



**CITY OF CORNING
CITY COUNCIL MEETING
MINUTES**

**TUESDAY, APRIL 27, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

Vacant

Ross Turner

Toni Parkins

John Leach

Mayor:

Gary Strack

All four members of the Council were present with one vacancy remaining on the Council.

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.

No comments were received.

C. ADJOURN TO CLOSED SESSION: 6:31 p.m.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency Negotiator: William May, Labor Relations Consultant

**Management, Miscellaneous, Dispatch and Public Safety Employees
Bargaining Units**

D. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

Mayor Strack announced that the Council met in Closed Session with the Labor Negotiator and gave him direction.

E. ADJOURN TO REGULAR MEETING: 7:31 P.M.

F. PLEDGE OF ALLEGIANCE: City Manager Kimbrough led the Pledge of Allegiance.

G. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS:

1. Proclamation: American Cancer Society's 13th Annual Relay for Life on May 15th and 16th, 2010 at Vista School. Mayor Strack presented the Proclamation to Jean Anderson, Corning's Relay Representative and Richard Scheuler, Event Coordinator. They briefed the Council on the events planned to commemorate Relay for Life.

2. Proclamation: May 12, 2010 "Tehama County Peace Officers' Memorial Day". Mayor presented the Proclamation to Sgt. Richard Knox, President of the Tehama County Peace Officer's Association.

Mayor Strack announced that in order to accommodate the members of the public in attendance tonight, the remainder of the meeting is being moved to the Woodson Elementary School Gym and continued. The meeting will reconvene at 8:00 p.m.

Meeting reconvened at: 8:00 p.m.

H. BUSINESS FROM THE FLOOR:

Mayor Strack again reported that Council met with the Labor Negotiator in Closed Session and gave him direction.

John Richards (Corning Skate and Bike Park Association) reported that the Association is still having problems acquiring liability Insurance due to the cost.. He stated that he has received \$200 from the Corning Exchange Club and \$100 from a local business. He also stated that they have a new website (www.corningskate.org) and are selling tickets for a fundraiser.

Valanne Cardenas, Corning Chamber of Commerce invited everyone to attend Corning's May Madness Event on May 7th and 8th.

I. 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. Waive the reading and approve with any necessary corrections the Minutes of the following City Council Meetings:**
 - a. March 23, 2010 Meeting; and**
 - b. April 13, 2010 Meeting.**
- 5. April 21, 2010 Claim Warrant - \$147,831.04.**
- 6. April 21, 2010 Business License Report.**
- 7. Declare Rodger's Theatre Seats as Surplus for Disposal.**
- 8. Consideration, Approval and Authorization for Mayor to Sign Agreement for Legal Services.**

Mayor Strack stated that he would like to pull Item 8 for further discussion. Councilor Turner moved to approve Consent Items 3-7 and Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote.**

J. ITEMS REMOVED FROM THE CONSENT AGENDA:

- 8. Consideration, Approval and Authorization for Mayor to Sign Agreement for Legal Services.**

Mayor Strack announced that he and Councilor Turner met with City Attorney Michael Fitzpatrick to discuss and negotiate a new contract. He outlined the proposed fees and exclusions.

Dean Cofer: Asked that the Agreement be pulled and placed on the next Agenda to allow time for the public to review; he also asked that copies of the Agreement be provided to the public at no cost if requested. He also challenged the proposed rates and compared them with the City of Red Bluff stating that the City Attorney in Red Bluff is not paid to attend the City Council Meetings. Mayor Strack stated that he feels more comfortable with the City Attorney present at our meetings to respond to any legal questions that may arise.

Councilor Leach stated he would like this item held over until the next meeting so that the public would have an opportunity to review the proposed agreement. He then moved to have this item held over and agendized for the May 11th City Council meeting to allow the public an opportunity to review the proposed Agreement. Councilor Turner seconded the motion for the purpose of voting. Mayor Strack confirmed that the proposed City Attorney fees are the same as was

charged 5 years ago, they have not escalated. **Ayes: Turner, Leach and Parkins. Opposed: Strack. Absent/Abstain: None. Approved by a 3-1 vote.** Mayor Strack stated that copies of the Agreement would be available at City Hall free of charge.

K. REGULAR AGENDA:

9. City Program Reductions Needed to Balance the Budget: Discussion and Action.

City Manager Kimbrough stated that the PowerPoint Presentation tonight is not the same as was presented at the last meeting and will be made available on line for those members of the public interested. He then proceeded with the presentation outlining all the proposed budget cuts.

