



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, JUNE 26, 2012
7:30 p.m.
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

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

Mayor:

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

D. INVOCATION: Led by Councilman John Leach.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

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 following City Council Meetings with any necessary corrections:
 - a) May 22, 2012 Special Closed Session and City Council Meeting; and
 - b) June 12, 2012 City Council Meeting.
3. June 20, 2012 Claim Warrant - \$200,388.28.
4. June 20, 2012 Business License Report.
5. Adopt Resolution No. 06-26-2012-02 Establishing an Appropriations Limit for the City of Corning Fiscal Year 2012-2013 at \$10,864,523.
6. Approve Agreement with Curiel Family Orchards for Maintenance and Harvesting of Olive Trees in Woodson Park and authorize the City Manager to Sign the Agreement.

7. Adopt Resolution 06-26-2012-03 setting the fees for City Candidate's Statement of Qualifications for the November 2012 Statewide Elections.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

8. Adopt Resolution No. 06-26-2012-01 and Approve the 2012-2013 Program of Service and Annual Budget.
9. Study Matter: Solano Street Median Turn Lane – East of Railroad Tracks.
10. Authorize Public Works Director to solicit Bids for 2012 Repaving and Waterline Installation Project.
11. Industrial Wastewater Compliance Monitoring Contract Extension with Southwest Water Company.
12. Discussion and Formulation of Policy regarding Invocation at City Council Meetings.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Parkins:

Leach:

Dickison:

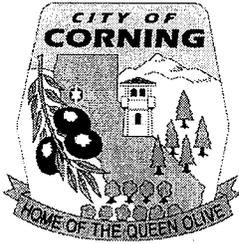
Linnet:

Strack:

N. ADJOURNMENT!:

POSTED: FRIDAY, JUNE 22, 2012

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER



**CITY OF CORNING
CITY COUNCIL MINUTES
SPECIAL MEETING CLOSED SESSION MINUTES
7:00 p.m.**

**TUESDAY, MAY 22, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

NOTICE IS HEREBY GIVEN that a Special Meeting of the Corning City Council is hereby called by Mayor Gary Strack and under the authority vested in him by Section 54956 of the Government Code of the State of California.

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

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present.

The Brown Act prohibits the Council from consideration of any item not on the printed agenda at Special Meetings.

The Corning City Council hereby provides the public with an opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS:

Ross Turner: Stated he has 2 or 3 points he'd like to bring to the Councils attention. As the State Budget is potentially going to be adopted by June 15th per Legislatures overture, he asked:

1. Mr. Kimbrough (Financial Advisor) was brought on as a consultant for a period of time potentially to end on July 1st. He is required to receive 30-day's notice. If the Budget is adopted by the State on or before June 15th, you as a body will not have that to be acted on until sometime in June, which means he could possibly be retained, based on his contract, for 30-days longer which means it would carry him into the next fiscal year. He stated that in his opinion there would be absolutely nothing for him to be doing if the Budget had been adopted. He asked, if that is being considered, and it is not agendized for tonight's meeting so that his termination would be before July 1st, have you as a governing body given it any consideration to having a special item as an add on, to act on in your Closed Session, which it could be decided, to formally notify the consultant employee of his non-need after the adoption of the State Budget?

Mayor Strack responded stating that in the proposed budget it is proposed that he not be continued under the existing contract, he believes that the contract states that upon agreement of both parties, and he doesn't know whether it requires the 30-day notice if both parties agree, if both parties agree it could be terminated immediately. There was some discussion on whether the contract had an automatic renewal clause; Mayor Strack stated that Staff would check on this.

2. Mr. Turner then inquired, in light of Mr. Stoufer's leaving the employment of the County and imminent retirement from the City, we have a gentleman who's currently the interim City Manager/Public Works Director who is certainly capable of doing the Planning, but would give that gentleman/position a great deal of power similar to that of Mr. Crabtree

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER

in Red Bluff handling three positions. He stated that his biggest fear as an individual would be that we would consider retaining the gentleman who is possibly being relieved of his financial counseling for the City as a consultant be retained or pursued as a Planning Consultant. We went through a period of time where basically we created a position for that individual and he would hate to see as a tax payer a position again created to satisfy the financial needs of an individual.

Mr. Turner then stated that he has also heard a great many rumors that the furlough days are hopefully going to be eliminated in December. He said he finds it very ironic, with the economy the way it is, and with the minimal increase in sales tax revenue, that we have the financial wherefore, when we are supporting other entities with subsidies to be maintained in this Community, that we could possibly come up \$300,000 to \$500,000 additional income to relieve ourselves of the unpleasant unhappiness that the ladies and gentlemen are having to endure through furloughs. He stated that he would really like to see that evaluated as to the need, if there is going to be that income, maybe a study of the positions and how we have gotten along on four days, he stated that he knows Public Works is shorthanded, he doesn't deny that, but the economics...

He then asked about the overlay on Marguerite Avenue that was listed in the Red Bluff paper. Mr. Turner stated that he was under the assumption that it was going to be reconstructed. However reconstruction is not going to be worth a darn up there until an easement is bought on the east side of the road so that the water will drain out of there, instead of pocket up where that culvert dead ends right now into the property that one of our past City Councilwomen owns.

Mr. Brewer stated that Marguerite Avenue is a joint project with the County and is going to be a complete reconstruction from where the City's asphalt Street ends to Neva. Mr. Turner responded that in the description of the previous meeting when discussing the Capital Improvement Plan it is referred to as an overlay and that would be an absolute waste of money to just overlay and end up with the same swale there with water going across there and dead end. Mr. Brewer explained that in the Capital Improvement Plan there were two segments of Marguerite Avenue proposed for improvement. One was in the south end where near where Councilman Leach lives, and the other is going to be the reconstruction adjacent to the Airport.

Susan Price: Stated she had a question about what is listed on the closed session, obviously Public Employee Appointments, Dismissals, Personnel Evaluations and things like that are legally appropriate for the closed session, but if you are going to be discussing the direction that the Council wants to take and have some open dialogue, she believes it would be appropriate to hold that dialogue in open session. This allows the public to come up and chime in on how their tax dollars are being used and give their opinion on how that might be decided. She stated that had it just been listed as Public Employee Appointment – Planning Director she would have had no problem. However the dialogue after the Planning Director which says, "Discuss the Council's direction in reference to the approaching retirement". That is really open session fodder, in terms of direction, dialogue, listening to the Council, the public, and everybody being able to have some input and thoughts which maybe the Council had not thought about. She further stated that it is a little gray to her.

Mrs. Price then expressed that the second part of the closed session she honestly doesn't see where it could be discussed in a closed session. Hiring a Budget Consultant, who we all know refers to Steve Kimbrough vs. using an Independent Contractor, again that is dialogue, and if she was sitting on the Council, she would be saying this needs to be on the open session agenda because she thinks we should have some open dialogue about this. She stated she would like to have some dialogue about this and it does not belong on a closed session. She expressed that she believes this is inappropriate. She further said she would hate to see the City Council looking like it is attempting to not allow public discussion on that, or not being open to what tax payers think, it is not just about people, it is about process, and it's about money. Those are two very important aspects of government to me, process in government, equality and process in

government. Whatever vote you finally take, it is all legitimate if you've had all the information provided to you by your City Manager or Department Heads and you have had the opportunity to discuss it. At that point if you vote whatever way, she is fine with that because you have been able to have all the information, have that open dialogue, and have some input from the public. She stated that she believes that is what the local government process is in California. She then informed the Council that she has made some calls regarding the legality of this particular section on the Closed Session Agenda and has gotten some advice, and she believes it should be an open session item.

Mayor Strack stated that the City Attorney has given the opinion that we can discuss what we need to do, however he then guaranteed that if the Council makes any decisions we will agendaize it so that the public can be a part of it.

D. ADJOURN TO CLOSED SESSION: 7:00 p.m.

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

Title: Planning Director – Discuss Council's direction in reference to the approaching retirement of John Stoufer and the impending end to the part-time contract with the County for his Planning Services.

PUBLIC EMPLOYEE APPOINTMENT (Pursuant to California Government Code Section 54957 (b) (1):

Hiring a Budget Consultant vs. using an Independent Contractor

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 P.M.

Mayor Strack stated that taking into consideration the comments made prior to the Closed Session, both items will be listed on the next meeting's agenda for June 12, 2012. Actually direction was given to Staff to put these items on the June 12, 2012 Agenda.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:35 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES**

TUESDAY, MAY 22, 2012

7:30 p.m.

**CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Councilman John Leach.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

F. BUSINESS FROM THE FLOOR:

Susan Price stated she had a question about a claim warrant, the Mayor stated it would be addressed during the consent Agenda.

Delores May asked why the weeds and grass on the corner of Marguerite Avenue and Solano Street are not cut down. Councilor Leach stated that around the front of the stones has all been done and the property owner is responsible for the area behind the stones which is on private property. Ross Turner stated that when the Council spent \$2,700 approximately to be compatible with the landscape of the property owners there, doing nothing would have been just as compatible as what is there now. Chief Spannaus stated the abatement schedule and procedure, stating that the deadline is June 15th.

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 8, 2012 City Council Meeting with any necessary corrections:**
3. **May 16, 2012 Claim Warrant - \$232,679.66.**
4. **May 16, 2012 Business License Report.**
5. **Approve Agreement with the Tehama County Auditor-Controller to recover billing and collection costs in the amount of \$1.15 per parcel for collection of Special Assessments for City Landscaping and Lighting District 1, Zones 1, 3 and 4.**

Susan Price asked about a Claim Warrant, specifically the check issued on May 9th to Stephen Kimbrough for \$4,500. Is he being paid prior to the work he is doing, at the beginning of the month for the rest of the month? Does his contract specify how he is to be paid? Mayor Strack

stated that he would check on this, find out when he is being paid and provide this information to her.

Councilor Parkins moved to approve Consent Items 1-5 and Councilor Linnet seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

6. Approve annual Agreement with 3CORE Economic Development District at a cost of \$5,000.

Mayor Strack introduced this item by title. The Council discussed the increase in contract fees from the previous year, the contract re-entry fees should they decide not to renew the contract at this time, and the services the contract membership would provide.

Councilor Dickison moved to approve the annual participation in 3CORE and commit \$5,000 from the City's General Fund as the City's share of the local grant match. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins, Dickison and Linnet. Opposed: Leach, Absent/Abstain: None. Motion was approved by a 4-1 vote with Leach opposing.**

7. Approve appropriations of Ridell Funds for:

- **Library Building Maintenance Improvements - not to exceed \$5,548.82; and**
- **Purchase of new books - not to exceed \$5,000.**

Mayor Strack introduced this item by title. He then stated that City Staff has checked with the City Attorney who confirmed these are an approved use of these funds. Councilor Dickison stated her concern that the books purchased by the City would not stay in the City, Mr. Brewer responded stating that the County Librarian has given her word that they would stay in the Corning Library.

Library Commissioner Susan Olson-Higgins asked questions relating to who governs the use of the \$800 budgeted for books and periodicals at the Library. She was informed that it is budgeted annually for the purchase of periodicals and the County Librarian makes that decision. Mrs. Olson-Higgins then asked if the Commission had any input on how these funds were expended; she was informed that basically it was the County Librarian, however the Commission could possibly make recommendations.

Councilor Linnet moved to:

1. Approve the appropriation of Ridell Funds in the amount of \$548.82 to purchase paint for the Corning Library;
2. Approve the appropriation of Ridell Funds in an amount not to exceed \$5,000 for the purchase of new books for the Corning Library with the stipulation that the new books will remain at the Corning Branch; and
3. A) Direct Staff to acquire additional proposals for pressure washing, sealant and anti-graffiti coating application
B) Approve the appropriation of Ridell Funds in the amount not to exceed \$5,000 to pressure wash, apply two coats of sealant and one coat of an anti-graffiti solution to the exterior wall of the Corning Library, and authorize the City Manager to award the work in accordance with the City's Purchasing Procedures.

Councilor Parkins seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

Ross Turner then asked that the motion be amended to state that these books be stamped as property of the City of Corning at the time of delivery so that they not revert into County possession.

Councilor Linnet amended his motion to add item four (4) that all books purchased with the appropriated \$5,000 be stamped as property of the City of Corning at the time of delivery. Councilor Parkins seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet.**
Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Parkins: Very good Landfill meeting, however the electronics pick-up closed up early in light of the Fire Dept. Centennial Celebration. Martin Spannaus asked Councilor Parkins to thank the Landfill Agency for bringing the sharps disposal back.

Leach: Community Action Agency Meeting reported on their meeting on Thursday here at City Hall and also on the Airport Fly-In on Saturday. He stated they had 108 children participating.

Dickison: Reported on her LAFCO meeting attendance stating that Corning's Water Extension Project was approved. She stated only one party was present that said her parents did not want City water. She announced that they would be having a LAFCO meeting next month also.

Linnet: Reported on the "Pay it Forward" Committee project stating they have worked some more on the faux book store. He announced that next meeting is Thursday at 1:00 p.m.

Strack: If Council approves, maybe we could have Staff look into whether we can place a limit on the number of portable restaurants...taco wagons. He also stated that it doesn't look like the Solano Street Pear trees have been sprayed. He was informed that due to weather, etc. they did not get sprayed. Mayor Strack then asked for Council to consider a possible date, possibly the week of the 12th for a budget study session.

N. ADJOURNMENT!: 8:03 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JUNE 12, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

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

Mayor:

All members of the 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:

1. **Police Chief Don Atkins introduced and Council welcomed new Police Officer Heather Vance and new Police Dispatcher/Clerk Jennifer Goodwin.**
2. **Presentation of Business and Employer of the Month Awards by Councilman Dave Linnet:**

**BUSINESS OF THE MONTH:
Phil's Automotive**

**EMPLOYER OF THE MONTH:
Les Schwab Tire Center**

Councilor Linnet presented the Business of the Month Award to Phil's Automotive owner's Earl and Rose Peterson, and the Employer of the Month Award was to Les Schwab Tire Center Assistant Manager Chris Hoag.

F. BUSINESS FROM THE FLOOR:

A resident asked if the City had a law prohibiting parking on the sidewalk or blocking the sidewalk. Mayor Strack stated that there was and advised the individual to contact the Police Department if this is observed. The individual stated that on First Street between Walnut and South St. there is a problem such as this. This individual also stated that the City's sidewalks and public restrooms were better than those in Red Bluff.

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

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **June 6, 2012 Claim Warrant - \$229,414.07.**
5. **June 6, 2012 Business License Report.**
6. **May 2012 Wages and Salaries - \$440,204.15.**
7. **May 2012 Building Permit Valuation Report - \$139,645.**
8. **May 2012 Treasurer's Report.**
9. **City of Corning Wastewater Operations Summary Report – May 2012.**

10. Approve Resolution No. 06-12-2012-01 Calling for the Municipal Election and requesting that it be consolidated with the November 2012 Statewide Election.

11. Approve Resolution No. 06-12-2012-02 Adopting the City's Conflict of Interest Code with no changes.

Councilor Leach moved to approve Consent Agenda Items 3-11. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

12. Introduction, presentation, discussion and action on the proposed 2012-2013 City Budget.

Mayor Strack introduced this item by title and City Manager Brewer stated he is happy to present the proposed City Budget and receive Council and the Public's comments and proposed changes. He stated that comments will be incorporated into the proposed final budget and will be scheduled to be brought back to the Council at the June 26th City Council meeting for final adoption. Mr. Brewer then outlined his Budget Staff Report summarizing the contents of the budget.

He stated that this budget will:

- End the Employee Furloughs by the end of December, putting employees back to full-time and going from a 90% staffing arrangement to 100% and restoring the 10% employee salary reduction currently in effect.
- Fill the vacant Public Works Maintenance Worker position in January 2013,
- Fill the Public Works Director position also at the first of the year (January 2013),
- Fund an Independent half-time Planning Consultant to fill the retiring Planning Directors position which will be discussed later in the meeting as a separate item,
- Replenish the Operating Reserve set aside to its pre-recession level of \$800,000, it is currently at \$500,000, we are going to restore that \$300,000 cushion,
- Repave over a mile of Solano Street and 2,000 feet of Blackburn Avenue in front of the High School, probably the worst section of paved street within the City,
- Fund many of the current Capital Improvement needs of the Departments as approved by the City Council in the Long Range Capital Improvement Program for 2012-2013.
- Although not included in the list, replenishing the Airport Improvement Grant Project cash match of \$125,000 borrowed from the Development Impact Fee fund. The balance to pay back this fund is now \$118,000, these funds could be utilized in the future to fund another traffic signal or widen a street.

Mr. Brewer stated that the "Executive Summary" talks about the anticipated revenues and recommended expenditures. The total anticipated revenues are \$13.6 million dollars, and estimated expenditures are \$13.4 million dollars. The General Fund Revenues are \$4.3 million, almost \$4.4 million dollars. The General Fund Expenditures will exceed what the revenues are which we will get why that is later. The General Fund Reserve balance at the end of this fiscal year (end of this month) is \$1,380,009 and the projected General Fund Reserve balance a year later is \$991,880.

Mr. Brewer then briefly outlined the other items listed in the proposed Budget such as projected and actual Sales Tax Revenue, misallocated Sales Tax Revenue, the detailed list entitled CIP Capital Improvement Projects 2012-2013 not included in the draft budget, one time only Triple Flip Funds, etc.

Councilor Leach complemented City Manager Brewer on the Budget stating it was very easy to read.

Ross Turner: Asked if there was a sunset clause on the \$800,000 grant for the Blackburn Avenue improvements; he was informed yes, Mr. Brewer stated that the grant expires at the end of this year and is contingent upon the construction of 12 low income single family houses. Mr. Brewer stated that he and Mr. Stoufer have sought interest from numerous developers, including SHHIP about this project; however it is a tough sale right now. Mr. Turner confirmed that the City could expend these funds before the conditional terms are met however not without risking having to pay it back. Mr. Brewer stated that he, Councilman Leach, and Planning Director Stoufer met with H&CD last month regarding this grant. They discussed possible alternatives in light of the current single-family housing market. HC&D stated that if we could encourage the multi-family Developer to construct the second phase of his project, we could potentially transfer the grant tie of the 12 Units to the Multi-family.

