



**CITY OF CORNING  
CLOSED SESSION MINUTES  
TUESDAY, AUGUST 13, 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: 6:30 p.m.**

<b>B. <u>ROLL CALL:</u></b>	<b>Council:</b>	<b>Darlene Dickison Dave Linnet Tony Cardenas Willie Smith</b>
	<b>Mayor:</b>	<b>Gary Strack</b>

**All members of the Council were present except Councilor Linnet who was on a fire.**

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. PUBLIC COMMENTS: None.**

**D. ADJOURN TO CLOSED SESSION: 6:30 p.m.**

- 1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**
  - Agency Negotiator: William May, Labor Relations Consultant**
  - Miscellaneous Bargaining Unit:**
    - 1. Consider Classification Study Results and Instruct Manager**
    - 2. Employee Grievances**

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

Mayor Strack reported that Council met in Closed Session with the City's Labor Negotiator for discussion of listed items 1 and 2 and provided direction to both the Labor Negotiator and the City Manager.

**F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.**

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**Lisa M. Linnet, City Clerk**



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

**B. ROLL CALL:**

**Council:**

**Darlene Dickison**

**Dave Linnet**

**Tony Cardenas**

**Willie Smith**

**Mayor:**

**Gary Strack**

**All members of the Council were present except Councilor Linnet who was on a fire.**

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

**D. INVOCATION: Led by Mayor Gary R. Strack.**

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

**E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:**

**1. Proclamation: Olive Festival Week in the City of Corning, August 19<sup>th</sup> - 24<sup>th</sup> 2013.**

Chamber of Commerce Manager Valanne Cardenas was present to accept the Proclamation. She announced the planned festival activities, showcased a new sign for the event, and welcomed everyone to attend the festivities.

**F. BUSINESS FROM THE FLOOR:**

John Richards, Corning Skate Park Association stated his concerns relating to future existing and possible future damage caused by cracks and "popcorn" in the concrete at the new Corning Community Park Skateboard area.

City Manager John Brewer and the Mayor stated that Kanten Russell, the Stantec Skate Park designer was here today to review this and would be providing the City with a report of his findings next week. Mayor Strack stated that upon receipt of the report, a copy would be available at City Hall for anyone wishing to review it.

Teresa Smith asked some of the Skateboarders present what effect the cracks have on them...one responded that these cracks can cause falls. Ms. Smith and Mr. Richards both stated that they drive by and monitor for vandalism and hope that it is constructed properly so that it will be as good in the future as it is upon opening. They both stated their concerns about safety and quality.

An audience member stated that Red Bluff's Skate Park does have cracks in the concrete and Red Bluff does have to repair these regularly. He also voiced concerns about a possible safety hazard due to the proximity of a wall on the west side to one of the Skateboard Park "quarter pipes".

**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 following July 23, 2013 City Meetings with any necessary corrections:**
  - 3a: **Special Public Meeting – Presentation & Discussion of the Solano Street Transportation Enhancement Project.**
  - 3b: **July 23, 2013 City Council Meeting.**
4. **August 7, 2013 Claim Warrant - \$360,223.19.**
5. **July 2013 Wages and Salaries: \$338,534.39.**
6. **August 7, 2013 Business License Report.**
7. **July 2013 Building Permit Valuation Report - \$175,995.84.**
8. **July 2013 Treasurer's Report.**
9. **Adopt Resolution No. 08-13-2013-01 authorizing the Tehama County Sanitary Landfill Agency to submit a Regional Application to the Department of Resources, Recycling, and Recovery for Beverage Container Recycling Grants.**
10. **City of Corning Wastewater Operation Summary Report for July 2013.**

Councilor Dickison moved to approve Consent Items 2-10. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

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

**I. PUBLIC HEARINGS AND MEETINGS: None.**

**J. REGULAR AGENDA:**

11. **Approve the Notice of Completion and Progress Pay Estimate No. 2 (Final) in the amount of \$118,613.60 to Thomas H. Williams Construction for the Corning Safe Routes to School, Cycle 10 Project.**

Mayor Strack introduced this item by title and Public Works Director Patrick Walker reported that a utility pole still needs to be relocated and this will be done by Public Works.

