/24/2013**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: _____

City Engineer: _____

By Kendel TrentBy Ed Anderson

Date _____

Date: _____

APPROVED BY OWNER:

Owner _____

By John L. Brewer, AICP, City Manager

Date _____

Progress Estimate #2

Owner: City of Corning		Period Covered: 5/2/2013 to 5/31/2013									
Contractor: Kendel Trent Construction, Inc.											
Bid Item No.	Description	Unit	Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish
SBP-2	Catch Basin	EA	11	\$892.00	\$9,812.00	11.00		\$9,812.00	\$9,812.00	100.0%	\$0.00
SBP-3	Stormdrain Pipe 8"	LF	476	\$17.20	\$8,187.20	476.00		\$8,187.20	\$8,187.20	100.0%	\$0.00
LS-1	Finish LS/irrig areas	LS	1	\$16,950.00	\$16,950.00			\$0.00	\$0.00	0.0%	\$16,950.00
LS-2	Irrigation System	LS	1	\$79,100.00	\$79,100.00			\$0.00	\$0.00	0.0%	\$79,100.00
LS-3	Plantings	LS	1	\$30,510.00	\$30,510.00			\$0.00	\$0.00	0.0%	\$30,510.00
LS-4	Bark	LS	1	\$8,938.30	\$8,938.30			\$0.00	\$0.00	0.0%	\$8,938.30
LS-5	Sod Not Awarded										
LS-6	Top Soil	LS	1	\$3,955.00	\$3,955.00			\$0.00	\$0.00	0.0%	\$3,955.00
LS-7	120-day Maintenance	LS	1	\$7,910.00	\$7,910.00			\$0.00	\$0.00	0.0%	\$7,910.00
LS-8	Closeout Documents	LS	1	\$678.00	\$678.00			\$0.00	\$0.00	0.0%	\$678.00
Alt-1	Alternate with Seed	LS	1	\$11,300.00	\$11,300.00			\$0.00	\$0.00	0.0%	\$11,300.00
Add-1	Entrance Sign	LS	1	\$20,340.00	\$20,340.00			\$0.00	\$0.00	0.0%	\$20,340.00
Add-2	Type 'A' Bollards	EA	26	\$342.40	\$8,902.40			\$0.00	\$0.00	0.0%	\$8,902.40
Add-3	Type 'B' Bollards	EA	16	\$1,599.00	\$25,584.00			\$0.00	\$0.00	0.0%	\$25,584.00
Add-4	Drinking Fountains	EA	2	\$3,344.80	\$6,689.60			\$0.00	\$0.00	0.0%	\$6,689.60
Add-5	BBQ	EA	7	\$565.00	\$3,955.00			\$0.00	\$0.00	0.0%	\$3,955.00
Add-6	Benches	EA	15	\$565.00	\$8,475.00			\$0.00	\$0.00	0.0%	\$8,475.00
Add-7	Benches	EA	3	\$2,034.00	\$6,102.00			\$0.00	\$0.00	0.0%	\$6,102.00
Add-8	Trash Receptacles	EA	15	\$791.00	\$11,865.00			\$0.00	\$0.00	0.0%	\$11,865.00
Add-9	Picnic Tables	EA	17	\$847.50	\$14,407.50			\$0.00	\$0.00	0.0%	\$14,407.50
C-1	Demo	LS	1	\$25,651.00	\$25,651.00	0.40	0.60	\$10,260.40	\$25,651.00	100.0%	\$0.00
C-2	Clearing & Grubbing	LS	1	\$40,877.80	\$40,877.80		1.00	\$0.00	\$40,877.80	100.0%	\$0.00
C-3	Stormdrain/Catch Basin	EA	9	\$1,248.20	\$11,248.20			\$0.00	\$0.00	0.0%	\$11,248.20
C-4	Stormdrain Pipe - 8"	LF	205	\$19.00	\$3,895.00	205.00		\$3,895.00	\$3,895.00	100.0%	\$0.00
C-5	Stormdrain Pipe - 10"	LF	116	\$19.00	\$2,204.00	116.00		\$2,204.00	\$2,204.00	100.0%	\$0.00

Corning Community Park Project, Phase 1

Bid Item No.	Item Description	Unit	Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish
C-6	Stormdrain Pipe - 12"	LF	414	\$19.00	\$7,866.00	414.00		\$7,866.00	\$7,866.00	100.0%	\$0.00
C-7	Infiltrator Pipe	LF	324	\$18.70	\$6,058.80	324.00		\$6,058.80	\$6,058.80	100.0%	\$0.00
C-8	Concrete Headwall	EA	1	\$3,258.40	\$3,258.40			\$0.00	\$0.00	0.0%	\$3,258.40
C-9	Sewer Lateral - 6"	LF	235	\$14.10	\$3,313.50	235.00		\$3,313.50	\$3,313.50	100.0%	\$0.00
C-10	Cleanout - 6"	EA	2	\$212.50	\$425.00			\$0.00	\$0.00	0.0%	\$425.00
C-11	Sidewalk	SF	12900	\$4.30	\$55,470.00	1935		\$8,320.50	\$8,320.50	15.0%	\$47,149.50
C-12	Pathway	SF	4640	\$2.90	\$13,456.00			\$0.00	\$0.00	0.0%	\$13,456.00
C-13	Multi-purpose Court	LS	1	\$45,135.10	\$45,135.10	0.80		\$36,108.08	\$36,108.08	80.0%	\$9,027.02
C-14	Street Barricade	EA	1	\$1,717.60	\$1,717.60			\$0.00	\$0.00	0.0%	\$1,717.60
C-15	Water Line 1.5" PVC	LF	20	\$230.60	\$4,612.00			\$0.00	\$0.00	0.0%	\$4,612.00
C-16	Irrigation 4" PVC	LF	20	\$230.60	\$4,612.00			\$0.00	\$0.00	0.0%	\$4,612.00
C-17	Water Line 1.5" PVC	LF	667	\$29.30	\$19,543.10	633.65		\$18,565.95	\$18,565.95	95.0%	\$977.16
C-18	Water Line 1.5" PVC	LF	83	\$19.40	\$1,610.20			\$0.00	\$0.00	0.0%	\$1,610.20
C-19	Conduit 2" - trench	LF	667	\$29.30	\$19,543.10	466.90		\$13,680.17	\$13,680.17	70.0%	\$5,862.93
C-20	Conduit 2"	LF	52	\$19.40	\$1,008.80			\$0.00	\$0.00	0.0%	\$1,008.80
C-21	Electrical Pull Boxes	EA	5	\$1,040.30	\$5,201.50			\$0.00	\$0.00	0.0%	\$5,201.50
C-22	Conduit 4" Toomes Ave	LF	80	\$71.90	\$5,752.00			\$0.00	\$0.00	0.0%	\$5,752.00
C-23	Booster Pump 3"	EA	1	\$30,962.00	\$30,962.00			\$0.00	\$0.00	0.0%	\$30,962.00
C-24	Back Flow Device 3"	EA	1	\$8,345.10	\$8,345.10			\$0.00	\$0.00	0.0%	\$8,345.10
C-25	Base Rock 650 ton	SF	17397	\$1.10	\$19,136.70			\$0.00	\$0.00	0.0%	\$19,136.70
C-26	A/C 2" - 220 ton	SF	17397	\$1.60	\$27,835.20			\$0.00	\$0.00	0.0%	\$27,835.20
C-27	Parking Lot Curb	LF	734	\$19.30	\$14,166.20	734.00		\$14,166.20	\$14,166.20	100.0%	\$0.00
C-28	Parking Lot Striping	LF	1210	\$1.10	\$1,331.00			\$0.00	\$0.00	0.0%	\$1,331.00
C-29	Parking Lot Arrows	EA	5	\$33.90	\$169.50			\$0.00	\$0.00	0.0%	\$169.50
C-30	Acess Symbol	EA	2	\$39.60	\$79.20			\$0.00	\$0.00	0.0%	\$79.20
C-31	Parking Lot Stall	EA	2	\$197.80	\$395.60			\$0.00	\$0.00	0.0%	\$395.60
C-32	Tow Away Sign	EA	1	\$226.00	\$226.00			\$0.00	\$0.00	0.0%	\$226.00
C-33	Truncated Dome	EA	1	\$1,614.80	\$1,614.80			\$0.00	\$0.00	0.0%	\$1,614.80
C-34	Parking Stall Slab	SF	696	\$6.50	\$4,524.00			\$0.00	\$0.00	0.0%	\$4,524.00
C-35	Saw Cut Pavement	LF	590	\$4.10	\$2,419.00			\$0.00	\$0.00	0.0%	\$2,419.00
C-36	Base Rock 50 ton	SF	940	\$4.50	\$4,230.00			\$0.00	\$0.00	0.0%	\$4,230.00
C-37	A/C 2" - 12 ton	SF	940	\$4.90	\$4,606.00			\$0.00	\$0.00	0.0%	\$4,606.00
C-38	Curb & Guttler - Toomes	LF	365	\$22.50	\$8,212.50			\$0.00	\$0.00	0.0%	\$8,212.50

