



CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, JUNE 9, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET

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

B. ROLL CALL:

Council:	Becky Hill
	Ross Turner
	Toni Parkins
	John Leach
Mayor:	Gary Strack

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

1. Presentation of Certificates of Completion from the League of California Cities Mayors and Council Members Academy – Becky Hill.

E. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:

F. BUSINESS FROM THE FLOOR: If there is anyone in the audience wanting to speak on an item not already on tonight's Agenda, if so, please come to the podium, identify yourself and briefly present your information to the Council. **A three-minute time limit will apply unless the Council makes an exception due to special circumstances.** If your matter will require more time or formal action by the Council, the law requires that it be placed on the printed Agenda for a future meeting so that interested members of the public will have the 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.

2. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
3. Waive the Reading and Approve the Minutes of the May 26, 2009 Meeting with any necessary corrections.
4. June 3, 2009 Claim Warrant - \$113,268.95.
5. May 2009 Wages and Salaries - \$357,415.04.
6. April 2009 – Treasurer's Report.
7. Business License Report – June 2009.
8. May 2009 Building Permit Valuation - \$110,590.99.
9. City of Corning Wastewater Operation Summary Report – May 2009.
10. Award Bid for Pruning 789 City Street and Park Trees to Bill's Tree Service in the amount of \$38 per tree for a total of \$29,982.

11. Approve Budget Adjustments in Support of New Woodson Park Play Apparatus Project – Final Accounting.
12. Approve Budget Adjustments in Support of the Marguerite Avenue Overlay Project – Final Accounting.
13. Agreement for Collection of Special Assessment with Tehama County Auditor-Controller; Landscaping and Lighting Districts.

H. **ITEMS REMOVED FROM THE CONSENT AGENDA:**

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

J. **REGULAR AGENDA:**

14. Presentation and Discussion of Present and Future Personnel Needs:

- a) Police Department – Chief Cardenas
- b) Fire Department – Chief Spannaus
- c) Public Works Director – John Brewer

15. Review Proposal from Second Chance Pet Rescue – Discussion and Direction.

K. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

L. **COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:**

M. **REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

16. Hill:
17. Turner:
18. Parkins:
19. Leach:
20. Strack:

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

N. **ADJOURN TO CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Section 54956.8

Potential Land Acquisition for Parks – Accessor Parcel No's. 71-136-01 thru 09
Negotiating Party: City Manager.

CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation, Initiation of Litigation pursuant to subdivision (c) of section 54956.9.

3 Potential Issues

O. **RECONVENE AND REPORT ON CLOSED SESSION:**

P. **ADJOURNMENT!:**

POSTED: FRIDAY, JUNE 5, 2009



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MAY 26, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council: Becky Hill
Ross Turner
Toni Parkins
John Leach
Mayor: Gary Strack

All Council Members were present except Councilor Hill who is attending the League of California Cities Mayors & Council Members Executive Forum in San Diego.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

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

D. PROCLAMATIONS, RECOGNITIONS, AND APPOINTMENTS: None

E. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT: Not present.

F. BUSINESS FROM THE FLOOR:

Dean Cofer spoke regarding comments by City Manager Kimbrough published in the Saturday, May 23, 2009 Corning Observer article "Officials brace for more cuts" and asked who gave Mr. Kimbrough authorization to make statements regarding possible cuts to Police, Fire services. Mr. Cofer stated that he didn't think the residents of Corning would support such cuts.

G. CONSENT AGENDA:

1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
2. Waive the Reading and Approve the Minutes of the May 12, 2009 Meeting with any necessary corrections.
3. May 20, 2009 Claim Warrant - \$333,211.79.
4. Business License Report – May 2009.
5. Approve Contract Change Order No. 3 for the Safe Routes to School, Cycle 7 Contract.
6. Approve and Accept the Notice of Completion for the Safe Routes to School, Cycle 7 Project and Approve Final Pay Estimate No. 7 – Release of Contract Retention in the amount of \$17,560.40.
7. Approve and Accept the Notice of Completion for the Marguerite Avenue Overlay Project.

Councilor Turner asked to pull Consent Agenda Item No. 3 for further clarification. Councilor Turner then moved to approve Consent Agenda Items 1 through 2, and 4 through 7. Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER

H. ITEMS REMOVED FROM THE CONSENT AGENDA:**3. May 20, 2009 Claim Warrant - \$333,211.79.**

Councilor Turner clarified that the Waste Management expenses in the amount of \$1,890 listed on the Claim Warrant were for disposal bins used at the City Cleanup Day and that the Wadell Engineering Corp. expenditure was reimbursable under the Airport Expansion Grant.

Councilor Turner moved to approve Consent Agenda Item No. 3 and Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

I. REGULAR AGENDA:**8. Review Survey and Consider City Pool User Fee Increases.**

Mayor Strack introduced this item by title and Public Works Director John Brewer explained the associated expenditures and income of the pool. Mr. Brewer explained that Public Works Administrative Secretary Dawn Grine had contacted neighboring City's and surveyed their pool use fees. This information was utilized when developing the proposed fee increases. Councilor Leach asked if there was a user maximum number on a family pass, Mr. Brewer responded stating that he didn't know. Councilor Turner asked how resident verses non-resident status was verified; Mr. Brewer responded that the Pool Manager Jessica Jorgensen has methods in place.

Councilor Parkins moved to approve the revised Pool Fees effective June 1, 2009 with the stipulation that Public Works Director John Brewer would provide the Council with a maximum number limitation on the Family Passes. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

9. Authorize Installation of New Stormsewer Drain Line Connecting Short Drive Drainage Facilities to City Stormsewer Facilities in Edith Avenue, and Appropriate \$20,350 from Drainage Mitigation Fund 345 to Street Projects Account 345-8030-3001 to fund this Installation.

Mayor Strack introduced this item by title and Public Works Director John Brewer further briefed the Council on the proposed action, how it would be accomplished, and why it is needed. Councilor Leach asked if the City had the funds to complete this; he was informed that we did in the development impact fees mitigation fund for drainage. Councilor Leach stated that this has been needed for a long time. Councilor Turner asked how the project costs were determined and was informed that it was an estimate provided by the City Engineer. Councilor Turner moved to:

Authorize the installation of the new stormsewer drain line connecting Short Drive drainage facilities to the City stormsewer facilities in Edith Avenue as detailed in the Staff Report to relieve flooding along Short Drive; and

Appropriate \$20,350 from Drainage Mitigation Fund 345 to Street Projects Account 345-8030-3001 for the installation of the new stormsewer line connecting Short Drive drainage facilities to the City stormsewer facilities in Edith Avenue as detailed in this Staff Report.

Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

10. Approve Marguerite Avenue Overlay Budget Adjustments – Final Accounting.

City Manager Kimbrough asked to pull this item from the Agenda at this time and bring it back to Council at a later date in order to check the Maintenance of Effort clause and check the compliance. By Council consensus this item was removed from the Agenda.

11. Staff review of complaint regarding Kaufman Building located on the northwest corner of Solano and Fifth Streets.

Mayor Strack introduced this item by title stating that this property is possibly in foreclosure. Council was informed that the Building Official has made contact with the owner and either the property owner or the City will repair the hazardous window. Councilor Turner then asked; if this property is in foreclosure, who would be responsible? City Attorney Mike Fitzpatrick stated that until sold, it would be the property owner.

Mr. Cofer stated that this report had more emission than answers and proceeded to explain what subjects/items weren't addressed, eluding that either it had not been properly investigated, or the City is covering something up.

Mr. Cofer then addressed the Council regarding his concerns in relation to the asbestos removal and demolition of the building fronting Fifth Street between Solano and Yolo Streets. Councilor Leach voiced his concerns also. Councilor Turner stated that he thought it would be difficult to trace where the debris had been disposed. Councilor Leach suggested that Building Official Terry Hoofard, Public Works Director John Brewer and Planning Director John Stoufer, with the assistance of the City Attorney, contact the property owner and confirm the project contractor's name and how the debris was discarded. By Council consensus the City Manager will act on the Council's request.

12. Approve City Council Budget Meeting Schedule.

All dates are fine except Monday, June 15th. By Council consensus the Monday, June 15th study session date was changed to Thursday, June 18th. Councilor Leach moved to change the June 15th budget study date to Thursday, June 18th. Councilor Turner seconded the motion.

Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.

