



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, DECEMBER 9, 2008  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

**Council:**

**Hill  
Turner  
Parkins  
Leach  
Strack**

**Mayor:**

All Council Members present except Mayor Strack.

**C. ADJOURN TO CLOSED SESSION: 6:31p.m.**

Mayor Strack joined the Closed Session at 6:35 p.m.

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**

**Agency Negotiator: William May, Labor Relations Consultant  
Public Safety Employees Bargaining Unit  
Dispatch Association Unit**

**PERSONNEL EVALUATIONS:**

**Manager and Council Team Review of New Public Works Director, Fire Chief,  
Planning Director and Building Official.**

**Q. RECONVENE AND REPORT ON CLOSED SESSION: 7:33 p.m.**

**Conference with Labor Negotiator:** Mayor Strack reported that the Council had met with the City Labor Negotiator Bill May to update the new Council Members on the status of the Labor Negotiations with the Public Safety and Dispatch Units.

**Personnel Evaluations:** Mayor Strack reported that Council would reconvene the Closed Session after the regularly scheduled City City Council Meeting to discuss the personnel evaluations.

**E. INVOCATION AND PLEDGE OF ALLEGIANCE:**

Councilor Leach led the invocation and City Manager Stephen Kimbrough led the Pledge of Allegiance.

**F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS: None.**

**G. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:**

Nolan Schlereth reported that winter sports started two weeks ago and the canned food drive at the High School.

**H. BUSINESS FROM THE FLOOR:**

Walter Dodd thanked the Public Works Department for the Christmas Trees on Solano Street and the decorations on the Water Tower.

Joe DeScala addressed the Council regarding clarification of the minutes and his request to be agendized for the January 20<sup>th</sup> Planning Commission meeting. He wanted to confirm that he would be agendized. He was informed that he needed to submit a letter outlining the items he had for discussion, and that the City receive it no less than 10 days before the Planning Commission meeting. It was also clarified that it must be in letter form, not via email.

Andrea Molarius addressed the Council regarding Rodger's Theatre, Mayor Strack stated that Rodger's Theatre is Agendized and asked Ms. Molarius if we could discuss this at that time; Ms. Molarius stated that would be fine.

- I. **CONSENT AGENDA:** It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or member of the audience requests separate discussion and/or action.
1. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
  2. **Waive the Reading and Approve the Minutes of the November 25, 2008 Meeting with any necessary corrections.**
  3. **December 3, 2008 Claim Warrant - \$127,522.34.**
  4. **Business License Report – December 3, 2008.**
  5. **Treasurer's Report – November 2008.**
  6. **Wages and Salaries – November 2008 - \$368,386.24.**
  7. **December 2008 Building Permit Valuation - \$27,823.56.**
  8. **November 2008 – Southwest Water Company Wastewater Operation Summary Report.**
  9. **City Council Appointment of Vice Mayor.**
  10. **City Mayor's Appointments of City Council Representatives to the Various Commissions/Committees.**
  11. **Approve Progress Pay Estimate 2 for \$206,353.84 for the Safe Routes to School Cycle 7 Project.**
  12. **Approve Cancellation of the December 23, 2008 City Council Meeting Due to the Christmas Holiday.**
  13. **Approve Final Copy and Authorize Work for I-5 Freeway Welcome Signs.**
  14. **Recommend Reappointment of Mr. Walter Dodd as Trustee of Tehama County Mosquito and Vector Control District.**

Councilor Hill asked to pull Consent Items 9, 10, and 13 for further discussion.

Councilor Hill moved to approve Consent Items 1-8, 11-12 and 14 with the necessary corrections to the minutes. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

J. **ITEMS REMOVED FROM THE CONSENT AGENDA:**

**9. City Council Appointment of Vice Mayor.**

Mayor Strack explained that Council leaves selection of the Vice Mayor to the Mayor for appointment with agreement by the Council. He then stated that he would like Councilor Hill to continue as Vice Mayor. Councilor Turner moved to approved the Mayor's selection of Councilor Hill as Vice Mayor. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

### 10. City Mayor's Appointments of City Council Representatives to the Various Commissions/Committees.

Mayor Strack introduced this item by title and stated that new representatives would need to be selected for the Commissions/Committees that former Councilors Zuniga and Dickison attended. He proposed the selection of the following Council members as representatives to the various Commissions/Committees:

- Councilor John Leach: Tripartite Board and the Tri-County Economic Development Corporation.
- Councilor Ross Turner: LAFCO and the Indian Gaming Commission.
- Councilor Toni Parkins Tehama County Sanitary Landfill JPA, (Councilor Turner will remain as the representative until term is up in January) and the Indian Gaming Commission.
- Mayor Gary Strack: Tehama County Transportation Commission, Shasta College Building Committee, and Tehama Economic Development Corporation.
- City Treasurer Pala Cantrell: Indian Gaming Commission.

