



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, DECEMBER 10, 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. ROLL CALL:

Council:

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

Mayor:

All members of the Council were present except Councilor Smith.

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
Management, Dispatch and Public Safety Units**

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 Bill May, they received an update on the status of the negotiations with the three Units and gave Mr. May direction.

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

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
Gary Strack**

Mayor:

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

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

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

- 1. Presentation & Action: Approve the Joint Mobile Digital Computer Project and attached expenditure plan with the use of State Funds allocated by the Board of State and Community Corrections.**

Red Bluff City Police Chief Paul Nanfito provided a PowerPoint presentation outlining the Joint Mobile Digital Computer Project (a project to obtain and install digital computers into Police Patrol Vehicles). He explained the funding sources (previously received State Proposition 30 funds), the projected costs for computers and associated software (\$23,050 remaining Prop. 30 funds to upstart the program with no fiscal impact to the City during the first two years – 2014-2016), and stated that the City may need to absorb some of the maintenance costs for the computers. Mr. Nanfito stated the Program will be monitored and supervised by the two Police Chiefs (Corning & Red Bluff) and the two Municipal City Managers.

Councilor Cardenas moved to approve the Joint Mobile Digital Computer Project and the attached expenditure plan with the use of State funds allocated by the Board of State and Community Corrections. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was carried by a 4-0 vote with Smith absent.**

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 Minutes of the November 26, 2013 City Council Meeting with any necessary corrections.**
4. **December 4, 2013 Claim Warrant - \$158,741.48.**
5. **December 4, 2013 Business License Report: No new Business Licenses to report.**
6. **Wages and Salaries: \$433,990.37.**
7. **November 2013 Building Permit Valuation Report - \$65,124.82.**
8. **November 2013 Treasurer's Report.**
9. **November 2013 City of Corning Wastewater Operation Summary Report.**
10. **Approve cancellation of the December 24, 2013 City Council Meeting due to the Christmas Holiday.**
11. **Approve Progress Pay Estimate No. 10 in the amount of \$1,740.20 to Trent Construction for the Corning Community Park Project, Phase 1.**
12. **Approve Professional Services Agreement with Diaz Associates to assist with the General Plan Update and Preparation of an Environmental Impact Report.**

Councilor Cardenas requested to pull Consent Item No. 4, December 4, 2013 Claim Warrant in the amount of \$158,741.48 for further discussion.

Councilor Linnet moved to approve Consent Items 2-3 and 5-12. Council Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was carried by a 4-0 vote with Smith absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

4. December 4, 2013 Claim Warrant - \$158,741.48.

Councilor Cardenas explained that listed on the December 4, 2013 Claim Warrant Report is a check issued to him in the amount of \$1,654 which is a medical insurance reimbursement. He stated because this money, if approved, would be coming to him, he did not feel he should vote on this item. He announced that he is abstaining from voting on Consent Item No. 4 for the reasons stated.

Councilor Linnet moved to approve Consent Item No. 4 and Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, and Linnet. Absent: Smith. Abstain: Cardenas. Opposed: None. Motion was carried by a 3-0 vote with Smith absent and Cardenas abstaining.**

I. PUBLIC HEARINGS AND MEETINGS:

Mayor Strack announced that all the Public Hearings have been continued from the November 12, 2013 City Council Meeting.

13. Adopt Resolution No. 12-10-2013-01 amending the Development Impact Fee for Traffic Mitigation: Streets, Bridges and Traffic Signalizations.

City Manager Brewer stated that on November 12, 2013, Staff presented a PowerPoint presentation regarding an update to the City's Development Impact Fee (DIF) Program. He provided a brief explanation of the nexus study utilized to determine the fees and explained the necessity for the fee. Mr. Brewer announced that the result of the study supports a fee reduction from the existing \$4,819 to \$3,701 per Equivalent Dwelling Unit (EDU). With no comment from the public Mayor Strack closed the public hearing for this item at 8:18 p.m.

Councilor Dickison moved to:

- Having conducted the public hearing continued from the November 12, 2013 City Council Meeting, find that the Traffic Facilities Section (Section "J") of the report titled "City of Corning-2013 Development Impact Fee Update", accurately describes the traffic infrastructure needs of the City of Corning for the 2013-2033 Planning period, and provides for collection of sufficient capital through the collection of the Development Impact Fee recommended as Alternative "B"; and

- Approve Resolution No. 12-10-2013-01 to implement the amended Traffic Facilities Development Impact Fee of \$3,701 per Equivalent Dwelling Unit (EDU).