13. Approve 2009/2010 Capital Improvement Budget for all City Departments.

Mayor Strack introduced this by title and then spoke with each Department Head regarding their associated budgets.

Police Department: Evidence Room first priority and purchase two police vehicles (vehicles will hopefully be partially funded by grant funds) as the second priority. Chief Cardenas explained the reasons for the evidence room renovation/move, stating that this would be done in phases as funding allows. Councilor Turner asked if the unused basement of City Hall could be utilized possibly for storage for the Museum; it was stated that this was a possibility, however the stairs are still a safety issue and utilizing this area would be a last resort.

Fire Department: Mayor Strack confirmed that the priorities listed are in the order that the Chief wants. Mayor Strack stated that the LaFrance Ladder Truck was a higher priority than the listed 17th...emphasizing that this is a debt we have to meet. Councilor Turner asked about the painting for the building and if there were any funds left over from the bathroom remodel, he was informed there were no funds left over.

Public Works Department:

Streets: Mayor Strack asked about North Street from First to Marguerite Avenue, stating that he would not like to see listed as that high a priority although it is probably the worst street in town, however he would like to see Solano Street repaired before North Street as it is more heavily utilized. Councilor Turner asked about the method for discerning Street repair priority and his concern about Blackburn Avenue being prioritized for 2018-2019, emphasizing that if North Street is so bad, the City should certainly maintain Blackburn Avenue, a North Street alternative route. Mayor Strack stated that he believed Blackburn Avenue should be moved up in the priorities and Colusa Street completed through so that not so much traffic would utilize North Street. Councilor Turner stated he also believed Blackburn Avenue should be moved up in the priorities listing. Mayor Strack suggested moving Blackburn Avenue to the top and North Street to the end of the list. Councilor Turner suggested obtaining a cost completing Colusa Street through from East Street to Marguerite Avenue under long-term projects.

Water: Clark Park will hopefully be completed in 2009/2010 with an estimated cost of \$578,000. Councilor Turner suggested moving the well pump houses to the bottom of the list and to possibly consider fencing the Houghton Avenue well site. This was approved by consensus.

Sewer/WWTP: Mayor Strack asked if the change in the river path is creating, or will create a problem with the Cities outfall equipment (diffuser). Mayor Strack asked if the City plans to do the smoke testing this year...Mr. Brewer stated that we hope to as none was completed this year.

Parks: With Council consensus will leave as is listed.

Airport: Mr. Brewer stated that we are putting together a grant application and hope to make some major improvements at the Airport, however the Grant requires a 5% match from the City in funding.

Building Maintenance.: No Change.

Fleet Maintenance: Two vehicles on wish list. No discussion.

Engineering: No discussion.

Public Works Administration: No discussion.

Councilor Turner asked about the information regarding transferring water meter reading to Community Service Officer (CSO), creating another full-time CSO and moving Public Works Maintenance Worker/Meter Reader Troy Grootveld back to full-time Public Works Maintenance Worker.

Councilor Parkins moved to adopt the "City of Corning Long-Range Capital Improvement Program and Priorities for Services 2009-2010 with the discussed changes. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

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

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: Mayor Strack stated that the City has received numerous letters regarding the TANC Transmission Project. John Stoufer briefed the Council on this issue stating that one of the proposed routes goes through a portion of the City's Airport land. He also informed the Council that the comment period had been extended.

L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

14. Hill: In San Diego on City business.

15. Turner: Stated that he had a long talk with Jim Neilson regarding the TANC issue.

16. Parkins: Nothing.

17. Leach: Nothing.

18. Strack: Spoke with Mr. Neilson on not taking City money.

M. ADJOURN TO CLOSED SESSION: 8:57 p.m. after a 5-minute break.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Section 54956.8

Potential Land Acquisition for Parks – Accessor Parcel No's. 71-136-01 thru 09

Negotiating Party: City Manager.

N. RECONVENE AND REPORT ON CLOSED SESSION: 9:26 p.m.

Mayor Strack announced that the Council had met with the Labor Negotiator and City Staff and gave them direction.

O. ADJOURNMENT: 9:30 p.m.



Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: June 3, 2009

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, June 9, 2009 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	05-29-09	\$	12,672.10
B.	Payroll Disbursements	Ending	05-27-09	\$	34,275.97
C.	Cash Disbursements	Ending	06-03-09	\$	66,320.88
GRAND TOTAL				\$	<u>113,268.95</u>

REPORT.: May 29 09 Friday
 RUN.....: May 29 09 Time: 14:15
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-09 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	Payment Information
008688	05/21/09	JMB01	JMB OIL COMPANY	-526.31	.00	-526.31	175219u	Ck# 008688 Reversed	
008695	05/21/09	HIL01	BECKY HILL	825.55	.00	825.55	090521	CONF/MTGS-CITY COUNCIL	
008696	05/21/09	TEH33	TEHAWA COUNTY	5000.00	.00	5000.00	090521	PARK VOL FUND-RECYCLING G	
008697	05/21/09	JMB01	JMB OIL COMPANY	526.31	.00	526.31	175219A	Veh Opr/Maint-	
008698	05/22/09	CAI00	CAITO, DANIELLE	294.00	.00	294.00	090522	LIFEGUARD CERT/PARKS	
008699	05/22/09	KIM01	KIMBROUGH, STEPHEN J.	389.59	.00	389.59	090522	MAT & SUPPLIES-	
008700	05/26/09	LAC00	LACY, JOHN	480.00	.00	480.00	090526	REC INSTRUCT-REC	
008701	05/26/09	MAH01	MAHUTGA, MARYA	192.00	.00	192.00	090526	REC INSTRUCT-REC	
008702	05/26/09	MEN03	MENDOZA, ARMANDO OCHOA	150.00	.00	150.00	090526	TRAINING/ED-POLICE	
008703	05/26/09	WAR04	WARREN, GLORIA	207.81	.00	207.81	090522	REC INSTRUCT-REC	
008704	05/27/09	ALL01	ALLISON, MELVIN	60.00	.00	60.00	090527	SAFE GRANT-POLICE	
008705	05/27/09	ARA02	ARAMARK UNIFORM SRV. INC.	28.75	.00	28.75	4185455	Mat/Supplies-	
008706	05/27/09	ATT13	AT&T	721.63	.00	721.63	090511	COMMUNICATIONS-	
008707	05/27/09	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0904729	ProfServices Water Dept	
008708	05/27/09	CAL36	CALIF SEXUAL ASSAULT INVE	50.00	.00	50.00	090527	SAFE GRANT-POLICE	
008709	05/27/09	DEP03	DEPT OF TRANS/CAL TRANS	72.12	.00	72.12	184530	Equip.Maint. St&Trf Light	
008710	05/27/09	ESR00	ESRI, INC.	123.51	.00	123.51	92004626	911 UPGRADE-POLICE	
008711	05/27/09	GRA02	GRAINGER, W.W., INC	551.70	.00	551.70	990303299	MAT & SUPPLIES-PARKS	
008712	05/27/09	HUP00	HUPP NEON LLC	313.08	.00	313.08	9850	MARQUEE-RODGERS THEATRE	
008713	05/27/09	ICM02	ICMA MEMBERSHIP RENEWALS	820.00	.00	820.00	090527	Assoc.Dues City Admin.	
008714	05/27/09	LAQ02	LAQUINTA INN & SUITES	115.48	.00	115.48	090527	SAFE GRANT-POLICE	
008715	05/27/09	OFF01	OFFICE DEPOT	75.36	.00	75.36	475275603	Office Supplies Policedis	
				90.61	.00	90.61	475275731	Office Supplies Policedis	
			Check Total.....:	165.97	.00	165.97			
008716	05/27/09	PAC16	PACIFIC TELEMANAGEMENT	303.00	.00	303.00	117853	COMMUNICATIONS-GEN CITY	

