



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, JANUARY 22, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:30 p.m.

B. ROLL CALL:

Council:

**Hill
Dickison
Zuniga
Turner
Strack**

Mayor:

All Council members were present.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Stephen Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

1. Recognition of ECO Resources, Inc. Wastewater Treatment Plant Award.

Kathy Stone of ECO Resources, the Company that operates the Corning Wastewater Treatment Plant under City contract, informed the Council that ECO Resources, Inc. won the trophy (second year in a row) for Wastewater Treatment Plant of the Year. She explained that the California Water Association inspects the Wastewater Treatment Plant performing an annual audit, this year the Corning Wastewater Treatment Plant was ranked against four other plants of similar size, the plant scored 94 out of a 100. Tom Russ accepted the trophy on behalf of the City. Mrs. Stone explained the inspection process stating that they are ranked on compliance with environmental regulations, permit compliance, etc. Mrs. Stone stated that this is her 20th year running the plant.

E. BUSINESS FROM THE FLOOR: None

F. 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. January 16, 2008 Claim Warrant - \$302,842.15.**
- 4. December 19, 2007 Business Licenses.**
- 5. January 16, 2008 Business Licenses.**
- 6. December 2007 Building Permits - \$369,896.**
- 7. Permission to seek Formal Bids for Pruning 514 Palm Trees.**
- 8. Set Compensation for Unrepresented Positions, City Manager and Administrative Assistant at a Combined Annual Cost of \$10,207.**
- 9. Dean Blankenship Appointment to Library Commission.**

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10. **Resolution No. 01-22-08-01 Approving Tehama County Sanitary Landfill Agency Application for a Farm & Ranch Solid Waste Cleanup/Abatement Grant – Brandt Property, APN 006-390-41.**
11. **Approve Contract Change Order 2 and Progress Pay Estimate No. 1 in the amount of \$145,534.90 to Sunrise Excavating, Inc. for the 2007 Street Paving Project.**
12. **Request Approval of Name Change for Contracted Wastewater Treatment Plant Operator ECO Resources, Incorporated.**
13. **Resolution No. 01-22-08-02, A Resolution Designating a Bus Loading/Unloading Zone on Edith Avenue, and Resolution No. 01-22-08-03, A Resolution Designating a No Parking Zone on a Portion of Edith Avenue.**

Mayor Strack introduced County Librarian Caryn Brown. Ms. Brown stated that she is looking forward to working with the City Council and City Staff.

Councilor Turner requested Item 8 be pulled for further discussion. Audience member George Freeman requested that Items 3, 10 and 12 be pulled for further discussion/explanation.

Councilor Hill motioned approval of Consent Agenda Items 2, 4-7, 9, 11 and 13. Councilor Zuniga seconded the motion. Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. The motion was approved by vote of 5-0.

G. ITEMS REMOVED FROM THE CONSENT AGENDA:

3. January 16, 2008 Claim Warrant - \$302,842.15:

Mr. Freeman asked if Item 3 had anything to do with Items 8, 10 or 12. He was informed no; number 3 is just the bills paid within the last two weeks.

With no other discussion Councilor Hill motioned approval of Item 3 and Councilor Dickison seconded the motion. Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. The motion was approved by vote of 5-0.

8. Set Compensation for Unrepresented Positions, City Manager and Administrative Assistant at a Combined Annual Cost of \$10,207:

Councilor Turner suggested action on Administrative Assistant compensation and postpone salary adjustment on the City Manager's position until an evaluation has been done. He stated that he has asked on two separate occasions the contract or agreement for the City Manager's salary to clarify the cost breakdown and whether there are any other retirement compensation other than PERS. He stated that he has been provided with the funding breakdown for the City Manager's salary, however he finds it ironic that no written agreement or contract is in effect stating the salary and retirement benefit for the City Manager position. He stated that during the labor negotiations with the Management Unit he was not aware of any agreement or roll over regarding the City Manager's salary increase without an evaluation or agreement. Councilor Turner stated that he would not vote in favor of combining a motion for the two positions and stated that he believes that we need to evaluate prior to approving raises especially when there is no contract in effect.

Mayor Strack asked Councilor Turner if he would like to, to save getting into a long discussion, approve the compensation for the Administrative Assistant. **Councilor Turner motioned to approve the Administrative Assistant 6% wage increase in 2008, CPI plus 2% in 2009, CPI plus 2 % in 2010, an additional week of vacation after 12 years of service, an increase in life insurance benefits, and allow the use of remaining sick leave towards health benefits upon retirement. Councilor Zuniga seconded the motion.**

Mr. Glenn Gordon asked why the City Council meeting Agenda package was not on the web page. He stated that it was there on Friday and then it was gone. It was explained that work was being done on the City's computers and that was probably why the web page was down for a while, it has since been corrected and is back up. Mayor Strack stated that should this happen again, please contact City Hall.

Councilor Hill asked that a Closed Session be agendized to discuss the City Manager and do his evaluation. It was agreed that the Closed Session would be set for the March 11, 2008 City Council meeting.

Mr. Freeman asked about the CPI (Consumer Price Index) stating that it doesn't relate to Corning, the numbers come from elsewhere. Mr. Freeman stated that whether we recognize it or not we are in a recession and he is concerned about how the CPI and if we don't keep our money stable we will be in trouble.

Mayor Strack explained that the City Manager has no contract with the City, Mr. Kimbrough is an at will employee, by that he serves at the will of the Council. Under these terms City Council can remove the City Manager within 60 days after an election. Mayor Strack stated that he likes this idea, that a contract basically states the conditions upon removal. Councilor Hill stated that most have a contract however we are lucky that Steve has agreed to the current conditions.