Corning Community Park Project, Phase 1

Bid Item No.	Item		Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish
	Description	Unit									
C-39	Sidewalk on Toomes	SF	305	\$4.60	\$1,403.00			\$0.00	\$0.00	0.0%	\$1,403.00
C-40	Relocate St Light Pole	EA	1	\$1,452.10	\$1,452.10			\$0.00	\$0.00	0.0%	\$1,452.10
C-41	Traffic Control	LS	1	\$3,616.00	\$3,616.00			\$0.00	\$0.00	0.0%	\$3,616.00
C-42	Drop Inlet Standard-6	EA	3	\$1,767.50	\$5,302.50			\$0.00	\$0.00	0.0%	\$5,302.50
C-43	Drop Inlet Standard-7	EA	1	\$1,767.50	\$1,767.50			\$0.00	\$0.00	0.0%	\$1,767.50
C-44	Storm Drain Pipe 12"	LF	36	\$29.40	\$1,058.40	36.00		\$1,058.40	\$1,058.40	100.0%	\$0.00
C-45	Storm Drain Pipe 15"	LF	70	\$25.40	\$1,778.00	70.00		\$1,778.00	\$1,778.00	100.0%	\$0.00
C-46	Drop Inlet on Toomes	EA	1	\$452.00	\$452.00			\$0.00	\$0.00	0.0%	\$452.00
C-47	Sidewalk on Fig Ln	SF	1268	\$7.10	\$9,002.80			\$0.00	\$0.00	0.0%	\$9,002.80
C-48	Driveway on Fig Ln	SF	300	\$5.40	\$1,620.00			\$0.00	\$0.00	0.0%	\$1,620.00
C-49	C&G on Fig Ln	LF	592	\$23.10	\$13,675.20	296.00		\$6,837.60	\$6,837.60	50.0%	\$6,837.60
C-50	Depressed C&G - Fig Ln	LF	60	\$23.80	\$1,428.00			\$0.00	\$0.00	0.0%	\$1,428.00
C-51	White Striping	LF	320	\$4.50	\$1,440.00			\$0.00	\$0.00	0.0%	\$1,440.00
C-52	White Arrows	EA	7	\$208.00	\$1,456.00			\$0.00	\$0.00	0.0%	\$1,456.00
C-53	Base Rock 585 ton	SF	11650	\$1.10	\$12,815.00			\$0.00	\$0.00	0.0%	\$12,815.00
C-54	A/C 2" - 150 ton	SF	11650	\$1.60	\$18,640.00			\$0.00	\$0.00	0.0%	\$18,640.00
C-55	Ped Ramp	EA	1	\$1,614.80	\$1,614.80			\$0.00	\$0.00	0.0%	\$1,614.80
C-56	Restroom	LS	1	\$106,892.40	\$106,892.40			\$0.00	\$0.00	0.0%	\$106,892.40
C-57	Abaddon Well	LS	1	\$1,695.00	\$1,695.00	1.00		\$1,695.00	\$1,695.00	100.0%	\$0.00
C-58	Chain Link Fence	LF	2445	\$15.60	\$38,142.00	122.25	2322.75	\$1,907.10	\$38,142.00	100.0%	\$0.00
C-59	Wood Fence	LF	474	\$37.30	\$17,680.20			\$0.00	\$0.00	0.0%	\$17,680.20
C-60	Gazebo Footings	LS	1	\$13,423.00	\$13,423.00	1.00		\$13,423.00	\$13,423.00	100.0%	\$0.00
C-61	Excavate Play area	LS	1	\$7,155.20	\$7,155.20	0.75	0.20	\$5,366.40	\$6,797.44	95.0%	\$357.76
C-62	Playground Curb	LF	236	\$30.80	\$7,268.80	236.00		\$7,268.80	\$7,268.80	100.0%	\$0.00
C-63	Handicap Ramp	EA	2	\$1,130.00	\$2,260.00			\$0.00	\$0.00	0.0%	\$2,260.00
C-64	Electrical Service	LS	1	\$3,988.90	\$3,988.90			\$0.00	\$0.00	0.0%	\$3,988.90
C-65	Footings/Anchor Bolts	EA	8	\$430.90	\$3,447.20			\$0.00	\$0.00	0.0%	\$3,447.20
C-66	Excavate & Disposal	LS	1	\$11,051.40	\$11,051.40		1.00	\$0.00	\$11,051.40	100.0%	\$0.00
C-67	SWPPP	LS	1	\$3,963.00	\$3,963.00		1.00	\$0.00	\$3,963.00	100.0%	\$0.00

Corning Community Park Project, Phase 1

Bid Item No.	Item Description	Unit	Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish
C-Add 1	Sidewalk	SF	1748	\$3.60	\$6,292.80			\$0.00	\$0.00	0.0%	\$6,292.80
C-Add 2	Wood Barrier	LF	357	\$37.30	\$13,316.10			\$0.00	\$0.00	0.0%	\$13,316.10
C-Add 3	Bin Enclosure	LS	1	\$10,881.90	\$10,881.90			\$0.00	\$0.00	0.0%	\$10,881.90
C-Add 4	Dual Solar Lights	EA	8	\$4,943.80	\$39,550.40			\$0.00	\$0.00	0.0%	\$39,550.40
Total:					\$1,843,346.20			\$220,944.28	\$329,893.02	17.9%	\$1,513,453.18

Rain Event Action Plan (REAP)

C-67A	Storm Water Sampling	LS	0	\$300.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67B	Storm Water Ann Rpt	LS	0	\$1,800.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67C	REAP	LS	0	\$120.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67D	Const BMP Entrance	LS	0	\$1,375.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67E	Const BMP Dam	LF	0	\$40.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67F	Const BMP Berm	LF	0	\$10.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67G	Const BMP Fiber Roll	LF	0	\$4.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00
C-67H	Hydro Seed Erosion	LF	0	\$1.00	\$0.00			\$0.00	\$0.00	#DIV/0!	\$0.00

ITEM NO.: J-9
**APPROVE AGREEMENT WITH
MGT OF AMERICA, INC. TO
PROVIDE COMPREHENSIVE
STATE MANDATED COST
CLAIMING SERVICES**

JUNE 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: JOHN L. BREWER, AICP, CITY MANAGER JB
LISA M. LINNET, CITY CLERK

SUMMARY:

MGT of America, Inc. has reduced their annual fee from \$3,000 to a flat yearly rate of \$1,500 all inclusive. They will also provide training with City Staff to ensure better mandated cost tracking. The SB 90 claiming process usually extends over more than one year, and this agreement provides for the continued use of MGT unless we become dissatisfied.

The City of Corning has developed a great working relationship with Diona La Chapelle, MGT's Senior Consultant. From 2005 to present, she has assisted the City in acquiring more than \$72,445 in State mandated costs reimbursements.

BACKGROUND:

SB90 is a State Law resulting from a lawsuit against the State that forced the State Legislature to recognize the cost impacts of new State Laws upon local government. California Senate Bill 90 of 1972 established a requirement that the State reimburse local government agencies for the costs of new programs or increased levels of service on programs mandated by the State. This reimbursement covers such items as:

- Open Meetings Act
- Domestic Violence Background Checks
- Crime Statistics Reports for the Department of Justice
- Child Abuse & Neglect Reporting
- Animal Adoption
- Domestic Violence Arrest Policies
- ERAF: Allocation of Tax Revenues
- Binding Arbitration

The filing process for these documents is quite complicated and time consuming for a small City.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **APPROVE THE AGREEMENT WITH MGT OF AMERICA, INC. TO PROVIDE COMPREHENSIVE STATE MANDATED COST CLAIMING SERVICES AT AN ANNUAL COST OF \$1,500; AND**
- **AUTHORIZE THE CITY MANAGER TO EXECUTE AND SIGN THE AGREEMENT.**

MGT Sacramento
2001 P Street
Suite 200
Sacramento, CA 95811
ph: (916) 443-3411
fax: (916) 443-1766
www.mgtofamerica.com



May 9, 2013

Mr. John Brewer
City Manager
City of Corning
794 Third Street
Corning, CA 96021

Subject: State Mandated Cost Claiming Services & Contract for FY 2012-13 Claims

Dear John,

It has been a pleasure partnering with the City of Corning on your state mandated cost claiming engagements for the past several years. We would like to continue providing your agency with the same excellent service, as we anticipate continued reimbursement claiming opportunities for California cities.

We are pleased to be able to offer the City another multi-year engagement, but at a reduced fixed fee. As always, this fee is inclusive of all travel and administrative expenses. MGT proposes to complete all aspects of this proposal related to all annual and new claims that are due on February 15th of each of the three fiscal years, for a fee of one thousand five hundred dollars (\$1,500).

To simplify the contract renewal process for the City and our firm, we are also proposing two additional automatic renewal years using the same fee and contract terms. An additional benefit of this approach is this will provide a hedge against potential fee increases for the next five years, and will also make budgeting for this service easy and more predictable. Of course, the City may choose to cancel this contract provision at any time. As you have become accustomed to with MGT, our contract process is simple, and quick. The City preferences drive the process: you may choose to use your own format for the agreement, or use MGT's enclosed contract, whichever the City prefers. Should the City choose to use MGT's contract, you need only return one signed copy to our office.

We appreciate the trust you have put in our firm, and we hope to have the opportunity to continue providing Corning with the best service possible by offering more tools and information, experienced and knowledgeable staff, and a guaranteed product. Please don't hesitate to call our office at (916) 443-3411, or call me directly at (916) 716-0077 if you have any questions regarding this or any other SB 90 matter. I look forward to working with you in the weeks and months ahead.