REPORT.: May 29 09 Friday
 RUN....: May 29 09 Time: 14:15
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-09 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
008717	05/27/09	PGE2A	PG&E	49.10	.00	49.10	090518	ELECT-BLUE HERON CT
008718	05/27/09	PUB01	PUBLIC SAFETY TRAINING,	475.00	.00	475.00	10282	TRAINING/ED-POLICE
008719	05/27/09	RIN01	RINGSIDE, INC.	61.93	.00	61.93	1060430A	MAT & SUPPLIES-PAL
008720	05/28/09	MCO01	MOORES AWARD CENTER	91.36	.00	91.36	090528	PAL PROGRAM-POLICE
008721	05/29/09	CHE02	CHEM QUIP, INC.	876.52	.00	876.52	2053768IN	MAT & SUPPLIES-WTR
008722	05/29/09	MAH01	MAHUTGA, MARYA	168.00	.00	168.00	090529	REC INSTRUCT-REC
Cash Account Total.....:				12672.10	.00	12672.10		
Total Disbursements.....:				12672.10	.00	12672.10		
Cash Account Total.....:				.00	.00	.00		

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
3973	05/27/09	AFL01	AMERICAN FAMILY LIFE	1290.10	.00	1290.10	A90531	AFLAC INS.PRE TAX
3974	05/27/09	BL002	BLUE SHIELD OF CALIFORNIA	15002.00	.00	15002.00	A90531	MEDICAL INSURANCE
3975	05/27/09	CIT01	CITY OF CORNING	6.00	.00	6.00	A90531	CHGS FOR WAGE ATCHMT
3976	05/27/09	OE001	OPERATING ENGINEERS #3	11046.00	.00	11046.00	A90531	MEDICAL INSURANCE
3977	05/27/09	OE002	OPERATING ENG. (DUES)	215.00	.00	215.00	A90531	UNION DUES MGMT
				559.00	.00	559.00	1A90531	UNION DUES POLICE
				280.00	.00	280.00	2A90531	UNION DUES DISPATCH
				600.00	.00	600.00	3A90531	UNION DUES-MISC
			Check Total.....	1654.00	.00	1654.00		
3978	05/27/09	PRI04	PRINCIPAL	3470.00	.00	3470.00	A90531	DENTAL INSURANCE
				631.87	.00	631.87	1A90531	VISION INSURANCE
			Check Total.....	4101.87	.00	4101.87		
3979	05/27/09	TRA03	TRANSAMERICA LIFE INS CO.	1176.00	.00	1176.00	A90531	LIFE INSURANCE
			Cash Account Total.....	34275.97	.00	34275.97		
			Total Disbursements.....	34275.97	.00	34275.97		

REPORT.: Jun 03 09 Wednesday
 RUN....: Jun 03 09 Time: 15:26
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-09 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	Payment Information
008732	06/01/09	BRE01	BREWER, JOHN	400.00	.00	400.00	000A906011	VEH OP/MAINT-	
008733	06/01/09	CAR03	CARDENAS, ANTHONY	400.00	.00	400.00	000A906011	ProfServices PoliceServic	
008734	06/01/09	COR07	CORBIN WILLITS SYSTEMS	729.72	.00	729.72	000A906011	Finance Dept.	
008735	06/01/09	COR09	CORNING CHAMBER OF COMM.	1600.00	.00	1600.00	000A906011	CngChamberComm. Economic	
008736	06/01/09	HAI05	HALL, ROBERT	104.70	.00	104.70	000A906011	ProfServices FireDepartme	
008737	06/01/09	KEN00	KEN VAUGHAN & SONS	904.17	.00	904.17	000A906011	Landscape Maint-Parks	
008738	06/01/09	KEN01	KEN VAUGHAN & SONS	800.00	.00	800.00	000A906011	Janitorial	
008739	06/01/09	PIT01	PITNEY BOWES	241.84	.00	241.84	000A906011	Rents/Leases Finance Dept	
008740	06/01/09	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000A906011	K-9 PROGRAM-POLICE	
008741	06/01/09	TLD01	TEDC	1666.66	.00	1666.66	000A906011	Economic Devel	
008742	06/01/09	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000A906011	Prof. Svcs.-Fire Dept.	
008743	06/03/09	ACC00	ACCESS INFORMATION	40.00	.00	40.00	52351	EQUIP MAINT-GEN CITY	
008744	06/03/09	AND01	ED ANDERSON	1162.50	.00	1162.50	090601	ProfServices-	
008745	06/03/09	ARA02	ARAMARK UNIFORM SRV.INC.	28.75	.00	28.75	4188228	Mat/Supplies-	
008746	06/03/09	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	0904904	ProfServices Water Dept	
				17.00	.00	17.00	0904953	ProfServices Water Dept	
			Check Total.....	131.00	.00	131.00			
008747	06/03/09	BAT01	BATTERIES PLUS	91.60	.00	91.60	104211	EQUIP MAINT-POLICE	
008748	06/03/09	CHE02	CHEM QUIP, INC.	306.60	.00	306.60	2054034IN	MAT & SUPPLIES-PARKS	
008749	06/03/09	COP00	COP SHOP INSTALLATION INC	92.78	.00	92.78	2168	VEH OP/MAINT-POLICE	
008750	06/03/09	COR01	CORNING VETERINARY	140.00	.00	140.00	20911	SPAY/NEUTER VOUCHER PROGR	
008751	06/03/09	COR12	CORNING FORD MERCURY, INC	84.93	.00	84.93	14289	Veh Opr/Maint-POLICE	
008752	06/03/09	COR22	CORNING MEDICAL ASSOC	480.00	.00	480.00	09-0527	LIFEGUARD PHYSICALS-PARKS	
008753	06/03/09	HAT10	HATFIELD'S	162.51	.00	162.51	090525	Mat/Supplies-	
008754	06/03/09	KNI00	KNIFE RIVER CONSTRUCTION	589.26	.00	589.26	96921	MAT & SUPPLIES-	

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description	Payment Information
008755	06/03/09	MCC01	MCCOY'S HARDWARE & SUPPLY	43.19	.00	43.19	090525	BLD MAINT-BLD MAINT	
008756	06/03/09	MCC05	MCCURDY'S TRUCK REPAIR	92.16	.00	92.16	5172	VEH OP/MAINT-	
008757	06/03/09	NAP01	NAPA AUTO PARTS	615.48	.00	615.48	090526	Veh Opr/Maint-	
008758	06/03/09	PET03	PETTY CASH	285.04	.00	285.04	090601	PETTY CASH-	
008759	06/03/09	PGE01	PG&E	20518.01	.00	20518.01	090522	Electricity General City-	
				386.85	.00	386.85	090528	Electricity-SWR	
			Check Total.....	20904.86	.00	20904.86			
008760	06/03/09	PGE2B	PG&E	7548.04	.00	7548.04	090527	ELECT-WWTP	
008761	06/03/09	SEI01	SEILER, ROY R., CPA	5237.40	.00	5237.40	23411	ProfServices-Finance Dept	
008762	06/03/09	TEH01	TEHAMA ASPHALT	8008.40	.00	8008.40	3145	A/C CITYWIDE-STR PROJ	
008763	06/03/09	USB01	US BANCORP	839.99	.00	839.99	125383174	Rents/Leases-GEN CITY	
008764	06/03/09	ALL01	ALLISON, MELVIN	17.42	.00	17.42	090603	POLICE SALARY-POLICE	
008765	06/03/09	COM01	COMPUTER LOGISTICS, INC	37.88	.00	37.88	45522	MAT & SUPPLIES-REC	
008766	06/03/09	COR01	CORNING VETERINARY	238.00	.00	238.00	20906	ProfServices-ACO	
008767	06/03/09	INT01	INTERLAND BUSINESS SUPPLY	338.40	.00	338.40	090601	Office Supplies-	
008768	06/03/09	MCD01	MCDANIEL SIGN COMPANY	216.50	.00	216.50	2970	VEH REPLC-POLICE	
008769	06/03/09	NOR25	NORTHERN LIGHTS ENRGY, INC	2706.17	.00	2706.17	3303	VEH OP/MAINT-	
				1297.35	.00	1297.35	3347	MAT & SUPPLIES-	
				308.33	.00	308.33	3348	VEH OP/MAINT-FIRE	
			Check Total.....	4311.85	.00	4311.85			
008770	06/03/09	QUI02	QUILL CORPORATION	237.19	.00	237.19	7033375	Office Supplies-FINANCE	
008771	06/03/09	AT&T	AT&T	1212.22	.00	1212.22	090525	COMMUNICATIONS-	
008772	06/03/09	BIG02	BIG VALLEY SANITATION II	319.90	.00	319.90	00343	MAT & SUPPLIES-PARKS	
008773	06/03/09	COR03	CORNING RENTALS	175.00	.00	175.00	31446	RENT/LEASES-COMM EVENTS	
				175.00	.00	175.00	31459	RENT/LEASES-COMM EVENTS	
				105.00	.00	105.00	31481	VEH OP/MAINT-	
				135.00	.00	135.00	31529	A/C CITYWIDE-STR PROJ	
				200.00	.00	200.00	31535	A/C CITYWIDE-STR PROJ	