He then asked about the recovery of the \$210,000 misallocated to another community, he confirmed that we have not yet received this however we have included it in the Budget. Mr. Turner also asked about the possible cost effectiveness of utilizing Astro-turf in the new Park. He then asked about the construction timeline for the new Park questioning the need for a new Public Works Maintenance employee until the Park is completed.

Susan Price: Questioned the increase in employee salaries and benefits for the 2012 – 2013 Fiscal Year. Mayor Strack responded stating salaries would increase for six months of the 2012-2013 fiscal year by 10% in response to the end (in December 2012) of employee furloughs, and the return of the City Manager and Police Chief to full-time positions in March 2012. She then asked why benefits are not listed separately, asking if it is because of a software issue; she was informed yes. She then stated that she is requesting to have information about employee benefits. Mr. Kimbrough stated this information was available on the State Controller's website. She stated she had a question about the City Clerk's budget, but answered it herself. Mrs. Price asked about the Finance Department Budget, specifically the increase in salaries, the three line items for Professional services. She was informed that the Professional Services line items listed were to fund the costs of the contracts for City CPA Roy Seiler, proposed Budget Consultant Stephen Kimbrough, and independent auditor Donald Reynolds. She then asked if there was a percentage plan for the break out of the City Administration Salaries, specifically the General Fund and Water & Sewer Funds. Mrs. Price then questioned the line item listed under the Planning Department for Professional Services asking what the \$34,000 was; she was informed that would fund the part-time contract for Mr. Stoufer should Council approve the proposed contract.

Planning Director John Stoufer responded to Mr. Turner's question on the use of Astro-turf at the new Park explaining that City Staff did extensive research and was informed Astro-turf is not recommended in this area because of the extreme heat we experience; this explains why we are proposing to use the grasses selected. He further explained that Astro-Turf has a short life span, basically 10-12 years before needing to be replaced.

Following confirmation that the Council had familiarized themselves with the proposed budget and didn't need to go through it with each Department Head, Mayor Strack announced that he would like to add an expenditure to the proposed Budget. This expenditure would fund the purchase of a sign stating "Solano Street" to be placed at the Solano Street interchange on I-5 to the Budget. Mr. Brewer stated that we should be able to purchase a sign for approximately \$2,000.

Mayor Strack thanked the employees, former City Manager Kimbrough and former Police Chief Cardenas for their contributions to the budget presented tonight. Councilor Linnet also stated his appreciation to Mr. Kimbrough and Mr. Cardenas for their contributions as well as all City employees.

Councilor Linnet stated he had discussed with City Manager Brewer the possibility of postponing or breaking the Solano Street Improvement Projects into two phases to ensure that we have the funds. Mr. Brewer confirmed that this could be done.

Mayor Strack stated that rate increases will need to be considered in the future for sewer.

By Council consensus a Special Meeting was not warranted at this time. Also by Council consensus it was decided that it was not necessary to split the Solano Street project or delay it. Council, by consensus, approved funding all projects listed including the Solano Street sign and to have the Airport issue a promissory note for the borrowed grant cash match funds.

13. Approve a one year term Agreement for Part-Time Planning Consultant Service with John Stoufer.

Ross Turner: Asked if the City is going to seek RFP's (Requests for Proposals) for this position, has it been offered to anyone else, or are we going to continue to provide employment for retired former personnel? He was informed no.

Susan Price: Questioned the indemnification clause for an independent consultant, stating she is concerned that this could be construed as an employee and it clouds the issue, typically a contracted Independent Consultant indemnifies themselves. Mrs. Price stated that she shares Mr. Turner's opinion about seeking an RFP.

Mr. Stoufer responded to the questions related to the indemnification citing a specific instance during the course of his duties and stating that should the indemnification clause not be included in the contract he would not accept it. City Attorney Michael Fitzpatrick also clarified the issue.

Ross Turner: Stated that Mr. Stoufer was an employee of the County at the time of the situation he referenced.

Mr. Stoufer: Stated, not to argue with Mr. Turner, but he was not an employee of the County at that time, he was an employee of the City of Corning.

Others speaking on this issue were Stephen Kimbrough, Dean Cofer and City Manager John Brewer.

Councilor Leach stated as a former business owner and having worked with consultants, he had never provided indemnification. He also stated he would like to see a 30-day rather than a 60-day notice of termination requirement. Mr. Stoufer stated that was okay. Councilor Linnet stated that if we require Mr. Stoufer to obtain his own indemnification insurance, his rates would just go up and we are going to end up paying for it anyway, this way we only have to deal with one company. Councilor Leach then asked the total number of hours he could work; Mr. Stoufer stated he believed that it was a maximum of 960 hours and stated he is looking at 20 hours per week.

Councilor Parkins moved to approve the attached Agreement with John Stoufer as an Independent Contractor, DBA JBS Planning Consultant Services with the change of termination notice requirement of 30-days rather than 60-days, and authorize the City Manager to sign the Agreement on behalf of the City. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

14. Approve Agreement for "As Needed" Part-Time Budget Consultant Services with Stephen J. Kimbrough.

Mr. Turner: Stated that he had the same comments as those stated relating to the contract for a Part-time Planning Consultant.

Mrs. Price: Stated her concerns were the same as those of Mr. Turner and noted that Mr. Kimbrough's resume lists Mayor Strack as a reference, inferring a possible conflict should he vote on this item. She also cited that the proposed amendments stated in Mr. Kimbrough's letter dated May 9, 2012 states a proposed hourly rate of \$60 per hour for 150 hours for the next year. City Manager Brewer stated that Mrs. Price is correct. Mr. Kimbrough's letter cites 150 hours for the next year as a maximum. Mr. Brewer stated he doesn't feel that the full 150 hours will be utilized.

Councilor Leach asked City Manager Brewer if the City's Accountant Roy Seiler could answer the same budgetary questions presented to Mr. Kimbrough. Mr. Brewer responded stating that although Mr. Seiler could answer many of these questions, Mr. Kimbrough has many contacts and experience that Mr. Seiler does not.

Councilor Linnet moved to authorize the City Manager to appoint Stephen J. Kimbrough as an Independent Contractor Budget Consultant, and authorize the City Manager to sign the Agreement on behalf of the City. Councilor Parkins seconded the motion. **Ayes: Strack, Parkins, Dickison and Linnet. Opposed: Leach. Absent/Abstain: None. Motion was approved by a 4-1 vote with Leach opposing.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Parkins: None.

Leach: None.

Dickison: Informed the Council that the LAFCO meeting had been cancelled.

Linnet: Reported that the 3Core meeting is scheduled for next month and the "Pay it Forward" downtown improvement project had been postponed due to the wind and rescheduled for next Saturday. He informed the Council of more graffiti tagging in town, but the Police Department caught six individuals alleged to be responsible for this.

Strack: Stated that the Museum is seeking new updated items and announced that Janessa (Geer) Laudin is now Volunteering at the Museum electronically cataloging Museum inventory.

N. ADJOURNMENT!: 9:13 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING ASSISTANT

DATE: June 20, 2012

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, June 26, 2012 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 06-14-12	\$132,835.99
B.	Payroll Disbursements	Ending 06-11-12	\$42,237.55
C.	Cash Disbursements	Ending 06-19-12	\$19,492.74
D.	Cash Disbursements	Ending 06-20-12	\$5,822.00

GRAND TOTAL **\$200,388.28**

REPORT.: Jun 14 12 Thursday
 RUN....: Jun 14 12 Time: 12:31
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-12 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
014475	06/11/12	TEH03	TEHAMA COUNTY E.A.C.	-40.00	.00	-40.00	12-0522u	Ck# 014475 Reversed
014568	06/11/12	TRE00	TRENT CONSTRUCTION INC.	61333.78	.00	61333.78	12-0611	CLARK PARK WELL-WTR CIP
014569	06/14/12	AME15	AMERIGAS	76.15	.00	76.15	800549232	NATURAL GAS-ACO
014570	06/14/12	BAS01	BASIC LABORATORY, INC	218.00	.00	218.00	1205044	ProfServices Water Dept
				86.00	.00	86.00	1205144	ProfServices Water Dept
			Check Total.....:	304.00	.00	304.00		
014571	06/14/12	BAT01	BATTERIES PLUS	71.78	.00	71.78	156984	MAT & SUPPLIES-POLICE
014572	06/14/12	BEN04	BEN TOILET RENTALS, INC.	343.13	.00	343.13	252978	MAT & SUPPLIES-PARKS
014573	06/14/12	CAM02	FERGUSON ENTERPRISES INC.	1224.77	.00	1224.77	0817358	MAT & SUPPLIES-WTR
014574	06/14/12	CLA01	CLARKS DRUG STORE	20.43	.00	20.43	34185	MAT & SUPPLIES-POLICE
014575	06/14/12	COM06	COMCAST	13.19	.00	13.19	120609	COMMUNICATIONS-PW ADMIN
014576	06/14/12	COR11	CORNING SAFE & LOCK	25.47	.00	25.47	3496	VEH/OP MAINT-POLICE
				13.94	.00	13.94	3537	PAL PROGRAM-POLICE
			Check Total.....:	39.41	.00	39.41		
014577	06/14/12	COR13	CORNING VOLUNTEER FIRE	9500.00	.00	9500.00	120607	AnnualFire/Fee FireDepart
014578	06/14/12	CRA10	CRAIN, CARL	1231.47	.00	1231.47	120630	MEDICAL REIMBURSEMENT
014579	06/14/12	DAY03	DAY WIRELESS SYSTEMS {04}	118.75	.00	118.75	972728	COMMUNICATIONS-POLICE
014580	06/14/12	DEP03	DEPT OF TRANS/CAL TRANS	40.94	.00	40.94	12006078	Equip.Maint. St&Trf Light
014581	06/14/12	EXO00	EXOTIC CAR AUDIO OR	196.20	.00	196.20	A39410	VEH/OP MAINT-POLICE
				294.30	.00	294.30	A39411	VEH/OP MAINT-POLICE
				283.40	.00	283.40	A39412	VEH/OP MAINT-POLICE
			Check Total.....:	773.90	.00	773.90		
014582	06/14/12	FED01	FEDERAL EXPRESS	28.34	.00	28.34	12-0611	PROF SVCS-WTR
014583	06/14/12	FLE01	FLEMING BOOKBINDING CO.	71.99	.00	71.99	18889	BOOKS/PERIODICS-LIBRARY
014584	06/14/12	GAL02	GALLS, AN ARAMARK COMPANY	130.94	.00	130.94	512181292	EQUIP MAINT-FIRE
014585	06/14/12	HEN03	HENRY SCHEIN INC.,	93.85	.00	93.85	349060801	SAFETY ITEMS-FIRE
				93.85	.00	93.85	432795301	SAFETY ITEMS-FIRE

REPORT.: Jun 14 12 Thursday
 RUN....: Jun 14 12 Time: 12:31
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-12 Bank Account.: 1020

PAGE: 002
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 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
Check Total.....:				187.70	.00	187.70		
014586	06/14/12	JES10	JESSEE HEATING & AIR, INC	299.00	.00	299.00	053999	BLD MAINT-FIRE
014587	06/14/12	LIB03	LIBERTEL	417.17	.00	417.17	189749	EQUIP MAINT-POLICE
014588	06/14/12	LNC01	LN CURTIS & SONS	24.25	.00	24.25	123565202	EQUIP MAINT-FIRE
014589	06/14/12	MON08	MONROE INSURANCE BROKERAG	4437.00	.00	4437.00	CAC162892	PROF SVCS-LGL SVCS
014590	06/14/12	MUN03	MUNNELL & SHERRILL, INC.	91.70	.00	91.70	012173	MAT & SUPPLIES-
014591	06/14/12	NOR31	NORM'S PRINTING	213.64	.00	213.64	011402	OFFICE SUPPLIES-CITY ADMI
				845.01	.00	845.01	011406	OFFICE SUPPLIES-ACO
				81.19	.00	81.19	011411	OFFICE SUPPLIES-FINANCE
Check Total.....:				1139.84	.00	1139.84		
014592	06/14/12	PRE06	PRECISION SURVEYING	1100.00	.00	1100.00	12-0613	MAT & SUPPLIES-STR PROJ
014593	06/14/12	REN02	RENTAL GUYS	244.40	.00	244.40	569972-3	MAT & SUPPLIES-PARKS
014594	06/14/12	RET00	RETAIL PROFIT SYSTEMS	69.99	.00	69.99	17850	OFFICE SUPPLIES-FINANCE
014595	06/14/12	SPA10	SPANNAUS, MARTIN	55.00	.00	55.00	120614	CONF/MTGS-FIRE
014596	06/14/12	SWW00	SWWC SERVICES, INC.	49217.70	.00	49217.70	100004361	PROF SVCS-
014597	06/14/12	TEH15	TEHAMA CO SHERIFF'S DEPT	98.00	.00	98.00	120606	PROF SVCS-
014598	06/14/12	TRI02	TRI-COUNTY NEWSPAPERS	85.62	.00	85.62	137288	Print/Advert. City Clerk
014599	06/14/12	USA01	USA BLUE BOOK	85.65	.00	85.65	688434	MAT & SUPPLIES-WTR
Cash Account Total.....:				132835.99	.00	132835.99		
Total Disbursements.....:				132835.99	.00	132835.99		
Cash Account Total.....:				.00	.00	.00		

REPORT.: Jun 14 12 Thursday
 RUN....: Jun 14 12 Time: 12:31
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 06-12 Bank Account.: 1025

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 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
5517	06/11/12	BAN03	POLICE OFFICER ASSOC.	250.00	.00	250.00	B20611	POLICE OFFICER ASSOC
5518	06/11/12	CAL37	CALIFORNIA STATE DISBURSE	179.07	.00	179.07	B20611	WITHHOLDING ORDER
5519	06/11/12	EDD01	EMPLOYMENT DEVELOPMENT	3079.74	.00	3079.74	B20611	STATE INCOME TAX
				937.91	.00	937.91	1B20611	SDI
			Check Total.....:	4017.65	.00	4017.65		
5520	06/11/12	ICM01	ICMA RETIREMENT TRUST-457	1708.00	.00	1708.00	B20611	ICMA DEF. COMP
5521	06/11/12	OBU03	OPERATING ENGINEERS	500.00	.00	500.00	B20611	CREDIT UNION SAVINGS
5522	06/11/12	PERS1	PUBLIC EMPLOYEES RETIRE	28139.72	.00	28139.72	B20611	PERS PAYROLL REMITTANCE
5523	06/11/12	PERS4	Cal Pers 457 Def. Comp	226.00	.00	226.00	B20611	PERS DEF. COMP.
5524	06/11/12	PRE03	PREMIER WEST BANK	6195.96	.00	6195.96	B20611	HSA DEDUCTIBLE
5525	06/11/12	STA04	STATE OF CALIFORNIA	476.15	.00	476.15	B20611	WAGEASN 1107012828
5526	06/11/12	VAL06	VALIC	545.00	.00	545.00	B20611	AIG VALIC P TAX
			Cash Account Total.....:	42237.55	.00	42237.55		
			Total Disbursements.....:	42237.55	.00	42237.55		

REPORT.: Jun 19 12 Tuesday
 RUN...: Jun 19 12 Time: 15:47
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-12 Bank Account.: 1020

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 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
014600	06/19/12	ACC00	ACCESS INFORMATION	84.00	.00	84.00	N119823	EQUIP MAINT-GEN CITY
014601	06/19/12	CAR12	CARREL'S OFFICE MACHINES	3.21	.00	3.21	109547	MAT & SUPPLIES-LIBRARY
014602	06/19/12	CAR14	CARDENAS, ANTHONY F.	4500.00	.00	4500.00	120630	PROF SVCS-POLICE
014603	06/19/12	COM01	COMPUTER LOGISTICS, INC	139.43	.00	139.43	56092	MACH/EQUIP-FINANCE
014604	06/19/12	CON07	CONEXIS	30.00	.00	30.00	05120R348	MEDICAL INS-COBRA
014605	06/19/12	COR10	CORNING GLASS & MIRROR	174.40	.00	174.40	30904	MAT & SUPPLIES-MAINT
014606	06/19/12	DEP12	DEPT OF JUSTICE	194.00	.00	194.00	910877	PROF SVCS-
014607	06/19/12	DOD01	JAMES DODGE	1046.00	.00	1046.00	120628	ADVANCED DISABILITY PENSI
014608	06/19/12	ENT01	ENTENMANN-ROVIN CO.	98.30	.00	98.30	0081326IN	UNIFORMS/CLOTH-POLICE
014609	06/19/12	GRA02	GRAINGER, W.W., INC	146.40	.00	146.40	985143503	MAT & SUPPLIES-WTR
014610	06/19/12	KIM02	KIMBROUGH, STEPHEN JARRET	4500.00	.00	4500.00	120629	PROF SVCS-FINANCE
014611	06/19/12	LAR01	LARRY'S PEST & WEED,	4667.00	.00	4667.00	2620	WEED/TREE SPRAY-STR
014612	06/19/12	LOC03	LOCAL GOVERNMENT PUBLICAT	129.90	.00	129.90	120614	BOOKS/PERIODICS-LGL SVCS
014613	06/19/12	LOD00	LODI IRRIGATION, INC.	196.61	.00	196.61	9879	MAT & SUPPLIES-WTR
				76.52	.00	76.52	9933	MAT & SUPPLIES-WTR
				22.98	.00	22.98	9935	MAT & SUPPLIES-WTR
				30.62	.00	30.62	9986	MAT & SUPPLIES-WTR
			Check Total.....:	326.73	.00	326.73		
014614	06/19/12	OFF01	OFFICE DEPOT	118.38	.00	118.38	614005641	Office Supplies PoliceDis
				4.28	.00	4.28	614005720	Office Supplies PoliceDis
			Check Total.....:	122.66	.00	122.66		
014615	06/19/12	QUI02	QUILL CORPORATION	1053.47	.00	1053.47	3605825	Office Supplies-
				144.78	.00	144.78	3643632	OFFICE SUPPLIES-FINANCE
				157.75	.00	157.75	3755016	OFFICE SUPPLIE-FINANCE
			Check Total.....:	1356.00	.00	1356.00		
014616	06/19/12	UNI02	UNIFORMS, TUXEDOS & MORE	857.95	.00	857.95	114108	SAFETY ITEMS-POLICE
				857.95	.00	857.95	114774	SAFETY ITEMS-POLICE
			Check Total.....:	1715.90	.00	1715.90		
014617	06/19/12	WES02	WESTERN BUSINESS PRODUCTS	44.96	.00	44.96	033833	EQUIP MAINT-FIRE