Sincerely,

Diona LaChapelle, Sr. Consultant
MGT of America, Inc.
dlachape@mgtamer.com

PROFESSIONAL FEES

MGT would like to offer the City of Corning the following fee arrangements:

Professional Fees

MGT will complete all aspects of this proposal related to the annual claims that are due on February 15, 2014, February 15, 2015, and February 15, 2016; and all aspects of this proposal related to all new and first-time claims for which claiming instructions are issued during the 2013-14, 2014-15, and 2015-16 fiscal years at the following terms:

<i>Annual Claims</i>	<i>New Claims</i>	<i>Total Fee</i>
\$1,500	included	\$1,500

Payment Options & "Pain-Free" Contract Approval Process

As with our previous agreement, the annual claims will be at a fixed price, due upon receipt of invoices issued by MGT. In the event that the State Controller's Office releases claiming instructions during the eligible contract period, new or first time claims will not be filed or invoiced unless the City chooses to exercise this provision of the contract.

The terms of this agreement may be renewed for two additional fiscal years, exclusively at your agency's option. The additional term of services would be from July 1, 2016 to June 30th, 2017 as well as July 1, 2017 to June 30th, 2018. Pricing would remain the same as quoted in the proposal or agreement. The additional fiscal years are 2016-2017 and 2017-2018 during the renewal periods.

MGT wants to make the contracting process as easy as possible on your staff. We promise you a quick, painless contract approval process. We typically provide certificates of insurance and signed contracts within one to two days. The bottom line is that we want to continue earning Corning's business. We thank you very much for the opportunity to provide you with this proposal to continue providing state mandate claiming services.

CONTRACT FOR SERVICES

By and Between
City of Corning
and
MGT of America, Inc.

This agreement is made and entered into this 1st day of July, 2013 by the City of Corning, hereinafter referred to as "Client", and MGT of America, Inc., hereinafter referred to as "MGT".

Now, therefore, in consideration of the mutual promises contained herein, the parties agree as follows:

I. SERVICES

MGT will provide those services as outlined in its proposal letter to Client specified in this agreement, attached hereto and incorporated herein as Exhibit "A". Specific scope of services are as follows:

- a) Prepare and file eligible SB 90 claims for annual claims due on February 15 of each year listed in Section II TIMETABLE. Claims must exceed \$1,000 to be eligible to file with the State.
- b) Prepare and file eligible SB 90 claims for all new, or first-time mandates, which have claiming instructions issued by the State Controller's office during the State's 2013-14, 2014-15, and 2015-16 fiscal year. Claims must exceed \$1,000 to be eligible to file with the State.
- c) Prepare indirect cost rate proposals to accompany all claims if the resulting rate is above 10%.
- d) Provide information to the City about new claiming opportunities in a timely manner.
- e) Provide liaison services between the City and the State Controller for all claims filed by the MGT that are contested by the State Controller either through desk review or field audit.
- f) Assist with payment tracking and SB 90 claim tracking and coordination.

II. TIMETABLE

a) Initial Term

The initial term of this agreement is three fiscal years. It is anticipated that all work for the initial period will commence on July 1, 2013 and will be completed by June 30, 2016, at which time, the City may choose to renew this agreement at the same terms for two additional fiscal years.

b) Renewal Period

The terms and conditions of this agreement shall remain effective and may be renewed for two additional fiscal years, at the City's option. The additional term of services would be from July 1, 2016 to June 30th, 2017 as well as July 1, 2017 to

June 30th, 2018. The fiscal years in item II(b) are 2016-2017 and 2017-2018 during the renewal periods. The City may choose to cancel this provision at any time.

III. PAYMENT

In consideration for the services rendered by MGT pursuant to this agreement, Client agrees to pay MGT upon completion of the following:

MGT will complete and file all eligible annual claims that are due on February 15, 2014, as well as all new, or first-time claims for which claiming instructions are issued during the 2013-14 fiscal year for the following fee. Each successive fiscal year will follow the same schedule as follows:

Fixed Fee Each Year of Term

FISCAL YEAR	PROPOSED FEE	PAYMENT TERMS
2012-13 Annual Claims & New Claims issued during 2013-14	\$1,500 fixed fee	Payable in two payments: 50% invoiced on 9/15/13; 50% on 2/15/14
2013-14 Annual Claims & New Claims issued during 2014-15	\$1,500 fixed fee	Payable in two payments: 50% invoiced on 9/15/14; 50% on 2/15/15
2014-15 Annual Claims & New Claims issued during 2015-16	\$1,500 fixed fee	Payable in two payments: 50% invoiced on 9/15/15; 50% on 2/15/16

Fixed Fee Each Year of Renewal Period

FISCAL YEAR	PROPOSED FEE	PAYMENT TERMS
2015-16 Annual Claims & New Claims issued during 2016-17	\$1,500 fixed fee	Payable in two payments: 50% invoiced on 9/15/16; 50% on 2/15/17
2016-17 Annual Claims & New Claims issued during 2017-18	\$1,500 fixed fee	Payable in two payments: 50% invoiced on 9/15/17; 50% on 2/15/18

This fee is all inclusive (no expenses will be charged to the City for this part of the engagement). There are no caps on number of claims, audit support, or site meetings/visits.

IV. CLIENT RESPONSIBILITY

- a) Furnish Consultant with all available and necessary information, data, worksheets, and documentation necessary for Consultant to perform the services hereunder in a timely fashion. Consultant shall assume all data is accurate and, if supplied in a timely manner, will file the claims in a timely manner.
- b) Cooperate with Consultant in carrying out the work herein.
- c) Provide adequate staff for liaison with the Consultant for each affected department.
- d) Develop and maintain source documentation sufficient to support SB 90 claims that are filed with the State for a period of at least three (3) years after the last date of claim payment or filing.

V. CONSULTANT LIABILITY

The Consultant will assume all data supplied by the City is accurate and correct. Any subsequent disallowance of funds paid to the City pursuant to the SB 90 claims filed under this agreement is the sole responsibility of the City. In any event, the Consultant's total liability under this agreement shall not exceed the compensation received by the Consultant for work pursuant to this agreement.

VI. MODIFICATION

The Client and MGT may, by mutual agreement, modify this Contract. Any modification must be in writing and must be signed by the Contractor's principal agent and the Client's designate.

VII. GENERAL TERMS AND CONDITIONS

No alteration or variation of this Contract and no understandings or agreements not incorporated herein, unless made in writing between the parties hereto, shall be binding.

The parties hereby agree that no person shall, on the grounds of race, color, creed national origin, religion, disability, or sex, be excluded from or denied participation in, or otherwise subjected to discrimination under any activity performed pursuant to this Contract.

VIII. CANCELLATION

The Client and MGT shall have the right to terminate this Contract at any time before the date of completion: (a) by either party at any time for failure of the other party to comply with the terms and conditions of this Agreement; (b) by either party upon 10 days prior written notice to the other party; or (c) upon mutual written agreement of both parties. In the event of termination, MGT shall stop work immediately and shall be entitled to compensation for professional fees and expense reimbursement to the date of termination and for any work necessitated by that termination.

IX. CONTRACTOR EMPLOYEES

In performance of this Contract, MGT and any agent or employee of the MGT shall act in an independent capacity and not as an officer or employee or agent of the Client, nor shall any party be covered under the Client's personnel rules and regulations. The Client shall have no responsibility for deductions or contributions to Social Security, unemployment insurance, or any other benefits, nor shall income tax be withheld.

X. PROJECT MANAGER

Diona LaChapelle of MGT shall act as Project Manager and shall serve as contact for the Client. Contact information is as follows:

2001 P Street, Suite 200
Sacramento, CA 95811
Phone 916-443-3411
Fax 916-443-1766
EMAIL: dlachape@mgtamer.com

XI. LEGAL REQUIREMENTS

It is agreed that for the duration of this agreement, MGT and Client will comply with all applicable laws and regulations of the State of California, State of Florida and the federal government, including but not limited to, the Equal Employment Opportunity Act, the Occupational Safety and Health Act and audit requirements.

XII. METHOD & PLACE OF GIVING NOTICE, SUBMITTING BILLS & MAKING PAYMENTS

All notices, bills, and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills, and payments sent by mail shall be addressed as follows:

TO CITY/COUNTY/DISTRICT:

Ms. Lori Sims
Finance Department
City of Corning
794 Third Street
Corning, CA 94945

TO CONSULTANT:

Mr. Brad Burgess,
Senior Partner, Costing Services Practice
MGT of America
2001 P Street, Suite #200
Sacramento, CA 95811

XIII. SIGNATURES & APPROVAL

CITY OF CORNING

MGT OF AMERICA, INC.