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
			Check Total.....	790.00	.00	790.00		
008774	06/03/09	COR08	CORNING LUMBER CO INC	1037.59	.00	1037.59	090528	Mat/Supplies-
008775	06/03/09	DEP03	DEPT OF TRANS/CAL TRANS	804.89	.00	804.89	02012909	Equip.Maint. St&Trf Light
008776	06/03/09	FIR00	FIRST BANKCARD	25.00	.00	25.00	090603	CONF/MTGS-CITY COUNCIL
008777	06/03/09	FIR01	FIRST BANKCARD	174.50	.00	174.50	090528	CONF/MTGS-
008778	06/03/09	FIR02	FIRST BANKCARD	51.25	.00	51.25	090528	TRAINING/ED-POLICE
008779	06/03/09	FIT01	FITZPATRICK LAW OFFICES	507.30	.00	507.30	090602	City Attny Srvs Legalserv
008780	06/03/09	GRA02	GRAINGER, W.W., INC	924.96	.00	924.96	900201204	TELEMETRY-WTR CAP IMPROV
008781	06/03/09	MIL11	MILL CREEK VETERINARY	70.00	.00	70.00	43809	SPAY/NEUTER VOUCHER PROGR
008782	06/03/09	NEX01	NEXTEL COMMUNICATIONS	629.69	.00	629.69	090529	COMMUNICATIONS-
008783	06/03/09	NOR31	NORM'S PRINTING	73.07	.00	73.07	006960	PRINTING/ADV-POLICE
008784	06/03/09	TEH15	TEHAMA CO SHERIFF'S DEPT	98.00	.00	98.00	090602	FINGERPRINTS-
008785	06/03/09	THO01	THOMES CREEK ROCK CO	66.71	.00	66.71	43552	Mat/Supplies-
008786	06/03/09	XER00	XEROX CORPORATION	152.28	.00	152.28	040844177	EQUIP MAINT-POLICE

Cash Account Total.....: 66320.88
 Total Disbursements.....: 66320.88
 =====

CITY OF CORNING**MAY 2009****TREASURERS REPORT**

AGENCY	BALANCE	RATE	MATURES ON
LOCAL AGENCY INVESTMENT FUND	2,036,006.21	1.91	
PREMIER WEST BANK	194,349.06	1.78	03/28/10
PREMIER WEST BANK	174,203.35	1.78	04/20/10
TRUST ACCOUNTS			
PREMIER WEST BANK RIDELL TRUST	204,308.89	2.52	06/13/10

Respectfully Submitted

Pala Cantrell
City Treasurer

Date.: Jun 3, 2009
Time.: 3:32 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WIFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
BAUGHN, GLEN	323 HOAG ST	CORNING, CA 96021	BAUGHN	DRIVING CARS FOR CORNING FORD & CHEVROLE	06/03/09	(530)586-0176
ECOAIR AND REFRIGERA	5129 TOOMES AVE	CORNING, CA 96021	DANIELS	CONTRACTOR	06/01/09	(530)824-8247
INDEPENDENT CONSULTI	1725 TAFT AVE	CORNING, CA 96021	VOTAW	CONSULTING & TRAINING FOR BUSINESSES	06/01/09	(530)518-2024

PERMITS ISSUED (sort by Permit #)

Item No.: G-8

For the Period 5/1/2009 thru 5/31/2009

Owner and Address	Parcel Number	Issued On	Valuation
KEITH & CORINA LEMOS 983 HICKORY ST CORNING CA 96021 Permit Description: 4 FT FRONT YARD CHAIN LINK FENCE	7316306 Site Street Address: 983 HICKORY ST	5/14/2009	655.00
SUKCH HONG 1201 FIG LN CORNING CA 96021 Permit Description: REROOF OVER EXISTING ROOFS	7129127 Site Street Address: 1201 FIG LN	5/7/2009	2,475.88
BANK OF NEW AMERICA 111 NORTH HOUGHTON AVE CORNING CA 96021 Permit Description: INSTALL PROPANE S. LINE & FURNACE	6915071 Site Street Address: 111 NORTH HOUGHTON AVE	5/7/2009	1,200.00
LARRY MC NUTT 506 SIXTH ST CORNING CA 96021 Permit Description: CHANGE OUT 100 AMP SERVICE RISER	7110519 Site Street Address: 506 SIXTH ST	5/8/2009	500.00
RAYMA WILLIAMS 451 STANMAR DR. CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7320035 Site Street Address: 451 STANMAR DR.	5/11/2009	12,000.00
JACK RAND 681 2ND ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7304407 Site Street Address: 681 2ND ST	5/11/2009	6,435.00
RICK JONES 1401 SOLANO ST CORNING CA Permit Description: INSTALL ONE DOOR SIGN AND TWO WALL MO	711269 Site Street Address: 1401 SOLANO ST	5/21/2009	2,100.00

PERMITS ISSUED (sort by Permit #)
For the Period 5/1/2009 thru 5/31/2009

Owner and Address	Parcel Number	Issued On	Valuation
RICHARD CHANDLER 817 SOUTH ST CORNING CA 96021 Permit Description: CUT IN MINI DUCTLESS SYSTEM ON GROUND	7309501 Site Street Address: 817 SOUTH ST	5/13/2009	9,105.00
NEW LIFE BAPTIST MISSION 806 BUTTE ST CORNING CA 96021 Permit Description: REPLACE SEWER LATTERAL	7304507 Site Street Address: 806 BUTTE ST	5/13/2009	600.00
JOSE GANZALEZ 1031 MC DONALD CT CORNING CA 96021 Permit Description: NEW COVERED PATIO	7323031 Site Street Address: 1031 MC DONALD CT	5/13/2009	1,120.00
MYLES ROUTH 1614 MARIN ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7112212 Site Street Address: 1614 MARIN ST	5/14/2009	900.00
LYLE GREEN 458 EL PASO AVE CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7305307 Site Street Address: 458 EL PASO AVE	5/14/2009	8,460.00
GLEN SANDERS 1415 MARIN ST CORNING CA 96021 Permit Description: CHANGE OUT HVAC UNIT	7116404 Site Street Address: 1415 MARIN ST	5/19/2009	3,500.00
TOWER ENERGY GROUP 809 SOLANO ST CORNING CA 96021 Permit Description: CHANGE OUT HVAC ON ROOF	7306603 Site Street Address: 809 SOLANO ST	5/21/2009	8,548.00
LOIS DOLAN 1473 FIG LN CORNING CA 96021 Permit Description: CHANGE OUT ELECT. SERVICE	7128035 Site Street Address: 1473 FIG LN	5/19/2009	912.11

PERMITS ISSUED (sort by Permit #)

For the Period 5/1/2009 thru 5/31/2009

Owner and Address	Parcel Number	Issued On	Valuation
MIKE CAMPI 454 DEL NORTE CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7305202 Site Street Address: 454 DEL NORTE	5/21/2009	8,200.00
VINETTA CONWAY 811 FOURTH ST CORNING CA 96021 Permit Description: FIRE DAMAGE-WINDOWS,PLUMBING,ELECT,DI	7113607 Site Street Address: 811 FOURTH ST	5/21/2009	22,000.00
MARTHA MEDINA 500 FIRST ST CORNING CA 96021 Permit Description: 4' ROD IRON FRONT & 6' WOOD BACK FENCE	7304304 Site Street Address: 500 FIRST ST	5/21/2009	1,000.00
EMILY HANSEN 2093 COLUSA ST CORNING CA 96021 Permit Description: 6' SIDE BACK YARD FENCE	7106210 Site Street Address: 2093 COLUSA ST	5/26/2009	1,000.00
ELMORE TALLEY 828 HICKORY ST CORNING CA 96021 Permit Description: 2ND LAYER REROOF	7316410 Site Street Address: 828 HICKORY ST	5/26/2009	1,280.00
ROBERT BROWN 1407 WEST ST CORNING CA 96021 Permit Description: SOUTH SIDE YARD -6' TO 4' WOOD FENCE	7126228 Site Street Address: 1407 WEST ST	5/27/2009	300.00
JERRY WOLVERTON 1288 FIG LN CORNING CA 96021 Permit Description: CHANGE OUT HVAC	7131020 Site Street Address: 1288 FIG LN	5/28/2009	5,500.00
ROBERT ESTES 1615 BUTTE ST CORNING CA 96021 Permit Description: LIVING ROOM ADDITION & TEAR OFF & REROC	7110203 Site Street Address: 1615 BUTTE ST	5/28/2009	12,500.00