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

14. Adopt Resolution No. 12-10-2013-02 amending the Water Facilities Development Impact Fee.

Again Mr. Brewer briefed the Council on the results of the current nexus study relating to the Water Facilities Development Impact Fee and why this fee is necessary. He concluded by stating that the results of the study support Staffs recommendation to reduce the existing Water Facilities Development Impact Fee of \$1,074 to \$499 per Equivalent Dwelling Unit (EDU). With no comments from the public, Mayor Strack closed the public hearing on this item at 8:20 p.m.

Councilor Cardenas moved to:

- Having conducted the public hearing continued from the November 12, 2013 City Council Meeting, find that the Water Facilities Section of the report titled "City of Corning-2013 Development Impact Fee Update", accurately describes the water infrastructure needs of the City of Corning for the 2013-2033 Planning period, and provides for collection of sufficient capital through the collection of the Development Impact Fee recommended as Alternative "B"; and
- Approve Resolution No. 12-10-2013-02 to implement the amended Water Facilities Development Impact Fee of \$499 per EDU.

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

15. Adopt Resolution No. 12-10-2013-03 amending the Sewer Capital Improvement Fee and Wastewater Treatment Plant Expansion Fee.

City Manager Brewer briefed the Council on the results of the nexus study that relates to the Sewer Capital Improvement Fee and the Wastewater Treatment Plant Expansion Fee. He announced that if approved, the combined fee will increase from \$4,642 to \$5,719 because the funding need still remains. John Eller confirmed this would be an increase and asked the balance of the amount existing in this fund. Mr. Brewer stated that the City could provide this information, however each year we make the \$240,000 payment for the Wastewater Treatment Plant expansion completed a few years ago to accommodate an additional 1,700 EDU's. He further explained that when we build zero houses in the City, we generate zero dollars to pay down this debt; therefore the debt is back funded by the sewer rate payers. He concluded by stating he believed the account is pretty much running a negative fund balance at this time. Mayor Strack further explained that the Treatment Plant Expansion was done during the housing increase to avoid the State imposing a building moratorium. With no other comments, Mayor Strack closed the public hearing on this item at 8:27 p.m.

Councilor Dickison moved to:

- Having conducted the public hearing continued from the November 12, 2013 City Council Meeting, find that the Sewer, Lift Station & Wastewater Treatment Plant Facilities Section of the report titled "City of Corning-2013 Development Impact Fee Update", accurately describes the Sewer & Wastewater Treatment Plant Expansion needs of the City of Corning for the 2013-2033 Planning period, and provides for sufficient capital through the collection of the Development Impact Fees recommended as Alternative "B"; and
- Approve Resolution No. 12-10-2013-03 to implement the amended Sewer Capital Improvement Fee of \$936 per Equivalent Dwelling Unit (EDU) and Wastewater Treatment Plant Expansion Fee of \$4,784 for a total of \$5,719 per EDU.

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

16. Adopt Resolution No. 12-10-2013-04 amending the Development Impact Fee for Parkland Development (Purchase and Preparation).

City Manager Brewer presented the results of the nexus study as it relates to the Parkland Development Impact Fee concluding by recommending the fee be reduced from the existing \$875 per EDU to \$555 per EDU. With no comment, Mayor Strack closed the public hearing at 8:29 p.m.

Councilor Cardenas moved to:

- Having conducted the public hearing continued from the November 12, 2013 City Council Meeting, find that the Parkland Facilities & Bedroom Tax Section (Section "H") of the report titled "City of Corning-2013 Development Impact Fee Update", accurately describes the Parkland infrastructure needs of the City of Corning for the 2013-2033 Planning period, and provides for collection of sufficient capital through the collection of the Development Impact Fee recommended as Alternative "B"; and
- Approve Resolution No. 12-10-2013-04 to implement the amended Parkland Purchase and Preparation Development Impact Fee of \$555 per Equivalent Dwelling Unit (EDU).

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

17. Adopt Resolution No. 12-10-2013-05 amending the Development Impact Fee for Drainage Facilities.

City Manager Brewer presented the results of the nexus study as it relates to the Drainage Facilities Development Impact Fee concluding by stating that Staff recommends this fee be increased from \$3,900/acre to \$4,660/acre which works out to be about \$1,165 per EDU. He did clarify that the actual cost will vary based upon the specific size of the lot being developed. With no public comment Mayor Strack closed the hearing at 8:32 p.m.

Councilor Dickison moved to:

- Having conducted the public hearing continued from the November 12, 2013 City Council Meeting, find that the Drainage Facilities Section (Section "G") and the Consumer Price Index Section (Section "F") of the report titled "City of Corning-2013 Development Impact Fee Update", accurately describes the drainage infrastructure needs of the City of Corning for the 2013-2033 Planning period, and provide for collection of sufficient capital through the collection of the Development impact Fee recommendation in said Section "G"; and
- Approve Resolution No. 12-10-2013-05 to implement the amended Drainage Facilities Development Impact Fee of \$4,660 per acre and approximately \$1,165 per Equivalent Dwelling Unit (EDU).