Signature: _____

Signature: _____

Name: John L. Brewer

Name: _____

Title: City Manager

Title: _____

Address: 794 Third Street
Corning, CA 96021

Address: 2001 P Street, Suite #200
Sacramento, CA 95811

Telephone: 530-824-7034

Telephone: 916-595-2646

FEID:

FEID: #59-1576733

Date: June 11, 2013

Date: _____, 2013

05/06

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****
Beginning of: July 1, 2005 (01-06) Thru Ending of: June 30, 2006 (12-06)

Report Date: 05/07/13
Run Date: 05/07/13 11:19
Run by: MARY RAMIREZ

G/L Account No
Ctr Cal. Fisci Date Jrn Line Description

001 4519
GenFund Mandated Cost Reimbursement

Balance July 1, 2005 (01-06) .00

Apr 2006 10-2006 05/23/06 99-02 0009 correct posting entries: Misc. Revenues 4,000.00

May 2006 11-2006 05/30/06 10-18 0004 CH-Code STA01 |000-33534 3,326.00

State Mandated Reimb

Jun 2006 12-2006 06/02/06 10-01 0005 CH-Code STA01 |000-33831 1,185.00

STATE OF CALIFORNIA-REIMB. OF STATE MANDATED COSTS

State Mandated Reimb

Jun 2006 12-2006 06/07/06 10-03 0004 CH-Code STA01 |000-34353 532.00

STATE OF CALIF.-DOM VIOL ARREST POLICE

State Mandated Reimb

Jun 2006 12-2006 06/07/06 10-03 0005 CH-Code STA01 |000-34355 349.00

STATE OF CALIF-ANIMAL ADOPTION

State Mandated Reimb

Jun 2006 12-2006 06/07/06 10-03 0006 CH-Code STA01 |000-34356 1,235.00

STATE OF CALIF-DOM VIOLENCE ARREST POLICE

State Mandated Reimb

STATE OF CALIF-OPEN MTG BROWN ACCT

Annual Budget -4,000.00 Remaining Balance 6,627.00 Activity ----> .00 10,627.00

Balance June 30, 2006 (12-06) 10,627.00

06/07
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CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****

Beginning of.: July 1, 2006 (01-07) Thru Ending of.: June 30, 2007 (12-07)

G/L Account No	Ctrl	Cal.	Fiscal	Date	Jrnl	Line	Description	Debit	Credit
001 4519							GenFund Mandated Cost Reimbursement		
							Balance July 1, 2006 (01-07)	.00	
Aug 2006	02-2007	08/08/06	10-00	0129	CH-Code	STA01	000-39178		2,003.00
							State Mandated Reimb		
							STATE OF CALIF - ANIMAL ADOPTION		
Aug 2006	02-2007	08/08/06	10-00	0130	CH-Code	STA01	000-39179		2,321.00
							State Mandated Reimb		
							STATE OF CALIF - ANIMAL ADOPTION		
Aug 2006	02-2007	08/08/06	10-00	0131	CH-Code	STA01	000-39180		596.00
							State Mandated Reimb		
							STATE OF CALIF - ANIMAL ADOPTION		
Aug 2006	02-2007	08/14/06	10-00	0216	CH-Code	STA01	000-39566		5,580.00
							State Mandated Reimb		
							STATE OF CALIF - OPEN MEETING II LOCAL		
Aug 2006	02-2007	08/14/06	10-00	0217	CH-Code	STA01	000-39567		728.00
							State Mandated Reimb		
							STATE OF CALIF - OPEN MEETING II LOCAL		
Aug 2006	02-2007	08/14/06	10-00	0218	CH-Code	STA01	000-39568		3,844.00
							State Mandated Reimb		
							STATE OF CALIF - ANIMAL ADOPTION		
Aug 2006	02-2007	08/15/06	10-00	0236	CH-Code	STA01	000-39653		2,405.00
							State Mandated Reimb		
							STATE OF CALIF - OPEN MEETING II LOCAL		
Nov 2006	05-2007	11/30/06	10-16	0002	CH-Code	STA01	000-47100		7,565.00
							State Mandated Reimb		
							MNDTD REIMB		
Dec 2006	06-2007	12/04/06	10-01	0013	CH-Code	STA01	000-47438		31.00
							State Mandated Reimb		
							STATE OF CALIF / STATE MANDATED COST		
							1998/1999 MNDTD REIMB CH 486/75 (LOCAL)		
							1998/1999 MNDTD REIMB CH 486/75 (LOCAL)		
Dec 2006	06-2007	12/04/06	10-01	0014	CH-Code	STA01	000-47439		187.00
							State Mandated Reimb		
							STATE OF CALIF / STATE MANDATED		
							1996/1997 MNDTD REIMB CH 486/75 (LOCAL)		
							1996/1997 MNDTD REIMB CH 486/75 (LOCAL)		
Mar 2007	09-2007	03/12/07	10-01	0068	CH-Code	STA01	000-54729		1,048.00
							State Mandated Reimb		
							DOM VIOL ARREST POL 2005/2006		
Mar 2007	09-2007	03/15/07	10-02	0004	CH-Code	STA01	000-55071		1,001.00
							State Mandated Reimb		
							STATE OF CALIF - STATE MANDATED COSTS		
Mar 2007	09-2007	03/19/07	10-03	0004	CH-Code	STA01	000-55316		2,402.00

04/07
Pg 2

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****
Beginning of.: July 1, 2006 (01-07) Thru Ending of.: June 30, 2007 (12-07)

Report Date: 05/07/13
Run Date...: 05/07/13 11:19
Run by.....: MARY RAMIREZ

G/L Account No
Ctr Cal. Fisci Date JrnL Line Description Debit Credit

001 4519		GenFund Mandated Cost Reimbursement (Continues..)		Debit	Credit
State Mandated Reimb					
STATE OF CALIF - STATE MANDATED COSTS					
Mar 2007	09-2007	03/19/07	10-03	0005 CH-Code STA01 000-55317	2,899.00
State Mandated Reimb					
STATE OF CALIF - STATE MANDATED COSTS					
Mar 2007	09-2007	03/23/07	10-07	0007 CH-Code STA01 000-55633	33.52
State Mandated Reimb					
STATE OF CALIF - DOMESTIC VIOLENCE					
Annual Budget				Remaining Balance	28,643.52
				Activity ---->	.00
				Balance June 30, 2007 (12-07)	32,643.52

32,643.52

6/10/08

Page.: 1
ID # GLTB
CTL.: COR

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****
Beginning of.: July 1, 2007 (01-08) Thru Ending of.: June 30, 2008 (12-08)

Report Date: 05/07/13
Run Date...: 05/07/13 11:19
Run by.....: MARY RAMIREZ

G/L Account No	Ctrl Cal.	Fiscal	Date	Jrnl	Line Description	Debit	Credit
001 4519					GenFund Mandated Cost Reimbursement		
					Balance July 1, 2007 (01-08)	.00	
					Feb 2008 08-2008 02/29/08 10-15 0012 CH-Code STA01 000-80854		106.32
					State Mandated Reimb		
					STATE OF CALIF: DOMESTIC VIOLENCE RESTITUTION		
					May 2008 11-2008 05/19/08 10-09 0016 CH-Code STA01 000-86544		2,195.00
					State Mandated Reimb		
					STATE OF CALIF: STATE MANDATED COSTS REIMB		
					Annual Budget	-4,000.00	
					Remaining Balance	-1,698.68	
					Activity ----->	.00	2,301.32
					Balance June 30, 2008 (12-08)		2,301.32

08/09

Page.: 1
ID # GLTB
CTL.: COR

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****

Report Date: 05/07/13
Run Date: 05/07/13 11:19
Run by: MARY RAMIREZ

Beginning of: July 1, 2008 (01-09) Thru Ending of: June 30, 2009 (12-09)

G/L Account No	Ctrl	Cal.	Fiscal	Date	Jrnl	Line	Description	Debit	Credit
001 4519							GenFund Mandated Cost Reimbursement		
							Balance July 1, 2008 (01-09)	.00	
Oct 2008	04-2009	10/09/08	10-05	0006	CH-Code	STA01	000-97326 State Mandated Reimb		3,502.00
Oct 2008	04-2009	10/14/08	10-06	0033	CH-Code	STA01	000-97643 STATE OF CALIF: REIMB OF STATE MANDATED COSTS		285.00
Oct 2008	04-2009	10/16/08	10-08	0005	CH-Code	STA01	000-97801 State Mandated Reimb		1,106.00
Oct 2008	04-2009	10/20/08	10-10	0009	CH-Code	STA01	000-98076 STATE OF CALIF: STATE MANDATED COSTS		1,356.00
Oct 2008	04-2009	10/27/08	10-14	0007	CH-Code	STA01	000-98511 State Mandated Reimb		2,313.00
Nov 2008	05-2009	11/07/08	10-01	0018	CH-Code	STA01	000-99318 STATE OF CALIF: STATE MANDATED COSTS		1,592.00
Nov 2008	05-2009	11/11/08	10-02	0007	CH-Code	STA01	000-99499 State Mandated Reimb		1,094.00
Nov 2008	05-2009	11/11/08	10-02	0008	CH-Code	STA01	000-99500 STATE OF CALIF: STATE MANDATED COSTS		1,020.00
Nov 2008	05-2009	11/24/08	10-09	0004	CH-Code	STA01	000-00479 State Mandated Reimb		1,301.00
Annual Budget				-4,000.00	Remaining Balance		9,569.00	.00	13,569.00
					Balance June 30, 2009 (12-09)				13,569.00

Activity ---->

09/10

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****
Beginning of.: July 1, 2009 (01-10) Thru Ending of.: June 30, 2010 (12-10)

Report Date: 05/07/13
Run Date...: 05/07/13 11:19
Run by.....: MARY RAMIREZ

G/L Account No
Ctr Cal. Fisci Date JrnL Line Description

001 4519 GenFund Mandated Cost Reimbursement

Account No	Date	Description	Debit	Credit
Balance July 1, 2009 (01-10)			.00	
Sep 2009 03-2010 09/23/09 10-03 0083 CH-Code STA01 000-23126		State Mandated Reimb		3,447.00
Oct 2009 04-2010 10/16/09 10-05 0012 CH-Code STA01 000-24826		STATE OF CALIF: REIMB OF STATE MANDATED COSTS		1,129.00
Oct 2009 04-2010 10/16/09 10-05 0013 CH-Code STA01 000-24827		State Mandated Reimb		30.00
May 2010 11-2010 05/05/10 10-00 0046 CH-Code STA01 000-39637		STATE OF CALIF: STATE MANDATED REIMB		7.00
May 2010 11-2010 05/12/10 10-00 0105 CH-Code STA01 000-40112		State Mandated Reimb		1.00
		BELL CARTER FOODS, INC-PERMIT# 12646		
		DALE SMITH - PERMIT# 12712		

