



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, FEBRUARY 9, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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 City Council were present.

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

D. INVOCATION: Led by Tony Cardenas.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

F. BUSINESS FROM THE FLOOR:

Cindy McClain and members of the Corning 4-H Group were present and issued an invitation to attend the Annual 4-H Fun Night (theme is "Chinese New Year") to be held Saturday, February 13th at the Red Bluff Fair Grounds. (VIP hours for Senior's and those Disabled are from 3-4 p.m. and from 4-8:30 p.m. is the regular time for everyone else, tickets are \$1 each.)

AT&T Representative Preston Dickinson was present and introduced himself explaining his role at AT&T is to assist the City and their constituents in resolving any problems related to their AT&T service. He invited anyone having problems to contact him.

Councilor Linnet issued a thank you to members of the Corning Police Department, Volunteer Fire Department and Public Works that responded to the incident at 3 a.m. related to a downed power pole fire.

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 request 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 with any necessary corrections the Minutes of the:**
 - a) January 18, 2016 Special City Council Meeting; and the**
 - b) January 26, 2016 City Council Meeting.**
- 3. February 3, 2016 Claim Warrant - \$311,466.95.**
- 4. February 3, 2016 Business License Report.**
- 5. January 2016 Wages & Salaries: \$377,837.80.**
- 6. January 2016 Treasurer's Report.**
- 7. January 2016 City of Corning Wastewater Operations Summary Report.**
- 8. January 2016 Building Permit Valuation Report in the amount of \$1,000,243.**
- 9. Ordinance 663, an Ordinance of the City Council of the City of Corning moving to add Chapter 3.21 to the Corning Municipal Code to impose a Transactions and Use Tax to be administered by the State Board of Equalization upon approval by a majority of the voting Electorate for the City of Corning. (Second Reading)**

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10. Appoint City Manager Kristina Miller to replace former City Manager John Brewer as the City's Representative on the Tehama County Air Pollution Control District Indirect Rule Review Committee.

Mayor Strack announced that the City Attorney was requesting to pull Consent Item 9 for further clarification.

Councilor Linnet moved to approve Consent Items 1-8 and 10. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

9. Ordinance 663, an Ordinance of the City Council of the City of Corning moving to add Chapter 3.21 to the Corning Municipal Code to impose a Transactions and Use Tax to be administered by the State Board of Equalization upon approval by a majority of the voting Electorate for the City of Corning. (Second Reading)

City Attorney Jody Burgess explained that in reference to Ordinance 663, a change was made to the Ballot Measure Resolution in response to a request from Mr. Bowen at a previous meeting and Mr. Burgess stated that he is recommending the change to the Ordinance to make it consistent with the adopted Resolution. (Removing the word "Dispatch" under Section 3.21.17 Use of Funds and changing it to read: "may be used for existing police and fire services, or any other lawful municipal purpose".) Mr. Burgess explained that this cannot proceed as a "Second Reading" because a change that is not typographical or a clerical error is being made, therefore by law, a 5-day waiting period is required before passage. This necessitates no action at this time, but rather bringing this item back at the next City Council meeting for passage. This can be done and allows the City to still meet the March 11th deadline.

Councilor Linnet moved to change wording to that which was approved for the ballot measure. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.** (City Attorney Jody Burgess clarified that the motion directs the City Attorney to change Section 3.21.17 in Ordinance 663 Exhibit "A" to reflect the statement in the Resolution Ballot Measure.) **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

I. PUBLIC HEARINGS AND MEETINGS:

11. Ordinance 662, an Ordinance adding Chapter 17.41, Large Lot Residential Combining District and Chapter 17.46, Alternative Housing Combining District to Title 17 of the Corning Municipal Code. (First Reading)

Planning Consultant John Stoufer briefed the Council on proposed Ordinance 662 explaining exactly what the Large Lot Residential Combining District and the Alternative Housing Combining District consisted of, announced that tonight no site zoning designation is being proposed, and clarified that what is being proposed tonight is creating language for the Municipal Code. Mr. Stoufer reiterated that the City currently does not have any projects or applications before the City for an Alternative Housing facility, however by State Law, the City is required to have a zone designated allowing this, if the City doesn't do this then down the line the State can step in and select an area.

Mayor Strack opened the public hearing at 6:55 p.m. Mayor Strack asked the allowed maximum length of stay according to State regulations at such a facility. Mr. Stoufer stated he was unsure, however we would be consistent with whatever the States maximum allowed would be. Mayor Strack also confirmed that parking would be considered.

City Attorney Burgess confirmed that this is exempt under CEQA.

- Audience member asked why we don't set the limits rather than allowing the State to set these limits.
- Councilman Linnet thanked John and the Planning Commission for their work on this.

Closed Public Hearing at 6:57 p.m.

Councilor Dickison moved to adopt the five (5) Factual Subfindings and Legal Findings as presented in the Staff Report and waive the first reading of Ordinance 662 (Councilor Dickison then read aloud the Ordinance Title). Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

J. REGULAR AGENDA:

12. Approve Agreement between the County of Tehama and the City for contribution and expenditure of certain FY 2016 Board of State & Community Corrections, Edward Byrne Justice Assistance Grant (JAG) Funds.

City Manager Kristina Miller presented information related to this item explaining that this Agreement will allow the County to contribute \$40,000 towards funding Tara Corey's Counselling at the High School. Councilor Cardenas explained the funding, and the time frame that the funding will provide (3 years). Councilor Cardenas elaborated stating that this program encompasses the Corning School District.

Councilor Smith moved to approve the Agreement with the understanding that the County must hereafter take the same Agreement to its Board of Supervisor's for approval. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was 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 on attendance at the Corning Patriots Meeting on Thursday, February 4th and announced that tomorrow's LAFCO meeting was cancelled.

Linnet: Reported on the Tehama County Sanitary Landfill Executive Board Meeting (JPA) held in the City Council Chambers last week. The City will be receiving some combined trash/recycle containers. He also reported that there was no graffiti within the last two weeks, there were 19 shopping carts picked up, and hopefully we can get some more trash cans for placement on Solano Street. He stated that he purchased two and chained one up in front of Napa and Les Schwab.

Cardenas: Reported on training in Washington DC last week attended by Chief Fears, Tara Corey, and himself in relation to the Byrne Criminal Justice Grant, they found out compliance information associated with the grant. He reported on his attendance tonight at the Chamber of Commerce Board Meeting at which they discussed the Installation Dinner held last Saturday night where they served over 170 meals. They also discussed the upcoming car show.

Smith: Reported that on February 12th at 5 p.m. the Senior Center will be holding a Valentines dinner at a cost of \$5 per person and on Monday, February 15th they will be offering a breakfast of biscuits and gravy for \$5.

Strack: Reported on the Chamber Installation Dinner stating that Councilor Cardenas was Volunteer of the Year and announced the retirement of Chamber Manager Valanne Cardenas.

Councilman Linnet thanked Police Chief Fears for responding to his texts while in Washington and announced that a town Neighborhood Watch Meeting will be held Monday at 6:30 p.m. at the Maywood School Gym.

Planning Consultant Stoufer announced that on February 18th from 10 a.m. to 4 p.m. the City will be holding a workshop here in the Council Chambers for owner occupied housing rehabilitation low interest loans.

N. ADJOURNMENT!: 7:12 p.m.

Lisa M. Linnet, City Clerk