



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, AUGUST 24, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

Vacant

Ross Turner

Toni Parkins

John Leach

Mayor:

Gary Strack

All Councilmembers were present.

C. PLEDGE OF ALLEGIANCE: Led by City Manager Stephen Kimbrough.

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

1. Proclamation: August 21st – 28th as Olive Festival Week in the City of Corning.

Chamber of Commerce Manager Valanne Cardenas and Barbara Landavazo were present to accept the Proclamation. Valanne invited everyone to the Olive Festival Activities and the mixer. Barbara stated that she has the sign-up sheet for the dunk tank. Candidates Strack, Lopez and Poisson stated that they would sit in the dunk tank. Candidate Bowen stated she would donate to buy out of the dunk tank.

E. BUSINESS FROM THE FLOOR:

Walter Dodd stated that Monday Sept. 6th is Labor Day and at Anderson Memorial Park a picnic will be held, Mr. Dodd has tickets if anyone is interested.

Ken Prather stated that he presented a letter today at City Hall for the Council. He then asked if the Council has had a chance to review it? He stated that the Anaheim Court Case has now had a ruling and he would like to request that Ordinance 637 be scheduled for the next Council meeting for the City Council to discuss repealing the Ordinance in light of the Anaheim Court Case results. City Attorney Fitzpatrick responded stating that he would not recommend that the Council do this. Mayor Strack asked the Council for their decision. Councilor Leach requested that it be brought back in Closed Session prior to next meeting. By Council consensus this was agreed. Councilor Turner suggested Tuesday, August 31st. Mayor Strack stated that he would not be available on that date. He suggested scheduling the meeting prior to the regularly scheduled Council Meeting as the City Attorney is scheduled to be here and we won't have to pay an additional cost. By Council consensus the Closed Session will be on September 14th at 6:30 p.m. to discuss Interim Ordinance 637.

With no other comment they moved on to the Consent Agenda.

F. 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 following Minutes of City Council Meetings with any necessary corrections:**
 - (a) **August 16, 2010 Special City Council Meeting; and**
 - (b) **August 10, 2010 City Council Meeting**
4. **August 18, 2010 Claim Warrant - \$273,048.98.**
5. **August 18, 2010 Business License Report.**
6. **Adopt Resolution 08-24-10-01 Authorizing City Clerk to Record a Second Tax Lien in the Amount of \$8,391.38 for Delinquent Payment of Water and Sewer Service at the Olive Towne Terrace Apartments (formerly Fairview Apts).**
7. **Award Bid for Traffic Signal Installation & Associated Work at Marguerite Avenue/Solano Street Intersection to Franklin Construction in the amount of \$252,242 & Authorize Purchase of Signal Controller and Cabinet Equipment in the amount of \$10,117.69.**

Councilor Turner requested to pull Consent Item 4 for further discussion. Councilor Turner then moved to approve Consent Items 2-3 and 5-7. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA:

Councilor Turner asked about the plan check fees listed on the Claim Warrant Register, what were they for? Building Official Terry Hoofard explained that those fees were for John Eller's buildings, specifically the medical building and daycare center. He also explained that the City does charge a Plan Check fee on the Building Permit and the Permittee pays these. Councilor Turner moved to approve Consent Item No. 4 (Claim Warrant) and Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

H. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Mayor declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

I. REGULAR AGENDA:

8. **Update on Offer to Sell Kauffman Building Located at 1302-1310 Solano Street to City of Corning for \$1; Consider Action to Take Ownership.**

Mayor Strack introduced this item by title. Mayor Strack asked that we continue this item to the next meeting for discussion and action if Council is agreeable. City Manager Kimbrough asked that the Council consider action tonight and explained that since the last meeting any interested developers, etc. have had time to act if interested in this property. Three interested parties have come forward, one serious contractor interested in the building is trying to obtain insurance.

Since the last meeting the City has served the owner with a 30-day notice to stabilize the building and make it safe. Mr. Kimbrough explained that another interested individual has come forward. Mr. Kimbrough stated that Staff would like the Council to consider purchasing the building with the stipulation that during the process, if someone comes forward with the funds to purchase the building, the City would turn it over to them under the stipulation that they reimburse the City for any funds expended to date.

Councilor Leach asked the City Manager questions relating to the building, his contact with 3CORE, and asked if the City had received a response from City Consultant JoAnn Anders? Mr. Kimbrough stated that we had not heard anything back yet from JoAnn about the State Funds. He further stated that Rodger Klemm and his associate David Wilkerson contacted him

today and they are interested in the building. Mr. Klemm and Mr. Wilkerson will be here tomorrow to inspect the building.

Mayor Strack stated that he still believes we should postpone action on this item until the next meeting and called for a consensus of the Council. Councilor Turner confirmed from the City Manager that the City did not receive the Engineers Report from Engineer Judson until July. Mr. May stated that he hopes the City Attorney is advising the City on any actions related to this building.

9. Review Proposed League of California Cities Resolutions - Discussion and Council Action.

After a brief discussion by the Council, noting that the City Manager and Mayor were appointed by the Council as voting delegate and alternate, and because of budgetary reasons no members of Council or City Staff will be attending the Conference this year it was determined that no action by the Council was necessary.

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

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

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

10. **Turner:** Nothing.

11. **Parkins:** Nothing.

12. **Leach:** Nothing.

13. **Strack:** Nothing.

M. **ADJOURNMENT!:** 8:02 P.M.

Lisa M. Linnet, City Clerk