Annual Budget -4,000.00 Remaining Balance 614.00 Activity -----> 4,614.00
Balance June 30, 2010 (12-10) 4,614.00

10/11

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****
Beginning of.: July 1, 2010 (01-11) Thru Ending of.: June 30, 2011 (12-11)

Report Date: 05/07/13
Run Date...: 05/07/13 11:19
Run by.....: MARY RAMIREZ

G/L Account No
Ctr Cal. Fisci Date JrnL Line Description Debit Credit

001 4519		GenFund Mandated Cost Reimbursement	
Balance July 1, 2010 (01-11)			
Dec 2010	06-2011	12/08/10 10-00	0076 CH-Code STA01 000-55687
			State Mandated Reimb
			STATE OF CALIF: OPEN MTG-BROWN ACT
Dec 2010	06-2011	12/08/10 10-00	0077 CH-Code STA01 000-55688
			State Mandated Reimb
Dec 2010	06-2011	12/08/10 10-00	0078 CH-Code STA01 000-55689
			State Mandated Reimb
Dec 2010	06-2011	12/20/10 10-01	0040 CH-Code STA01 000-56419
			State Mandated Reimb
Dec 2010	06-2011	12/22/10 10-01	0080 CH-Code STA01 000-56666
			State Mandated Reimb
			STATE OF CALIF: ADMIN LICENSE SUSPNS

Annual Budget	-4,000.00	Remaining Balance	-359.00	Activity	----->	.00	3,641.00
		Balance June 30, 2011 (12-11)					3,641.00

3,641.00

11/12

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts
With a Mask of 001 4519* ****
Beginning of.: July 1, 2011 (01-12) Thru Ending of.: June 30, 2012 (12-12)

Report Date: 05/07/13
Run Date...: 05/07/13 11:19
Run by.....: MARY RAMIREZ

G/L Account No
Ctr Cal. Fisci Date JrnL Line Description Debit Credit

001 4519 GenFund Mandated Cost Reimbursement

Balance July 1, 2011 (01-12) .00

Sep 2011 03-2012 09/29/11 10-06 0023 CH-Code STA01 | 000-77502 1,959.00

State Mandated Reimb

STATE OF CALIF: STATE MANDATED REIMB

Sep 2011 03-2012 09/29/11 10-06 0024 CH-Code STA01 | 000-77503 1,423.00

State Mandated Reimb

STATE OF CALIF: STATE MANDATED REIMB

Dec 2011 06-2012 12/13/11 10-03 0021 CH-Code STA01 | 000-83001 51.00

State Mandated Reimb

STATE OF CALIF: STATE MANDATED REIMB

Dec 2011 06-2012 12/13/11 10-03 0022 CH-Code STA01 | 000-83002 24.00

State Mandated Reimb

STATE OF CALIF: STATE MANDATED REIMB

Dec 2011 06-2012 12/20/11 10-04 0026 CH-Code STA01 | 000-83589 2.00

State Mandated Reimb

STATE OF CALIF: STATE MANDATED REIMB

Annual Budget -4,000.00 Remaining Balance -541.00 Activity -----> .00 3,459.00

Balance June 30, 2012 (12-12) 3,459.00

12/13

CITY OF CORNING
G/L Trial Balance - Detail in the Order of Fund
For All Accounts

Report Date: 05/07/13
Run Date...: 05/07/13 11:19
Run by.....: MARY RAMIREZ

Beginning of.: July 1, 2012 (01-13) Thru Ending of.: June 30, 2013 (12-13)
With a Mask of 001 4519* ****

G/L Account No	Ctrl	Cal.	Fiscal	Date	Jrnl	Line	Description	Debit	Credit
001 4519							GenFund Mandated Cost Reimbursement		
							Balance July 1, 2012 (01-13)	.00	
							Sep 2012 03-2013 09/04/12 10-00 0008 CH-Code STA01 000-02647		1,591.00
							State Mandated Reimb		
							STATE OF CALIF: MANDATED REIMB		
							Annual Budget	-4,000.00	
							Remaining Balance	-2,409.00	1,591.00
							Activity ----->	.00	
							Balance June 30, 2013 (12-13)		1,591.00

**ITEM NO: J-10
ADOPT RESOLUTION NO. 06-11-2013-01
PERMITTING CONTINUATION OF PART-
TIME PLANNING CONSULTANT
CONTRACT AND EXTEND CONTRACT
FOR ONE YEAR WITH JOHN STOUFER,
DBA JBS PLANNING CONSULTANT
SERVICES.**

JUNE 11, 2013

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

**FROM: JOHN BREWER, AICP, CITY MANAGER
MIKE FITZPATRICK, CITY ATTORNEY**



SUMMARY:

Staff recommends the City Council approve the attached Resolution that makes certain findings relative to the contractual employment of John Stoufer as a Part time Planning Consultant and extend the duration of that contract for an additional year-through June 30, 2014.

Note the resolution addresses a duration of two years, while the recommended contract covers only a single year. We recommend only a single year contract to provide the City flexibility, in the unlikely event that development conditions and interest suddenly improve and necessitate planning services in excess of the half time arrangement.

BACKGROUND:

The City of Corning currently has planning services provided to it by John Stoufer who has provided such services for the City since 2008. He is an independent contractor who has provided and continues to provide services to other clients in addition to the City of Corning. Mr. Stoufer has retired from full time employment and will be training another planner to take over his duties and responsibilities. At the present time, Mr. Stoufer spends time in City Hall each week and attends Planning Commission and Council meetings when planning issues are on the agenda. He also provides planning services on a day to day basis, as needed, from other locations.

When the former City Manager and Police Chief retired, they continued to provide services to the City as "employees" of the City for a limited period of time but were unable to continue beyond one year due to the time constraints imposed by law on retired annuitants who continue working as "employees" of their former employers. Although the Planning Director was for several years an "employee" of the City of Corning, he has now been an "independent contractor" doing business as JBS Planning Consultant Services since July 1, 2012, providing planning services for other clients as well and not receiving any "benefits" as part of his compensation. That is the current situation.

Effective January 1, 2013, the California Public Pension Reform Act of 2013 (PEPRA) (AB 340 and AB 197) made significant changes to pension laws for public employees. The Council is very much aware of the new rules which now require cost sharing of pension entitlements between public entities and their employees. One section of the new law, Government Code section 7522.56, addresses post-retirement employment by public employees and, in part, provides that "A retired person shall not serve, be employed by, or be employed through a contract directly by, a public employer in the same retirement system from which the retiree receives the benefit without reinstatement from retirement, except as permitted by this section." One of the stated exceptions is that a retired annuitant "may serve...because

the retired person has skills needed to perform work of limited duration.” It goes on to state that such retired person is not eligible to be “employed” for a period of 180 days following the date of retirement unless...”The employer certifies that the appointment is necessary to fill a critically needed position before the 180 days has passed and the appointment has been approved by the governing body of the employer in a public meeting.”

In the Guide to Cal PERS Employment after Retirement, it states, “You can be hired as an “independent contractor” or “consultant” for a CalPERS employer. However, if under common-law principles you will be an ‘employee’ of the CalPERS employer, your employment is subject to CalPERS restrictions.”

It is not clear whether CalPERS still stands by this interpretation of the law now that PEPRRA has been passed and is new law. It appears that these guidelines would still apply but out of an abundance of caution, the Planning Consultant is requesting, both for his benefit as well as for the benefit of the City, that the Council now make the findings stated in the attached Resolution...just as if the Planning Consultant’s services were being provided to the City as an “employee” rather than an “independent contractor.”

In making this request, the Planning Consultant is not intending to modify the present contract nor to convert it to an “employment” relationship with the City. He is intending to continue working part-time on City of Corning tasks as identified above and to train a successor to assume his duties and continue performing such tasks and other duties following this transition period.

CDBG PROVISIONS:

Just prior to our completion of this contract document, the State dept. of Housing and Community development sent us notice that another consultant contract should include certain contract language to comply with the state’s CDBG (Community Development Block Grant) policies. We’re working with the City Attorney to make those modifications, but didn’t want that to delay the Council’s consideration.

