



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, APRIL 23, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

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

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

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Councilman Cardenas.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

- 1. Proclamation – May 15, 2013 Tehama County Peace Officers' Memorial Day:** Mark Fritz, Peace Officers Association President was present to accept the Proclamation from Mayor Strack. Mr. Fritz announced that the Memorial Ceremony will take place on Wednesday, May 15th at 7:00 p.m. at the Bethel Church on Luther Road in Red Bluff. The Community is invited to attend and take part.

F. BUSINESS FROM THE FLOOR:

A member of the audience addressed the Council stating that she had been told on a number of occasions when calling the Police Department that she should obtain a restraining order in reference to dealing with her ex-husband. Acting Police Chief Ralph Schmidt arranged to meet with her to discuss the issue.

Chamber of Commerce Manager Valanne Cardenas reminded everyone of the upcoming May Madness Car Show and associated activities to take place on May 3rd – May 4th.

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 April 9, 2013 Joint Workshop and Council Meeting with any necessary corrections:**
4. **April 17, 2013 Claim Warrant - \$140,526.19.**
5. **April 17, 2013 Business License Report.**
6. **Authorize expenditure of \$1,050 from Public Works Equipment Replacement Pooled Fund 078-1020-9999 for the sales tax associated with the purchase of the Genie S40 Boomlift from Corning Rentals.**

Councilor Dickison moved to approve Consent Items 2-6. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

7. **Appoint a City of Corning Representative to the Air Pollution Control District Indirect Source Rule Review Committee.**

Mayor Strack introduced this item by title announcing that this is something that has come down from the State and includes fees. City Manager John Brewer explained that a representative from Corning has been requested and explained that the Air Pollution Control District adopted Indirect Source fees in October of 2010. He stated the purpose of these fees is to mitigate indirect source air pollution impacts resulting from development; indirect source means any facility that attracts or may attract mobile sources of air pollution such as vehicle trips. Mayor Strack suggested having a Staff member sit on this Committee.

Councilor Cardenas moved to appoint City Manager John Brewer as the City's Representative on the Indirect Source Rule Review Committee. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

8. **Approve Annual Agreement with 3CORE and commit \$5,000 from the City's General Fund as the City's share of the local grant match to be paid on July 1, 2013.**

Mayor Strack introduced this item by title and confirmed that payment will not be until July 1, 2013 and come from next year's budget. He further stated that this is the same amount the City paid last year.

Councilor Dickison moved to approve the annual participation in 3CORE and commit \$5,000 from the City's General Fund to be paid on July 1, 2013 as the City's share of the local grant match. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

9. **Selection of Name for the new City Park; Park Naming Contest.**

Mayor Strack introduced this item by title. In reference to the list of suggested names provided by participating Schools and those received from members of the public, Mayor Strack stated that he had already expressed his opinion that the name should have Corning in it. Councilor Dickison stated that Mayor Strack had already referred to it as the Corning Community Park at an earlier meeting today.

Mayor Strack explained that when the City purchased the Harper property, we did tell them that we would allow them to purchase a plaque and name a section within the Park.

Councilor Linnet suggested one of the names referencing Bud Gott because of his contributions to the community. Councilor Cardenas suggested naming it Corning Memorial Park with sections named after individuals that had contributed to the community. Councilor Dickison suggested naming the Park the Corning Community Park and with sections named after local

individuals. A member of the audience requested that the Park not be named "Corning Memorial Park" so as not to confuse it with a cemetery

Councilor Cardenas moved to name the Park the Corning Community Park and direct Staff to prepare plaques thanking the Schools for their participation in the Park Naming Contest, and thank the Recreation Commission for their recommendation to conduct the park naming contest. Councilor Cardenas amended his motion to include "with the understanding that the City could name sections of the park after specific individuals". Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

Mayor Strack then announced the Park groundbreaking ceremony to be held Thursday, April 25th at 8:30 a.m. at the park site located off Toomes Avenue.

10. Request by John Patterson to connect his property located outside the City Limits at 4928 Marguerite Avenue to City Water – Discussion and Action.

Mayor Strack introduced this item by title confirming with Mr. Patterson that at this time it is for one building. Commissioner Dickison stated that such requests have come up before and the City did not allow it unless it was a safety issue or emergency and she referred to the Ordinance stipulation of "within the City".

Councilor Linnet asked if the City could set up a one-time fee to charge him. He further stated that we don't currently have any building going on in the City so this would be an income. He suggested that we could stipulate it for a sprinkler system. He is not going to use it unless he has a fire and the City would be using City water to fight the fire anyway. Councilor Dickison stated that doing so would set a precedent for anyone in the County to request the same, however if he annexed into the City then he would pay the associated fees and be able to hook up. Councilor Linnet responded stating he wouldn't build because of the cost of City fees.

Mayor Strack and City Manager Brewer explained the importance of consistency in matters such as this. Our policies/regulations must be consistent and fair for everyone approaching City Hall with a project proposal.

Following all discussion, Councilor Dickison moved to require the property at 4928 Marguerite Avenue to annex to the City of Corning before water service is provided by the City. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Dickison: Reported on discussions/actions taken at the Community Action Agency meeting last Thursday and the Seeds of Opportunity Meeting this morning.

Linnet: Reported on the Pay it Forward Committee activities.

Cardenas: Nothing.

Smith: Nothing.

Strack: Stated that John Stoufer's presentation at the Seeds of Opportunity Program this morning relating to the City's new Park was great.

N. ADJOURNMENT!: 8:04 p.m.

Lisa M. Linnet, City Clerk