REPORT.: Jun 19 12 Tuesday
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CITY OF CORNING
Cash Disbursement Detail Report
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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
014618	06/19/12	XER00	XEROX CORPORATION	213.85	.00	213.85	062194328	EQUIP MAINT-POLICE
Cash Account Total.....				19492.74	.00	19492.74		
Total Disbursements.....				19492.74	.00	19492.74		
				=====	=====	=====		

REPORT.: Jun 20 12 Wednesday
 RUN...: Jun 20 12 Time: 12:29
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-12 Bank Account.: 1020

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
014589	06/20/12	MON08	MONROE INSURANCE BROKERAG	-4437.00	.00	-4437.00	CAC162892u	Ck# 014589 Reversed
014619	06/20/12	ACI01	ACI SPECIALTY BENEFITS	12.96	.00	12.96	13158A	WorkmensComp. General Cit
014620	06/20/12	ARA02	ARAMARK UNIFORM SRV.INC.	41.89	.00	41.89	1619729	MAT & SUPPLIES-BLD MAINT
				41.89	.00	41.89	1629713	MAT & SUPPLIES-BLD MAINT
				41.89	.00	41.89	1640064	MAT & SUPPLIES-BLD MAINT
				41.89	.00	41.89	1650184	MAT & SUPPLIES-BLD MAINT
Check Total.....:				167.56	.00	167.56		
014621	06/20/12	CAM02	FERGUSON ENTERPRISES INC.	804.06	.00	804.06	0817818	MAT & SUPPLIES-WTR
014622	06/20/12	CAS07	CASE POWER & EQUIPMENT,	278.34	.00	278.34	868469	VEH/OP MAINT-
014623	06/20/12	CHE02	CHEM QUIP, INC.	1140.16	.00	1140.16	5159919	MAT & SUPPLIES-WTR
				228.81	.00	228.81	5159920	MAT & SUPPLIES-POOL
Check Total.....:				1368.97	.00	1368.97		
014624	06/20/12	CME00	CMESA CONSULTING MADE EAS	595.00	.00	595.00	1010	PROP 84-NON CONSTRUCT
014625	06/20/12	COM01	COMPUTER LOGISTICS, INC	200.00	.00	200.00	56122	EQUIP MAINT-
014626	06/20/12	FIT01	FITZPATRICK LAW OFFICES	4437.00	.00	4437.00	CAC-16289	PROF SVCS-LGL SVCS
014627	06/20/12	GRA02	GRAINGER, W.W., INC	129.45	.00	129.45	984377666	MAT & SUPPLIES-
				968.86	.00	968.86	984435180	MAT & SUPPLIES-PARKS
				240.56	.00	240.56	984743498	MAT & SUPPLIES-WTR
Check Total.....:				1338.87	.00	1338.87		
014628	06/20/12	MUN03	MUNNELL & SHERRILL, INC.	296.39	.00	296.39	012708	MAT & SUPPLIES-
014629	06/20/12	NEX02	NEXTEL	26.65	.00	26.65	086319127	COMMUNICATIONS-POLICE
014630	06/20/12	PGE2A	PG&E	50.27	.00	50.27	120615	ELECT-BLUE HERON CT
014631	06/20/12	QUI02	QUILL CORPORATION	38.60	.00	38.60	3748937	OFFICE SUPPLIES-
				19.28	.00	19.28	3754933	OFFICE SUPPLIES-
Check Total.....:				57.88	.00	57.88		
014632	06/20/12	SIM04	SIMCOX, NICHOLAS	55.00	.00	55.00	120612	LIFEGUARD LABOR-POOL
014633	06/20/12	STO06	STOKES, JULENE NICOLE	55.00	.00	55.00	120612	LIFEGUARD LABOR-POOL
014634	06/20/12	SUN01	SUNRISE ENVIRONMENTAL	107.50	.00	107.50	17626	EQUIP MAINT-FIRE

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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 #	Description
014635	06/20/12	WAR05	WARREN, DANA KARL	407.55	.00	407.55	120612	REC INSTRUCTOR-REC
Cash Account Total.....				5822.00	.00	5822.00		
Total Disbursements.....				5822.00	.00	5822.00		

Date.: Jun 20, 2012
Time.: 12:44 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
LITTLE CAESARS PIZZA	965 HIGHWAY 99W	CORNING, CA 96021	SINGH	BHUPIND PIZZA RESTAURANT	06/08/12	(530)824-8800
MARK'S SMOKE SHOP	1621 SOLANO ST	CORNING, CA 96021	ABDULAZIZ	EDDIE CIGARETTE STORE, SMOKE & TOBACCO	06/07/12	(530)824-1273
TRI R CUSTOM SCREENS	21064 CORNING RD	CORNING, CA 96021	WHITAKER	GARY BUILD, REPAIR & REPLACE WINDOW SCREENS	06/07/12	(530)824-6337

Item No.: G-4

ITEM NO.: G-5
RESOLUTION NO. 06-26-2012-02
ESTABLISHING AN APPROPRIATIONS
LIMIT FOR THE CITY OF CORNING
FISCAL YEAR 2012 - 2013 AT
\$10,864,523.
JUNE 26, 2012

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: JOHN L. BREWER, CITY MANAGER 
LISA M. LINNET, CITY CLERK

SUMMARY:

Annually the City must set its Appropriation Limit as required by Article XIII B of the California Constitution. The Appropriation Limit is also known as the "Gann Limit," named after the Initiative Proponent who sought a Constitutional Amendment to put limitations on the growth of Government. Unfortunately, Charles Gann, an associate of Howard Jarvis, failed to seek any limitations on State Government!

The City's outside Certified Public Accountant Roy R. Seiler has produced the attached report for public review. In support of the proposed Resolution, the Appropriation Limit this coming Fiscal Year is \$10,864,523, which far exceeds the City's proposed General Fund Base Operating Budget.

RECOMMENDATION:

MAYOR AND COUNCIL RECEIVE THE REPORT OF THE CITY AUDITOR AND ADOPT RESOLUTION NO. 06-26-2012-02 ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE CITY OF CORNING FOR THE FISCAL YEAR 2012-2013 IN THE AMOUNT OF \$10,864,523.

RESOLUTION NO.: 06-26-2012-02

**A RESOLUTION ESTABLISHING AN APPROPRIATIONS LIMIT
FOR THE CITY OF CORNING
FISCAL YEAR 2012-2013**

WHEREAS, Article XIII B of the California Constitution requires that an appropriations limit be established,

BE IT RESOLVED, that the City Council of the City of Corning declares that the appropriation limit for the City of Corning, subject to correction and adjustment, is \$10,864,523. This appropriations limit is for the fiscal year 2012-2013 pursuant to the provisions of Sections 36936.1 and 36937 of the Government Code of California.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be published at least once in the Corning Observer, a newspaper of general circulation, printed, published and circulated in the City of Corning.

This Resolution was introduced and adopted by the City Council of the City of Corning on the 26TH day of June 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

CITY OF CORNING
APPROPRIATIONS LIMIT WORKSHEETS
FISCAL YEAR 2012/2013

ROY R. SEILER

CERTIFIED PUBLIC ACCOUNTANT

201 C. North Tehama
Willows, CA 95988

Phone: 530-934-8841

Fax: 530-934-8849

ACCOUNTANT'S COMPILATION REPORT

City of Corning
Corning, California

I have compiled the accompanying GANN Initiative, Appropriations Limitations worksheets, for the City of Corning, for the 2012/13 fiscal year. I have not audited or reviewed the accompanying worksheets and, accordingly, do not express an opinion or provide any assurance about whether the worksheets are in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the worksheets in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

My responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

I am not independent with respect to the City of Corning

June 4, 2012

Roy R. Seiler, CPA

City of Corning
FYE: June 30, 2013

GANN INITIATIVE
APPROPRIATION LIMITATION GUIDELINES

REVENUES EXEMPT FROM LOCAL LIMITS:

- All Enterprise Revenues
- State Grants (Airport, CDGB, etc.)
- State Funded Programs administered locally
- Gas Tax
- Transportation Development Act Funds

REVENUES TO BE INCLUDED:

- Shared Revenues
- Off Hwy. License Fees
- Vehicle License Fees
- Cigarette Tax
- Tax Relief Subventions (Personal Property Tax Relief, Homeowners)

City of Corning

FYE: June 30, 2013

APPROPRIATION LIMITATION WORKSHEETS:

GANN INITIATIVE

NEW APPROPRIATION LIMITS:

<u>FISCAL YEAR</u>	<u>PREVIOUS LIMIT</u>	<u>FACTOR</u>	<u>NEW LIMIT</u>
1980-81	1,846,944	1.1638	2,149,473
1981-82	2,149,473	1.0832	2,328,309
1982-83	2,328,310	1.1115	2,587,917
1983-84	2,587,916	1.0299	2,665,295
1984-85	2,665,295	1.0521	2,804,157
1985-86	2,804,157	1.0885	3,052,325
1986-87	3,052,325	1.0544	3,218,371
1987-88	3,218,371	1.0573	3,402,784
1988-89	3,402,784	1.0799	3,674,666
1989-90	3,674,666	1.0738	3,945,856
1990-91	3,945,856	1.0778	4,252,844
1991-92	4,252,844	1.0696	4,548,842
1992-93	4,548,842	1.0162	4,622,533
1993-94	4,622,533	1.0462	4,836,094
1994-95	4,836,094	1.0215	4,940,070
1995-96	4,940,070	1.0607	5,239,932
1996-97	5,239,932	1.0632	5,571,096
1997-98	5,571,096	1.0608	5,909,819
1998-99	5,909,819	1.0604	6,266,772
1999-2000	6,266,772	1.0626	6,659,072
2000-2001	6,659,072	1.0579	7,044,632
2001-02	7,044,632	1.0779	7,593,409
2002-03	7,593,409	0.9952	7,556,961
2003-04	7,556,961	1.0322	7,800,295
2004-05	7,800,295	1.0381	8,097,486
2005-06	8,097,486	1.0657	8,629,491
2006-07	8,629,491	1.0557	9,110,154
2007-08	9,110,154	1.0479	9,546,530
2008-09	9,546,350	1.0507	10,030,350
2009-10	10,030,350	1.0335	10,367,055
2010-11	10,367,055	0.9801	10,160,751
2011-12	10,160,751	1.0300	10,465,777
2011-12	10,465,777	1.0381	10,864,523

City of Corning
FYE: June 30, 2013
APPROPRIATION LIMITATION WORKSHEETS:
GANN INITIATIVE

	<u>CALIFORNIA PRICE FACTOR</u>		<u>CHANGE IN POPULATION %</u>	<u>COMBINED TOTAL</u>
2012-13	3.77 (1.0377)	x	0.04 (1.0004)	=1.0381

**ITEM NO: G-6
APPROVE AGREEMENT WITH CURIEL FAMILY
ORCHARDS TO MAINTAIN THE TREES AND
HARVEST THE OLIVES FROM THE ESTIMATED
76 OLIVE TREES IN WOODSON PARK AND
AUTHORIZE THE CITY MANAGER TO SIGN THE
AGREEMENT**

JUNE 26, 2012

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

**FROM: JOHN L. BREWER, AICP; CITY MANAGER & PUBLIC WORKS DIRECTOR
DAWN M. GRINE, PUBLIC WORKS SECRETARY** 

SUMMARY:

Jose M. Curiel dba Curiel Family Orchards currently has an Agreement with the City of Corning to maintain the olive trees and harvest the olive crop from the estimated 76 olive trees located in Woodson Park under the City's Agreement terms. City Staff approached Mr. Curiel in December seeking to extend the Agreement, of which Jose M. Curiel's son, Eduardo Curiel, has responded with positive interest for an Agreement renewal as stated in the attached letter.

City Attorney Jody Burgess has reviewed the Agreement. A copy of the Agreement with the changes that Jody has implemented is attached for Council review.

BACKGROUND:

On May 2, 2007 the City received a letter from Jose M. Curiel stating his interest in maintaining and harvesting the olives from the estimated 76 Olive Trees in Woodson Park. Mr. Curiel offers in his letter to assume responsibility for pruning, brush removal, and fly insecticide spraying of the olive trees in Woodson Park in return for allowing him to harvest the olive crop from these trees. In return, Mr. Curiel also offers to pay the City \$120 a ton based on a 50, 40 lbs. box count. Should the crop yield less, this amount could be renegotiated to a mutually acceptable adjusted price.

The current Agreement became effective on June 1, 2007 for a period of 5 years. City Staff is satisfied with the services of Curiel Family Orchards and is recommending the approval of the attached Agreement.

RECOMMENDATION:

That the Mayor and Council:

- 1. Approve the Agreement with Curiel Family Orchards to maintain the olive trees and harvest the olives from the estimated 76 olive trees in the Woodson Park and,**
- 2. Authorize the City Manager to sign the Agreement.**

COPY

Curiel Family Orchards

3619 Rawson Rd Corning CA (530) 624-6655

City Of Corning
794 Third St
Corning CA 96021

RECEIVED
APR 19 2012
CITY OF CORNING

April 13, 2012

RE: Olive Harvesting Contract Woodson Park Renewal

To Whom It May Concern:

Our lease contract will expire this next June 2012, and per your request we would like to continue the contract for another five years if the city so wishes.

We look forward to hearing from you soon, and thank you for giving us the opportunity to do this for the City of Corning.

If you have any questions please don't hesitate to call, once again, thank you.

Sincerely,



Eduardo Curiel

AGREEMENT

THIS AGREEMENT IS MADE AND ENTERED INTO as of this day First (1st) of June 2012 by and between the City of Corning a Municipal Corporation, hereinafter referred to as "City" and Jose M. Curiel, dba Curiel Orchards, hereinafter referred to as "Contractor". In consonance with the terms, conditions and considerations of the covenants herein contained, it is hereby agreed by and between the parties that Contractor shall care for and harvest the Olive Trees at Woodson Park for City, as hereinafter more particularly described.

1. CONTRACTOR'S OBLIGATIONS:

Contractor shall annually throughout the term of this contract harvest the olive crop from the olive trees (approximately 76 in number) owned by City and located within Woodson Park. All olives, regardless of size, shape, quality or grade shall be harvested. Contractor shall also during the course of each year fertilize, spray and prune such trees and provide appropriate brush removal around them. Such work shall be done safely and in a workmanlike manner with the materials purchased by Contractor but approved by City. The City reserves unto itself the right to reject any or all performance hereunder and to require touchup services to the City's satisfaction. Such touchup services shall be without further compensation.

Contractor shall apply chemicals safely and in a workmanlike manner, utilizing boom and wand spraying. All chemicals used shall be of the following types and rate of mixture:

PER LABEL INSTRUCTIONS

Prior to any spraying by Contractor, he shall provide notice at least 24 hours in advance to all residents along Pear, Peach, Walnut and South streets where they adjoin the park of the date and time that such spraying will occur. Notice shall be provided in the local newspaper as well as on door-hangers of each such residence.

Contractor shall, during the term of this Contract, maintain a valid City of Corning Business License.

2. COMPENSATION AND TERM:

For those services outlined above the Contractor's sole compensation shall be the olive crop itself which he will harvest and for which he will pay to City the sum of \$120 per ton based on a 50 (40 lb.) box count. If the crop yields significantly less than that amount, a mutually acceptable adjusted price will be negotiated between Contractor and City. This contract shall run for a period of five years, commencing on the date first above written and subject to termination as set forth herein.

2. DUE DILIGENCE

Contractor acknowledges he has been given adequate opportunity to view and investigate the physical land contemplated in this lease, its soil conditions and the olive trees prior to executing this Contract. Contractor further acknowledges that City makes no warranty or representation regarding the condition of the physical land, soil and/or trees, and that Contractor makes this Contract with the understanding that he takes the property and right to harvest the olive crop "AS-IS" and "WITH ALL FAULTS", if any there are.

3. TERMINATION:

Should Contractor fail to perform satisfactorily during any one of the five contract years as herein set forth, City reserves to itself the right to cancel any remaining portion of said contract upon thirty days written notice to Contractor, by notice in writing provided to Contractor at his usual place of business. Should Contractor breach any of terms and

conditions of this contract, or violate any laws, especially those relative to the utilization of hazardous materials, pest control chemicals or similar chemicals, mixtures or materials, the City reserves unto itself the right to direct Contractor to immediately cease performance and then terminate this contract thereafter upon thirty days written notice.

Upon termination, Contractor shall immediately remove from the property all equipment and items belonging to Contractor, its agents or employees from the Property. Contractor shall have no right to harvest or process any of the olive crop post-termination.

4. PAYMENTS:

The harvesting of the crop annually by the Contractor shall constitute a waiver of all claims by him occurring prior to the harvest date, except those previously made in writing and still unsettled.

5. SUSPENSION OF WORK:

The Director of Public Works shall have authority to suspend the work wholly or in part for such period as he may deem necessary to investigate complaints regarding improper or unsafe use of chemicals or pesticides. City shall not be liable to contractor for any delay or loss caused by the suspension of work and/or investigation of complaints as set forth in this paragraph.

6. AUTHORITY OF DIRECTOR OF PUBLIC WORKS:

The Director of Public Works shall be the City's representative in deciding any and all questions that may arise as to the quality or acceptability of the work performed, all questions that arise as to the acceptable fulfillment of the contract on the part of the Contractor, and all questions as to claims and compensation.

7. LAWS TO BE OBSERVED:

The Contractor shall keep himself fully informed of, and comply with, all State, Federal and Municipal Ordinances and/or regulations of the City of Corning which in any manner affect those engaged in or employed in the work, or the materials used in the work, or which in any way affect the conduct of the work and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. Contractor must comply with all provisions of the Immigration Reform and Control Act and of the California Labor Code.

8. LABOR DISCRIMINATION:

No discrimination shall be made in the employment of persons in this project because of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status or sex of such persons. Violation of this section shall subject Contractor to penalties referenced in Section 1735 of the Labor Code.