STAFF RECCOMENDATION:

That the City Council:

- **MOVE TO ADOPT RESOLUTION 06-11-2013-01 WHICH MAKES FINDINGS CONCERNING THE POSITION OF PLANNING DIRECTOR FOR THE CITY OF CORNING; AND**
- **APPROVE THE ATTACHED AGREEMENT WITH JOHN STOUFER AS AN INDEPENDENT CONTRACTOR DBA JBS PLANNING CONSULTANT SERVICE THROUGH JUNE 30, 2014, IN ACCORDANCE WITH THE CURRENT REQUIRED CDBG PROVISIONS AS PROVIDED BY THE CITY ATTORNEY, AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY.**

RESOLUTION NO. 06-11-2013-01

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING
PERMITTING CONTINUED SERVICE OF PART-TIME PLANNING CONSULTANT**

WHEREAS, Corning Planning Consultant John Stoufer has provided planning services to the City of Corning since 2008, and continues to provide such services to the City on a part-time basis as an independent contractor doing business as JBS Planning Consultant Services; and

WHEREAS, the contract under which services are currently being provided by the Planning Consultant terminates on June 30, 2013 unless automatically extended; and

WHEREAS, Planning Consultant Stoufer is a retired annuitant through the California Public Employees Retirement System (PERS); and

WHEREAS, Government Code 7522.56 allows a retired annuitant to continue to provide services to a public employer enrolled in CalPERS if the retired person has skills needed to perform work of limited duration;

NOW, THEREFORE BE IT RESOLVED, that the City Council declares that for the period of **January 1, 2013 through June 30, 2015**, the present Planning Consultant, John Stoufer, has skills needed to perform the duties and responsibilities of the position of City Planning Director, and those skills are critically needed to perform the following tasks and others, which otherwise would have to be performed by a person unfamiliar with important background information already known to Consultant Stoufer:

1. Work with the General Plan Update Taskforce and complete the 2014-2034 City of Corning General Plan Update.
2. Assist with the construction administration for the construction of Phase 1 of the Corning Community Park.
3. Assist with the design and construction of Phase 2 of the Corning Community Park.
4. Assist with the preparation of a 5 year Housing Element update as mandated by State Law.

BE IT FURTHER RESOLVED, that to hire another person to perform the foregoing tasks would significantly impede the accomplishment thereof in that such person would lack the background and experience of the present Planning Consultant and would lack familiarity with the issues needing to be addressed in completing the planning process for each task, thus resulting in harmful delays and inefficiencies; and

BE IT FURTHER RESOLVED, that agreeing to allow Consultant Stoufer to complete the foregoing tasks for the specified limited period of time, some of which he has already started, will permit a smoother transition for his replacement in that time will also be available for the training of his successor; and

BE IT FURTHER RESOLVED, although the Planning Consultant is not being "employed" by the City, but will be continuing to serve the City as an independent contractor, this decision to continue using the services of the present Planning Consultant without a break in service is necessary to fill a critically needed position so that for the designated period of time work can continue on the identified tasks and the required training of a successor can be adequately performed.

The foregoing Resolution was **passed and adopted** by the City Council of the City of Corning on this **11th day of June, 2013** by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Resolution was duly introduced, approved and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 11th day of June, 2013 by the votes listed above.

Lisa M. Linnet, City Clerk

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

THIS AGREEMENT, made and entered into this 1st day of July, 2013, is by and between the **City of Corning**, hereinafter referred to as "**CITY**" and **JOHN STOUFER**, an individual doing business as JBS Planning Consultant Services, hereinafter referred to as "**CONSULTANT**".

RECITALS

WHEREAS, **CITY** desires to temporarily use the professional services of a qualified planning consultant to perform various land use planning duties and responsibilities for the City of Corning; and

WHEREAS, **CITY** knowing that **CONSULTANT** is qualified and experienced, and has the specialized skills, to perform the planning services required for the **CITY**, now wants to proceed with contracting with **CONSULTANT**, and **CONSULTANT** is ready, willing and able to perform such services for the **CITY** as projects are presented to him;

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

SERVICES:

CONSULTANT will provide to the **CITY** all necessary professional services to perform the duties and responsibilities of a land use planner on projects provided to him and to do so to the satisfaction of the **CITY**, as set forth below. Such services shall include, but not be limited to the following:

- Consult with City Staff on a regular basis to keep apprised of the **CITY**'s need to have various types of land use planning services performed on a timely basis.
- Review materials and prepare agenda reports to be used by Staff, or by Consultant when requested, in making presentations and recommendations to the **CITY**'s Planning Commission and City Council.
- Assist Staff and Management in the various functions of the **City**'s land use planning system, including but not limited to, working with Developers and others who come to the **CITY** to request information on land use planning issues and to seek discretionary approvals of Subdivision Maps, Use Permits, Variances and other such matters.
- Assist the **CITY** in completing the environmental reviews and materials legally required for various kinds of projects.

CONSULTANT will not perform managerial activities or participate directly in the decision making process. **CITY** will not direct or supervise the daily work of **CONSULTANT** in regard to any projects 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 projects provided to **CONSULTANT**

- Be the contact person in CITY for CONSULTANT with regard to projects provided to CONSULTANT to work on
- Not request services that, in the opinion of the City Manager or CONSULTANT would impair CONSULTANT's independence.

WORK DAYS AND HOURS:

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 CONSULTANT's private residence or at other locations of CONSULTANT's choosing.

COMPENSATION:

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

- CONSULTANT will provide the foregoing services at an hourly rate of \$40.00 per hour and will submit monthly invoices to the CITY which will be paid within thirty (30) days of submittal; 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 CONSULTANT.

TERM:

This agreement shall be on a temporary basis for a one year term beginning July 1, 2013 and ending on June 30, 2014 unless either party provides the other with earlier 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. CONSULTANT shall be compensated for all services performed to the effective date of termination.

CONSULTANT AS INDEPENDENT CONTRACTOR:

It is understood that CONSULTANT is an independent contractor. CONTRACTOR maintains an office separate from the CITY and is entitled to perform planning services for other clients in addition to CITY. CITY does not specify how CONSULTANT is to work but does approve or disapprove the final work product requested of CONSULTANT.

MUTUAL INDEMNITY PROVISIONS:

During the term of this Agreement, the CITY shall indemnify, defend, and hold PLANNING CONSULTANT harmless for those acts, including acts that may result in damages to another, arising during the course and within the scope of his services provided to CITY. CITY's obligations hereunder shall not extend to willful acts intended to cause harm to another nor to injuries of damages arising out of the gross negligence of PLANNING CONSULTANT. With regard to any such acts or negligence, PLANNING CONSULTANT shall indemnify, defend and hold CITY harmless with respect thereto.

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 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:

To City: John Brewer, City Manager
City of Corning
794 Third Street
Corning, CA 96021

To Consultant: John Stoufer
dba as JBS Planning Consultant Services
P.O. Box 607
Red Bluff, CA 96080

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

CITY OF CORNING

PLANNING CONSULTANT

JOHN L. BREWER, City Manager

JOHN STOUFER, Consultant

Approved as to form and content:

Michael C. Fitzpatrick, City Attorney

Attest:

Lisa M. Linnet, City Clerk

Item No.: J-11
**PRESENTATION OF 2013-2014
PROGRAM OF SERVICE AND
ANNUAL BUDGET**

JUNE 11, 2013

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

**FROM: JOHN L. BREWER, AICP; CITY MANAGER
ROY SEILER, CPA; ACCOUNTING CONSULTANT**

INTRODUCTION:

City Staff is pleased to present the City Council with this "Annual Program of Service and Proposed 2013-2014 City Budget".

In the information included in this staff report and attachments, you'll see that the revenue surplus that we experienced in FY 2012-2013 was unique and not a trend. At the same time, some of our operating costs have increased. For those reasons, this year's budget (2013-2014) will require some "belt tightening" as compared to the 2012-2013 budget.

You'll note that this staff report differs slightly from previous budget staff reports. This year, we've attempted to shorten the document by reformatting, eliminating some redundancy, and re-sorting the departmental expenditure sheets. We have included many of the charts that were provided last year, with updated financial data. This budget does not include the separate "Projects" list and spreadsheet that accompanied last year's budget. Instead, all recommended expenditures are accounted for in the budget document and/or described in this staff report.

In summary, this staff report presents budget documents that, if approved in their entirety will:

- Continue "full-time", municipal operations-without employee furloughs.
- Continue the independent half-time Planning Consultant arrangement.
- Fund the purchases of a new Police Cruiser, a TIDE (Tehama Interagency Drug Enforcement) vehicle (with Prop. 30 funds) and replacement body armor as requested in the Police Dept. Capital Improvement Plan (CIP).
- Continue funding the Police Dept. Dispatch/Records Management (RIMS) system.
- Ensure staffing levels remain the same throughout the City departments. No additional employees are recommended.
- Fund the purchases of Self-contained breathing apparatus, extrication equipment and personal Protective Equipment, and dedicate \$4,500 for the future purchase of a new "Rescue Squad" as requested in the Fire Dept. CIP.
- Continue the lease-purchase payment for the Aerial Pumper for the Fire Dept.

- Fund the purchase of a new lawn mower and trailer as requested in the Public Works Dept. CIP, largely to maintain the new park.
- Increase the Operating Reserve from \$800,000 to \$830,000.

EXECUTIVE SUMMARY:

- **FY 2013-2014 Total Projected City-wide Revenues: \$13,432,440.**
- **FY 2013-2014 Total Expenditures, will total \$13,422,599.**
- Anticipated **General Fund Revenues** will total **\$4,466,910.**
- Recommended **General Fund Expenditures** will total **\$4,602,104.**
- Anticipated **General Fund Balance** (including Reserve) 6/30/2013 is **\$969,556.**
- Projected **General Fund Balance** (including Reserve) 6/30/2014 is **\$864,362.**

BUDGET FORMAT

The budget document presented tonight has two primary components: this staff report and, the large binder document (173 pages) labeled "City of Corning 2013-2014 Budget & Program of Service". The document should be considered a "Draft" document at this time.

Following this budget message is the Table of Contents. That's followed by the Financial Projections Tab. Use the information under that tab to understand the financial status of the City's important funding sources.