6/3/2009
11:26:05AM

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 5/1/2009 thru 5/31/2009

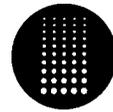
Owner and Address	Parcel Number	Issued On	Valuation
SHIRLEY CRAIG 822 TOOMES AVE CORNING CA 96021	7114015 Site Street Address: 822 TOOMES AVE	5/29/2009	300.00
Permit Description: TEAR OFF & REROOF NORTH SIDE			

24 Permits Issued from 5/1/2009 Thru 5/31/2009 OR A TOTAL VALUATION OF \$ 110,590.99
*** END OF REPORT ***

RECEIVED

JUN 01 2009

CITY OF CORNING



Item No.: G-9
**SouthWest
Water Company**

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

**CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT
MAY 2009**

Below is a summary of the Monthly Operations Report that will be available for City review on June 9, 2009.

- 1) Filled out monthly reports.
- 2) Performed monthly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Sent vehicle report to Texas.
- 5) Wasted to thickener.
- 6) Pumped to beds from thickener and EQ.
- 7) Changed chart on So3 analyzer.
- 8) North State Elect ordered new aerator.
- 9) Safety meeting.
- 10) Greg Cash from State Water Board here annual inspection.
- 11) Cleaned up shop.
- 12) Inspected eyewash and emergency showers.
- 13) Unloaded chlorine truck.
- 14) Added buffer to So3 analyzer.
- 15) Exercised generator.
- 16) Cleaned So2 pump.

- 17) Cleaned chlorine building.
- 18) Took out trash.
- 19) Tested all chlorine and So₂ sensors.
- 20) River samples.
- 21) Put up new water signs around plant.
- 22) Patterson Elect here worked on warning light on chlorine building. Need new light. They will order one.
- 23) Checked all fire extinguishers.
- 24) Cleaned probe at lift station.
- 25) Chlorine alarm system setting of alarms. Removed from building and sent for repair.
- 26) Calibrated So₃ analyzer.
- 27) Worked on plant SOP's.
- 28) Tested alarms with Fire Dept.
- 29) Mowed lawn.
- 30) Sprayed weeds around plant.
- 31) Tel-Star sent a chlorine alarm system to use until we get ours back.
- 32) Hooked up chlorine alarm system.
- 33) John Yonkus here for PSM-RMP review.
- 34) Cleaned 4 drying beds.
- 35) Chico Drain Oil here pick up used oil.
- 36) Went through and updated pretreat files.
- 37) Replaced hour meter on lube pump #2.
- 38) Called by Security Company alarm in shop building, PD and Bob responded found nothing. Reset alarm and called Security Company.

Total daily plant flow for the month of May 2009 was 682,000 GPD.

Total daily plant flow for the previous month of April 2009 was 669,200 GPD

May 2009

Industrial Flow = 727,682 GPD
(Flow into the Bell Carter Ponds)

Domestic Flow = 682,000 GPD

April 2009

Industrial Flow = 705,515 GPD

Domestic Flow = 669,200 GPD

ITEM NO: G-10
AWARD THE BID FOR THE PRUNING
OF 789 CITY STREET AND PARK TREES
TO BILL'S TREE SERVICE IN THE
AMOUNT OF \$38 PER TREE, TOTALING
\$29,982

JUNE 9, 2009

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

STEVE

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

JS

SUMMARY:

Staff received seven bids for the pruning of City street and park Trees. Attached for Council review is the Bid Summary from the June 2, 2009 bid opening. Bill's Tree Service was the lowest bidder at a cost of \$38 per tree.

The award of this Bid for tree trimming services will allow for 789 City Trees to be trimmed.

BACKGROUND:

Staff recommends that Bill's Tree Service be awarded the Bid for the pruning of City street and park trees. The trimming of these trees will enhance the appearance of our streets as well as alleviate any concerns for public safety.

The 2008/2009 City Budget has allowed for a total of \$30,000 to fund the pruning of City trees. The funding is budgeted under Public Works Street Projects; Tree Trimming item numbers 001-8002-3001 (\$12,000) and 114-8002-3001 (\$18,000).

RECOMMENDATION:

**MAYOR AND COUNCIL AWARD THE BID FOR THE PRUNING OF TREES TO
BILL'S TREE SERVICE IN THE AMOUNT OF \$38 PER TREE, TOTALING \$29,982
UNDER BUDGET ITEM NUMBERS 001-8002-3001 AND 114-8002-3001.**

CITY OF CORNING

STREET & PARK TREE TRIMMING

BID OPENING

JUNE 2, 2009

2:00 PM

<u>Company Name</u>	<u>Bid Amount/Per Tree</u>
Bill Taylor's Tree Service P.O. Box 894 Anderson, CA 96007	\$38.00
Twin Cities Tree Service 1282 Stabler Lane Suite 630 #154 Yuba City, CA 95993	\$69.99
Nor-Cal Tree Expert Company P.O. Box 4 Tehama, CA 96090	\$75.00
Big T's Trees P.O. Box 802 Yuba City, CA 95992	\$75.00
Fallen Leaf Tree Service 9510 Jackson Road Sacramento, CA 95827	\$79.00
Paul Bunyan's Tree Service 11760 Hwy 99E Red Bluff, CA 96080	\$100.00
North Valley Tree Service 3882 Esplanade Chico, CA 95973	\$150.00

ITEM NO.: G-11
APPROVE BUDGET ADJUSTMENTS IN
SUPPORT OF NEW WOODSON PARK
PLAY APPARATUS PROJECT – FINAL
ACCOUNTING.
June 9, 2009

TO: CITY COUNCIL OF THE CITY OF CORNING
FROM: STEPHEN J. KIMBROUGH, CITY MANAGER

STEVE

SUMMARY:

The new play structure installation and improvement at Woodson Park was completed in March 2009. The General Fund was the initial source of funding, but the improvement expenses should now be moved to the Park Acquisition Fund.

BACKGROUND

The new play structure is the first modern facility in the Park and was intended to make the Park more attractive for use by children. The cost of the play structure and materials needed for its installation was \$26,153; this included the surrounding concrete curb and the concrete handicapped access to the play area. The labor cost was \$9,163, for a total cost of \$35,215.

The Park Acquisition Fund 341 was established in the City Code in 1970 in Code Chapter 3.32 "RESIDENTIAL CONSTRUCTION TAX" which requires all residential dwelling units including mobile home lots to pay a tax to fund the "acquisition, improvement and expansion of public parks, playgrounds and recreational facilities" in the City. The proceeds of the tax "may also be used for the development of recreational facilities on public school grounds which provide a desirable site and immediate access to the public from the street."

The tax is collected with the issuance of Building Permits:

\$200 per new mobile home lot or one bedroom dwelling
\$100 per each additional bedroom

The addition of park facilities which increase the capacity of the park to serve the public is an appropriate expenditure for this development impact fee.

FINANCIAL

If City Council concurs, funds should be appropriated for the completed Woodson Park Improvement Project from the Park Acquisition Fund 341 to Budget Accounts Number 341-9171-6100 in the amount of \$26,053, and Number 341-5100-6100, Salaries, in the amount of \$9,163. The Park Acquisition Fund currently has a fund balance of \$230,744.

RECOMMENDATION:

MAYOR AND CITY COUNCIL:

- A. APPROPRIATE \$26,053 FROM FUND 341 TO ACCOUNT NO. 341-9171-6100, WOODSON PARK IMPROVEMENTS; AND
- B. APPROPRIATE \$9,163 FROM FUND 341 TO ACCOUNT NO. 341-5100-6100, PARK MAINTENANCE; AND
- C. APPROVE THE TRANSFER OF THE WOODSON PARK PLAY STRUCTURE IMPROVEMENT EXPENSES TO THESE ACCOUNTS.