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

J. REGULAR AGENDA:

18. Authorization to purchase a 2014 Ford Explorer as a Police Vehicle at a cost of \$43,350.95.

Mayor Strack confirmed that this will be purchased from Corning Ford as they provided the lowest cost. Councilor Cardenas moved to:

- Authorize the purchase of one (1) 2014 Ford Explorer Police Interceptor Utility Vehicle from Corning Ford for a total purchase price of \$33,350.95, and after-market emergency equipment at an estimated \$10,000 cost; and
- Declare Police Vehicle No. 218 as surplus upon acquisition and completion of after-market equipment installation in the new vehicle.

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

19. Approve Contract with Toni Williams to provide caretaker services at the City's Animal Shelter pending City Attorney's approval of proposed contract.

Mayor Strack confirmed that the City is losing current caretaker Debbie Eaglebarger as she is retiring. Police Chief Atkins stated that Ms. Williams has worked with Ms. Eaglebarger at the Shelter and has recommendations from Second Chance Pet Rescue and others. Mayor Strack acknowledged that Ms. Eaglebarger has done an outstanding job for the City at the Shelter and requested Staff put together a letter of thanks to be presented to her.

Councilor Dickison moved to approve the appointment of Toni Williams as the City of Corning Animal Shelter Caretaker pending review and approval of the Caretakers Agreement by the City Attorney. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was carried by a 4-0 vote with Smith absent.**

20. Authorize purchase of a Boat and Inboard Motor for the Sewer Treatment Plant for outfall release sampling in the Sacramento River.

Public Works Director Patrick Walker presented a brief report stating the unsafe and unreliable conditions of the boat the City currently has, explained the water sample collection requirements that necessitate the City's purchase of a boat, and the quotes received for the purchase a boat.

Councilor Cardenas then moved to approve the purchase of a 14 foot Lund boat with a 40 horsepower Mercury Jet outboard motor with options from Gone Fishing Marine at a total cost of \$11,983.70 to be funded from the Sewer Improvement-Capital Replacement Fund 380-9206-5250; and declare the City's 1990 Valco boat and motor as surplus property to be sold at auction. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was carried by a 4-0 vote with Smith absent.**

21. Ratify Memorandum of Understanding between the City and the Corning Dispatcher's Association Bargaining Unit.

City Manager John Brewer presented the changes/benefits proposed under this new Dispatcher's Association Memorandum of Understanding (MOU).

Councilor Dickison moved to approve and ratify the MOU between the City of Corning and the Corning Dispatchers Association for the period of January 1, 2014 through December 31, 2015. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was carried by a 4-0 vote with Smith absent.**

22. Ratify Memorandum of Understanding between the City and the Corning Management Association Bargaining Unit.

City Manager John Brewer presented the changes/benefits proposed under this new Management Association Memorandum of Understanding (MOU).

Councilor Cardenas moved to approve and ratify the MOU between the City of Corning and the Corning Management Association for the period of January 1, 2014 through December 31, 2015. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet and Cardenas. Absent: Smith. Opposed/Abstain: None. Motion was carried by a 4-0 vote with Smith absent.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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 she attended the December 3rd Community Action Agency Nominating Committee meeting in Red Bluff, on December 4th she presented a Plaque for Senior of the Year (Ruby Rodgers) and will present it again Thursday night at the mixer. She stated that she will be attending the Community Action Tripartite Meeting December 12th and announced that the LAFCO Meeting had been cancelled.

Linnet: Reported on the Pay in Forward Committee's downtown clean-up last Monday prior to the Hometown Christmas Parade, the next clean up will be the January 25th to clean/pick up trash on Hwy. 99W. He also reported that there has been a lot of tagging in town.

Cardenas: Thanked the Public Works and Police Department for their hard work and assistance during Hometown Christmas. He stated that there were 39 entries this year. He reported on his attendance at the Chamber of Commerce meeting tonight.

Smith: Absent.

Strack: Reported on his attendance at the Tehama County Transportation Commission meeting today where they approved the Regional Transportation Improvement Program which now has to go to the State Transportation Commission for approval he believes in February. He stated that this Program includes the City's Solano Streetscape Project, he is sure that the California Transportation Commission won't take that out, but then they may not give the City the total funding either. Also included in this Program Plan through the County is the replacement of two bridges; Jewett Creek bridge on Kirkwood Road and the Columbia Avenue Jewett Creek Bridge.

N. ADJOURNMENT!: 8:48 p.m.

Lisa M. Linnet, City Clerk