Councilor Cardenas moved to accept the Notice of Completion, approve Progress Pay Estimate No. 2 (final) in the amount of \$118,613.60, to retain the 5% contract retention totaling \$5,930.68, issue payment in the amount of \$112,682.92 to Thomas H. Williams Construction for the Corning Safe Routes to School, Cycle 10 Project, and release the total retention amount of \$10,588.17 to Thomas H. Williams Construction after the 35-day waiting period. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

12. **Approve Progress Pay Estimate No. 4 in the amount of \$444,245.75 to Trent Construction for the Corning Community Park Project, Phase 1.**

Mayor Strack introduced this item by title. Public Works Director Pat Walker explained that Staff is requesting an additional \$13,120.74 not listed in the Staff Report for purchased materials currently on site; the revised total is \$457,366.49. Councilor Cardenas asked if Staff had spoken with the Contractor about the City's concerns regarding the cracks. City Manager Brewer stated yes and explained the comments made and reiterated that a report is being generated to address these concerns.

Councilor Dickison moved to approve the revised Progress Pay Estimate No. 4 in the amount of \$457,366.49, retain the 5% contract retention of \$22,868.32, and issue payment in the amount of \$434,498.17 to Trent Construction, Inc. for the Corning Community Park Project, Phase 1. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

**13. Study Matter-Update: Parkland Development Impact Fees within the City.**

City Manager John Brewer stated that the City, in 2005, modified the City's Development Fees. He explained that this fee modification resulted from a "Nexus Study" which identified the infrastructure facilities necessary to accommodate the growth anticipated over the 20 year planning period (2005-2025) and to mitigate the impacts of new development on the City's Water, Sewer Collection and Treatment, Drainage, Traffic and Park Systems. He explained that the City has met and exceeded the 22.5 parkland acreage suggested in the 2005 "Nexus Study" via receipt of the 2010 "Proposition 84 Parks Grant", totaling \$4.28 million which was used to acquire and develop the new 18.35 acre "Corning Community Park".

Mr. Brewer suggested that now would be an appropriate time to re-evaluate the City's anticipated growth and parkland infrastructure needs for the next 20 years (2013-2033). Councilor Cardenas responded stating that maybe it is time that we review all of our fees.

Stephen Kimbrough, former City Manager agreed that the City should include the new park, thereby removing the need to purchase and develop additional parkland and enabling the City to reduce the charge to Developers for this particular fee. Mr. Kimbrough presented a brief recollection of components and influences considered in the 2005 study and resulting fees. He concluded by requesting that Council, prior to reducing this fee, consider those issues previously addressed to keep the fee low in 2005.

Councilor Cardenas moved to direct Staff to:

- Update the 2005 Parkland Development Fee Nexus Study to acknowledge the receipt of the \$4.28 million Parkland Development Grant and the conversion of Rodgers Theater to a "Multi-purpose City Assembly Building"; and
- Present the Nexus Study addressing the anticipated growth and parkland needs, along with a recommended Resolution for a revised Parkland Development Impact Fee at a subsequent City Council meeting.

Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

**14. Adopt Resolution No. 08-13-2013-02 authorizing the Public Works Department to install angle parking at Northside and Woodson Parks.**

Public Works Director Pat Walker stated he is proposing four (4) additional (1 already exists) handicapped parking stalls at Northside Park, and one at Woodson Park. Councilor Cardenas confirmed, if approved, this new parking and handicap parking will be installed before September 26<sup>th</sup>.

Councilor Cardenas moved to adopt Resolution No. 08-13-2013-02 authorizing the installation of permanent striping of angle parking at Northside and Woodson Parks. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

**15. Adopt Resolution No. 08-13-2013-03 designating disabled parking spaces at Northside and Woodson Parks and authorize installation of disabled parking signs.**

Councilor Cardenas moved to adopt Resolution No. 08-13-2013-03 designating a total of five (5) "Disabled Parking" spaces, three (3) at Northside Park, and two (2) at Woodson Park, and direct Staff to install "Disabled Parking" signs for each space. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

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

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

City Council and City Staff received an invitation to Wyatt Haywood's Eagle Scout Ceremony on Sunday, September 6th.

**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 that she would be attending a LAFCO meeting tomorrow to adopt the fiscal budget, a Tehama Co. Heritage & Historical Records Commission meeting on Thursday, and the Community Action Agency meeting at 3:00 p.m. that same day (August 15th).

**Linnet:** Not present.

**Cardenas:** Reported on attendance at Chamber Meeting tonight.

**Smith:** Will be attending Senior Center Meeting tomorrow.

**Strack:** Nothing.

**N. ADJOURNMENT!: 8:10 p.m.**

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**Lisa M. Linnet, City Clerk**