9. RESPONSIBILITY FOR DAMAGES:

Neither the City of Corning, the City Council, nor the City Staff, shall be responsible or accountable in any manner for any loss or damage that may happen to the work or any part thereof; or for any materials or equipment used in performing the work; or for injury or damage to any person or persons, either workers or the public; or for damage to adjoining property from any cause whatsoever.

The Contractor shall indemnify, defend, and save harmless the City of Corning, the City Council, and the City Staff from any suits, claims, causes of action, judgments, awards, attorney's fees, costs, and damages brought by any person for or on account of any injuries or damage sustained by, related to, or arising in the performance of the work or in consequence thereof. The obligations of Contractor as set forth in this paragraph apply

irrespective of whether the suit, claim, cause of action, judgment, award, attorney's fees, costs and/or damages have merit (factual or legally).

Liability Insurance:

The Contractor shall maintain in full force and effect, during the term of this agreement, a valid comprehensive public liability and property damage insurance policy listing the City as additional insured in the following amounts:

- ◆ \$1,000,000 for death or injury to any one person arising out of any accident;
- ◆ \$500,000 for death or injury of more than one person, arising out of any one accident; and
- ◆ \$50,000 for property damage arising out of any one accident.

Workman's Compensation Insurance:

Contractor at all times shall keep fully insured, at his own expense, all persons employed by him in connection with this Agreement as required by Workman's Compensation and Insurance (California Labor Code Section 3200 et seq.), and shall hold the City free and harmless from all liabilities that may arise by reason of the injuries to any of the employees of the Contractor who are injured while performing at work any labor necessary to carry out the provisions of this agreement.

Certification of Insurance and Cancellation Thereof:

The Contractor shall keep on file with the City a Certificate of Insurance duly executed by the Contractor's insurance carrier or carriers, which shall serve as evidence of the continued existence of said insurance policies. The Contractor's insurance carriers shall be required to give the City thirty (30) days written notice prior to the cancellation of the Contractor's Insurance.

10. PERSONAL LIABILITY:

Neither the Council, City Manager, Director of Public Works, or any other officer, authorized assistant, or agent of the City shall be personally responsible for ordinary liability under this contract.

Indemnity:

The City shall not, nor shall any officer, employee or agent thereof, be liable or responsible for any accident, loss or damage happening or occurring during performance of work. The Contractor shall indemnify and hold harmless the City and its officers and employees from any and all liability resulting from any such loss or damage and the defense of any legal action arising out of the activities described in this Agreement. The Contractor shall, at his own expense, defend the City, its officers, employees or agents, from any such legal actions.

11. ACCIDENTS:

The Contractor must promptly report in writing to the City all accidents whatsoever arising out of, or in connection with the performance of the work, whether on or adjacent to the job site, which caused death, personal injury, or property damages, giving full details and statements of witnesses to the City Attorney. In addition, if death or serious injuries or serious damages are caused, the accident shall be reported to the City immediately by telephone or messenger.

12. SAFETY:

In accordance with generally accepted practices, the Contractor will be solely and completely responsible for the conditions of the job site (s), including safety of all persons and property

during the performance of the work. This requirement will apply continuously and not be limited to normal working hours.

13. INDEPENDENT CONTRACTOR AGREEMENT:

NOTHING IN THIS AGREEMENT CREATES NOR SHALL BE CONSTRUED AS CREATING A PARTNERSHIP OR JOINT VENTURE BETWEEN CONTRACTOR AND CITY. IN THIS REGARD, CONTRACTOR ACKNOWLEDGES THAT IT IS STRICTLY AN INDEPENDENT CONTRACTOR AND THAT ANY PERSONS IT MAY HIRE TO ASSIST IN THIS CONTRACT SHALL BE STRICTLY CONTRACTOR'S EMPLOYEES AND NOT EMPLOYEES OF THE CITY OF CORNING. APPLYING THE DEFINITION OF "INDEPENDENT CONTRACTOR" IN LABOR CODE SECTION 3353 AS ONE WHO IS "UNDER THE CONTROL OF HIS PRINCIPAL AS TO THE RESULT OF HIS WORK ONLY AND NOT AS TO THE MEANS BY WHICH SUCH WORK IS ACCOMPLISHED" THE CITY HEREBY ACKNOWLEDGES THAT IT ONLY HAS CONTROL OVER THE RESULTS, NOT THE "MEANS" OF ACCOMPLISHMENT. THE CITY RETAINS NO RIGHT TO TELL THE CONTRACTOR HOW TO HARVEST THE CROP OR OTHERWISE PERFORM THE JOB, ONLY TO DEFINE THE SCOPE OF THE WORK TO BE PERFORMED AND TO TERMINATE THE CONTRACT IF THE WORK ISN'T COMPLETED TO CITY'S SATISFACTION IN A TIMELY MANNER. THE PROVISIONS OF THIS PARAGRAPH SHALL PREVAIL OVER ANY INCONSISTENT PROVISIONS OR LANGUAGE IN THE PRECEDING PARAGRAPHS OF THIS AGREEMENT.

14. ATTORNEYS' FEES AND COSTS:

In any action brought to enforce the terms of this Agreement, the prevailing party shall be entitled to an award of reasonable attorney's fees and costs.

15. WARRANTY OF CAPACITY AND AUTHORITY

Each signatory to this Agreement represents and warrants that he/it is competent to execute this Agreement on his or its own behalf, or that he or it is competent to execute this Agreement, and has the express authority of the person or municipality on whose behalf he, she or it is signing, to execute this Agreement on behalf of such other person or entity.

16. ENTIRE AGREEMENT

This Agreement contains the entire agreement of the parties with respect to the matters covered hereby, and supersedes any oral or written understandings or agreements between the parties with respect to the subject matter of this Agreement. No person or party is authorized to make any representations or warranties except as set forth herein, and no agreement, statement, representation or promise by any party hereto which is not contained herein shall be valid or binding.

17. COUNTERPARTS TO AGREEMENT

This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, equally admissible in evidence, but all of which together shall constitute one and the same Agreement, notwithstanding that the signatures of each party or their respective representatives do not appear on the same page of this Agreement.

18 FACSIMILE EXECUTION

Execution of his Agreement may be transmitted by facsimile and a facsimile execution shall be deemed as effective as an original execution for all purposes, and equally admissible in evidence. It is further represented that each signatory has the capacity to sign where indicated and to bind the person or entity at issue as set forth herein.

19. SEVERABILITY

If any provision, or any part of any provision, of this Agreement is, for any reason, held to be invalid, unenforceable, or contrary to any public policy, law, statute or regulation, then the remainder of this Agreement shall not be affected thereby, and shall remain valid and fully enforceable.

20. AMENDMENTS OR MODIFICATIONS TO AGREEMENT

No modification or amendment to this Agreement shall be of any force or effect unless in writing and executed by each party with an interest in such modification or amendment.

21. FINAL PARAGRAPH

This is the final paragraph of this Agreement.

WHEREFORE, by executing below, the parties to this agreement acknowledge that they have read and understood its contents and agree to be bound by the same.

CITY:

DATE: _____

CONTRACTOR:

DATE: _____

ITEM NO.: G-7
RESOLUTION NO. 06-26-2012-03,
SETTING FEES FOR CITY
CANDIDATE'S STATEMENT OF
QUALIFICATIONS FOR THE
NOVEMBER 2012 STATEWIDE
ELECTIONS
JUNE 26, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

FROM: JOHN L. BREWER, CITY MANAGER
LISA M. LINNET, CITY CLERK



SUMMARY:

The City Clerk requests Council adoption of the fee amount set by the County's Elections Board for City of Corning Candidate's Statement of Qualifications. The County has set the fee at \$450 for print in English or \$500 for print in Spanish (\$450 plus the additional \$50 translation fee charge). Total cost to print in both English and Spanish would be \$950.

BACKGROUND

Council is being asked tonight to approve Resolution 06-26-2012-03, a Resolution that limits the Candidate Statements of Qualifications to 200 words and sets the fees for Candidate Statements of Qualifications at:

- \$450 (English)
- \$450 (Spanish) plus the additional \$50 for translation into Spanish
- \$950 (for both English and Spanish);
- Requires the City Clerk to collect these fees at the time Candidates file their Statements and transfer all collected funds to the County Elections Department.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION NO. 06-26-2012-03, A RESOLUTION SETTING FEES FOR CITY CANDIDATE STATEMENTS OF QUALIFICATIONS FOR THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2012.

RESOLUTION NO.: 06-26-2012-03

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING, SETTING FEES FOR
CITY CANDIDATES STATEMENT OF QUALIFICATION FOR THE
NOVEMBER 6, 2012 STATEWIDE GENERAL ELECTION**

WHEREAS, the City of Corning adopted Ordinance No. 428 on February 13, 1985, consolidating its elections with the statewide General Election which is held on the first Tuesday after the first Monday in November on even numbered years; and

WHEREAS, the Corning City Council adopted Resolution No. 06-12-2012-01 Calling for the Municipal Election and Requesting that it be consolidated with the November 2012 Statewide General Election on November 6, 2012; and

WHEREAS, The City of Corning is requesting that the Tehama County Board of Supervisors authorize the County Elections Department to provide services to the City of Corning in the conduct of the Election; and

WHEREAS, pursuant to Elections Code Section 10002, the City or District shall reimburse the County in full for the services performed upon presentation of a bill to the City or District; and

WHEREAS, the following contests will be placed on the November 6, 2012 Ballot:

Mayor for the Full Term (2 Years):	One
Member, City Council for the Full Term (4 Years):	Two
City Treasurer for the Full Term (4 Years):	One
City Clerk for the Full Term (4 Years):	One

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Corning adopts the County fee set for the Voluntary Statement of Qualification as \$450 (English) and/or \$450 (Spanish) plus the additional \$50 for translation into Spanish with a limit of 200 words payable to the County of Tehama.

BE IT FUTHER RESOLVED AND ORDERED THAT the City Clerk will collect said fees at the time candidates file statements.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on June 26, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

**ITEM NO: J-8
ADOPT RESOLUTION NO. 06-26-2012-01 AND
APPROVE 2012-2013 PROGRAM OF
SERVICE AND ANNUAL BUDGET
JUNE 26, 2012**

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

**FROM: JOHN L. BREWER, AICP; CITY MANAGER AND PUBLIC WORKS
DIRECTOR**



SUMMARY:

The Annual Budget for 2012-2013 is presented to the City Council for adoption tonight following review and work by the City Council and City Staff. The Resolution reflects the additions and changes directed by the City Council at its regular meeting on June 12, 2012.

The Budget represents the financial plan that supports the "Program of Service" defining the City Council's policies for the delivery of service in the Community.

In addition to approving the funding to continue all City operations, the Council approved a number of major equipment replacements and Street and Water Improvements totaling \$736,582.

Note that total includes the \$611,582 of the staff recommendation on June 12th, but also includes \$125,000 for water improvements. Of that, \$25,000 (from the Water Enterprise Fund) is for a water meter replacement program, and \$100,000 (from the Water Capital Replacement Fund) for the new water line in Blackburn Avenue in front of the high school. Those water fund expenditures were described in the list included in the June 12th staff report (Funding for Important Projects-pg. xvi). But since the expenditures were "non-General Fund", they weren't included in the funding totals.

ACTION NEEDED AT THIS TIME:

Immediately following this Staff Report is the Resolution of the City Council adopting the Budget for the Program of Service for the coming year, 2012-2013. Only the General Fund, 001, is discretionary in its use. All of the other Funds listed are special purpose Funds dedicated by the City Code or State Law to a particular use like road maintenance or sewer maintenance.

The Budget Resolution sets the Appropriation of expected Revenue for each Fund. A Fund represents a specific revenue source such as "Sec. 2106 Gas Tax" or in the General Fund, a group of revenue sources like Sales Tax and Property Tax. Then the Resolution establishes the limit on Expenditures as reflected in the budget. The last column shows the amount of reserve funds to be expended or the balance of the year's revenue to be placed in the Reserve for future use. Actual Fund balances are shown in the Annual Audit.

RECOMMENDATION

**MAYOR AND COUNCIL ADOPT RESOLUTION 06-26-2012-01 SETTING THE
APPROPRIATION AND EXPENDITURE LIMITS FOR ALL CITY FUNDS TO IMPLEMENT THE
2012-2013 PROGRAM OF SERVICE AND ANNUAL BUDGET.**

ADDITIONAL PROJECTS AND EQUIPMENT APPROVED

The Plan of Service and Annual Budget presented on June 12, 2012 included

- The end of employee “furloughs” by December 31, 2012,
- The filling of a vacant Public Works Maintenance Worker position in January 2013,
- The filling of the Public Works Director position in January, 2013,
- The funding of an independent half-time Planning Consultant to fill the retiring Planning Director’s position,
- The Replenishment of the Operating Reserve “set-aside” to its “pre-recession” level of \$800,000,
- Fund the City Hall Computer Firewall Security and DSL connection.
- Restore funding for Curb and Gutter Replacement
- Fund Petro Well Pump Testing to determine the feasibility of restoring the well to service.
- Fund Water Well telemetry improvements to further improve the water system.

The City Council reviewed the proposed Equipment purchases and Improvement Projects and directed Staff to include these in the Budget as follows:

- Purchase new Body Armor for Police Officers and establish an annual funding for body armor replacement.
- Replace one Police Patrol Vehicle
- Replace one Police utility pick-up truck
- Establish annual funding for a Police computer replacement program
- Replace the Fire Department Utility Truck and establish funding for a Fire equipment replacement program that will include the replacement of the Rescue Squad in the future.
- Recognize the need to order a replacement Fire Engine in two years and begin funding next year.
- Establish first year funding for a 20 year cycle of replacing Self Contained Breathing apparatus (SCBA)
- Establish first year funding for the periodic replacement of the Jaws of Life
- Establish first year funding for the periodic replacement of Fire “Turn-outs” on a 10 year life cycle.
- Repave over a mile of Solano Street
- repave 2,000 feet of Blackburn Avenue in front of the High School
- Using General Fund available Reserve, payoff the loan from Traffic Mitigation Fund 116 to the Municipal Airport Enterprise; the loan provided the required Grant Match Federal Aviation Administration funded runway Improvements including the moving the runway north 900 feet further away from Corning High School, widening and resurfacing the runway and constructing a new “apron” for the parking of aircraft.
- Install a new water main including new fire hydrants in Blackburn Ave. as part of the improvements in front of Corning High in order to interconnect the water main in First Street and with the water main in Marguerite Ave.
- Fund the Water Meter Replacement Program
- Working with CalTrans, install new signage identifying the Solano Ave. Freeway exit which currently reads “Corning Road”

Following the Resolution are all of the budget narrative pages that have changes made by the City Council to implement the list above.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
ADOPTING THE ANNUAL PROGRAM OF SERVICES AND CITY BUDGET
FOR FISCAL YEAR 2012-2013**

WHEREAS, the City Council received the proposed Budget and Program of Service on June 8, 2012 to read and review and the budget was posted on the City Web Site www.corning.org soon thereafter, followed by the first Public meeting held on June 12, 2012, during the Regular Council Meeting and met again on June 26, 2012 for further public discussion and Adoption.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Corning approves the Annual Program of Service and Budget, with changes, by adopting the Appropriations and Expenditures for each City Fund as listed in the following table:

FUND DESCRIPTION	ESTIMATED REVENUE AND TRANSFERS	APPROPRIATED EXPEND. & TRANS	RESERVE USED / CARRY OVER
001 General Fund	\$4,602,188	\$4,990,398	\$ (388,210)
071 PD Equip. Replace. Fund	\$ 79,374	\$ 79,374	\$ -0-
072 ACO F & A	\$ 3,000	\$ 3,000	\$ -0-
076 Fire Equip. Replace. Fund	\$ 105,595	\$ 95,185	\$ 10,410
078 PW Equip Replace. Fund	\$ -0-	\$ 6,500	\$ (6,500)
105 Rural Planning	\$ 29,000	\$ 16,800	\$ 12,200
108 Federal Programs	\$ -0-	\$ 15,415	\$ (15,415)
109 Gas Tax	\$ 36,811	\$ 63,930	\$ (27,956)
110 Gas Tax / 2106	\$ 28,752	\$ 56,708	\$ (25,956)
111 Gas Tax / 2107	\$ 51,394	\$ 50,000	\$ 1,394
112 Gas Tax	\$ 2,000	\$ 2,000	\$ -0-
114 Tr. Sales Tax	\$ 106,000	\$ 121,800	\$ (15,800)
115 Gas Tax 2103	\$ 80,422	\$ 101,600	\$ (21,178)
116 Traffic Mitigation Fees	\$ 5,000	\$ 3,000	\$ 2,000
130 Rodger's T. Restoration	\$ 5,000	\$ 29,000	\$ (24,000)
131 Energy Grant	\$ -0-	\$ -0-	\$ -0-
150 Planning Envir. Review	\$ -0-	\$ -0-	\$ -0-
152 Flood Mitigation Grant	\$ -0-	\$ -0-	\$ -0-
164 Office/Traffic Safety 2	\$ -0-	\$ -0-	\$ -0-
170 Abandoned Vehicles	\$ -0-	\$ -0-	\$ -0-
188 Safe Grant	\$ -0-	\$ -0-	\$ -0-
322 CDBG '08 Blackburn	\$ 800,000	\$ 867,000	\$ (67,000)
323 Prog. Income Unrestricted	\$ -0-	\$ -0-	\$ -0-
324 Prog. Housing - Restricted	\$ -0-	\$ -0-	\$ -0-

