



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, APRIL 28, 2009  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Hill  
Turner  
Parkins  
Leach  
Strack**

**Mayor:**

All members of the City Council were present.

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.

**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:**

1. **Proclamation – May 10<sup>th</sup> through May 16<sup>th</sup> 2009 as “Poppy Days” in the City of Corning.**

Delores May representing the American Legion Auxiliary accepted the Proclamation from Mayor Strack.

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

**F. BUSINESS FROM THE FLOOR: None.**

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

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 Corrected Minutes of the April 14, 2009 Meeting with any necessary corrections.**

Mayor Strack noted the correction to the vote to add the Proclamation proclaiming April 2009 as Child Abuse Prevention Month, noting that it was approved by a 4-0 vote with Mayor Strack absent.

4. **April 22, 2009 Claim Warrant - \$96,670.91.**
5. **Abandoned Vehicle Abatement Service Authority Funds Transfer in the amount of \$31,047.02.**
6. **Establishment of Code Enforcement Funding.**

7. **Rezone 2009-1, Ordinance 634: An Ordinance of the City of Corning amending Section 16.18.010 (C) and Section 17.54.015 of the Corning Municipal Code. (Second Reading and Adoption)**
8. **Approve Profession Service Agreement with Diaz and Associates for preparation of the City of Corning Housing Element Update.**

Councilor Turner moved to approve Consent Items 2-8 and Councilor Leach seconded the motion. Mayor Strack asked for clarification of the Funding for item 6 to reimburse the General Fund. City Manager Kimbrough stated that we would be not be using General Funds, but rather would be using funding transferred from the Abandoned Vehicle Abatement Service Authority Funds. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

**H. ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

**I. REGULAR AGENDA:**

**9. Presentation by Debbie Eaglebarger on Second Chance Pet Rescue Programs.**

Debbie Eaglebarger of Second Chance Pet Rescue updated the Council on the progress at the Animal Shelter and stated that it is now a "No Kill" Shelter. She also updated the Council on the Shelters programs. She stated that in the seven years she has been at the Shelter various improvements have been made such as socialization programs, outdoor pens, etc. She proposes a raise in the following fees: Daily Rate Fee from \$3.50 to \$7, the surrender/pickup fee from \$12 to \$25, the adoption fee from \$40 to \$75 with all fees going to Second Chance Pet Rescue (SCPR). If the fees were transferred to SCPR the City will no longer have to pay sterilization and rabies vaccine fees as Second Chance Pet Rescue will pick them up. A few members of the audience stated their support for this measure.

Mayor Strack stated that this would have to be addressed during Budget discussions and asked City Staff to research and prepare a report back to Council and inform Ms. Eaglebarger when it will be brought back to Council.

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

**K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:** None

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

**10. Hill:** Reminded everyone that Friday is paint the town purple in support of the American Cancer Society.

**11. Turner:** None

**12. Parkins:** None

**13. Leach:** None

**14. Strack:** Confirmed with John Brewer that the South Avenue Interchange Improvements is out.

**M. ADJOURN TO CLOSED SESSION:** 8:00 p.m.

**Conference with Legal Council – Existing Litigation (Subdivision (a) of Section 54956.9) -Price v. City of Corning**

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

Met with Legal Council and gave him direction to proceed with a restraining order against Mr. Price.

**O. ADJOURNMENT:** 8:10 p.m.

