



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, AUGUST 23, 2016
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: 6:00 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 except Councilor Linnet.

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. REGULAR AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9:

One Case

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 p.m.

Council met in Closed Session regarding an anticipated litigation case with the City Attorney and gave him direction.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, AUGUST 23, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present except Councilor Linnet.

C. PLEDGE OF ALLEGIANCE: Led by the Vice Mayor Dickison.

D. INVOCATION: Led by Mayor 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. **Presentation: Presentation to Police Chief Jeremiah Fears by June Cooper of the Tehama County Patriots and Jerry Lequia of the Corning Patriots.** June Cooper of the Tehama County Patriots and Jerry Lequia of the Corning Patriots presented Chief Fears with a plaque emphasizing their support of the Corning Police Department. They announced that they are setting up a fund at Rabo Bank to raise money for the City's K-9 Program.
2. **Proclamation: September 2016 as National Recovery Month, and September 17, 2016 as Recovery Happens Day in the City of Corning.** Present to accept the Proclamation was Tehama County Drug & Alcohol Advisory Board Member Holly Wilson. Ms. Wilson informed the Council and audience members of upcoming events.

F. BUSINESS FROM THE FLOOR:

City Attorney Jody Burgess informed the Council of the City's receipt of payment of approximately \$42,000 for two Community Development Block Grant Loans. It was stated that these funds, as is required, will be deposited into the City's Program Income Fund.

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 request 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 the Minutes of the August 9, 2016 regular City Council Meeting with any necessary corrections.**
5. **August 17, 2016 Claim Warrant - \$703,378.30.**
6. **August 17, 2016 Business License Report.**
7. **Authorize Staff to seek Landscape and Maintenance Bids for a three-year Agreement for service at twelve City locations.**

8. **Approve appropriation of \$150,000 from Parkland Development Fund 341 to Park Improvement Fund line item 341-9304-6101; and award proposal for drafting services in the amount of \$1,000 to Golden Sun Designs for the Clark Park restroom/concession building construction.**
9. **Approve proposed Letter of Support for the Everett Freeman Promise Neighborhood Initiative.**
10. **Award Contract for the pruning of approximately 500 City street trees to North Valley Tree Services in the amount of \$45 per tree not to exceed the FY 16/17 budget amount of \$30,000.**

Mayor Strack pulled Consent Item #7 for further discussion.

Councilor Dickison moved to approve Consent Items 3-6 and 8-10. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Abstain/Opposed: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **Authorize Staff to seek Landscape and Maintenance Bids for a three-year Agreement for service at twelve City locations.**

Public Works Director Dawn Grine stated that she would like to pull one of the service locations from the Contract (Landscape and Lighting District 1, Zone 1, North Alex Lane-located at Blackburn Avenue and Alex Lane). She also stated she would also like to clarify the last bullet item under City locations, (Solano Street – Streetscape area; Solano Street between 3rd and West Street) to include the street trees, landscaping within the bulb-out and the curb and gutter surrounding the bulb-outs. Also under “Contractor Responsibility, the fourth bullet to add the word **Leaves**, trash or debris in the lawn or landscape areas to be removed weekly to maintain a neat appearance.

Councilor Dickison moved to authorize Public Works to seek bids for a Three-year Landscape and Turf Maintenance Agreement to provide Landscape Services to Eleven (11) City locations as modified. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

11. **Adopt Resolution 08-23-2016-01 Authorizing Hinderliter de Llamas and Associates (HdL) to examine sales, use and transactions tax records, and approve Agreement to provide associated sales tax analysis and auditing services.**

Following a brief explanation by City Clerk Lisa Linnet, Councilor Cardenas moved to adopt Resolution 08-23-2016-01 authorizing HdL’s examination of Sales, Use and Transactions Tax Records, and approve the proposed Agreement with HdL to provide associated Sales Tax Analysis and Auditing Services at a cost of:

- a) \$100 monthly, billed quarterly for the Transaction District Tax Reports included with the Quarterly Sales Tax Analyses; and
- b) A 25% flat fee of the initial amount of new Transactions or Use Tax Revenue received by the City as a result of audit and recovery work performed by HdL.

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

12. **Approve HOME (13-HOME-9015) Program, Owner Occupied Housing Rehabilitation Loan in the amount of \$63,415 at 3% simple interest deferred for 15 years.**

City Clerk Lisa Linnet explained that these loans are completely funded through the HOME Program Grant (\$500,000 Grant) that the City received from the State of California Department of Housing and Community Development. She further explained that there are many qualifying

there are many qualifying factors and limitations such as income, and loans can only be utilized for approved rehabilitation. She stated that this applicant has met all of the requirements.

Councilor Smith moved to accept the recommendation of the City's Loan Review Committee to approve a HOME (13-HOME-9015) Owner Occupied Housing Rehabilitation Loan in the amount of \$63,415 deferred for 15 years at 3% simple interest. Councilor Dickison seconded the motion.

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

13. Authorize reimbursement to Corning Ford in the amount of \$6,630 for storm water drainage improvements.

Public Works Director Dawn Grine presented this item to the City Council informing them that Corning Ford will assume responsibility for the drainage pipe maintenance/repair and have agreed to the reimbursement amount of \$6,630 (\$11,290 minus the City's Drainage Impact Fee of \$4,660).

Councilor Cardenas moved to authorize reimbursement to Corning Ford for the amount of \$6,630 for drainage improvements from budget line item 345-8030-3360, Drainage Improvements. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

14. Authorize purchase of a utility bed for the 2016 pickup truck for the Public Works Department in the amount of \$5,468.53.

Public Works Director Dawn Grine presented this item. She explained that they would like to strike the second recommendation to surplus the two vehicles which will be brought back at a future meeting. She explained that they would like to obtain the utility bed from Corning Ford, the business where the truck was purchased to enable dealing with only one business should issues arise.

Councilor Dickison moved to authorize the purchase of a Utility Bed for the 2016 Ford F-350 pickup truck from Corning Ford at a cost of \$5,468.53 from budget line number 380-9206-5250, Capital Replacement/Sewer, and declare the purchase of the Truck Utility Bed as exempt from the City's Purchasing Procedures as set forth in the Corning Municipal Code Section 3.12.082. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

15. Accept Progress Payment Estimate No. 4 to Trent Construction in the amount of \$583,220.64 for the Streetscape Project and accept Contract Change Order No. 4 increasing the total contract amount to \$1,596,425.97.

Public Works Director Dawn Grine stated that the Contract Change Order is basically a balancing cleanup which occurs at the end of many projects.

Councilor Smith moved to accept Progress Payment Estimate No. 4 to Trent Construction for the Streetscape Project in the amount of \$583,220.64 and accept Contract Change Order No. 4 for the amount of \$160,659.40 increasing the total contract amount to \$1,596,425.97. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. 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: Received a copy of a letter to Luis Saavedra of the Corning Soccer League from Senator Jim Nielsen congratulating the Corning Manchester United U16 Boys' Soccer Team in taking third place at the United States Youth Soccer's Presidents Cup National tournament in Tulsa, Oklahoma.

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 her attendance at the Community Action Agency Executive and Board Meeting last Thursday and announced their food give-a-way on Friday, August 26th at the Assembly of God Church.

Linnet: Absent.

Cardenas: Nothing

Smith: Nothing

Strack: Checked with Councilor Cardenas and Public Works Director Dawn Grine regarding possible funding for lighted crosswalks at the Solano & West Street crossing.

N. ADJOURNMENT!: 7:05 p.m.

Lisa M. Linnet, City Clerk