RESOLUTION NO. 06-26-2012-01, page 2

<u>FUND DESCRIPTION</u>	<u>ESTIMATED REVENUE AND TRANSFERS</u>	<u>APPROPRIATED EXPEND. & TRANS</u>	<u>RESERVE USED / CARRY OVER</u>
325 Program Income ED	\$ 1,500	\$ 4,000	\$ (2,500)
326 Program Income General	\$ 500	\$ -0-	\$ 500
327 Housing Acquisition RLF	\$ -0-	\$ 4,000	\$ (4,000)
328 Housing Rehab. RLF	\$ -0-	\$ 4,000	\$ (4,000)
329 Housing New Const. RLF	\$ -0-	\$ 4,000	\$ (4,000)
341 Park Acquisition	\$ 12,200	\$ -0-	\$ 12,200
344 Salado Wall	\$ 200	\$ 92,000	\$ (91,800)
345 Drainage	\$ 11,000	\$ 35,000	\$ (20,000)
346 Water Capital Improve.	\$ 6,500	\$ -0-	\$ 6,500
347 Sewer Capital Improve.	\$ 2,500	\$ 2,000	\$ 500
348 WWTP Sewer	\$ 256,000	\$ 236,000	\$ (160)
352 Park & Rec. Revolving Fund	\$ -0-	\$ -0-	\$ -0-
354 State Prop. 84 Park Grant	\$ 4,276,800	\$ 3,755,800	\$ 521,000
355 Parkland Acquisition	\$ 600	\$ -0-	\$ 600
356 Trail Development	\$ -0-	\$ -0-	\$ -0-
365 Curb/Gutter-Revolving	\$ -0-	\$ -0-	\$ -0-
370 Way Finding Sign Deposit	\$ -0-	\$ 1,200	\$ (1,200)
380 WWTP Capital Replace	\$ 65,000	\$ 50,000	\$ 15,000
381 Sewer Capital Replace.	\$ 21,000	\$ 54,500	\$ (33,500)
383 Water Capital Replace.	\$ 124,000	\$ 162,000	\$ 38,000
384 Clark Park Well	Close Fund June 30, 2012		
386 Short Lived Water Asset Repl.	\$ 27,000	\$ -0-	\$ 27,000
401 J. T. Levy	\$ 500	\$ 500	\$ -0-
402 Rodgers Theatre Trust	\$ 500	\$ 19,700	\$ (19,700)
403 Ridell Library Trust	\$ -0-	\$ 11,000	\$ (11,000)
610 Sewer Enterprise	\$ 1,568,455	\$ 1,598,426	\$ 29,971
611 Sewer Rate Cover. Fund	\$ -0-	\$ -0-	\$ -0-
615 Solid Waste	\$ 406,000	\$ 406,000	\$ -0-
620 Airport	\$ 23,979	\$ 24,000	\$ (21)
625 Transportation Center	\$ 18,220	\$ 16,500	\$ 1,720
630 Water Enterprise	\$ 1,234,522	\$ 1,274,044	\$ (39,522)

RESOLUTION NO. 06-26-2012-01, page 3

<u>FUND DESCRIPTION</u>	<u>ESTIMATED REVENUE AND TRANSFERS</u>	<u>APPROPRIATED EXPEND. & TRANS</u>	<u>RESERVE USED / CARRY OVER</u>
632 Water Well Debt Reserve	\$ 2,800	\$ -0-	\$ 2,800
701 Lighting & Landscape Dist.	\$ 1,090	\$ 900	\$ 190
703 Lighting & Landscape Dist.	\$ 3,000	\$ 3,800	\$ (800)
704 Lighting & Landscape Dist.	\$ 4,825	\$ 4,300	\$ 525

BE IT FURTHER RESOLVED, that the City Council hereby maintains the following policies:

1. The Annual System Replacement commitment from the Sewer Enterprise Fund as mandated in the Federal Wastewater Treatment Plant Construction Grant is committed to pay debt service for Sewer Replacement Bonds.
2. Public Safety Sales Tax, approved by the voters in Prop. 172, is distributed between the Police Equipment Replacement Fund 071 and Fire Equipment Replacement Fund 076. Upon receipt, funds shall be deposited into the General Fund Revenue Account #001-4122, and become a part of the annual transfer in support of the Fire Equipment Replacement Fund #076.
3. Should the State Indian Gaming money be received this year, it shall be deposited in the General Fund Revenue Acct. 001-4160 to be used for the funding of front-line law enforcement personnel costs.
4. From the General Fund 001, transfer \$79,374 to the Police Equipment Replacement Fund 071.
5. From the General Fund 001, transfer \$56,787 to the Fire Equipment Replacement Fund 076.
6. Deposit Fire Dispatch Contract income into the General Fund revenue account #001-4671 to support the Fire Dispatch Center.
7. From the General Fund 001, transfer \$-0- to Public Works Equipment Replacement Fund 078.
8. \$55,000 per year for Equipment Replacement shall be transferred annually from the Sewer Enterprise Fund 610 to the Wastewater Treatment Plant Capital Replacement Fund #380.
9. \$20,000 per year for Equipment Replacement shall be transferred annually from the Sewer Enterprise Fund #610 to the Sewer Capital Replacement Fund #381.
10. \$80,000 per year shall be transferred in 2011-2012 from the Water Enterprise Fund #630 to the Water Capital Replacement Fund #383.
11. \$27,000 shall be transferred annually from the Water Capital Replacement Fund #383 to the Short Lived Water Asset Replacement Fund #386, as required by the USDA Rural Utilities Service 2011 COP bond covenants.

RESOLUTION NO. 06-28-2012-01, page 4

12. \$2,800 shall be transferred annually as a part of the 2011 Water Well COP debt service from the Water Enterprise Fund #630 to the Water Well Loan Debt Service Reserve Fund #632 as required by the USDA Rural Utilities Service 2011 COP bond covenants.
13. The \$5,000 Annual rent for PAL Program Use shall be paid to the Transportation Center Fund #625 by the General Fund #001-6600-2201 PAL Program.
14. Prior To June 30, 2012, transfer \$120,000 from Sewer Enterprise Fund 610 to WWTP Expansion Fund 348 to cover current 2005 COP Debt Service for plant expansion as required by the Bond Covenants.
15. \$240,000 shall be transferred annually from Sewer Enterprise Fund 610 to WWTP Expansion Fund 348 to cover current 2005 COP Debt Service for plant expansion as required by the Bond Covenants.
16. Authorize City Manager to make annual year end transfer of Restricted CDBG Program Income into its separate Funds, Funds 327, 328 and 329, in order to segregate funds available for use.
17. Authorize City Manager to return the final fund balance as of June 30, 2012, in Abandoned Vehicle Abatement Fund 170 to County of Tehama which will administer the funds in the future. Close Fund 170 effective June 30, 2012
18. Transfer to the General Fund #001, prior to June 30, 2012, the excess interest earned from the Solid Waste Fund 615, equal to the June 30, 2012, Fund #615 balance less the amount payable to Waste Management, Inc.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning, held on June 26, 2012, by the following vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013
DEPARTMENT HISTORY BY FISCAL YEAR

	2006-2007 ACTUAL -----	2007-2008 ACTUAL -----	2008-2009 ACTUAL -----	2009-2010 ACTUAL -----	2010-2011 ACTUAL -----	2011-2012 BUDGET -----	2011-2012 ACTUAL -----	2012-2013 REQUESTED -----
GENERAL CITY -----								
City Council #1100	31,290	33,339	34,822	23,979	22,183	25,400	23,849	25,600
City Clerk #1300	21,274	21,005	13,636	10,741	15,642	16,300	7,825	17,950
City Treasurer #1900	646	592	592	538	718	600	592	600
City Administration #1200	193,854	196,432	206,375	202,056	185,197	116,209	104,698	182,470
Legal Services #1400	77,454	85,338	88,889	133,840	81,885	74,800	80,814	85,200
Recreation #3300		18,403	82,006	92,006	17,563		10,338	10,000
Building & Safety #4300	139,192	175,105	98,938	88,322	103,841	100,496	100,135	110,283
Planning Dept #4100	97,579	125,152	107,010	110,745	116,211	122,945	105,914	44,400
Economic Development #4010	50,340	144,986	148,526	22,600	21,500	22,000	20,792	23,500
Housing Element #3181			14,515	26,890	2,099			
Flood Mitigation #2310					10,627	50,580		
Flood Planning #4006	170	4,688	38,710					
GIS Planning #4007	170	10,489	38,962					
Retail Planning #4008		45,821	860					
Housing Rehab #4020	245,900	1,615	66	2,130	71,250	16,000	4,883	16,000
Salado Wall Project #9008						92,000		92,000
Finance Dept #1500	235,468	257,572	268,246	259,947	263,879	287,093	247,147	291,983
Solid Waste #8000	352,052	367,722	382,161	417,157	413,842	405,000	312,828	405,000
General City #1600	477,986	441,448	431,235	381,228	350,812	348,686	362,767	362,018

GENERAL CITY TOTAL	1,923,375	1,929,707	1,955,549	1,772,179	1,677,249	1,678,109	1,382,582	1,667,004

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013
DEPARTMENT HISTORY BY FISCAL YEAR

	2006-2007 ACTUAL -----	2007-2008 ACTUAL -----	2008-2009 ACTUAL -----	2009-2010 ACTUAL -----	2010-2011 ACTUAL -----	2011-2012 BUDGET -----	2011-2012 ACTUAL -----	2012-2013 REQUESTED -----
PUBLIC SAFETY -----								
Fire Department #2300	446,626	566,867	497,154	526,694	388,352	217,955	193,130	223,826
Fire Cap Replacement #2301	61,262	69,203	78,908	70,070	47,308	62,305	14,530	95,185
Fire Dispatch #2302					134,551	303,233	290,921	324,554
Police Department #2114	1,794,751	1,857,911	1,954,170	2,012,447	2,061,337	1,987,869	1,849,549	2,032,601
Animal Control #2200	109,191	114,675	132,567	123,861	87,043	145,460	123,712	148,352
Police Dispatch #2119	418,148	382,566	448,356	446,965	452,774	480,901	426,622	533,848
Police Cap Replacement #2116	18,160	75,573	127,387	3,638		77,719	73,453	79,374
PAL Program #2201	14,082	13,762	15,091	5,038	5,000	5,100	5,011	5,100
2001 CAL COPS #2107								
OTS Drunk Driving #2100	40,671	15,868	10,550	17,155	11,087	24,285	3,509	
LLEBG 2002 #2109								

PUBLIC SAFETY TOTAL	2,902,891	3,096,425	3,264,183	3,205,868	3,187,452	3,304,827	2,980,437	3,442,840
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CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013
DEPARTMENT HISTORY BY FISCAL YEAR

	2006-2007 ACTUAL -----	2007-2008 ACTUAL -----	2008-2009 ACTUAL -----	2009-2010 ACTUAL -----	2010-2011 ACTUAL -----	2011-2012 BUDGET -----	2011-2012 ACTUAL -----	2012-2013 REQUESTED -----
PUBLIC WORKS -----								
Public Works Admin #3800	194,556	225,531	192,272	182,332	192,399	217,584	182,767	147,214
Engineering #4200	52,492	48,088	23,555	33,765	29,792	14,300	14,143	19,300
Library #1700	23,480	20,673	18,767	13,643	20,439	28,900	16,131	28,900
Streets #3000	424,091	467,856	364,850	249,630	308,123	450,351	331,681	656,493
Street Projects #3001	194,420	919,898	239,510	94,798	491,749	305,500	253,473	357,000
Blackburn Improvements #4600			29,636	85	35,494	867,000	3,673	867,000
Street and Traffic Lights #3100	67,058	65,648	63,902	65,861	75,924	71,000	61,607	71,000
Parks Maintenance #6100	161,831	177,804	210,734	70,370	107,514	110,423	106,450	110,728
Pool #6200				63,858	74,763	70,819	47,953	72,855
Prop 84 Park Non-Construct #9020				152,595	15	501,000	167,634	501,000
Prop 84 Park Acquisition #9024					44,235		186	
Prop 84 Park Construction #9025						3,254,800	57,266	3,254,800
Community Events #3190	10,222	7,377	16,782	7,169	7,031	3,000	9,123	4,200
Building Maintenance #3600	34,716	38,845	54,972	28,349	43,129	35,800	44,848	35,800
Mechanical Maintenance #3700	19,184	7	3,391	1,083	4,280	9,070	2,607	9,070
Rodgers Theatre #6125	6,728	33,788	4,722	2,732	199,761	50,200	31,035	51,900
Energy Grant #6126					35,175	8,946		
L&L 1 #3901		936	1,613	698	751	900	649	900
L&L 3 #3903		1,350	1,800	1,350	1,800	3,800	927	3,800
L&L 4 #3904			1,488	3,433	3,322	4,300	3,426	4,300

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013
DEPARTMENT HISTORY BY FISCAL YEAR

	2006-2007 ACTUAL -----	2007-2008 ACTUAL -----	2008-2009 ACTUAL -----	2009-2010 ACTUAL -----	2010-2011 ACTUAL -----	2011-2012 BUDGET -----	2011-2012 ACTUAL -----	2012-2013 REQUESTED -----
ENTERPRISE FUNDS								
Corning Airport #3500	221,022	22,954	208,139	2,430,396	27,613	22,500	24,488	142,421
Transportation Center #3160	13,239	11,809	12,596	16,966	15,376	16,500	14,615	16,500
Sewer Maintenance #5000	156,224	115,761	113,711	104,529	96,305	108,368	104,625	102,425
Sewer Improvements #5250	311,899	293,729	343,663	325,746	277,065	470,302	388,112	472,142
WWTP #5200	559,610	656,862	576,816	662,749	654,147	685,850	632,015	702,850
Water Department #7100	436,231	431,599	421,188	426,243	435,404	428,985	409,248	395,973
Water Improvements #7420	210,971	279,047	226,656	207,624	235,302	1,014,182	909,648	502,004
ENTERPRISE FUNDS TOTALS	1,909,196	1,811,761	1,902,769	4,174,253	1,741,212	2,746,687	2,482,751	2,334,315

GRAND TOTALS	7,924,240	8,845,694	8,350,495	10,124,051	8,281,609	13,737,316	8,181,349	13,640,419
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**CITY OF CORNING
2012/2013 ANNUAL BUDGET DETAIL
POLICE DEPARTMENT – CAPITAL REPLACEMENT
(2116)**

ACTIVITY DESCRIPTION

The Capital Replacement account contains the Department's Capital Replacement Projects.

CAPITAL IMPROVEMENT PRIORITIES:

For the 2012/13 fiscal year, the Department proposes the following list of priorities as its Capital Replacement Program:

Priority (1) COMPUTER-AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM (RIMS):
Now an ongoing lease and tech support payment included in the Dispatch Budget

071-9331-2116 BODY ARMOR REPLACEMENT: This is Priority 2; provides for the annual funding to replace of the Department's uniformed officers' bulletproof vests as their safe live is reached. See the adopted Capital Improvement Program for the future annual funding.

071-9500-2116 VEHICLE REPLACEMENT: This is Priority 3 provides for the re-establishment of the vehicle replacement program and the purchase of two (2) vehicles in the 2012/13 fiscal year.

071-9160-2116 COMPUTER/TECHNOLOGY REPLACEMENT PROGRAM: This is Priority 4; provides for the establishment of a computer/technology replacement program with a stable funding source based on estimated future equipment replacement requirements.

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013

	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 ACTUAL	2009-2010 ACTUAL	2010-2011 ACTUAL	2011-2012 BUDGET	2011-2012 ACTUAL	2012-2013 REQUESTED
POLICE CAPITAL REPLACEMENT #2116								
188 6150 2116 Mat/Supplies	0	0	4,421	3,513	0	0	0	0
184 7021 2116 Mobile Terminal	577	2,055	0	0	0	0	0	0
188 7100 2116 Traing/Educ.	0	0	972	125	0	0	0	0
001 7406 2116 Comp/Equip/Soft	0	0	0	0	0	31,719	39,344	0
TOTAL OTHER OPERATING EXP	577	2,055	5,393	3,638	0	31,719	39,344	0
071 9148 2116 911 Upgrade	0	0	7,375	0	0	0	0	0
071 9160 2116 Computer	5,198	2,245	2,453	0	0	0	0	10,000
071 9162 2116 HANDHELD RADIOS	0	22,741	0	0	0	0	0	0
071 9163 2116 CHILD SEAT SAFE	0	2,114	386	0	0	0	0	0
188 9211 2116 SAFE GRANT	0	5,036	3,883	0	0	0	0	0
001 9301 2116 EquipReplacemnt	0	0	0	0	0	8,000	0	0
071 9301 2116 EquipReplacemnt	3,042	7,254	1,605	0	0	0	0	0
071 9331 2116 Body Armor Repl	0	0	0	0	0	0	0	9,526
001 9500 2116 Vehicle/Replace	0	0	0	0	0	0	402	0
071 9500 2116 Vehicle/Replace	9,344	34,129	106,292	0	0	38,000	33,708	59,848
TOTAL CAPITAL EXPENDITURES	17,584	73,519	121,994	0	0	46,000	34,110	79,374
TOTAL FOR DEPT.	18,161	75,574	127,387	3,638	0	77,719	73,454	79,374

**CITY OF CORNING
2012 – 2013 ANNUAL BUDGET DETAIL
FIRE CAPITAL REPLACEMENT
(2301)**

CAPITAL IMPROVEMENT PRIORITIES:

Capital Improvement priorities include replacement of:

- A Rescue Squad and Utility Vehicle;
- A Type 1 Engine;
- Self-Contained Breathing Apparatus (SCBA's);
- Extrication Equipment; and
- Personal Protective Gear (Turnouts)
- Annual Lease Purchase Agreement Payment for Aerial Truck

The above named equipment, some of which are currently beyond the standard service life, require annual maintenance, repairs and replacement as necessary. The Rescue Squad and Fire Chief's Utility Vehicle were both purchased in 1995 and are currently past their service life. Safety mandates continually change on the SCBA's and this vital piece of safety equipment also requires scheduled testing. Fire hose replacement and replacement of our extrication equipment are also needed as our current inventory of hose declines due to age and wear and tear. Department extrication equipment is also very old and was bought by the Volunteers second hand 10 years ago.

Estimating and budgeting now for annual contributions to an equipment replacement fund will assist in maintaining our Department's high safety and service standards while continuing to provide for the protection of our Community.

The Volunteers have spent 2,640 man-hours in training and 4,790 hours answering alarms, for a total of 7,430 man-hours.

SUPPLIES:

9301 EQUIPMENT REPLACEMENT: Provides annual funding towards funding the replacement of necessary firefighting equipment such as vehicles, SCBA's, Turnouts, and extrication equipment. In 2012, the city Council established annual funding to insure that all of these safety items could be replaced at the end of their normal lives.