Mr. Kimbrough explained that the shortages are in the General Fund and proceeded to outline each of the proposed cuts explaining both the benefits and drawbacks. He explained the purpose of the General Fund reserve (currently at approximately \$800,000), the importance of maintaining these funds because the City utilizes them throughout the year while awaiting reimbursements/revenues from outside sources such as the State and Federal Government. He stated that these funds have gotten as low as \$140,000 at times during the year. Mr. Kimbrough then explained possible options such as developing a voter approved Tax District for funding Fire Dispatch. Mr. Kimbrough then presented Staff's Recommendations one by one requesting Council direction on each of the recommendations presented.

Mayor Strack stated that all questions relating to these items should be addressed to the Council.

Item 1, Direct City Manager to "Meet and Confer" with four employee bargaining units to implement another year of 10% reduction in employee compensation through Furloughs, continuing the closure of City Hall and City Yard every other Friday: Mr. Kimbrough stated this is currently being taken care of, they met today and another meeting is scheduled for Thursday.

Item 2, Approve a City Council Commitment of no employee layoffs in recognition of the City Employees voluntary acceptance of a 10% reduction in compensation through Furloughs: It was stated that this is currently being discussed within the Bargaining Units as stated above and will come back to Council for decision at a later time. **No action taken at this time.**

Item 3, Accept offer of City Manager and Police Chief to work part-time on contract, no more than 960 hours per year effective in July 2010. Choose a Council team to meet with the employees to prepare contracts for City Council approval: Dean Cofer, on behalf of Concerned Citizens, stated this is a departure from City policy. As he understands it, part-time employees have no benefits. He stated that if referred to a committee for contract review, he proposes that these contracts be available at City Hall free of charge to the public as not all members of the public have access to computers. He stated that they are opposed to this proposal for the Planning Director. He asked that Council schedule a public hearing where the public can come in and have equal time to discuss the proposals by Concerned Citizens, the proposal presented by Councilors Leach/Turner and by City Staff. Councilor Turner stated that benefits would be reduced proportionately for the Staff members reduced to part-time.

Councilor Leach asked Mr. Kimbrough what his proposed benefits would be should Council approve the move to part-time. Mr. Kimbrough responded stating that it would be an approximate 8% reduction to him, the savings to the City would be that they would no longer pay into retirement for him, salary savings of \$45,000, the City would continue to pay FICA, SDI, and a portion of Health Insurance. Also as a member of management, a percentage payoff of Sick Leave, and complete payoff of Vacation pay. Councilor Turner asked about longevity pay;

Mr. Kimbrough stated that it would disappear and also stated that the City Manager is eligible for COBRA however it is not a mandatory payment.

Councilor Parkins moved to accept the proposal on the City Manager and Police Chief going to part-time. Mayor Strack seconded the motion. Councilor Turner stated that he would not approve this without a contract. **Ayes: Strack and Parkins. Opposed: Turner and Leach. Absent/Abstain: None. Motion not carried due to vote deadlock.**

During further discussion of this item, members of the Council confirmed that the individual part-time contracts for both the City Manager and Police Chief would be submitted for review and a vote by the Council on whether or not to approve. Councilor Turner then requested that the motion be reread and he would reconsider his vote.

Councilor Parkins again moved to:

- ✓ Accept the proposal for the City Manager and Police Chief to go to part-time at 960 hours per year under a contract that will later be approved and become effective July 1, 2010.

Councilor Turner seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy on the Council.**

Mayor Strack requested that an amendment be made to the motion to state that: The Mayor will choose the Council Team that will meet with the employees to prepare contracts for City Council approval. After direction by the City Attorney on how to make the motion, Councilor Parkins moved to:

- ✓ Accept the proposal for the City Manager and Police Chief to go to part-time at 960 hours per year under a contract that will later be approved and become effective July 1, 2010; and
- ✓ The Mayor will choose the Council Team that will meet with the employees to prepare contracts for City Council approval.