ITEM NO.: G-12
APPROVE BUDGET ADJUSTMENTS IN
SUPPORT OF MARGUERITE OVERLAY
PROJECT – FINAL ACCOUNTING.
June 9, 2009

TO: CITY COUNCIL OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER

STOVE

SUMMARY:

As part of the closeout of the Marguerite Ave. Overlay Project, City Staff reviewed the expenditures and is recommending two budget adjustments.

City Council approved a budget adjustment on February 10, 2009, which set the funding for the Marguerite Avenue Project at \$100,000 funded by the General Fund, and \$52,690 funded by Traffic Congestion Relief Funds. The Project was completed within this budget.

The development impact fee set by the adopted Traffic Mitigation Program includes the Marguerite Avenue overlay from Solano to Blackburn as one of the development impact mitigation projects. Though using General Fund money for this street project was a good idea last year when the Budget was adopted, now conserving the General Fund Reserve is the priority.

Staff has confirmed that the City has met the Traffic Congestion Relief Act "Maintenance of Effort" for 2008-2009 which requires a minimum annual expenditure of \$164,337 from the General Fund for Street repair and reconstruction.

Staff therefore recommends that \$100,000 be appropriated for the completed Marguerite Avenue Project from the Traffic Mitigation Fund No. 116 to Account No. 116-9470-3001. The Traffic Mitigation Fund currently has a fund balance of \$576,090 and is restricted for use for those specific Street and Signalization Projects approved by City Council as a part of the Traffic Mitigation Fee.

RECOMMENDATION:

MAYOR AND CITY COUNCIL:

- A. APPROPRIATE \$152,690 FROM FUND 116 TO ACCOUNT NO. 116-9470-3001, STREET PROJECTS-MARGUERITE AVE; AND
- B. APPROVE THE TRANSFER OF MARGUERITE AVENUE PROJECT EXPENSES TO THESE ACCOUNTS.

**ITEM NO. G-13
AGREEMENT FOR COLLECTION OF SPECIAL
ASSESSMENT WITH TEHAMA COUNTY
AUDITOR-CONTROLLER; LANDSCAPING AND
LIGHTING DISTRICTS**

DATE: JUNE 9, 2009

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

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



SUMMARY:

Staff recommends the City Council authorize the City Manager to sign the agreements allowing the County Auditor-Controller to recover their costs for billing and collecting the annual assessments for the three Landscaping and Lighting District Zones in the City of Corning.

BACKGROUND:

In 2005, the City began requiring the formation of Landscaping and Lighting Districts for the maintenance of common landscaping features, drainage improvements, and street and area lighting. To date three separate zones have been formed within the City of Corning. The annual assessments appear on the tax bills and are collected by the Tehama County Auditor-Controller and passed on to the City.

On May 26, 2009, we received the attached letter from the Tehama County Auditor-Controller, seeking the City's concurrence with agreements permitting the County to recover their costs for collecting the annual assessments. The County proposes agreements authorizing the "retention" of \$1.14 per parcel annually for this service. For brevity, only one of the proposed agreements (District 1, Zone 1) is attached for your review. The other two are copies with only the District/Zone designations changed.

ZONES:

The three zones established for Landscaping and Lighting in Corning and their annual per parcel assessments are: District 1, Zone 1 (Blackburn Estates-14 parcels), \$63.09; District 1, Zone 3; (Blossom Avenue Development-30 parcels), \$142.10; and District 1, Zone 4 (Salado Orchard Apartments-1 parcel), \$4,772.90.

RECOMMENDATION:

That the Mayor and City Council:

- **APPROVE THE AGREEMENTS ALLOWING THE TEHAMA COUNTY AUDITOR-CONTROLLER TO RECOVER \$1.14 PER PARCEL; THEIR COST FOR BILLING AND COLLECTING THE ANNUAL ASSESSMENTS FOR THE THREE LANDSCAPING AND LIGHTING DISTRICT ZONES WITHIN THE CITY OF CORNING.**

LEROY M. ANDERSON
Auditor-Controller



RONALD L. LARGENT
Assistant Auditor-Controller

TEHAMA COUNTY AUDITOR-CONTROLLER

May 20, 2009

Lighting & Landscape Districts
794 Third Street
Corning, CA 96021

Attn: John Brewer

Dear Lighting & Landscape Districts,

Your Districts levy special taxes, special assessments, and/or property-related fees that are presently collected on Tehama County's secured property tax roll. Under California state law, the County may require that Districts enter into an agreement to reimburse the County for the costs of such collection as a condition of placing an assessment on the roll. In previous years, the County has been able to provide these collection services free of charge (i.e., at the County's expense). However, in these difficult economic times, the County's general fund can no longer subsidize this service for Districts. Consequently, beginning in the 2009-2010 fiscal year, the County will require that each District wishing to place any special tax, special assessment, and/or property-related fee on the roll execute an agreement to reimburse the County for the costs of collection.

The County's annual cost to collect District assessments is \$38,779.68. When that amount is divided by the number of individual parcel assessments countywide (33,946), this yields an actual annual cost of **\$1.14 per parcel**. The attached three-year agreement provides for that amount to be deducted from the assessment proceeds collected by the County on your District's behalf. (Each District is responsible to ensure that the County's charges are either covered within the existing approved assessment amount, or that an increase to cover the charge is approved in accordance with all applicable laws, including Proposition 218.)

Please review the agreement, and place it before your District's governing board for approval. Once your board has approved the agreement, please return two signed originals to the County Auditor-Controller's office. In order to ensure that your District's assessment is placed on the 2009-2010 roll, the signed agreement will need to be received by the Auditor-Controller no later than **June 30, 2009**. The agreement will then be forwarded to the Board of Supervisors for final approval.

Please do not hesitate to contact us if you have any questions.

Very truly yours,

LeRoy M. Anderson
Auditor-Controller

RECEIVED

MAY 26 2009

CITY OF CORNING

**AGREEMENT FOR COLLECTION OF SPECIAL
TAXES, FEES, AND ASSESSMENTS**

This Agreement is dated May 20, 2009, and made between the **COUNTY OF TEHAMA, ON BEHALF OF THE TEHAMA COUNTY AUDITOR-CONTROLLER ("County")** and the **Lighting & Landscape District 1, Zone 1 ("District")**. This Agreement is made in reference to the following facts:

RECITALS:

- (a) District is located within Tehama County and desires to enter into an agreement whereby District's eligible special taxes, special assessments, and/or property-related fees are collected by County at the same time and in the same manner as County secured real property taxes are collected.
- (b) County is capable and willing to employ its usual collection procedures on District's behalf for eligible special taxes, special assessments, and/or property-related fees lawfully established and levied by District, and County is willing to attempt to collect them at the same time and in the same manner as County secured real property taxes are collected.
- (c) Government Code section 29304 provides for compensation to be paid to County for collecting special taxes, special assessments, and property-related fees for District and further provides that the amount of said compensation shall be fixed by agreement between County and District.

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- 1. The above recitals are hereby incorporated into this Agreement.
- 2. When requested by District, County will collect the eligible special taxes, special assessments, and/or property-related fees of District on the Secured Tax Roll, and will distribute collections to District at the same time and in the same manner as Tehama County secured property taxes are collected and distributed. (Provided, however, that County does not buy-out (Teeter) unpaid taxes, special assessments, and/or property-related fees at the end of the fiscal year, but instead will transfer them to the delinquent tax roll for collection.) Notwithstanding the foregoing, County will not collect for District any special taxes, special assessments, and/or property-related fees levied upon any real property, including publicly-owned real property, not appearing on County's Secured Tax Roll. District will adhere to the policies and procedures established by the Tehama County Auditor-Controller.
- 3. On or before August 10th of each year, District shall certify and deliver to County's Auditor-Controller an assessment roll showing the Assessor's parcel number and the amount of each special tax, special assessment,

and/or property-related fee to be collected. The amounts certified shall include the charges payable to County pursuant to Section 8 of this Agreement. If this information is not received by the Auditor-Controller on or before August 10th, the Auditor-Controller may determine that the District's special taxes, special assessments, and/or property-related fees, shall not be collected hereunder for that fiscal year.