9315 ANNUAL PAYMENT FOR AERIAL TRUCK: Provides funding for the City's annual matching payment of \$21,000 towards the Lease Purchase Agreement for the Aerial Truck 114. The Paskenta Band, Nomaki Indians have annually contributed \$26,308 towards this purchase. The Agreement should be paid in full in fiscal year 2014-2015.

9315 FIRE APPARATUS REPLACEMENT: Provides \$35,000 annual funding towards the replacement of the light trucks including the utility Truck this year and the Squad when sufficient funds accrue. The City plans to begun funding for engines when the Aerial ladder truck financing is done.

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CITY OF CORNING
 ANNUAL BUDGET
 FISCAL YEAR 2012-2013

	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 ACTUAL	2009-2010 ACTUAL	2010-2011 ACTUAL	2011-2012 BUDGET	2011-2012 ACTUAL	2012-2013 REQUESTED
Fire Capital Replacement #2301								
001 9301 2301 EquipReplacemnt	0	0	0	0	0	7,465	14,530	0
076 9301 2301 EquipReplacemnt	13,954	21,846	31,600	22,762	0	7,465	0	12,810
076 9315 2301 Fire Engine#114	47,308	47,308	47,308	47,308	47,308	47,375	0	47,375
076 9500 2301 Vehicle/Replace	0	0	0	0	0	0	0	35,000
TTL CAP EXPEND	61,262	69,154	78,908	70,070	47,308	62,305	14,530	95,185
TOTAL FOR DEPT.	61,262	69,154	78,908	70,070	47,308	62,305	14,530	95,185

**CITY OF CORNING
2012-2013 ANNUAL BUDGET NARRATIVE
STREET MAINTENANCE (3000)**

ACTIVITY DESCRIPTION (Includes City Council additions):

The Street Maintenance department of public works is responsible for numerous tasks such as: Street patching, grading and leveling, street signage, repair/replacement of curb, gutter and sidewalk, street sign installation and maintenance. Street maintenance personnel also assist on other Public Works projects and functions when needed.

This department operates on funds received primarily through the Transportation Development Act Fund, Gas Tax Revenues and a nominal amount of funding from the City General Fund.

The Weed and Tree Spraying contract is on year three (3) of a three (3) year contract extension. All Park and City trees within the right-of-way are sprayed annually and as needed to prevent disease growth and infection. City grounds, parks and parking lots, drain ditches, alleys, and street shoulders are sprayed for weed control as needed.

Public Works will continue the annual contracted cleaning of sections of the City's Storm Drain System with Southwest Water Company. This process improves water flow throughout the City during the winter rain season and has proven to be extremely successful when maintained on an annual basis. The Salt Creek Conservation Camp assists the Public Works Department in the cleaning and clearing of the Blackburn Moon Drain and the Jewett and Burch creek streambeds.

As done in previous years, Public Works will again contract tree-trimming services for the City. This service not only improves the City appearance, but also reduces the possibility of damage to power lines, private and City property, or potential injuries to citizens from dead, broken and hazardous trees and tree limbs.

This year, we opted to include all street "Materials and Supplies" and "Asphalt-Concrete-City Wide" within the Streets Department. In previous years those funds were included in both the "Streets" and "Street Projects" Departments. From now on, the Streets Projects Department will include only funds designated for the annual repaving project, which is to be completed by a contractor via the competitive bid process.

Street Patching and Asphalt maintenance will be ongoing. We will identify the most critical street segments for that maintenance work that we'll complete with Public Works personnel.

Like the Materials and Supplies funds, Curb, Gutter and Sidewalk; Street Barricades, and Cleaning Contract (Stormsewer & Streambed) funds have similarly been moved from Street Projects to "Streets".

The City Council added \$2,000 for the modification of the Corning road approach signs to include "Solano Street" in Account 110-7364-3000.

PERSONNEL SERVICES:

SALARIES: This account includes wages for public works employees working in street maintenance related activities.

EMPLOYEE BENEFITS: This account provides for City contributions to Sick Leave, Holiday pay, FICA-City paid, ER PERS, EE PERS, Health Insurance and Life Insurance.

SUPPLIES & SERVICES:

- 6150 MATERIALS/SUPPLIES:** Funding provided from the General Fund, Gas Tax 2105 fund and/or Transportation Sales Tax Fund for needed materials/supplies.
- 6175 WEED/TREE SPRAYING:** This account funds the weed/tree spraying contract including spraying the Olive Trees for Fruit Flies and the Ornamental Pear Trees on Solano Street for Fire Blight.
- 114-6250 SMALL TOOLS:** Provides funding to purchase any needed small tools.
- 114-6321 USA SERV. ALERTS:** This provides funding for any underground service alert checks needed by the City prior to construction work.
- 110-7364 SIGN REPLACEMENT:** Provides funding for the purchase of any needed new street signs including the Freeway Solano Street signage.
- 114-7500 VEHICLE OPR./MAINT.:** Provides funding for vehicle operation and any needed vehicle maintenance.
- 111-8002 TREE PRUNING:** The gas Tax fund provides funding for City tree pruning. (Moved from Street Projects for FY 2012-2013.)
- 001-8004 CG&S REPLACEMENT:** Provides funding for the replacement of damaged curbs, gutters and sidewalks throughout the City. Moved from Street Projects for FY 2012-2013.
- 115-9112 TRAFFIC CONTROL IMPROV.:**
- 114-9126 STREET BARRICADES:** Provides funding from Transportation Sales Tax to purchase street barricades. (Moved from Street Projects for FY 2012-2013.)
- 610-8011 CLEANING/CONTRACT:** Funding is provided by the Sewer Enterprise Fund for the annual Storm Drain and Streambed cleaning. Moved from Street Projects for FY 2012-2013.
- 115-9101 PAINTING/REPAIR:** Provides funding for the painting and/or repair of street traffic markings.
- 114-9220 THERMO PLASTIC:** This account provides funding for the thermo plastic used for street striping.
- 108-9467 A/C CITYWIDE:** Funding is provided from the Federal Program for repairs and asphalt overlays of various street sections Citywide. (Moved from Street Projects for FY 2012-2013. Moved from Street Projects for FY 2012-2013.)
- 115-9467 A/C CITYWIDE:** Funding is provided from the Federal Program for repairs and asphalt overlays of various street sections Citywide. (Moved from Street Projects for FY 2012-2013.)

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013

	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 ACTUAL	2009-2010 ACTUAL	2010-2011 ACTUAL	2011-2012 BUDGET	2011-2012 ACTUAL	2012-2013 REQUESTED
STREETS #3000								
5100 + SALARIES	104,411	140,684	143,017	111,778	87,217	241,951	74,829	310,178
5200 + OVERTIME	0	0	278	234	0	0	158	0
5900 + BENEFITS	63,357	79,581	74,328	66,016	63,461	0	62,320	0
TTL SALARIES/BENES	167,768	220,265	217,623	178,028	150,678	241,951	137,307	310,178
001 6150 3000 Mat/Supplies	0	13,699	43,614	36,462	417	0	24,425	25,000
111 6150 3000 Mat/Supplies	0	0	0	0	39,644	54,000	38,252	0
114 6150 3000 Mat/Supplies	31,454	40,044	2,326	0	1,050	0	0	80,000
115 6150 3000 Mat/Supplies	0	0	0	2,745	71,983	65,200	66,202	65,200
610 6150 3000 Mat/Supplies	0	0	0	0	11	0	0	0
108 6175 3000 Weed/Tree Spray	0	0	0	0	7,001	7,000	4,900	7,000
109 6175 3000 Weed/Tree Spray	0	0	28,002	14,001	7,001	0	0	5,000
110 6175 3000 Weed/Tree Spray	0	0	0	0	5,040	5,000	3,500	0
111 6175 3000 Weed/Tree Spray	0	0	0	0	0	7,000	4,900	0
114 6175 3000 Weed/Tree Spray	28,755	23,335	4,667	14,001	8,961	9,000	7,934	16,000
610 6175 3000 Weed/Tree Spray	0	0	0	0	0	0	700	0
001 6250 3000 Small Tools	0	0	1,740	0	0	0	0	0
110 6250 3000 Small Tools	201	0	0	0	0	0	0	0
114 6250 3000 Small Tools	0	0	0	374	501	5,700	227	8,000
115 6319 3000 TEMPORARY HELP	3,754	0	0	0	0	0	0	0
610 6319 3000 TEMPORARY HELP	11,326	0	0	0	0	0	0	0
630 6319 3000 TEMPORARY HELP	11,326	0	0	0	0	0	0	0
114 6321 3000 USA Serv Alerts	150	150	150	150	150	500	150	500
110 7364 3000 Sign Replacemnt	0	0	0	0	0	5,000	120	7,000
114 7364 3000 Sign Replacemnt	1,063	2,772	1,605	0	0	0	0	0
115 7364 3000 Sign Replacemnt	0	0	0	506	5,186	0	0	0
110 7500 3000 Veh Opr/Maint	3,960	0	0	0	0	0	0	0
111 7500 3000 Veh Opr/Maint	0	0	0	0	357	0	0	0
114 7500 3000 Veh Opr/Maint	0	5,627	4,233	3,229	4,149	8,000	4,547	8,000
610 7500 3000 Veh Opr/Maint	0	213	0	0	0	0	0	0
TTL OTHER OPERATING EXP	91,989	85,840	86,337	71,468	151,451	166,400	155,857	221,700

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013

	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 ACTUAL	2009-2010 ACTUAL	2010-2011 ACTUAL	2011-2012 BUDGET	2011-2012 ACTUAL	2012-2013 REQUESTED
111 8002 3000 Tree Pruning	0	0	0	0	0	0	0	30,000
001 8004 3000 CG&SReplacement	0	36,000	19,188	0	0	0	0	0
111 8004 3000 CG&SReplacement	0	0	0	0	0	0	0	20,000
114 8004 3000 CG&SReplacement	0	0	29,810	0	0	0	0	0
115 8004 3000 CG&SReplacement	0	9,208	0	0	0	0	0	0
610 8011 3000 Cleaning/Cntrct	0	0	0	0	0	0	0	18,000
114 9101 3000 Painting/Repair	1,000	3,127	0	0	0	0	0	0
115 9101 3000 Painting/Repair	0	0	0	0	0	1,000	816	1,000
115 9112 3000 TrafCntrlImprov	0	0	0	0	0	0	0	3,000
114 9126 3000 Street Barricds	0	0	0	0	0	0	0	800
078 9208 3000 Vehicle Replmnt	0	34,241	0	0	0	0	0	0
381 9208 3000 Vehicle Replmnt	0	15,225	0	0	0	17,500	16,863	0
383 9208 3000 Vehicle Replmnt	0	15,225	0	0	0	17,500	16,863	0
108 9220 3000 Thermo Plastic	55,188	0	0	0	0	0	0	0
114 9220 3000 Thermo Plastic	14,957	48,727	2,913	113	5,996	6,000	3,975	6,000
078 9269 3000 Backhoe	13,993	0	0	0	0	0	0	0
381 9269 3000 Backhoe	10,000	0	0	0	0	0	0	0
383 9269 3000 Backhoe	46,982	0	0	0	0	0	0	0
078 9270 3000 Street Sweeper	22,215	0	0	0	0	0	0	0
078 9301 3000 EquipReplacmnt	0	0	8,979	22	0	0	0	0
001 9467 3000 A/C Citywide	0	0	0	0	0	0	0	5,000
108 9467 3000 A/C Citywide	0	0	0	0	0	0	0	8,415
115 9467 3000 A/C Citywide	0	0	0	0	0	0	0	32,400
TTL CAPITAL EXPENDITURES	164,335	161,753	60,890	135	5,996	42,000	38,517	124,615
TOTAL FOR DEPT.	424,092	467,858	364,850	249,631	308,125	450,351	331,681	656,493

**CITY OF CORNING
2012-2013 ANNUAL BUDGET NARRATIVE
STREET PROJECTS (3001)**

ACTIVITY DESCRIPTION:

This year, we opted to include amend this department to include only the annual street repaving project. We did this to avoid continuing the confusion between "maintenance" projects and the annual repaving project. So a number of line budget line items have been moved from Street Projects to Streets, including "Materials and Supplies" and "Asphalt-Concrete-City Wide". Additionally, Curb, Gutter and Sidewalk; Street Barricades, and Cleaning Contract (Stormsewer & Streambed) funds have similarly been moved from Street Projects to "Streets".

From now on, the Streets Projects Department will include only funds designated for the annual repaving project, which is to be completed by a contractor via the competitive bid process. This will make simplify tracking the resources available for the annual Street Repaving project.

2012 STREET PAVING PROJECTS:

Street projects planned in the upcoming fiscal year include

- Marguerite Ave. reconstruction from north of Victorian to Neva Ave. along the frontage of Corning Municipal Airport. This is a joint project with the Tehama County Public Works Department. Est. cost \$20,000
- Solano Street Repaving Project Plan Segments B and 7. Est. cost \$122,000
- Solano Street Segments 8 and 9. Est. cost \$125,000
- Blackburn Ave. from Fist Street to Marguerite Ave. in front of Corning High School. Est. cost \$90,000

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013

	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 ACTUAL	2009-2010 ACTUAL	2010-2011 ACTUAL	2011-2012 BUDGET	2011-2012 ACTUAL	2012-2013 REQUESTED
STREET PROJECTS #3001								
5100 + SALARIES	0	1,051	0	6,075	157	0	0	0
5900 + BENEFITS	0	241	0	2,219	41	0	0	0
TTL SALARIES/BENES	0	1,292	0	8,294	198	0	0	0
001 6150 3001 Mat/Supplies	0	0	0	0	0	108,900	69,115	0
107 6150 3001 Mat/Supplies	0	0	7,364	4,068	48,635	0	0	0
108 6150 3001 Mat/Supplies	0	0	0	0	22,636	0	0	0
120 7372 3001 Other Engineer	7,120	15,053	0	0	0	0	0	0
TTL OTHER OPERATING EXP	7,120	15,053	7,364	4,068	71,271	108,900	69,115	0
001 8002 3001 Tree Pruning	8,804	12,000	0	0	0	0	0	0
111 8002 3001 Tree Pruning	0	0	0	2,000	2,000	30,000	29,000	0
114 8002 3001 Tree Pruning	18,000	19,514	0	31,782	15,764	0	0	0
001 8004 3001 CG&SReplacement	0	0	0	6,064	0	0	0	0
111 8004 3001 CG&SReplacement	0	0	0	0	25,741	25,000	21,627	0
610 8011 3001 Cleaning/Cntrct	13,994	14,675	20,433	13,191	19,267	20,000	13,155	0
345 8030 3001 DRAINAGE IMPROV	0	0	0	9,206	0	0	0	0
115 9112 3001 TrafCntrlImprov	0	0	0	2,360	0	3,000	0	0
114 9126 3001 Street Barricds	845	774	256	0	0	800	0	0
001 9149 3001 HWY 99W REPAIRS	45,970	0	0	0	0	0	0	0
108 9149 3001 HWY 99W REPAIRS	9,030	0	0	0	0	0	0	0
109 9149 3001 HWY 99W REPAIRS	10,864	0	0	0	0	0	0	0
110 9149 3001 HWY 99W REPAIRS	10,060	0	0	0	0	0	0	0
111 9149 3001 HWY 99W REPAIRS	10,060	0	0	0	0	0	0	0
115 9149 3001 HWY 99W REPAIRS	20,120	0	0	0	0	0	0	0
116 9254 3001 Signal Improv.	0	0	0	2,500	314,687	0	2,775	0
001 9290 3001 South Street	0	50,000	0	0	0	0	0	0
107 9290 3001 South Street	0	343,071	2,400	0	0	0	0	0
001 9291 3001 Fig Lane	0	278,000	0	0	0	0	0	0
001 9292 3001 Peach Street	0	165,000	0	0	0	0	0	0
001 9445 3001 Marguerite Ave	0	0	0	0	0	0	0	20,000
001 9446 3001 Solano 6B and 7	0	0	0	0	0	0	0	122,000
001 9447 3001 Solano 8 and 9	0	0	0	0	0	0	0	125,000
001 9448 3001 BlackBurn Ave	0	0	0	0	0	0	0	90,000
001 9467 3001 A/C Citywide	0	0	0	0	0	10,000	10,000	0
108 9467 3001 A/C Citywide	19,039	10,486	0	6,010	32,674	22,300	22,300	0
110 9467 3001 A/C Citywide	7,441	0	0	0	0	12,800	12,800	0
111 9467 3001 A/C Citywide	3,027	0	0	0	0	40,300	40,300	0
115 9467 3001 A/C Citywide	10,047	10,033	38,367	9,323	147	32,400	32,400	0
117 9467 3001 A/C Citywide	0	0	0	0	10,000	0	0	0
001 9470 3001 Marguerite O/L	0	0	20,000	0	0	0	0	0
116 9470 3001 Marguerite O/L	0	0	132,691	0	0	0	0	0
365 9800 3001 Fund Transfers	0	0	18,000	0	0	0	0	0
TTL CAPITAL EXPENDITURES	187,301	903,553	232,147	82,436	420,280	196,600	184,357	357,000
TOTAL FOR DEPT.	194,421	919,898	239,511	94,798	491,749	305,500	253,472	357,000

**CITY OF CORNING
2012-2013 ANNUAL BUDGET NARRATIVE
WATER CAPITAL IMPROVEMENTS (7420)**

ACTIVITY DESCRIPTION (Includes City Council additions):

The Farm Home Water and Sewer Replacement Program loan acquired in prior years provided funds for the replacement of the antiquated water and sewer lines throughout the City. Phases I - III were completed in 1998 making our system very reliable and more cost efficient to operate.

This Improvement Program also funds Capital items needed for the operation of the water system, such as funding a Consultant for well Telemetry repairs and Replacement of Telemetry equipment (the electronics that interconnect the wells and make them work together to maintain balanced pressure throughout the system).

Currently three wells have been shut down and taken off line due to various reasons. Wells off line at this time are: Houghton Avenue well (due to PCE chemicals in area water samples) and the two Petro wells (due to potential contamination of MTBE from the old Burns Brothers Truck Stop). At this time these wells will only be utilized during an extreme emergency situation.