Councilor Turner seconded the motion. **Ayes: Strack, Parkins and Leach. Opposed: Turner. Absent/Abstain: None. Motion approved by a 3-1 vote with Turner opposing and one vacancy on the Council.**

Item 4, Accept offer of Planning Director John Stoufer to provide 20 hours per week in Contract Planning Services to the City and Direct the City Manager and City Attorney to prepare a contract for City Council approval: After little discussion, Councilor Leach thanked Mr. Stoufer for this offer. He then moved to accept the offer of Planning Director John Stoufer to provide 20 hours per week in contract planning services to the City, and direct the City Manager and City Attorney to prepare the contract for Council approval. Councilor Turner seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy on the Council.**

Bonnie Demo also acknowledged and thanked the City Manager and Police Chief for their offers to go to part-time.

Item 5, Approve the provision of water meter reading service by the Police Community Services Officers: Councilor Turner so moved and Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy on the Council.**

Item 6, Retain the Recreation Program and Recreation Supervisor Kimberly Beck by the transfer of all remaining funds from the Park Volunteer Fund 353 to the General Fund and apply \$57,713 of the "Operating Reserve": Councilor Turner stated he would like to see this amended to be reviewed November 1st through April 1st. Dave Demo would like to know what the Recreation Director has provided to the Community and stated that many of the programs such as Little League, etc. was ran by the parents.

John Richards addressed the question about the various recreation programs provided by Recreation Supervisor Kimberly Beck. He emphasized how instrumental Ms. Beck and Mr. Stoufer were in putting together the Prop. 84 grant application and stated that Kimberly Beck is an asset to the City.

Teresa Smith stated that the local youth are important, she fought for the Recreation Program however, if you compare Recreation to Public Safety, Public Safety comes first.

Dean Cofer stated that Concerned Citizens have made other proposed budget cuts other than cutting the Recreation Supervisor. Some of these cuts are: cutting the Building Official...there is no building going on currently, or the Administrative Services Manager, etc. Darlene Dickison stated the City still needs a Building Official in order to issue Building Permits and complete the associated inspections. She stated that this individual has already been moved to half time as the Building Official and half time in Public Works.

Councilor Turner moved to retain the Recreation Program and Recreation Supervisor Kimberly Beck by the transfer of all remaining funds from the Park Volunteer Fund 353 to the General Fund and apply \$57,713 of the Operating Reserve and also as of November 1st investigate the possibility of that person being reduced to half-time to April or May 1st with the savings forth coming. Councilor Leach seconded the motion. **Ayes: Leach and Turner. Opposed: Strack and Parkins. Motion not carried due to a 2-2 vote.** Mayor Strack stated that we need an answer on this before the Thursday Labor meeting so that Council can state whether there will be any layoffs. Councilor Leach confirmed the pay rate for the Pool Manager with the City Manager. **After further Council discussion no Action taken at this time.**

Item 7, Retain the Fire Dispatch Center as currently staffed and apply \$192, 602 of the "Operating Reserve" to fully fund Dispatch: Bob Hall expressed the concerns of the Volunteer Fire Department emphasizing that Fire Dispatch is their lifeline. He stated that if the goal is July 1st for action, not all questions of the Volunteer Fire Department or the City's Citizens have been met. Before a decision is made in 65 days a commitment needs to be made to the Volunteers for a seamless change. A member of the audience asked who would provide services such as maintaining the fire equipment, opening the doors, etc. that is currently provided by the Dispatchers. Cory Grootveld stated that the Volunteers protect our town and things need to stay the same. Tom Tomlinson, Corning Fire Dept. spoke stating the service time in hours that Volunteers provide to the Community, he emphasized that as a member of the Community with an outside job, the other services provided by the existing Fire Dispatchers saves valuable time for the Volunteer Fire Fighters. Another member of the audience stated how the Fire Chief saved his life. Councilor Leach stated that he believes the Corning Fire Dept. to be the best in California and he appreciates them. Fire Volunteer Stacy Gratreks stated he is a volunteer today because when he called the Fire Department for help for his daughter, they saved her life. Doug Oiler requested that the Council support the Fire Department as it stands today. Chief Spannaus stated that the Volunteers have a great passion for their Department as is evident in their voices and hopes Council will consider this when making a decision.

Councilor Parkins stated her concerns that this item will be back up for decision next year and would like Items 7 & 8 to be voted on together. **Councilor Parkins moved to retain Fire Dispatch as is and prepare a ballot measure for the November election. Councilor Turner seconded the motion.**

Dean Cofer stated he is strongly in favor of retaining Fire Dispatch as is however, he is concerned about adding a tax when we are currently in a recession and there are a lot of low income people living in Corning. He would like to see the City fund Fire Dispatch and asked Staff to come up with other proposals for budget cuts. Teresa Smith agreed with Mr. Cofer. Mr. Calbraith stated that no one has asked how this would affect the Fire Departments ISO Rating.