4. District is responsible for the validity and accuracy of the amount of the special tax, special assessment, or property-related fee, as well as the assessor parcel number to which it is being charged. District must review County's Secured Tax Roll when it is filed by the County Assessor for each applicable year of collection, and verify that the parcel numbers certified by District and delivered to the Auditor-Controller for collection accurately correspond to the parcel numbers on County's Secured Tax Roll.
5. District shall respond to taxpayers' inquiries in a timely manner and not refer taxpayers to County regarding the removal or correction of special taxes, special assessments, or property-related fees.
6. Special taxes, special assessments, or property-related fees will not be permitted to be placed on the secured tax bills of parcels without sufficient assessed values. If such special tax assessments are discovered by County to be levied by District, District gives the Auditor-Controller the authority to remove the special tax, special assessment, or property-related fee and relieve County from any further responsibility of collection, making District solely responsible for its collection.
7. District gives the Auditor-Controller the authority to process and handle, at his/her discretion, special situations and unusual items not addressed elsewhere in this Agreement. Such actions may include removal of the special tax, special assessment, or property-related fee from the tax bill and relieving County from any further responsibility of collection, making District solely responsible for its collection.
8. District shall pay County a charge of **\$1.14** for each parcel upon which a special tax, special assessment, or property-related fee is levied. If District levies multiple special taxes, special assessments, and/or property-related fees upon the same parcel(s), a separate fee shall be paid for each special tax, special assessment, or property-related fee. This charge shall be included within the amounts certified to County pursuant to Section 3 of this Agreement. District is responsible to ensure that this charge is included in the amount of the special tax, special assessment, or property-related fee approved in accordance with applicable law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218). The total charges to be paid to the County hereunder will be deducted by the Auditor-Controller from the total amount of money collected for District before remittal of the balance to District. District hereby waives any right it may have under Government Code section 907 and to protest the deduction of the amounts specified in this Section. District acknowledges and agrees that County will not be required to notify

District of its intent to deduct such amounts except by execution of this Agreement.

9. District shall annually provide a copy of the District governing body's certified Resolution or Ordinance authorizing the special tax, special assessment, or property-related fee to be collected on the secured tax bill. Such Resolution or Ordinance will reference the legal authority for such levy, the legal authority to place the special tax, special assessment, or property-related fee on the secured tax bill, and the "order" to the Auditor-Controller to place the special tax assessment on the secured tax bill for the current tax year. District warrants and represents that the special taxes, special assessment and/or property-related fees imposed by District and collected pursuant to this Agreement comply with all requirements of state and federal law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).
10. District hereby releases and forever discharges the County of Tehama and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of District's responsibility under this agreement or other action taken by District in establishing the special tax, special assessment, or property-related fee and implementing collection of special taxes, special assessment and/or property-related fees as contemplated in this agreement.

Without limiting the generality of the foregoing, District shall hold harmless, defend, and indemnify County and its elected and appointed officers, officials, employees, and agents, from and against any claim or suit to determine the legality of the special tax, special assessment, or property-related fee, or arising from or related to the accuracy of the information provided by District, or any legal procedures employed by the Tax Collector in the collection of the special tax, special assessment, or property-related fee.

If any judgment is entered against any indemnified party as a result of action taken to implement this Agreement, District agrees that the County of Tehama may offset the amount of any judgment paid by the County of Tehama or by any indemnified party from any monies collected by the County of Tehama on District's behalf, including property taxes, special taxes, fees, or assessments. The County of Tehama shall notify District of its intent to implement any offset authorized by this paragraph.

11. This agreement supersedes all previous agreements and constitutes the entire understanding of the parties hereto.
12. This Agreement shall be deemed to be made in, and shall be governed by and construed in accordance with the laws of, the State of California (excepting any conflict of laws provisions which would serve to defeat application of California substantive law). Venue for any action arising from this agreement shall be in Tehama County, California.

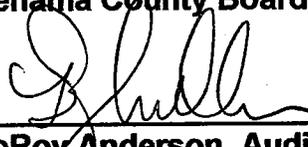
13. This Agreement shall be effective for the 2009-2010, 2010-2011, and 2011-2012 fiscal years, unless sooner terminated as provided herein.
14. If District fails to provide in any manner the information or documentation required under this Agreement, or violates any law, regulation, rule, or ordinance applicable to the performance herein, County may terminate this Agreement by giving five (5) calendar days notice to District.
15. Either party may terminate this Agreement for convenience for any fiscal year by giving written notice thereof prior to May 1st of the preceding fiscal year.

Date: _____

COUNTY OF TEHAMA

By:

George Russell, Chairperson
Tehama County Board of Supervisors



LeRoy Anderson, Auditor-Controller

Date: _____

Lighting & Landscape District 1, Zone 1

By

Authorized Signature

Title

Type or Print Name and Title

Name of District's Governing Body

APPROVED AS TO FORM:

Assistant County Counsel
County of Tehama

ITEM NO: J-15
REVIEW PROPOSAL FROM
SECOND CHANCE PET
RESCUE - DISCUSSION AND
DIRECTION
JUNE 9, 2009

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

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
ANTHONY F. CARDENAS, CHIEF OF POLICE

SUMMARY:

On April 29, 2009 Debbie Eaglebarger, on behalf of Second Chance Pet Rescue, presented a proposal (attached) to the City Council for the Council's consideration. The proposal requested the Council consider raising animal control fees and the revenue generated from these fees be given to Second Chance, additionally a monthly allowance of \$500.00 be given to Debbie Eaglebarger for services provided to the Animal Shelter.

BACKGROUND:

The Police Department is responsible for Animal Control within the City of Corning as one of its services. As part of this service, the City owns and operates a shelter for the care of dogs in the City's custody. As part of their duties, Community Service Officers (and occasionally Patrol Officers) deliver dogs to the shelter that have been caught running-at-large, quarantine dogs if necessary, take in surrendered animals, set-up pens and handle arrangements with owners for the release of their animal. The City provides dog food when not donated, maintains the facility and provides for utilities at the facility. In order to assist with the daily care of the shelter and the dogs in the City's custody and as an additional security measure, the City has entered into caretaker agreements with individuals. In lieu of compensation, the City has provided an on-site residence for such caretakers.

The City's association with Debbie Eaglebarger began in May 2002 when Ms. Eaglebarger, as President of Second Chance Pet Rescue, asked if Second Chance Pet Rescue could volunteer its services at the Shelter. Second Chance wanted to socialize, walk, train, groom, and take dogs to adoption events. The focus of Second Chance's efforts was to make dogs more adoptable, both locally and through the organization's out-of-area contacts. Ms. Eaglebarger advised that Second Chance Pet Rescue was operated by private funding and they were also seeking grants to support their efforts. The City accepted Second Chance's offer because this arrangement appeared beneficial to the shelter animals, Second Chance, and the City. In August 2002 our agreement with a shelter caretaker ended and on October 7, 2002, the City entered into

a caretaker agreement with Debbie Eaglebarger. This agreement, among other items, provides for a mobile home to act as the caretaker's residence.

If a dog owner has not collected their dog within five (5) days (the time prescribed by law that the City must hold an unclaimed dog) it is then prepared for adoption. Since the City entered into its relationship with Second Chance, this organization has primarily handled adoption arrangements, to include spaying and/or neutering and initial rabies vaccines at the local veterinarian clinic (with the cost borne by the City).

The City's relationship with Second Chance Pet Rescue has been beneficial for the dogs in the shelter that were unclaimed or surrendered by their owners, as most have been adopted by responsible pet owners. It should be understood, however, that any services provided beyond the caretaker agreement obligations, are Second Chance services. These programs (socialization, walking, transfers, pre- and post-adoption home visits, recordkeeping, etc.) while compassionate, are not required by current law. However, the relationship with Second Chance has been strained at times, in part because of the uncertainty of its economic survival.

Second Chance Pet Rescue's proposal, dated March 30, 2009, and presented to the City Council on April 28, 2009, proposes that the City Council do the following:

1. Adopt the following increased fee schedule:

	<u>Current</u>	<u>Proposed</u>	<u>% of Increase</u>
Intake Fee:	\$ 12.00	\$ 15.00	25%
Daily Rate:	3.50	7.00	100%
Quarantine:	35.00	70.00	100%
Adoption:	40.00	75.00	88%

2. The proposed fees would be given to Second Chance Pet Rescue for supplies deemed needed and used by Second Chance Pet Rescue.
3. After the required holding period of five (5) days, Second Chance Pet Rescue would be given the option to request the dog and accept responsibility of the animal, minus the cost of the initial transfer vaccination.
4. The City would give Debbie Eaglebarger \$500.00 per month for services provided to the Shelter, in addition to the current Caretaker Agreement.