The City Council has approved the water line extension in Blackburn Avenue in front of the high school. That project would be completed to provide the neighborhood looping that we desire for system redundancy by connecting the water main in 1st St. to the main in Marguerite..

PERSONNEL SERVICES:

No Salaries are shown in this Project Department; see Water Department # 7100 of all Water employee costs.

630-6300 **PROFESSIONAL SERVICES:** funds the engineering costs in support of projects.

CAPITAL IMPROVEMENTS:

- 346-9237** **WELL TELEMETRY:** Water Capital Improvement Fund provides funding for a well telemetry Consultant and well telemetry equipment in the amount of \$35,000.
- 630-9275** **CLARK PARK WELL:** This account funded the drilling of the new well located at Clark Park. The Project is done.
- 630-9276** **WATER METER REPLACEMENT PROGRAM** Provides \$25,000 per year for the replacement of old water meters.
- 383-9281** **WELL CHLORINATORS:** This account will fund the purchase of materials to replace water chlorine injector pumps and equipment at four well sites.
- 383-9417** **EDITH WELL:** funding for work on the Edith Well and other City Wells.
- 630-9811** **WATER DEBT SERV. & TRUST ADMIN.:** The Water Enterprise Fund provides funding for series A & B Bonds for Water Improvement & Replacement Program completed in 2000 and the new Clark Park Well.
- 383-9851** **BLACKBURN AVENUE WATERLINE EXTENSION:** This will be constructed in conjunction with the Blackburn Ave. Overlay Project in front of Corning High School.

CITY OF CORNING
ANNUAL BUDGET
FISCAL YEAR 2012-2013

	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 ACTUAL	2009-2010 ACTUAL	2010-2011 ACTUAL	2011-2012 BUDGET	2011-2012 ACTUAL	2012-2013 REQUESTED
WATER IMPROVEMENTS #7420								
346 6300 7420 ProfServices	0	0	0	0	0	28,000	0	0
630 6300 7420 ProfServices	0	0	0	0	0	500	0	500
TOTAL OTHER OPERATING EXP.	0	0	0	0	0	28,500	0	500
346 8020 7420 Cap Impr Reimb	0	0	0	0	0	28,000	0	0
383 9203 7420 Water Line Repl	0	29,803	0	0	0	0	0	0
346 9237 7420 Telemetry	24,724	13,824	4,230	12,677	1,170	35,000	15,924	35,000
346 9275 7420 Clark Park Well	0	0	0	9,011	45,706	0	36,215	0
384 9275 7420 Clark Park Well	0	0	0	0	0	613,000	563,296	0
630 9275 7420 Clark Park Well	0	0	7,040	0	0	0	0	0
630 9276 7420 Water Meter Rep	0	0	0	0	0	0	0	25,000
383 9280 7420 Backflows-Parks	0	24,422	0	0	0	0	0	0
383 9281 7420 Well Chlorinator	0	0	0	441	0	1,500	2,045	1,500
383 9282 7420 Fence-Bkbrn wel	0	19,205	0	0	0	0	0	0
383 9417 7420 EDITH WELL	0	0	26,973	0	3,686	1,000	0	31,000
630 9811 7420 Wtr Debt Servce	178,461	183,884	185,898	182,954	184,717	307,182	292,167	309,004
673 9811 7420 Wtr Debt Servce	96	133	0	758	8	0	0	0
675 9811 7420 Wtr Debt Servce	264	309	110	1,762	10	0	0	0
682 9811 7420 Wtr Debt Servce	7,426	7,468	2,358	22	4	0	0	0
673 9812 7420 Sewer Debt Serv	0	0	47	0	0	0	0	0
383 9851 7420 Blackburn Line	0	0	0	0	0	0	0	100,000
TOTAL CAPITAL EXPENDITURES	210,971	279,048	226,656	207,625	235,301	985,682	909,647	501,504
TOTAL FOR DEPT.	210,971	279,048	226,656	207,625	235,301	1,014,182	909,647	502,004

ITEM NO. : J-9
STUDY MATTER; SOLANO STREET
MEDIAN TURN LANE-EAST OF RAILROAD
TRACKS

JUNE 26, 2012

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

FROM: JOHN L. BREWER, AICP; CITY MANAGER & P/W DIRECTOR
ED ANDERSON, CITY ENGINEER



SUMMARY:

Staff has been researching the possibility of providing a median left turn lane on Solano Street east of the tracks for some time. A median turn lane would improve circulation as left turning vehicles would queue within the median and out of the traffic lane. A single lane would continue each way with parking on both sides of the street. Solano St. is sufficiently wide at this location to accommodate the proposed recommendation.

Originally, we leaned toward a continuous median stretching from just east of the railroad tracks eastward to and terminating at Marguerite Avenue. However, we found that the eastern portion of that street segment has significant cross slope beginning just west of Prune Street, specifically along the south edge of the street. The cross slope between Prune and Marguerite cannot be easily remedied and could ultimately present a traffic hazard for eastbound vehicles. For that reason, we believe the east end of the median turn lane should terminate at Prune Street. See the attached drawing.

FUTURE STREETScape IMPROVEMENTS:

We expect to complete the Solano Streetscape Improvement Project in FY 2014-2015. In addition to the decorative features, that project includes restriping Solano Street between Third Street and West Street for a single lane in each direction, bike lanes, median turn lane and curbside parking. The proposed recommendation will essentially be a continuation of the ultimate downtown street striping configuration.

TIMING:

Since we're about to solicit bids for the repaving and then restriping, now is an appropriate time to consider and implement this circulation change. We will need to remove about two blocks of striping that we installed last year between the tracks and First Street. It was prudent to stripe this two-block section with a center line only at the time. Painting a left turn lane for only two-blocks was not considered a good idea.

RECOMMENDATION:

If Council concurs with this direction, staff will prepare a Resolution for consideration at the next meeting.



Proposed Median Left Turn-Approx. 1800'

CAN NORTHERN RAILROAD

2ND STREET

1ST STREET

COLUSA STREET

PEAR STREET

MARIN STREET

SOUTH STREET

PRUNE STREET

FIG STREET

MARQUETTE AVENUE

COLUSA STREET

STANNAR DRIVE

HYLAND DRIVE

BAYSIDERO DRIVE

BUTTE STREET

YOLO STREET

4TH STREET

MARIN STREET

4TH AVENUE

CHICAGO AVENUE

COLUSA STREET

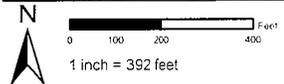
EAST STREET

PEACH STREET



FILE: \\illarat\XserveRAID\CompanyFiles\01-Jobs Active\194-02 Corning - GIS Maintenance\GIS-Project GIS11-Corning GIS\A-Master GIS\Corning GIS.mxd

Feature and boundary locations depicted are approximate only.



City of Corning

CONTOUR MAP



**ITEM NO. : J-10
AUTHORIZE PUBLIC WORKS DIRECTOR
TO SOLICIT BIDS FOR 2012 REPAVING
AND WATERLINE INSTALLATION PROJECT**

JUNE 26, 2012

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

**FROM: JOHN L. BREWER, AICP; PUBLIC WORKS DIRECTOR
ED ANDERSON, CITY ENGINEER**



SUMMARY:

Now that 2012-2013 Budget is approved, staff recommends the City Council authorize the Public Works Director to seek bids for the 2012 Repaving and Waterline Extension Project.

BACKGROUND:

The project includes the installation of an 8" waterline and two fire hydrants on Blackburn Avenue between First Street and Marguerite Avenue; repaving of that same stretch, and repaving of Solano Street from just east of First Street to the east City Limits. The project components were included in the Capital Improvement Plan and have been funded in the 2012-2013 budget. See the attached drawings. The specifications provided to contractors are a work in progress as of this writing. Those specs and details, along with the bid amounts, will accompany the bid award staff report next month.

TIMING:

Staff plans to get the project out for bidding immediately. Our tentative schedule is then to open bids on July 19th and to have an award recommendation at the July 24th City Council meeting. That will provide nearly a month to complete the work prior to school resuming on Thursday August 23rd.

RECOMMENDATION:

That the City Council:

- **AUTHORIZE STAFF TO SOLICIT BIDS FOR THE 2012 REPAVING AND WATERLINE EXTENSION PROJECT.**

BLACKBURN AVE.

SHEETS A & B

INDEX MAP
City of Corning
2012 Repaving
and Water Line
Project

1ST STREET

NORTH STREET

BLACKBURN AVENUE

MARTY COURT

MARGUERITE AVENUE

TEHAMA STREET

FIRST ST.

COLUSA STREET

COLUSA STREET

MARGUERITE AVE.

HYLAND DRIVE

MCCLANE AVENUE

BUTTE STREET

YOLO STREET

EAST STREET

FRIP AVENUE

EL VERANO AVENUE

DEL NORTE AVENUE

EL PASO AVENUE

OREN AVE.

SOLANO ST.

SHEET 1

SHEET 2

SHEET 3

SHEET 4

SHEET 5

SHEET 6

SHEET 7

2ND STREET

PEAR STREET

PEAR STREET

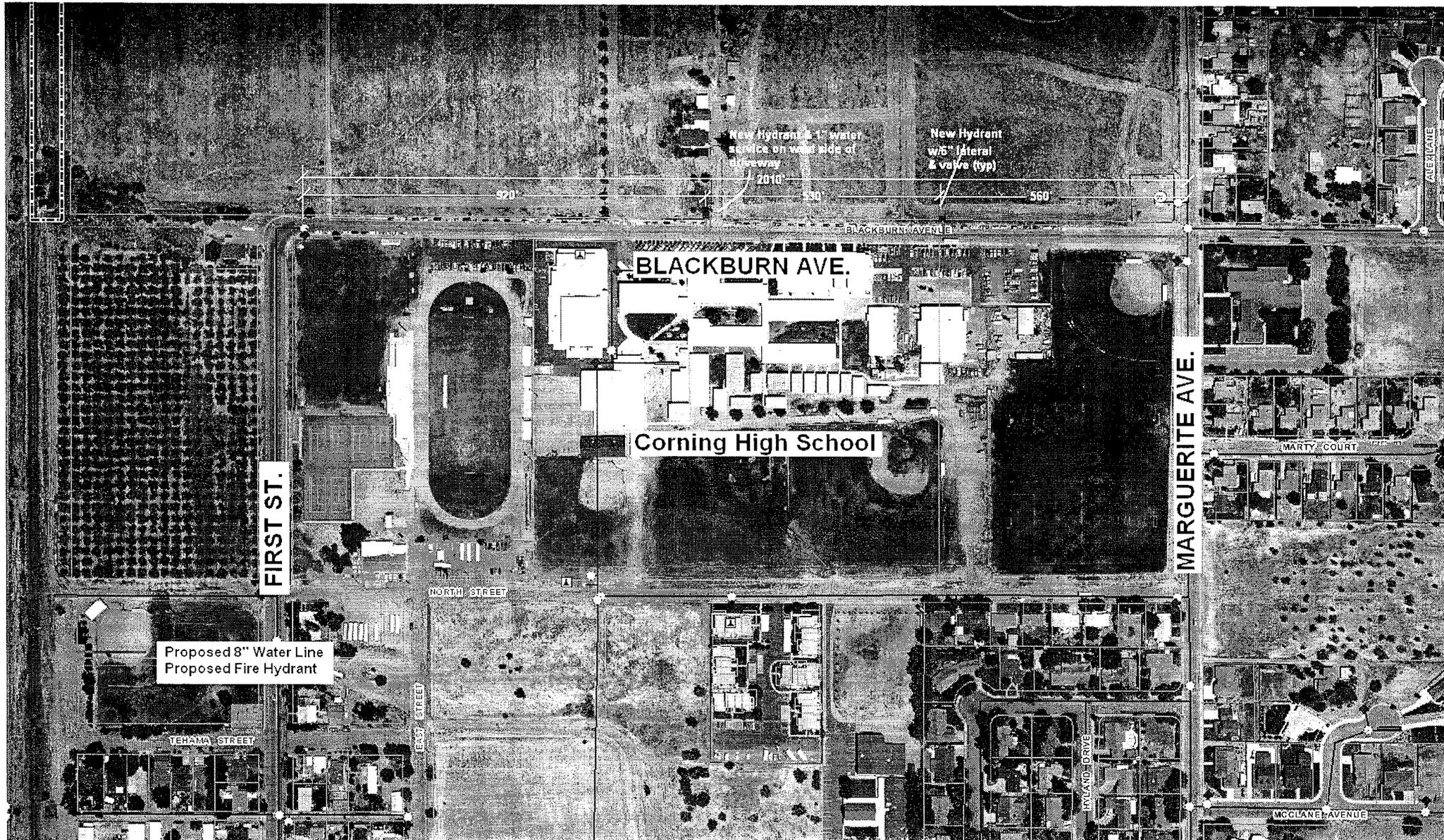
PRUNE STREET

FIG STREET

MARIN STREET

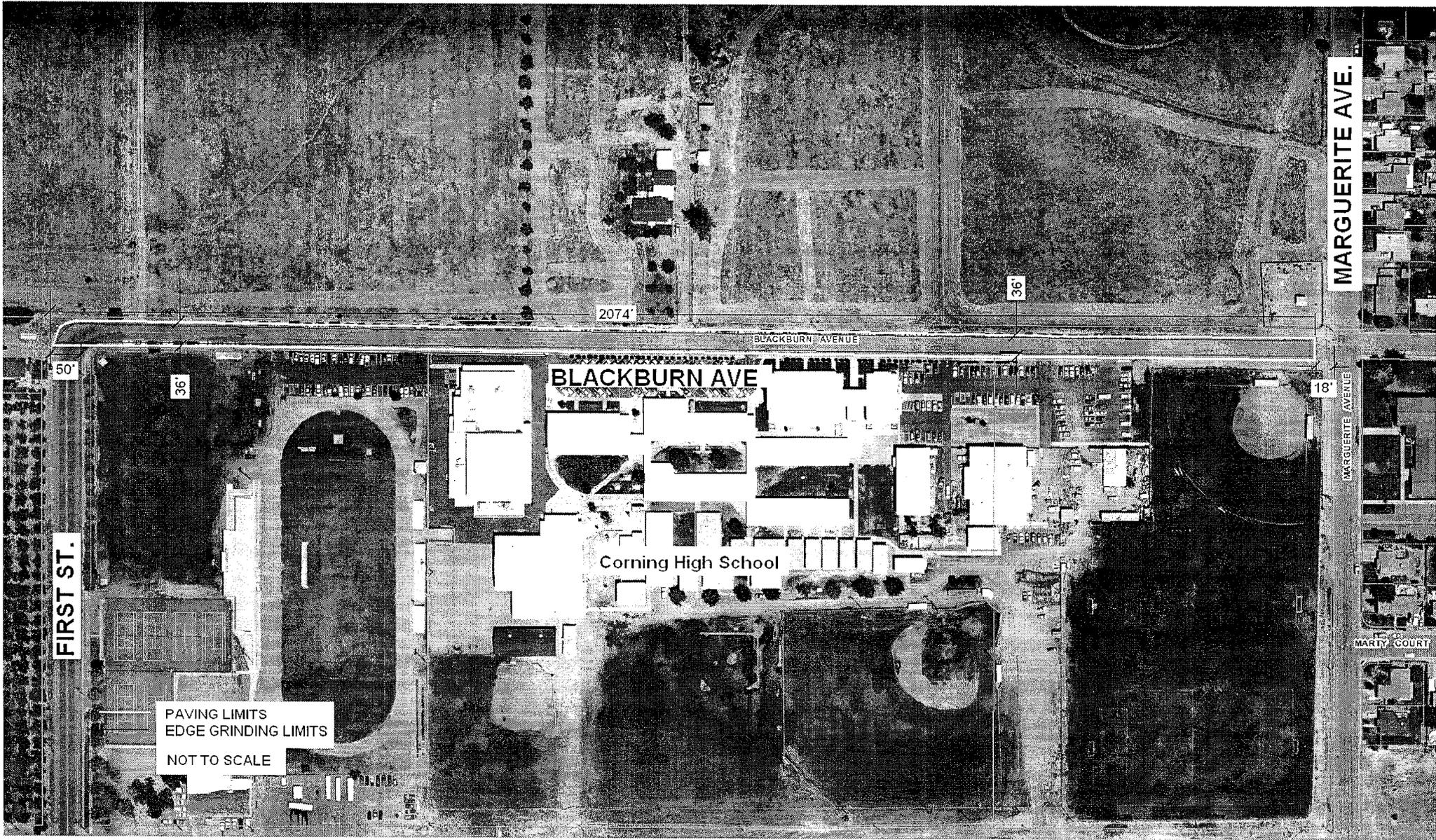
MARIN STREET

STRE



**CITY OF CORNING
2012 WATERLINE PROJECT
BLACKBURN AVE.**

SHEET A



**CITY OF CORNING
2012 PAVING PROJECT
BLACKBURN AVE.**

SHEET B



**CITY OF CORNING
2012 PAVING PROJECT
SOLANO STREET**



ADJOINS SHEET 2



REPLACE SIGNAL LOOP WIRES

SOLANO ST

MATCH TO RECENT PRUNE ST. PAVEMENT

ASPHALT OK HERE

EXTRA GRINDING HERE TO IMPROVE CROSS GRADIENT

REMOVE 4' x 6' CONC. PATCH

PRUNE ST.

FIG ST.

MARGUERITE AVE.

