



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, FEBRUARY 11, 2014
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: 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.

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

D. INVOCATION: Led by Councilor Tony Cardenas.

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: February 2014 as National Girls and Women in Sports Month in the City of Corning.** Because Kristin Behrens of St. Elizabeth Community Hospital's was not present to accept the Proclamation this item will be postponed pending contact by City Clerk.
2. **Presentation of Senior Center Financial Audit and Scheduled Activities for 2014.** Senior Center Board Treasurer Judy Metcalf presented the Financial Audit prepared by Julie Sutterfield of Bretney & Sutterfield Accounting Services. Senior Center Activities Coordinator Linda Lima presented the 2014 scheduled activities, seminars, and programs to be held at the Senior Center.

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.

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 January 28, 2014 City Council Meeting with any necessary corrections.**
5. **January 7, 2014 Claim Warrant - \$225,210.99.**
6. **January 7, 2014 Business License Report.**

7. **Wages and Salaries: \$344,871.77.**
8. **January 2014 Building Permit Valuation Report - \$215,266.**
9. **January 2014 Treasurer's Report.**
10. **January 2014 City of Corning Wastewater Operation Summary Report.**
11. **Accept resignation Recreation Commissioner Kyle Lauderdale.**

Councilor Cardenas requested to remove Consent Item 5 for a separate vote because the Claim Warrant lists a payment to him for prior employment related health benefits and therefore he will need to abstain from voting on this item.

Mayor Strack noted that the Recreation Commission now has two vacancies, and we need to get a letter of recognition to Mr. Lauderdale for his service. Councilor Linnet moved to approve Consent Agenda Items 3-4 and 6-11. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Opposed/Abstain: None. Motion approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: Item 5.

G-5. January 7, 2014 Claim Warrant - \$225,210.99.

Councilor Dickison moved to approve Consent Agenda Item 5 and Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet and Smith. Absent/Opposed: None. Abstain: Cardenas. Motion approved by a 4-0 vote with Cardenas abstaining.**

I. PUBLIC HEARINGS AND MEETINGS:

12. Public Hearing and Action on request for Disposal Service Rate Increase.

City Manager Brewer presented information relating to the requested rate increase and associated contractual obligations. He then relayed information received this morning from Matt Fryer of Waste Management/Corning Disposal regarding an increase in tipping fees at the Tehama County Landfill beginning March 1st. Mr. Brewer stated that Mr. Fryer received information of the 11.6% fee increase today from the Landfill Agency. Mr. Fryer was not aware of this increase when he originally submitted the request for a 0.99% rate increase which was stated in the Public Hearing "Notice to Property Owners" sent to City residents. If the rate needs to increase beyond the originally noticed 0.99% to residents, the City in all fairness to our residents, the City should mail new "Notice to Property Owners" informing them of the revised proposed rate increase. Mr. Brewer now suggests the City postpone action on this item and continue the public hearing to March 11th to enable the City to send new "Notice to Property Owners" cards informing residents of the revised rate and date of hearing. Mr. Brewer concluded by stating that the cost for mailing the last batch of cards was \$577.62 to which Mr. Fryer stated that Corning Disposal would pay the cost to mail new cards listing the proposed corrected rate increase amount.

Mr. Fryer apologized for this late hour change and stated that they would need to recalculate the new increase rate that will be proposed, which he believes will be approximately \$0.71 cents per customer, the original \$0.21 requested plus the additional \$0.50 resulting from the increased tipping fees. Mr. Brewer explained that City Attorney Jody Burgess has checked the City Code, in terms of notification it was non-specific about the duration of the notice, so in light of the fact that we have provided a 45-day notice with the initial postcards, and will be sending out new cards as soon as we can and ideally get it back before the Council at the March 11th meeting.

Mayor Strack opened the public hearing at 7:45 p.m. and continued it to March 11th.

Mayor Strack stated that to date, the City had received no letters of protest.

J. REGULAR AGENDA:

13. Authorize unbudgeted expenditure for a new Computer Server at the Police Department for the Joint Mobile Digital Computer (MDC) Program.

Chief Atkins explained that the purchase of a new computer server at the Police Department is necessary to support the Joint Mobile Digital Computer (MDC) Project authorized by Council on

December 10, 2013. He further stated Staff is now requesting authorization to purchase this server at a total cost of \$11,314.02 which includes installation labor from Computer Logistics. He explained that this cost is proposed to be funded from the remaining Proposition 30 funds. The remaining fund balance in that account is currently \$23,050.86.

Councilor Cardenas moved to:

- Authorize the expenditure of \$11,314.02 for the purchase of a new computer server from Computer Logistics for the Police Department from budget line item 073-8007-2114 in accordance with the Joint Mobile Digital Computer (MDC) Project; and
- Find that the exception to the City's Purchasing Standards is warranted in this case for the reasons outlined in the associated Staff Report.

Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Opposed/Abstain: None. Motion approved by a 5-0 vote.**

14. Adopt Resolution 02-11-2014-01, a Resolution authorizing the adoption of the City of Corning All Hazard Mitigation Plan.

City Manager Brewer introduced this item confirming that this has been around for a few years. He also stated that we participated as a Stakeholder in the County process as well, but we have prepared our own that has been prepared specifically for the City of Corning. It has been reviewed FEMA and they believe we are close enough to move forward with approving the Resolution. By adopting this Plan, should we experience a natural disaster, we would be eligible to apply and qualify for Federal reimbursement for mitigation response costs incurred.

Councilor Smith moved to adopt Resolution 02-11-2014-01 a Resolution of the City of Corning authorizing the adoption of the City of Corning's All Hazard Mitigation Plan. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Opposed/Abstain: None. Motion approved by a 5-0 vote.**

15. Ordinance No. 655, reaffirming Park Regulations stated in Urgency Ordinances 653 & 654 and enacting regulations specific to Martini Plaza and Corning Community Park. (First Reading)

Mayor Strack introduced this item by title stating this is first reading and the Ordinance relates to smoking and alcohol use in those two Parks. Mayor Strack confirmed that signage has been installed relating to the adopted Urgency Ordinances.

Councilor Dickison moved to adopt Ordinance No. 655 an Ordinance reaffirming Park regulations listed in Urgency Ordinances No. 653 and 654 and enacting regulations specific to Martini Plaza and Corning Community Park and accept it as First Reading. Councilor Linnet seconded the motion.

Councilor Linnet stated that he has discussed with Staff closing the Park for painting and clean up so that it is not being destroyed during repairs. City Manager Brewer stated that this has been discussed among Staff at the weekly Staff Meeting as well as with the City Attorney. He stated that Staff has noticed that the Park has been clear since posting the new regulations and this might not warrant closing the Park for the Maintenance. He also stated that Staff will be presenting at the next meeting authorization to purchase security cameras for the Park.

Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Opposed/Abstain: None. Motion approved by a 5-0 vote.

16. Authorize Police Department's purchase of RIMSMap Software, ArcGIS Software and three-year support services contract at a total combined cost of \$21,418 with all costs being reimbursed to the City.

Mayor Strack introduced this item by title. Councilor Cardenas moved to authorize the Police Department to purchase, at a total combined reimbursable cost of \$21,418 the following software and services:

- RIMSMap Software with additional three year support/updates from Sun Ridge Systems Inc. at a cost of \$17,780; and
- ArcGIS Software from ENPLAN at a cost of \$3,638.

Mayor Strack confirmed that \$14,780 for the RIMSMAP Software along with (1) year of support and updates would be reimbursed from the Paskenta Band of Nomlaki Indians through the Tehama County Department of Education, and the additional (2) years of support and updates for RIMSMAP software (\$3,000) and the ArcGIS Software (\$3,638) will be reimbursed by the Byrne Criminal Justice Innovation Program (BJCI). Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Opposed/Abstain: None. Motion approved by a 5-0 vote.**

17. Implement Stage 1 of the City of Corning Water Conservation Program.

Mayor Strack introduced this item by title stating that in response to the current drought situation, the City is asking for a 15% reduction in water use. He explained that although the City currently has sufficient water to meet their needs, the City's well levels are slowly starting to drop, an average of 20 feet of standing water in 10 years. Public Works Director Patrick Walker presented each of the Council with an example of the wording to be placed on customer water bills that will direct them to a State website regarding water conservation.

Councilor Smith moved to implement Stage 1 of the City of Corning's proposed Water Conservation Program and continue weekly monitoring of water well levels. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Opposed/Abstain: None. Motion approved by a 5-0 vote.**

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 the LAFCO meeting is rescheduled to Thursday for a public hearing to discuss the Gerber Park Las Flores CSD taking over the Park in Gerber.

Linnet: Announced the Pay It Forward Meeting will be February 25th at 1 p.m. and the faux "Gary's Gift Shop" has again closed, and possibly won't reopen again because when previously closed the olive oil was missing, this time everything was missing. He has recovered the painting and racks, but not the oil.

Cardenas: Thanked the Community for supporting the Rodgers Theater Concert, it was a great success raising a little over \$3,700. Councilor Dickison thanked the Veterans of Foreign Wars for their donation of \$1,000. Mr. Cardenas reported on his attendance at tonight's Chamber of Commerce Board meeting announcing they were busy working on the Car Show to be held the first weekend in May, they are also considering changing the length of time for the Hometown Christmas event. He will be attending the Expect More meeting tomorrow to discuss the positive things in Corning.

Smith: Senior Center Board meeting is tomorrow.

Strack: He inquired as to the timeline for completing the Theater floor and was told that Staff is working on obtaining plans and cost for this to prepare for this next phase.

N. ADJOURNMENT!: 8:12 p.m.

Lisa M. Linnet, City Clerk