The first item reflecting the proposed increase in the listed fees, based on staff's survey of other facilities, does not appear unreasonable (survey attached).

The second item would mean a loss of revenue to the City of approximately \$4,000.00 to \$5,000.00 per year, and it does not appear that the City would have any control over how these funds would be used once given to Second Chance Pet Rescue. This would also require the City and Second Chance Pet Rescue to move from a mutual benefit to a contractual relationship.

The third item would mean that the City would still have to deal with dogs that Second Chance Pet Rescue would not accept. It would also mean that dogs given to Second Chance Pet Rescue would remain at the shelter at Second Chance's discretion. Giving Second Chance discretionary control of dogs at the shelter, could lead to the transference of responsibility for the operation of the shelter.

The fourth item would require the City paying Debbie Eaglebarger \$6,000.00 per year in addition to providing the caretaker residence.

While Second Chance Pet Rescue's proposal may not be unreasonable, the City's current and future fiscal forecasts do not support funding this proposal. However, if the Mayor and Council want to consider contracting for these services, staff would recommend using the City's RFP process, as there are other service providers available.

RECOMMENDATION:

MAYOR AND COUNCIL DISCUSS SECOND CHANCE PET RESCUE'S PROPOSAL AND PROVIDE FURTHER DIRECTION TO STAFF.

Second Chance



Pet Rescue

www.second-chance-pets.org

SECOND CHANCE

Pet Rescue and Adoption

4312 Rawson Rd., Corning, CA 96021 530/824-1985

March 30, 2009

Proposal to City of Corning

Background:

Debbie Eaglebarger started Second Chance Pet Rescue, a non-profit organization, for the specific task of monitoring the Corning Animal Shelter. The shelter had a known history as a "fill and kill" facility and it was the belief of Second Chance Pet Rescue that changes could be made to make a difference for the betterment of the animals and the city. The impact of having an advocate in the shelter has been profound.

In 10/02, Ms. Eaglebarger was appointed as the on-site shelter caretaker. In lieu of monetary payment, Ms. Eaglebarger is allowed to occupy the single-wide mobile home on the grounds of the shelter.

Dog food, previously purchased on a regular basis, has been provided free for the past six years. Barrels were purchased by Second Chance to ensure no vermin infestation, an ongoing problem.

Second Chance Pet Rescue has made extensive improvements at the shelter to improve the care and comfort of the animals, done by donations and volunteers. Ms. Eaglebarger and Second Chance Pet Rescue have been reliable and responsible in representing the City of Corning. After 7 years, the City of Corning is a model for a humanely run shelter, all done on a volunteer basis. The time has come for the City and Second Chance to come together as a team in shelter operations.

The mission of **Second Chance Pet Rescue and Adoption** is the prevention of cruelty to animals by establishing and maintaining a sanctuary which provides a safe environment for homeless and abandoned pets; to provide foster care for homeless and abandoned pets; to assist in placing such animals in safe, caring, permanent homes; to be an active participant in education and the humane and caring treatment of animals; and to celebrate the bond with companion animals.

Current Status

Ms. Eaglebarger currently fulfills her obligation to the city by feeding and watering the dogs twice daily. She provides additional care to the animals by providing beds, blankets, toys, outside time, and when necessary, medical and grooming attention. She transports animals to the vet for spaying and neutering when adopted, to other high traffic shelters like Haven Humane Society and Butte Humane Society, and to other rescue organizations. She performs home visits for all pit bulls adopted and some other dogs to ensure appropriate home environment. She answers the shelter phone which include queries about relinquishing a pet, finding a lost pet, or wanting to adopt a pet. Other phone calls relate to cats, livestock, sick animals, and questions about pet behavior.

The peace of being "at home" is not realized. People honk at the closed gate. One person came at 3:30 in the morning after being released from jail and kicked a hole in the mobile home siding wanting to get his dog back. Unsavory people sometimes come out to "look at the pit bulls."

Ms. Eaglebarger usually sets up a pen when dogs come in for the officers. There are many times that the public want to drop of found animals, pick up their lost animal, or want to look at dogs. The majority of these visits take place during the day but numerous occasions are in the evening and on the weekend. Ms. Eaglebarger performs all duties related to adoptions. One adoption can last 1-2 hours. Visitors are not allowed to just walk around and look at dogs but must be accompanied.

Obedience training is now being provided on weekends for the public to ensure a well-behaved dog in the community. All training for pit bulls is done free to encourage pit bull owners to have a socialized and welcome addition in the community.

Medical intervention is provided to the animals entering the shelter. Examples include a dog with his ears and tail cut off with scissors, a dog with a broken leg, entropian eye repairs, a recent parvo dog, and a dog suspected of being shot with buckshot. Matted coats are trimmed and combed.

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PROPOSAL:

Second Chance Pet Rescue proposes the following for consideration from the City of Corning.

1. All fees for animals that come to the shelter be designated back to Second Chance Pet Rescue for the maintenance care and handling that is given to each individual animal. These fees include pickup fee, daily rate, quarantine, relinquishment, and adoption. The spay/neuter fine remains in the care and control of the city. Proposed new fee schedule:

Intake Fee: \$15

Daily Rate: \$7

Quarantine: \$70

Adoption: \$75

2. Fees collected will be used by Second Chance Pet Rescue to ensure there will be supplies needed that are provided by Second Chance for humane care and treatment.
3. Upon reaching the required holding period, Second Chance Pet Rescue will have the option of requesting the release of the dog to Second Chance Pet Rescue. The animal would still use the city shelter but Second Chance would assume all responsibility from that point forward (spay/neuter, euthanasia and disposal if necessary, etc.) As with release to any other rescue or shelter, a vaccination would be given upon transfer. Second Chance would provide future vaccinations if necessary (for puppies).
4. The City of Corning designates \$500 (five hundred dollars) per month to Debbie Eaglebarger for the services provided to the shelter. The city has already realized the cost savings in no dog food purchases and a dramatically reduced dead animal disposal rate.

Being the onsite caretaker, Ms. Eaglebarger has taken on some of the roles the ACOs used to do. She intakes animals from Corning residents that just show up at the shelter with "found dogs and puppies," she releases dogs back to their owners when animal control is not available. She transports dogs to the vet for spaying and neutering before the dogs goes into the new adopter's home. She saves police dispatch and the ACO countless

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and has become a leader in the north state for her pit bull ambassador and training program. A small stipend from Second Chance Pet Rescue is her only source of income. The services provided by Ms. Eaglebarger helps the ACOs tremendously by freeing them up to handle more police-related duties.

As with any proposal, revisions and fine-tuning may be necessary to satisfy both parties. Thank you for your time, attention, and consideration.

Patricia Panko

Patricia Panko
President

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Jurisdiction	Adoption	Impound	Surrender	Daily Maint	License (Altered)	License (Unaltered)	County
Red Bluff Police	\$62.50	\$15.00	\$5.00	\$7.50	\$7.00	\$20.00	Tehama
Tehama County		\$15.00	\$5.00	\$6.00	\$7.00	\$20.00	Tehama
Chico Police		\$27.00	\$25.00	\$8.50	\$10.50	\$21.50	Butte
Paradise Police	\$25.76	\$30.24	\$23.52	\$8.50	\$14.56	\$29.12	Butte
Butte County		\$27.00	\$25.00	\$8.50	\$10.00	\$20.00	Butte
Anderson Police	\$65.00	\$20.00		\$10.00	\$10.00	\$22.00	Shasta
Redding Police		\$10.00	\$20.00	\$10.00	\$10.00	\$22.00	Shasta
Shasta County		\$20.00	\$20.00	\$10.00	\$10.00	\$22.00	Shasta
Orland Police	\$70.00	\$40.00	\$50.00	\$5.00	\$12.00	\$25.00	Glenn
Willows Police	\$70.00	\$40.00	\$50.00	\$5.00	\$12.00	\$25.00	Glenn
Glenn County	\$70.00	\$40.00	\$50.00	\$5.00	\$12.00	\$25.00	Glenn
Average	\$64.84	\$25.84	\$28.27	\$7.64	\$10.46	\$22.87	
Corning	\$40.00	\$12.00	\$12.00	\$3.50	\$4.00	\$8.00	

Shaded boxes represent the average of two different dollar amounts based upon whether the animal is altered or intact. Anderson is based on the weight of the surrendered animal.