Earl Peterson stated that he is a businessman and can't afford to retire however he would be willing to pay a tax. **Councilor Turner stated he would like to withdraw his second on the first motion and vote on each separately.**

Councilor Parkins moved to retain the Fire Dispatch Center as currently staffed and apply \$192,602 of the Operating Reserve to fully fund Dispatch. Councilor Leach seconded the motion. Mayor Strack confirmed that Mr. Hall stated if Council can guarantee a seamless transition he would be in favor. Mr. Hall stated he doesn't believe that a seamless transition could be made, and they currently have an excellent system and they strongly do not want to see that change. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy on the Council.**

Item 8, Approve the preparation and submittal of a ballot measure on the November 2010 General Election to create a City of Corning Fire Dispatch Service Annual Assessment, and direct City Staff to prepare a report and plan to submit the issue to the voters: Mayor Strack stated that there is a minimal cost for adding it to the ballot and it will allow the voters to make the decision. **Councilor Parkins moved to approve the preparation and submittal of a ballot measure on the November 2010 General Election to create a City of Corning Fire Dispatch Service Annual Assessment, and direct City Staff to prepare a report and plan to submit the issue to the voters. Councilor Leach seconded the motion.** A member of the audience stated it was previously stated that over 50% of the homeowners were absentees, therefore it would be their renters making the decision to add an additional tax, yet they wouldn't be the ones paying for it so they wouldn't care. Councilor Turner suggested a weighted vote based upon parcel ownership not residency. Melanie Poisson stated that this is an opportunity for the voters to vote on something so close to their heart, it is a small amount of money and with a sunset clause it has wisdom written all over it she is in favor of it. Dean Blankenship spoke stating that a number of years ago the County Rural Fire Department proposed something similar; measure A; it was defeated. He stated that he attended the Supervisors meeting on this item and the citizens opposing were so rude he came close to quitting as a County Volunteer. Volunteer Firefighters would lay their lives on the line for this Community. We are in trying times, our Federal Government will surely tax us after November, we know the situation with our State Government, one of the reasons we are all here tonight is because of our State Government. We all need to tighten our belts and are all going to have to make sacrifices. These gentlemen and the lady present are trying to do the best for our Community. Now we can pass this on and say it is a tax, or if we do nothing now, we will be in the same position next year; the Fire Department will be back in a year asking for the same thing again. It's time for us taxpayers to take part in our Community and **give a little for our Community**...as John F. Kennedy said, "Ask not what your Country can do for you, but what you can do for your Country" how about applying that to our City. **Ayes: Strack, Leach and Parkins. Opposed: Turner. Absent/Abstain: None. Approved by a 3-1 vote with Turner opposing and one vacancy on the Council.**

Item 9, Accept the reduction of the "General Fund Operating Reserve" to \$500,000 in Fiscal Year 2010-2011: After some discussion, Councilor Turner moved to accept the reduction of the "General Fund Operating Reserve" to \$500,000 in Fiscal Year 2010-2011. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy on the Council.**

Item 1: Councilor Parkins moved to Direct City Manager to "Meet and Confer" with four employee bargaining units to implement another year of 10% reduction in employee compensation through Furloughs, continuing the closure of City Hall and City Yard every other Friday. Councilor Turner seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy on the Council.**

L. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.**

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

Mayor Strack announced that the City had received a listing of suggested budget cuts from the Concerned Citizens Group.

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

10. **Turner:** None

11. **Parkins:** None

12. **Leach:** PowerPoint Presentation next Tuesday for Tripartite Board at the County Supervisors Board Meeting. He also stated that he will be suggesting the removal of the \$500 vehicle stipend and is asking that it be agendaized for next meeting. Mr. Brewer stated in light of the sacrifices made by the City Manager, Police Chief and Planning Director he had no problem with that.

13. **Strack:** Asked if there was any objection by Council to place the Park Volunteer Funds remaining in Fund 353 to the General Fund if a decision is made to not continue the Recreation Program? By consensus of the Council this was approved.

O. **ADJOURNMENT!: 10:35 p.m.**

Lisa M. Linnet, City Clerk