Councilor Turner motioned approval of the Administrative Assistant compensation and Councilor Zuniga seconded the motion. Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. The motion was approved by vote of 5-0.

Councilor Turner asked that any answers or information on the City Manager conditions of hire, etc. be provided to all Council members.

10. Resolution No. 01-22-08-01 Approving Tehama County Sanitary Landfill Agency Application for a Farm & Ranch Solid Waste Cleanup/Abatement Grant – Brandt Property, APN 006-390-41.

Mr. Freeman asked about the cleanup grant stating that his concern is that whenever we ask for grant cleanup funds from the State, keep in mind who the people are, etc. Councilor Turner stated that this is a way where we get some of the money back that we contribute and are able to clean up properties that otherwise would not be done and it benefits the Community and County.

With no other discussion, Councilor Hill motioned approval of Resolution No. 01-22-08-01, and Councilor Dickison seconded the motion. Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. The motion was approved by vote of 5-0.

12. Request Approval of Name Change for Contracted Wastewater Treatment Plant Operator ECO Resources, Incorporated.

Mayor Strack, in addressing the request for additional information on this item read the Staff Report explaining that this was a name change, it will now adopt the corporate name to, it will not affect the existing contract. Mr. Freeman asked why the name change, he was informed that it was a corporate decision.

With no other discussion, Councilor Hill motioned approval of the name change and Councilor Turner seconded the motion. Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. The motion was approved by vote of 5-0.

H. 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. None

I. REGULAR AGENDA:

14. Introduction of Ordinance 629 to Approve Changes to Flood Plain Ordinance 470.

Mayor Strack introduced this item by title and asked Building Official Jack Alexander, to explain. Mr. Alexander stated that every four years the State Department of Water Resources audits our current Flood Plain Ordinance, the changes specified in the propose Ordinance are based upon the information received during this audit and will bring the City into compliance with new State mandates. It was explained that if this is not done flood insurance goes up for all the people that build in these areas. Currently there is nothing that covers travel trailers, this corrects that.

Councilor Turner motioned approval of the first reading of Ordiance 629 and Councilor Hill seconded the motion. Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was on first reading by title was approved by a vote of 5-0.

15. Mid-Year Budget Review and General Discussion.

Mayor Strack introduced this item by title and referred to City Manager Kimbrough for further explanation. Mr. Kimbrough explained that our budget process is ongoing. He further stated that our sales tax is down by \$32,000 or 6% for the first quarter. Mr. Kimbrough updated the Council on the latest figures from the State on the various reimbursements and taxes the City should receive. He stated that he has received no status report yet on the vehicle license fees from the State. Mr. Kimbrough stated that we are coming out of our planned debt on the sewer revenue and should have the debt paid by the end of this fiscal year. Mr. Kimbrough stated that the gas tax revenue we receive averages out to approximately \$20 per City Resident per year.

Mayor Strack stated that as we will be negotiating with all the employee units this year, and if the Management Unit is any indication, the City will need to grow revenues to a range of \$100,000 just to cover employee salaries. He further reported that the Indian Gaming Commission met and approved the application to fund the Police Officer Salary freeing City General Funds budgeted to fund this position for constructing the Police Department Parking lot.

Councilor Hill asked that Staff move cautiously in relation to the budget based on the information she has received from the League of California Cities.

Councilor Turner stated that he was asked to inform the Council of the problems with the photocopy machine at the library and the need for this machine to be replaced. He was informed that this item has already been agendized for the February Library Commission Agenda.

No action necessary.

16. Discussion and Direction to Staff on the Proposed Corning Disposal Contract, Oral Report from City Manager and Public Works Director.

Councilors Hill and Dickison were appointed to serve on an Ad-Committee to review the garbage Contract. Council Turner asked whether this Ad-Hoc Committee will consist only of Council representatives, or will members of the public be allowed to serve also. He was informed that only members of the Council and representatives from Corning Disposal/Waste Management Staff will serve on this committee. Mr. Kimbrough briefed the Council on the current contract discussions stating that we will need to open the scheduled public hearing on February 12th, accept public comment, and then continue the hearing to a time after the Franchise Agreement has been completed. It was announced that the Ad-Hoc Committee will consist of two Council members, Councilors Hill and Dickison, the Public Works Director and Public Works Director pro tem, City Manager and members of Corning Disposal.

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

None.

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

City Clerk Lisa Linnet read a thank you card to the City received from the Harvest Christian Church.

L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

17. Hill: None.

18. Dickison: Reported on the LAFco meeting and stated that she did not attend the Tripartite Board meeting due to a conflicting appointment.

19. Zuniga: None.

20. Turner: None.

21. Strack: Mayor Strack asked when the pruning of Street Trees on Solano Street would be done. Public Works Director Tom Russ explained that we bring in an arborist from Chico one to two times a year for pruning and Larry's Pest Control sprays for fire blight yearly. Julie from the Corning Observer stated that the tree in front of the Corning Observer is dead. Tom stated that Hometown revitalization plans to replant the dead trees sometime this year before the spring.

Mayor Strack asked the City Manager to report on Staff vacancies. Mr. Kimbrough stated that Planning Director John Brewer applied for the position of Public Works Director and was appointed to the position of effective April 1, 2008 taking effect upon Tom's retirement in June. The Oral Board for the Fire Chief is set for February 21st, letters to candidates should go out within the next few days. Recreation Supervisor: Scheduled for February 7, 2008. Mr. Kimbrough stated that the advertisement for the Planning Director position was placed today in the March Western Cities magazine and in the Jobs available in two weeks.

Mayor Strack reported on the January 16, 2008 Joint Meeting and the "Fix 5" discussion.

M. ADJOURNMENT!: 8:30 p.m.



Lisa M. Linnet, City Clerk