The next two Tabs display the sources and history of the "General Fund" and all "Other Fund Revenues". There is a detailed narrative explaining each revenue source. The Department Summaries Tab provides a short history of expenditures in each of the City's Departments. Finally, tabs with individual expenditure plans for each Department and service are provided for detailed study when necessary.

IMPLEMENTING THE PROGRAM OF SERVICE AND ANNUAL BUDGET

Tonight, and if necessary, at an additional Study Session, Staff will present their budget recommendations to the City Council. Council will also entertain the public's comments and suggestions, and then deliberate and make any changes deemed necessary.

The City Manager and Accounting Consultant Roy Seiler CPA; will then incorporate those changes in a final budget Resolution document. The current schedule calls for Council to work toward completing the budget review in order to adopt the Resolution at the June 25, 2013 regular meeting. The individual line items of the budget will not be adopted; instead the Council will use the Resolution to set the budget limits for each of the Operating and Capital Improvement Funds that support city services. Staff will then operate within these budget limits to carry out the City Council's adopted Program of Service.

THE BUDGET

“Budgeting” is the process we go through to project revenues and then allocate those funds as expenditures in order to implement the Council’s desired programs, services and projects.

Our budget addresses anticipated revenues and expenditures affecting the “General Fund” and “Other Funds”, that account for the Water & Sewer utilities, the Airport, and maintaining the Transportation Center. Revenues and expenditures for “Other Funds” are earmarked for specific uses and must balance. That leaves little discretion to the City Council for those “Other Funds”. For that reason, we focus on the General Fund.

The General Fund budget can be viewed in three primary parts;

1. **History.** We start with “actual numbers” from the audit at last fiscal year’s end (FY 2011-2012; June 30, 2012).
2. **2012-2013 Projected.** Because we prepare the budget before the current fiscal year ends, or “closes out” (June 30th), we must estimate or “project” the fund balance based on data from 11 months (July thru May). From that we’re able to approximate the current General Fund balance.
3. **2013-2014 Budgeted.** We utilize various sources to make projections about the “Income” or “revenue” we’ll receive for the next fiscal year. Staff then makes recommendations about what programs, services and projects we can fund. From all that we can make preliminary projections about where we expect to be on June 30, 2014.

Please refer to the “General Fund Summary and Projections” spreadsheet on the following page.

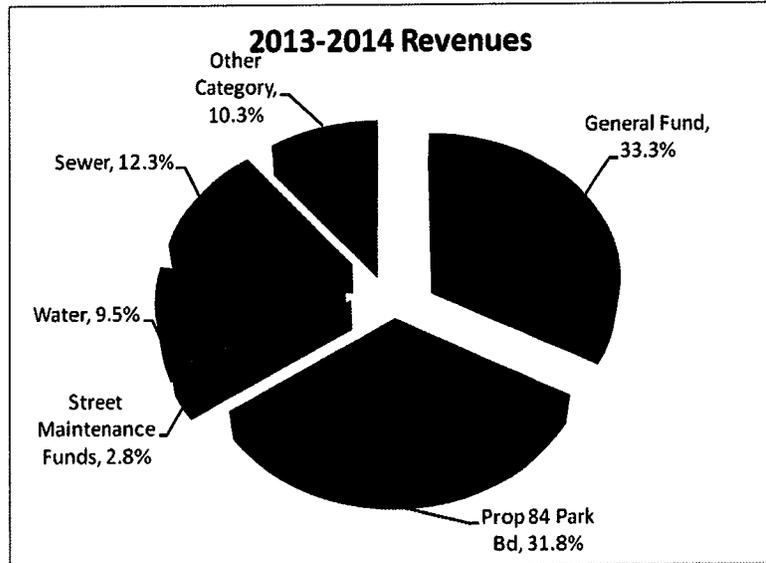
**GENERAL FUND SUMMARY
AND PROJECTIONS**

	<u>Unreserved</u>	<u>Reserved</u>	<u>TOTAL</u>
Audit Balance, June 30, 2012	\$ 497,566	\$ 800,000	\$ 1,297,566
<u>2012-2013, PROJECTED:</u>			
Revenues, Budgeted	\$ 4,602,188		
Estimated Increases in Revenues over Budget	\$ 30,000		
	<hr/>		
Available for Expenditure	\$ 5,129,754		
Expenditures, Budgeted	\$ (5,010,198)		
Estimated Decreases in Expenditures over Budget	\$ 50,000		
	<hr/>		
Projected Balance June 30, 2013	\$ 169,556	\$ 800,000	
<u>2013-2014, BUDGET YEAR:</u>			
Revenues, Budgeted	\$ 4,466,910		
	<hr/>		
Available for Expenditure	\$ 4,636,466		
Expenditures, Budgeted	\$ (4,602,104)		
	<hr/>		
Subtotal	\$ 34,362	\$ 800,000	
Funds Transferred to/From Reserved to Unreserved	\$ -	\$ -	
	<hr/>		
Projected Balance June 30, 2014	\$ 34,362	\$ 800,000	
<u>Projected Savings:</u>			
Vacant Employee Positions	\$ 30,000		
Proposed Increase to Reserve	\$ (30,000)	\$ 30,000	
	<hr/>		
Projected Balance, June 30, 2014, Adjusted for Savings	\$ 34,362	\$ 830,000	\$ 864,362
	<hr/> <hr/>	<hr/> <hr/>	<hr/> <hr/>

SUMMARY-REVENUES AND EXPENDITURES:

“REVENUES”: THE SOURCES OF FUNDS FOR CITY OPERATIONS

The total City revenues from all sources for this coming year are projected to reach \$13,432,440. City operating income comes from a number of sources which are described fully in the Draft Budget Book sections under the Tab “General Fund Revenues” beginning on page 10 of the Budget book and “Other Fund Revenues” beginning on page 22. The graph to the right shows the various sources of City revenues.



GENERAL FUND REVENUES:

We project General Fund Revenues to be \$4,466,910 for FY 2013-2014. That amounts to one third of the total. General Fund revenues are largely “discretionary”; meaning the Council can decide how these funds are expended.

The revenue sources for the General Fund include the five major categories (Sales Tax, Transient Occupancy Tax, Property Tax, Motor Vehicle License Fees Tax and “Other GF Revenues”) shown on the spreadsheet marked “General Fund Revenue History” that’s attached as page 2. The spreadsheet shows how the fund amounts have varied throughout the last few budget cycles.

“Sales Tax” is a significant component of the General Fund. Recent recessionary conditions in FY 09-10 and FY 10-11 greatly reduced sales tax receipts and hence, the General Fund budgets. It now appears that retail sales have largely recovered. See the graphs and discussion under “General Fund Analysis and Expectations” at page vii of this staff report.

OTHER FUND REVENUES:

The Council has limited discretion regarding “Non-General Fund” (Other Fund) Revenues. These funds are restricted to specific purposes. Some refer to these as “earmarked” funds. For example, Gas taxes must go to street maintenance such as repaving projects, and water revenues may be spent only on water related repairs or improvements, etc. The sum of all **Other Fund Revenues** anticipated for FY 2013-2014 is \$8,965,530. That makes up about 66.7% (2/3) of the City’s total revenues.

See the "Financial Projection" Tab following this report. Under that tab are separate spreadsheets for the Street Funds, the Sewer Enterprise and the Water Enterprise included at Pages 5, 7 & 9, respectively.

Street Maintenance Funds are largely reliant on Gas Taxes collected from fuel sales and funds provided via the Tehama County Transportation Commission.

Please refer to the Sewer and Water Enterprise Fund spreadsheets (Pages 7 & 9). Both anticipate deficit spending (spending in excess of revenues) shown on their respective "Annual Net Income" rows for fiscal year 2013-2014. The deficit spending is anticipated to continue and increase in subsequent years, despite projected 3% annual increases in service charges shown on the respective spreadsheets. Note that the Council has previously approved one more annual 3% increase to Water Service fees (per Resolution 12-08-09-02) that'll implement in April of 2014. But the last approved annual 3% Sewer fee increase (per Resolution No. 04-13-04-07) occurred in April of this year.

Both Sewer and Water Enterprise Funds have annual debt loads to repay indebtedness for infrastructure improvements including pipe replacement, WWTP expansion and new water wells. The City's Development Impact Fee (DIF) Plan includes repayment of some of those infrastructure costs. However, since little development is occurring at this point, we're collecting quite little DIF. So, the enterprise funds are largely making those payments. Once development picks up the DIF will retake the repayment responsibilities and improve the bottom line of the Water and Sewer Enterprise Funds.

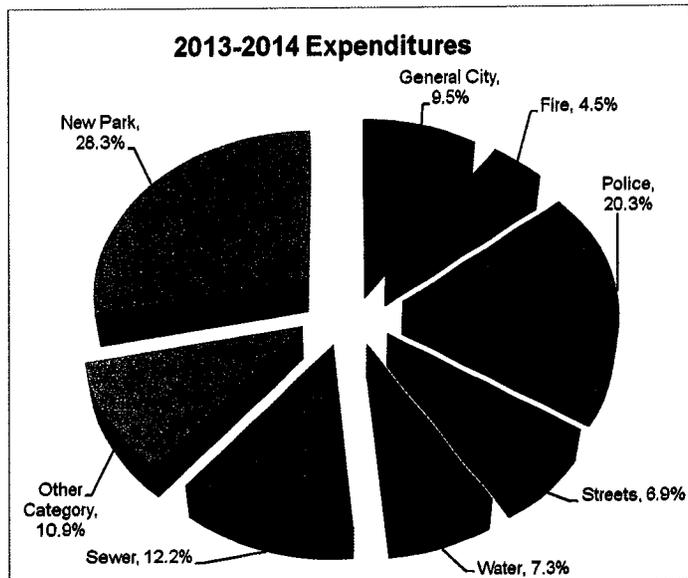
Staff is reviewing the matter of Water and Sewer Service fee adjustments and will report the findings back to the City Council, with recommendations to address the funding shortfalls later in this calendar year.