PAVING LIMITS
EDGE GRINDING LIMITS
NOT TO SCALE

ADJOINS SHEET 4

CITY OF CORNING
2012 PAVING PROJECT
SOLANO STREET

SHEET 3

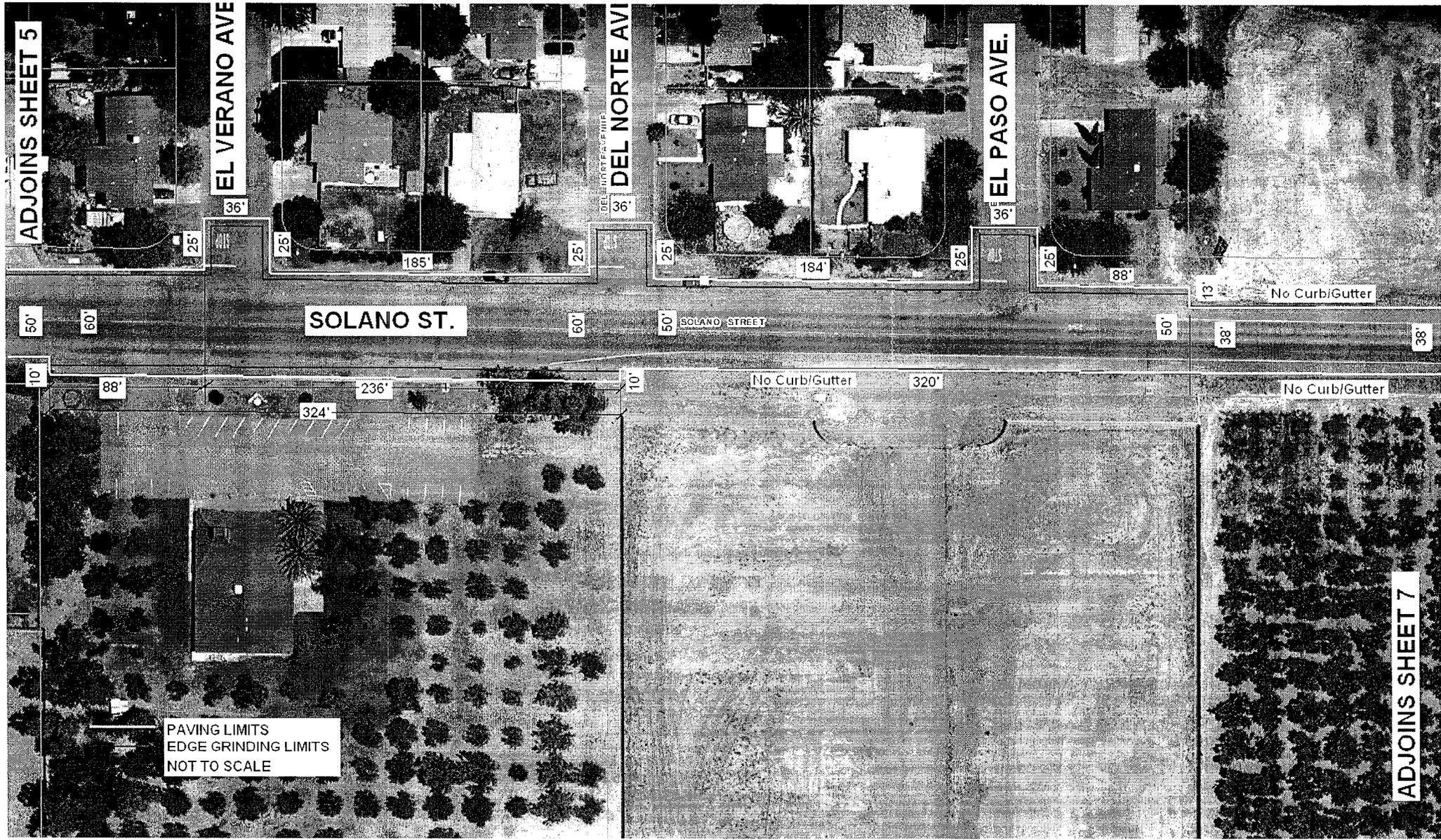


**CITY OF CORNING
2012 PAVING PROJECT
SOLANO STREET**



**CITY OF CORNING
2012 PAVING PROJECT
SOLANO STREET**

SHEET 5



**CITY OF CORNING
2012 PAVING PROJECT
SOLANO STREET**

SHEET 6



**CITY OF CORNING
2012 PAVING PROJECT
SOLANO STREET**

SHEET 7

ITEM NO.: J-11
**INDUSTRIAL WASTEWATER COMPLIANCE
MONITORING CONTRACT EXTENSION
WITH SOUTHWEST WATER COMPANY**
JUNE 26, 2012

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA
FROM: JOHN L. BREWER, AICP; CITY MANAGER - PUBLIC WORKS DIRECTOR

SUMMARY:

Staff recommends the City Council approve the attached Service Agreement. If approved, the agreement, or contract, would essentially extend the service contract with Southwest Water Company (SWWC) for operation of the City's Industrial Wastewater Compliance Monitoring Program. SWWC has been successfully administering this monitoring program since 1999. The proposed contract termination is timed to coincide with the current SWWC contract for operation of our Wastewater Treatment Plant.

BACKGROUND:

SWWC (formerly ECO Resources, Inc.) has operated our Municipal Wastewater Treatment Plant since 1993, through a service contract. In the late 90's when the State adopted standards for industrial wastewater monitoring, the City contracted with ECO Resources (hereafter "ECO") to analyze and develop local limits for pre-treating effluent discharged to our sanitary sewer system. Limits are important in order to limit negative impacts to our WWTP.

Once the initial testing was completed and the Industrial Wastewater Monitoring Program was approved by the State, the City contracted with ECO to complete the tasks. Those tasks are detailed in the contract "Scope of Services". ECO has continued to serve that role for the City since that time.

PROPOSED CONTRACT:

The attached contract offered for your consideration is a minor rewrite and time extension to the previous document. The final contract document has been through several rounds of City staff review, including City Attorney Mike Fitzpatrick and SWWC Staff.

ANNUAL COST:

The initial annual cost associated with the contract is \$33,327.24 annually, or \$2,777.27 per month. This amount is based on the original contract amount of \$27,480/year (or \$2,290/mo.) and annually increased to address inflation per the Consumer Price Index (CPI). The proposed contract retains the annual Consumer Price Index inflator that's included in the current contract.

RECOMMENDATION:

That the City Council:

- **APPROVE THE ATTACHED SERVICE AGREEMENT TO PROVIDE INDUSTRIAL WASTEWATER COMPLIANCE MONITORING SERVICES FOR THE CITY OF CORNING WITH SOUTHWEST WATER COMPANY, AND**
- **AUTHORIZE THE CITY MANAGER TO SIGN THE SERVICE AGREEMENT ON BEHALF OF THE CITY OF CORNING.**

**AGREEMENT TO PROVIDE INDUSTRIAL WASTEWATER
COMPLIANCE MONITORING SERVICES
FOR THE CITY OF CORNING**

This Agreement (the “**AGREEMENT**”) to provide industrial wastewater compliance monitoring services is entered into on this ___ day of _____, 2012 (the “**EFFECTIVE DATE**”) by and between the City of Corning (the “**CITY**”) and SWWC Services, Inc. (“**SWWC**”) on the terms and conditions set forth hereafter.

1. **TERM:** This AGREEMENT shall commence on the EFFECTIVE DATE and remain in effect until January 1, 2022 (the “INITIAL TERM”), unless either party presents the other with written notice of material breach by the other party and such breach is not corrected within forty-five (45) days after notice.
2. **RENEWAL:** After the INITIAL TERM, this AGREEMENT shall automatically renew for an additional ten (10) year term (the “RENEWAL TERM”) if neither party is in material breach of this AGREEMENT or the agreement to operate the Wastewater Treatment Plant and provide wastewater compliance and monitoring for the City of Corning dated July 1, 2011. (The INITIAL TERM and RENEWAL TERM shall be collectively referred to as the “TERM”.)
3. **SCOPE OF SERVICES:** The services to be provided to the CITY by SWWC shall include the management of the Pretreatment Program for the CITY’s sewer collection and treatment system (the “FACILITY”). This scope includes inspection, sample collection and analysis, reporting and record keeping to assure that users are in compliance with all governing laws relative to and/or imposed against the City of Corning regarding wastewater compliance and monitoring.
4. **COMPENSATION:** The CITY shall pay annually to SWWC as compensation for the services performed an annual base lump sum cost of \$33,327.24. Such payment shall be made in monthly installments on the first day of the month of service at a rate of 1/12th the annual base lump sum cost, which equals a monthly payment of \$2,777.27. Late payments will be subject to a service charge of one and one half percent (1½%) per month or the maximum legal rate, whichever is greater. After forty-five (45) days, payment will be deemed late. This contract will be reviewed annually for the compensation increase or decrease based on the San Francisco/Oakland – San Jose CPI. The index is published by the Bureau of Labor Statistics. The annual average increase or decrease reported will be utilized to increase or decrease the compensation of the year following the reported year.

5. **INDEPENDENT CONTRACTOR:** SWWC is an independent contractor and none of its Officers, Employees, or Agents shall be considered to have an employment relationship with the CITY. SWWC will determine the manner in which services herein will be provided and will provide all direction and control of its own Officers, Employees, and Agents. CITY will review the services provided for contract compliance but exercise no direct or indirect control or supervision of SWWC Officers, Employees, or Agents.
6. **INSURANCE:** SWWC shall maintain during the TERM of the AGREEMENT the following insurance:
- a) **Public Liability and Property Damage:** \$5,000,000 (combined single limit).
 - b) **General Liability:** \$5,000,000 (combined single limit).
 - c) **Automotive Liability:** 2,000,000 (combined single limit).
 - d) **Worker's Compensation:** Per State and Federal Law.

Such policies shall name the CITY as an additional insured according to its insurable interest under these policies during the term of the AGREEMENT. Notwithstanding the indemnification provisions of this AGREEMENT, the CITY shall not be liable to SWWC for any loss, damage, or destruction which is covered by such policies unless the amount thereof exceeds policy limits, whether such loss, damage or destruction arises under contract, tort (including active or passive negligence of the CITY) or otherwise. SWWC and its insurance carrier shall waive subrogation rights against the CITY and provide the CITY with a certificate to that effect. SWWC agrees to provide the CITY with proof of such insurance and will require SWWC to endeavor to give the CITY thirty (30) days advance notice of cancellation or material change in said policies. Subcontractors shall have similar requirements to that specified above.

7. **INDEMNITY:** Except as otherwise set forth in this AGREEMENT, SWWC hereby agrees to, and shall indemnify and hold harmless, the CITY, its elective and appointive Boards, Officers, Agents and Employees from any claim, loss, liability, damage, injury, or expense, including attorney's fees, which directly, or indirectly arise from SWWC's intentional, willful, or negligent actions or omissions under this AGREEMENT; provided, however, that this does not apply to, and SWWC shall not indemnify or hold CITY harmless from any claim, loss, liability, damage, injury, or expense or loss of plant use, arising out of the discharge, dispersal, release or escape from the FACILITY of sludge effluent or odors into or upon land, the atmosphere, or any watercourse or body of water which is not the result of SWWC's intentional, willful or negligent actions or omissions. The CITY shall indemnify and hold harmless SWWC, its Officers, Directors, Agents, Representatives and Employees from any claim, loss, liability, damage, injury, or expense, including attorney fees and costs, which directly, and indirectly, arise from the CITY's intentional, willful, or negligent (active, passive or gross) actions or omissions under this AGREEMENT.

8. **RECORDS AND REPORTS:** As testing, monitoring, and inspections are conducted throughout the TERM of this AGREEMENT, SWWC will provide CITY the results thereof in a timely manner. All reports of inspections and monitoring prepared by SWWC pursuant to this AGREEMENT shall be considered to be the property of CITY and shall be released to them upon request thereof.
9. **ENTIRE AGREEMENT:** This written AGREEMENT is intended to encompass all of the agreements between the parties pertaining to the subject matter discussed herein notwithstanding any oral statements made by either party in negotiating the terms herein.
10. **ATTORNEY FEES AND COST:** In the event of any dispute or should legal action become necessary to enforce or interpret the provisions herein, the prevailing party shall be entitled to an award of reasonable attorney fees and cost of suit.
11. **MODIFICATION:** Modification of this AGREEMENT may be made only by a written document signed by the CITY and SWWC.
12. **ASSIGNABILITY:** Except for a transfer to an affiliate or a subsidiary, neither SWWC nor the CITY may assign its interest in this AGREEMENT without the prior written consent of the other party, which consent shall not be unreasonably withheld, delayed or denied.
13. **CONTROLLING LAW:** The applicable laws of the State of California shall govern this AGREEMENT.
14. **INCREASE/DECREASE IN SERVICE:** In the event either SWWC or the CITY determines that any scope of services contemplated in this AGREEMENT should be modified as a result of governmental regulations, technological advances or the addition or subtraction of CITY's facilities, SWWC and the CITY agree to negotiate in good faith, an appropriate change in the fees to be charged by SWWC to the CITY with respect to the proposed modification in services.
15. **NOTICE TO PARTIES:** Should notice be sent by registered or certified mail, return receipt requested, fax, or hand delivery, to either party by the other, the address set forth next to their respective names shall be considered accurate unless changes have been presented in writing by either party to the other.

The foregoing terms and conditions are agreed to and accepted.

CITY OF CORNING
Attn: Public Works Director
794 Third Street
Corning, CA 96021

SWWC SERVICES, INC.
Attn: Managing Director, O&M Services
11302 Tanner Road
Houston, TX 77041

By:

By:

Gary R. Strack, Mayor

Chris Malinowski, Managing Director

By:

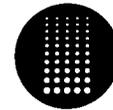
Kathy Stone, CA Dist. Operations Mgr.

Approved as to form and content:

Michael C. Fitzpatrick, City Attorney

Attest:

Lisa M. Linnet, City Clerk



**SouthWest
Water Company®**

SWWC Services, Inc.
P.O Box 230
25010 Gardiner Ferry Rd
Corning, CA 96021
Phone 530.824.5863
Fax 530.824.5769
www.swwc.com

DATE: 30 April 2012
TO: John Brewer, City of Corning
FROM: Kathy Stone, Southwest Water Company
RE: Industrial Waste Contract- SWWC

Per your request, we have updated the Industrial Waste Contract to reflect the current changes that both the City and SWWC implemented. Since we renewed the wastewater contract we would like to have this contract on the same time frame as the wastewater operation and maintenance contract. The scope for the contract is the same, however, if the City is mandated to have an EPA approved program there might need to be a change in scope. At this time, we feel the current scope will satisfy the Regional Board.

Please let me know if you should have any questions. I look forward to our successful relationship.

MAY 01 2012

**ITEM NO. : J-12
DISCUSSION AND FORMULATION OF
POLICY REGARDING CITY COUNCIL
MEETING INVOCATION**

JUNE 26, 2012

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

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

SUMMARY:

The City Council regularly begins each meeting with the Pledge of Allegiance to the Flag and a short invocation. The invocation is presented by either the Mayor or Vice Mayor.

The City Clerk recently received a written request to deliver an invocation at a future City Council meeting. The purpose of this meeting is to discuss and determine whether a written policy regarding the City Council Invocation is necessary. Because of the sensitive nature of this matter; including freedom of speech and freedom of religion considerations, we asked City Attorney Mike Fitzpatrick to weigh in on this matter. See the attached Memo from him.

ISSUES TO CONSIDER:

As stated above, the current, unwritten policy is for the Mayor or Vice-Mayor to present the invocation. That can become a simple written City Council policy.

On the other hand, the Council may wish to open the invocations to others. See the City Attorney's Memo in which he describes issues (1a, b & c) that should be made part of an "expanded" invocation policy. Other criteria for consideration could include:

1. Invocation limited to all Council Members?
2. Invocation limited to resident of City, Zip Code, County, State?
3. Should there be a time limit?
4. Should the invocation be limited to English?
5. Other considerations?

STAFF RECOMMENDATION:

That the City Council:

- **Consider and discuss the recommendations of the City Attorney as presented in the attached Memo and staff and,**
- **Formulate a City Council policy regarding the City Council Meeting Invocation.**

City Attorney Memo

TO: Mayor and City Council
FROM: Mike Fitzpatrick, City Attorney
RE: Invocations at Council Meetings
DATE: June 19, 2012

LEGAL ISSUE: What are the current laws which govern invocations at City Council meetings?

DISCUSSION: I have reviewed case law which pertains to this subject and have found one U.S. Supreme Court case which is often cited as precedent and one California Court of Appeals case also cited. Those cases are:

1. *Marsh v. Chambers* (1983) 463 U.S. 782 is the Supreme Court case which upheld the legality of invocations given in the Nebraska Legislature by the chaplain at the opening of each session. The Court said that "the opening of sessions of legislative and other deliberative public bodies with prayer is deeply embedded in the history and tradition of this country." The Court did not concern itself with the content of the prayers given because it was obvious that the event was not "exploited to proselytize or advance any one, or to disparage any other faith or belief." In other words, the Court did not say that the person praying was prohibited from naming the power or entity to which the prayer was being directed.

2. *Rubin v. Burbank* (2002) 101 C.A. 4th 1194 is the Court of Appeals case and it took the discussion further. It held that an invocation which invoked the name of Jesus Christ violated the principle set forth in the *Marsh* case. In other words, even though persons of many faiths were allowed to provide invocations at Burbank City Council meetings, the problem still existed when any one of those offering the prayer did so in the name of their deity.

The *Rubin* decision is still good law; it has not been overruled. It is not a case which was decided in our local district but it still is precedent statewide.

RECOMMENDATION: This is a difficult subject to address in that it involves what are to some extent competing constitutional issues, freedom of speech and religion versus the prohibition against the government "establishing" any particular form of religion. Nevertheless, our courts seem to have attempted to find a balance in most cases, honoring the history and tradition of our country in recognizing how God has blessed us, yet at the same time acknowledging the importance of protecting the freedom of each of us to decide for ourselves if and how we may want to worship.

It is my recommendation that:

1. The Council limit invocations to Mayor and Council Members and City staff at this time. However, if the Council wants to open invocations to others then, I recommend that:

a. The Council adopt an invocation "policy" which informs participants of the law but neither dictates to them the content of their prayers nor tells them not to identify the deity to whom their prayers are offered.

b. The Council in such policy makes it clear to the community that persons of all faiths are welcome to participate and that persons of no religious faith, although needing to treat those who pray with respect, are under no compulsion to participate.

c. The Council in allowing invocations to be offered in its public meetings needs to recognize that those who participate may come from main line traditional churches in the community but may also come from religious organizations which are very non-traditional and whose participants may offer prayers which seem strange and perhaps even offensive to some. The point is that equal opportunity must be allowed to persons of all religious persuasions to participate if invocations are going to be a regular part of the meetings of our City Council and given by persons other than Council members or City staff.