



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, FEBRUARY 13, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:34 p.m.

B. ROLL CALL:

Councilmember:

Hill
Dickison
Zuniga
Turner
Strack

Mayor:

All Councilors were present.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS: None.

E. ROSE TOBISCH, CORNING HIGH SCHOOL LIAISON REPORT: Not present.

F. BUSINESS FROM THE FLOOR:

Mr. Gary Price addressed the City Council with complaints about the City Police Department. He stated that he has obtained a lawyer and is pressing charges against the City's Police Department for harassment. He stated that he was arrested on February 6, 2007 for allegedly being drunk in public, which he states he was not...he informed the Council that no breath test was performed.

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.

- 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 January 23, 2007 Meeting with any necessary corrections.**
- 3. February 2007 Claim Warrant - \$292,029.77.**
- 4. February 7, 2007 Business License.**
- 5. January 2007 Treasurer's Report.**
- 6. January 2007 Building Permit Valuations - \$1,170,399.**
- 7. ECO Resources, Inc. Wastewater Operation Summary Report – January 2007.**
- 8. Approve Resolution No. 02-13-07-01 Establishing a Loading/Unloading Zone for the Faith Baptist Church located at 565 First Street.**
- 9. Report on State Disability Insurance Premium Underpayment.**

10. Resolution No. 02-13-07-02 Authorizing the Tehama County Sanitary Landfill Agency to Submit a Regional Grant Application to the California Integrated Waste Management Board Tire Recycling Grant Program.

11. Approval of Partial Pay Estimate #1 for the Safe Routes to School Project in the amount of \$54,492.60.

Councilor Turner requested Consent Agenda Item No.9 be pulled from the Agenda for further discussion. Councilor Turner motioned approval of consent Agenda Items 1-8, and 10 – 11. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

Councilor Turner asked if the proposed solution to the State Disability Insurance Premium underpayment had been discussed with the Union. City Manager Kimbrough stated that at this time no, but it will be. Councilor Hill asked if proposed solution were challenged by the Union, would the breakdown of the employee payments be figured differently? Mr. Kimbrough stated that the breakdown as shown in the Staff report is correct as written. He further stated that he would report back to Council after receiving a response from the Union. Councilor Turner motioned approval of Consent Agenda Item No. 9 and Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

I. 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.

12. Proposed Annual CPI Increase for Disposal Service.

Mayor Strack asked if any more letters were received other than the two shown in the Staff Report. City Clerk, Lisa Linnet stated no. Councilor Turner stated that he had received a call from a single person under the senior break-through wondering if they could be fit into the nitch under the senior single program. Councilor Turner informed them that this was not possible. Mayor Strack then opened the Public Hearing. With no discussion from the audience he closed the Public Hearing. Councilor Zuniga asked about the possibility of enclosed recyclable containers. Councilor Zuniga stated that she believes this was discussed a year ago and the response then was it was being worked on. Mayor Strack stated he would like to have a report on the recycling receptacles at the March 13th meeting. Councilor Hill motioned to approve the proposed rate increase of 2.27% for Corning Disposal Service/Waste Management Corporation, Inc. to be effective April 1, 2007. Councilor Dickison seconded the motion. **Motion was approved by a vote of 5-0.**

J. REGULAR AGENDA:

13. Presentation and Approval of Annual Financial Audit for FY 2005-2006.

Mayor Strack introduced this item by title and then referred to Mr. Kimbrough for further information. Mr. Kimbrough introduced the City Auditing Company representatives, Mr. Donald Reynolds and Mr. Elias Siriani to brief the Council on the FY 2005-2006 Audit. Mr. Siriani stated that during the audit they found no material finding needing to be reported to the board. He stated that the City's assets exceeded their liabilities by \$13,000,000 and the net assets increased by approximately \$400,000 and the City has a positive cash flow.

Councilor Turner asked about the decrease in the Transient Occupancy Tax Collection. Mr. Siriani stated that this is just a reflection based upon the comparison to the 2004-2005 FY. Mr. Kimbrough stated that we had lower revenue, however we had lower expenditures.

Councilor Hill motioned approval of the annual audit for Fiscal Year ending June 30, 2006. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Zuniga and Turner. Opposed: Dickison. None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

14. Presentation of Mid Year Budget Report for FY 2006-2007.

Mayor Strack asked Mr. Kimbrough to introduce item number 14. Mr. Kimbrough gave a brief explanation of the Mid Year Budget Report for FY 2006-2007. He stated the need for the City to continue to grow the available reserves; however currently there is \$95,000 in available reserve funds. Councilor Turner asked what percentage Mr. Kimbrough feels the City should maintain in available reserve; Mr. Kimbrough stated that this next year he would like to try to move \$500,000 from the operating reserves and year by year continue to grow it \$100,000.

Mr. Kimbrough stated that the City only receives \$19 per resident from gas taxes received for Street Maintenance from the various gas tax funds. Corning only received \$31,000 from Prop. 42 sales tax from fuel stations.

Councilor Turner asked about water capacity size, asking if the existing wells currently provide the necessary capacity. Tom Russ stated that currently the City has the needed capacity, however we are closely reaching our limits and need to consider adding a well within the next few years. Councilor Turner further asked, wasn't land dedicated to the City at the Petro Site? He was informed yes, where the existing wells are located. **No action was required on this item.**

15. Indian Gaming Fund Grant Recommendation.

Mayor Strack asked when this had to be submitted to the County; he was informed that this decision had to be presented tomorrow. Mayor Strack confirmed that Public Works would be submitting a report on the Rodger's Theatre roof at the next City Council meeting; therefore he would not like to commit these funds to the Theatre at this time.

Councilor Turner asked if the decision was made to purchase the police department radio's, could Chief Cardenas possibly piggy back with CDF (California Department of Forestry and Fire Protection) on the purchase to possibly save money. Chief Cardenas stated that he would look into it. With no further discussion, Councilor Zuniga motioned that Mayor and Council submit the Grant recommendation to purchase police department radios. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Zuniga and Turner. Opposed: Dickison. None. Absent/Abstain: None. Motion was approved by a vote of 4-1 w/Dickison opposed.**

16. Revision of Highway 99-W Specific Plan Configuration. Change Street Width (Curb to Curb) from 84-feet to 64-feet.

City Engineer Ed Anderson stated that the Staff Report was complete, and it just comes down to "Dollars and Sense". Mayor Strack confirmed that the City would not be giving up any Right of Way.

Councilor Turner motioned to approve the recommendation of Staff. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

17. Bridge Rail/Soffit Design for New South Avenue Overpass.

After some discussion, Councilor Zuniga motioned to use the River Rock Earth Blend and Councilor Turner seconded the motion. **Ayes: Strack, Hill, Zuniga and Turner. Opposed: Dickison. None. Absent/Abstain: None. Motion was approved by a vote of 4-1 w/Dickison opposed.**

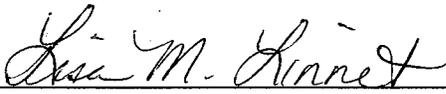
K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

M. REPORTS FROM MAYOR AND COUNCILMEMBERS:

- 18. Hill: None.
- 19. Dickison: Tripartite Meeting Report.
- 20. Zuniga: None.
- 21. Turner: Police and Fire Acknowledgement Event Report.
- 22. Strack: Report on recommendations from Recreation Commission and Commissioner non-attendance. He stated that he would contact the Commissioners to see if they still wish to serve as a Commissioner.

N. ADJOURNMENT! 8:48 p.m.



Lisa M. Linnet, City Clerk