For FY 2013-2014, the Park Bond (Grant) funds for the new park make up a significant portion of the total revenues.

EXPENDITURES-HOW THE CITY SPENDS ITS MONEY:

The Draft Budget document includes staff recommended expenditures totaling \$13,422,599. The Chart to the right shows the staff recommended expenditures by respective category.

In addition to maintaining our current level of services, including full time (non-furlough) staffing, we have identified some maintenance and equipment purchases from our recently approved (May 14, 2013)



Capital Improvement Plan (CIP). Due to budget constraints, the General Fund cannot support street projects to the extent it did last year 2012-2013. However, we are recommending repaving of Marin Street between Hoag and Sixth Streets as a Street Project for the budget year. That project will not rely on General Fund revenues.

Staff recommended purchases are in the Draft Budget and include the items listed below.

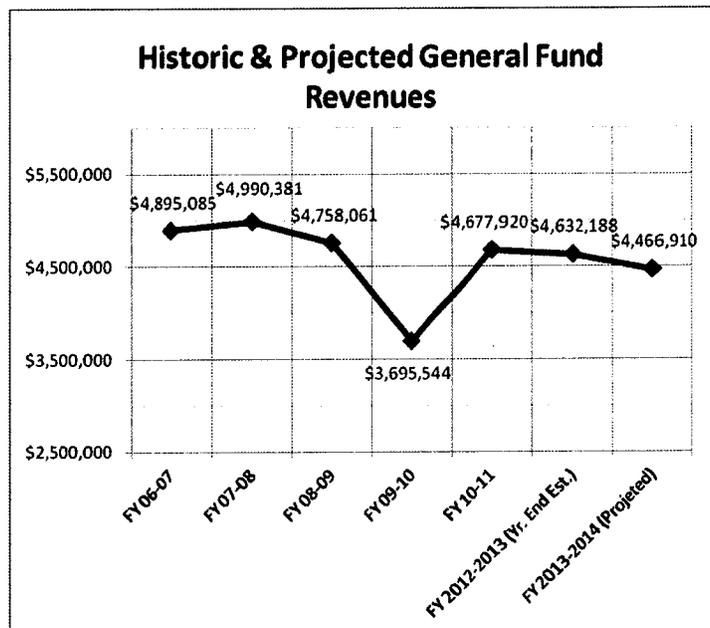
Department	Item	Projected Cost:
Fire Dept.		
	Rescue Squad Replacement (on-going)	\$4,500
	Self-Contained Breathing Apparatus (on-going)	\$4,500
	Extrication Equipment (on-going)	\$1,700
	Personal Protective Equipment (on-going)	\$6,609
	Aerial Pumper Lease Purchase Payment (final)	\$21,000
Total:		\$38,309
Police Dept.		
	New Patrol Vehicle & Equipment	\$45,000
	Safety Vest Replacement (on-going)	\$3,600
	Animal Shelter Re-roof	\$3,000
	Computer Replacement (on-going)	\$5,000
	Purchase used TIDE Vehicle (with Prop. 30 Funds)	\$25,000
Total:		\$81,600
Public Works		
	Park Lawnmower-diesel powered	\$27,000
	Landscape Trailer	\$4,000
	Backpack Blower-Gas Powered	\$600
	Weed Trimmer-Gas Powered	\$400
	WWTP Screw Pump Insp., recoating and bearing replace	\$60,000
Total:		\$92,000

HISTORY, ANALYSIS AND TRENDS:

GENERAL FUND ANALYSIS AND EXPECTATIONS:

As described previously, we focus on the General Fund because it provides the discretionary revenue that funds many of the City's important services and programs. The chart to the right provides a history of General Fund Revenues and staff's projection for the next fiscal year. Fluctuations in General Fund Revenues can severely affect the City budget. Note the \$1,000,000 drop in General Fund Revenue in 2009-2010.

The spreadsheet that's the basis of the chart is included under the



Financial Projections Tab at page 2 of the Draft Budget document and titled "General Fund Revenue History". The spreadsheet shows the various sources of the General Fund, the amount/year and the respective percentage of the overall General Fund Revenue Stream.

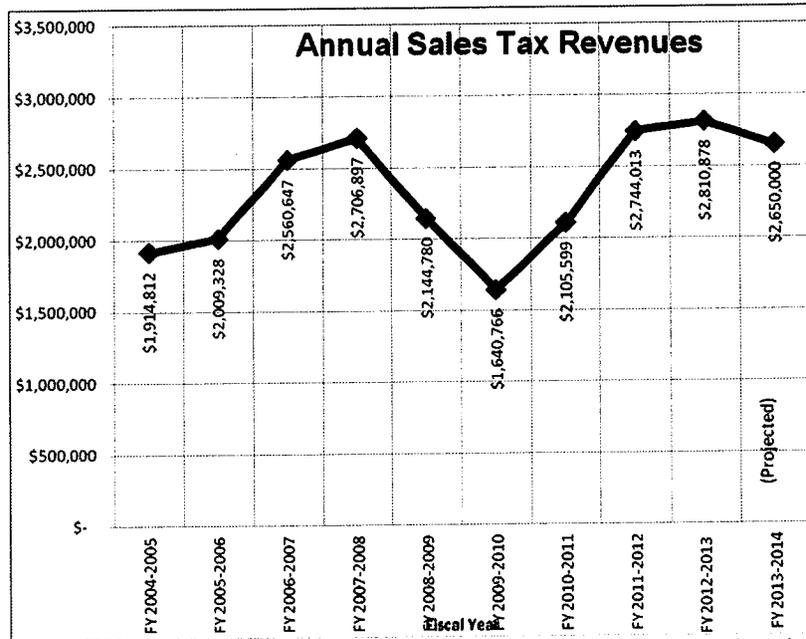
Due to the importance of the key General Fund Revenues, please see the detailed spreadsheets and charts at pages 2, 3 & 4 in the Financial Projections Section.

SALES TAX REVENUE:

Sales Tax is the principal component of General Fund Revenues. Note how the chart to the right mirrors the General Fund Revenue Chart on the previous page. In fact, it regularly accounts for over 50% of General Fund Revenues. In 2013-2014 that'll be over 59%.

Because we rely so heavily on Sales Tax Revenue, our fiscal stability can be significantly affected by recessionary economic conditions. Two industry groups typically account for the majority of sales tax revenues.

A one percent swing in sales tax revenue equates to about a \$26,000 effect on our General Fund. Due to its volatility, we keep a watchful eye on sales tax revenues and how it affects our bottom line.



TRANSIENT OCCUPANCY TAX:

This is a 10% room tax that's collected at the motels in town. An improving economy increased 2012-2013 TOT revenues by \$34,000 over projections. With that, we've increased our expectation for 2013-2014 is \$295,000.

PROPERTY TAX:

We expect 2012-2013 to be close to our budget of \$468,700. We're projecting \$473,700 for 2013-2014.

VEHICLE LICENSE FEES:

This is property tax paid by the County Auditor in lieu of Vehicle License Fees. We expect to receive about the same amount for 2013-2014 that we received this year- \$500,000.

OTHER GENERAL FUND REVENUE:

We're projecting "Other GF Revenue" to be similar to 2012-2013. With development-related fees down, the General Fund is more reliant on the other revenue streams; particularly Sales Tax.

BUDGET MANAGEMENT:

So what does this all mean? The following bullet points summarize staff's recommendations contained in the 2013-2014 Draft Budget and for the future.

- The staff proposed budget for 2013-2014 is an austere one. The General Fund is projected to have a deficit of revenue vs. expenditures. Note that this is without any General Fund contribution to any street repaving project(s).
- As "insurance" for those leaner times, when General Fund revenues are low, as they were in FY 2009-2010, the City maintains an "Operating Reserve", or "savings account". We currently have \$800,000 available in that account. Staff recommends that amount be increased to provide additional protection from future recessionary conditions. We are recommending that \$30,000 be added to the Operating Reserve at this time.
- We must continue to carefully manage our resources. We should not take on additional programs or hire additional employees at this time. Remember, unlike private sector businesses, the City may lose income but it does not lose customers. The same expectations of service by our public continue to exist during the recessionary periods.
- We'll continue the current staffing level in the Police Department, acknowledging the current staff vacancies.
- The current half-time contract Planning Director and the part time Building Official/PW Inspector arrangement will continue to meet our needs until development activity increases.
- Increased development activity would generate Development Impact Fees, some of which would pay down indebtedness attributable to previous Water, Sewer and WWTP expansion and improve the Water and Sewer Enterprise Funds and provide some budget relief to the General Fund.
- We recently completed the refinancing of the Public Employees Retirement System (PERS) Sidefund. The refinancing, at a better interest rate than offered by PERS, is expected to save the City about \$35,000 per year over the term of the loan (10 years).