With little discussion Councilor Hill moved to approve the previously mentioned appointments. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

### 13. Approve Final Copy and Authorize Work for I-5 Freeway Welcome Signs.

Councilor Hill wanted to confirm that the new Councilors were aware of the recommendations; this was verified. It was also confirmed that this expense is being paid from the Chamber of Commerce BID money. It was also clarified that the City owns the signs. Councilor Hill moved to approve the final copy and authorize work for the I-5 Freeway "Welcome" signs. Councilor Turner seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

It was also clarified that public works would be putting the signs up.

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

**L. REGULAR AGENDA:** All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

### 15. Rodgers Theatre – Council Reconsideration of USDA Loan vs. other Funding Options, Discussion and Possible Action.

Mayor Strack introduced this item by title briefly reviewing the past discussions.

Former Councilor Darlene Dickison informed the Council of the History of the City's acceptance of Rodgers Theatre from the Rodgers Family. She stated that she believes it was the believe of the Rodgers family and the Council at the time of acceptance of this property the City would keep it open as a Theatre and perform any necessary maintenance.

Andrea Molarius stated her believe that the Community needs this as a Theatre and Community Center. She offered her assistance as a grant writer. Mayor Strack stated that he had voted against borrowing \$400,000. Councilor Leach stated that due to the economy, he would not vote for borrowing \$400,000. He further stated that he would like to get the Theatre open, possibly through a grant and in stages. He asked what it would take to get the Theatre open. Councilor Hill and Councilor Leach both stated that the City should accept Andrea's offer of assistance.

Police Chief and Theatre Committee member Tony Cardenas stated his opinion that the Council needs to decide if they want to open the Theatre as a just a Theatre with future plans of it being a

Community Center and Theatre in order the the City and the Committee members can work together towards one direction.

Councilor Turner stated his belief that the City is way ahead of itself stating the Council should be moving forward with the assistance by the City Attorney and City Accountant in setting up a non-profit corporation and non profit status by the State first. He stated he doesn't believe we should place our children and grandchildren in debt for the next 40 years.

Councilor Hill stated that the City could not move forward with grants, etc. until we had approved Plans.

Darlene Dickison stated her original request was not for a fourty year loan, it was to have the Council prioritize the Parks and Recreation Funds the City currently has for the Theatre. Mayor Strack stated we could utilize City Personnel using force account labor to clear out the Theatre (bathrooms, etc.).

City Manager Kimbrough outlined the Staff Report presented tonight for Council Discussion and the actions needed by the Council at this time to move forward. After much discussion, City Manager Kimbrough asked if Council would consider reviewing the report presented tonight and over the Holidays making notes listing their suggestions and bring back to the City Manager to revise the Staff report for Council consideration and action in January.

City Attorney Mike Fitzpatrick stated he could bring back more information at the January meeting. He also advised the formation of a Theatre Board.

Councilor Leach moved to rescend the pre-application authorization for the USDA Rural Development for Rodgers Theatre. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

Staff was directed to place this item on the January 13<sup>th</sup> City Council Agenda for discussion and possible action. Council also directed City Attorney Mike Fitzpatrick to submit the incorporation papers acknowledging that there will be fees attached.

**16. Approve Budget to Implement CDBG First Time Home Buyer Program and Blackburn Avenue Improvements.**

Mayor Strack introduced this item by title and City Manager Kimbrough briefed the Council on the First Time Home Buyer Program and the Blackburn Avenue Improvements. Mr. Kimbrough stated that should this item be approved, Council would be approving the appropriation and budgeting the funds. Mr. Kimbrough stated that JoAnn Anders, the City Consultant would handle all of the paperwork. He also stated the entire package on the first time homebuyers program would be brought back to Council for their consideration and approval. Councilor Hill moved to appropriate \$1,500,000 from the CDBG Program Grant proceeds to Fund Number 322 "CDBG FY 08-09" and approve Budgets 4600 – Blackburn Improvements, and 4700 – First Time Homebuyers Program in order to implement the CDBG Grant. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

**17. Proposed Annual Rate Increase for Corning Disposal Service.**

Mayor Strack introduced this item and stated that this item was to set the date for the Public Hearing. Walter Dodd stated that this item was agendized wrong, stating that it should have been agendized to state: "to set the Public Hearing". Councilor Leach moved to set February 10, 2009 for a public hearing on the proposed rate increase. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

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

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

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

**18. Hill:** Stated that she had presented a letter (Agenda) for the Sacramento Valley Division Meeting January 9 & 10<sup>th</sup> for Council discussion and suggestions. She also reported on the status of the meeting plans.

**19. Turner:** Request we get the heater fixed in the Council Room.

**20. Parkins:** Stated that she believes we should adopt a Code of Ethics for the City. She also stated that it would be nice to have something placed on the walls of the City Council room. Mayor Strack requested the City Manager put together a proposed Code of Ethics.

**21. Leach:** Stated he was looking forward to serving on the Council.

**22. Strack:** Apologized for being out of town and not getting back until 6:30 p.m. tonight.

**P. ADJOURNED BACK TO CLOSED SESSION!: 8:48 P.M.**

**Q. RECONVENE AND REPORT ON CLOSED SESSION: 9:15 p.m.**

Mayor Strack stated that the Council meet in closed session after the meeting to discuss the personnel evaluation.

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**Lisa M. Linnet, City Clerk**