



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, JANUARY 24, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
Gary Strack**

Mayor:

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS: None.

D. ADJOURN TO CLOSED SESSION:

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Miscellaneous Bargaining Unit**

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

Mayor Strack reported that Council met in Closed Session with the City's Labor Negotiator Bill May and gave him direction. He further announced that a Special Meeting has been scheduled for January 26th (Thursday) at 6:00 p.m.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:31 p.m.

Lisa M. Linnet, City Clerk



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A. CALL TO ORDER: 7:31 p.m.

B. ROLL CALL:

Council:

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Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Councilman John Leach.

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. Cindy McClain and members of the Local 4-H Group announced their 4-H Fun Night to be held on February 4th at the Tehama District Fairgrounds.

Cindy McClain and five members of the Corning 4-H Group (Dorinda Walker, Kaitlyn Huntly, McKynzie Huntly, Dominic Azevedo and Quentin Azevedo) announced that the 4-H Fun Night will be held on February 4, 2012 at the Tehama District Fairgrounds from 4-8:30 p.m. They stated that the theme this year is "How the West was Fun" and informed the Council of the planned activities. They invited members of the Council and audience to attend stating that they had tickets if anyone was interested.

2. Presentation of Senior Center Profit & Loss Standard, 2012 Tentative Projects, Fundraisers and Activities, and Review of 2011 Senior Center Activities by Barbara Vandygriff and Linda Daniels Lima.

Barbara Vandygriff presented the City with the Senior Center Profit and Loss statement and informed the Council of the current financial status of their accounts. She stated that the Senior Center has provided a great service to the City and Linda Daniels Lima does an outstanding job at the Center.

Linda Daniels Lima presented a report of last year's activities and proposed activities for this year. She highlighted the various activities and the many speakers they have brought in that have provided Medicare benefit information, and various speakers providing information on benefits and businesses available to assist the Senior Citizens.

Following Councilor Dickison's question, and confirmation by City Manager Kimbrough, Mayor Strack announced that it is included in the City Budget for the City to provide \$2,700 to the Senior Center.

Presentation of Business/Employer of the Month Awards:

BUSINESS OF THE MONTH:

Robert C. Jones Insurance

EMPLOYER OF THE MONTH:

Corning Medical and Associates, Inc.

City Councilman Dave Linnet presented the Business of the Month Award to John Jones of Robert C. Jones Insurance, and to Adrienne Frost of Corning Medical and Associates, Inc.

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 10, 2012 Closed Session and Regular City Council Meeting with any necessary corrections:**
5. **January 18, 2012 Claim Warrant - \$389,151.72.**
6. **January 18, 2012 Business License Report.**
7. **Approve New Lease Agreement for Transportation Center Suite "A" (Hometown Café) to Bonnie Webster Grippin.**
8. **Approve Progress Pay Estimate No. 6 in the amount of \$69,668.27 to Trent Construction for the Clark Park Municipal Water Well Project.**

Mayor Strack introduced each item listed on the Consent Agenda by title. Councilor Leach asked the anticipated completion date on the Water Well Project; Public Works Director John Brewer stated that there is a short delay; we are currently waiting for the window louvers and door. Councilor Parkins moved to approve Consent Items 3-8. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS:

9. Public Hearing and Action on Request for Disposal Service Rate Increase.

Mayor Strack introduced this item by title and declared the public hearing open so that all discussion would become part of the public record. City Manager Kimbrough briefed the Council and audience on the proposed rate increase for residential, commercial and seniors. He outlined the current services the City receives from Corning Disposal and how these services were obtained through contractual negotiations. Mr. Kimbrough provided the comparison rates/services provided by surrounding communities stating that only two have lower rates, and explained that these two communities do not receive street sweeping services. He also explained the reasoning behind the fuel cost adjustment and CPI and how these proposed rates are derived.

Corning Disposal Representative Tim McGill reiterated the benefits they provide to the City via their current contract. He stated that they fully understand the strains from the current economy, however the fuel rate is not marked up for a profit; they are just passing on their costs. He also stated that the fees at the landfill have increased by \$1.

Mayor Strack confirmed that Solano Street is swept once a week from Edith Avenue to Marguerite Avenue, and that the bulky item pickup is quarterly. He also confirmed that anyone having bulky items can take them to Corning Disposal one Friday a month.

Teresa Smith stated that Corning Disposal does do a great job for the City, however we must remember that the City does the billing for them and that is a great service that the City provides to them also. Mayor Strack stated that there was no raise to Corning Disposal the year that the City took over billing for them. Teresa responded stated that this is true, however that was many years ago and the City continues to provide the billing services for them. She stated that she believes they should only receive a CPI increase. It was clarified that an error was printed on the mailed notice relating to the Commercial Rate, the commercial rate should have been \$20.76, the same as the residential rate.

Janice Zotner (letter in packet) asked why the notices only go to the property owners and not to the renters. Mayor Strack responded stating it was because ultimately the property owner is responsible for the bill.

With no other comments from the public Mayor Strack then closed the public hearing. Councilor Leach spoke stating that he doesn't oppose the CPI Increase however he does oppose the fuel cost adjustment. He stated that he has to pay for the fuel to drive to work every day and he cannot approach his boss and receive a cost adjustment for this...his pay doesn't increase for his fuel cost. Councilor Linnet stated he doesn't feel it is too much for the services they provide to the community. He stated that Councilor Leach could adjust his driving to save fuel, however Corning Disposal has a contract and they must provide the services as stated in their contract.

Councilor Dickison stated that the economy is bad, people are losing their jobs, the City is furloughing their employees, and with water and sewer rates increasing also, this has a great impact on our citizens. Councilor Parkins stated that she has known a business that has closed due to fuel costs, however she understands that this does have an impact on our residents...it is a tough decision.

Councilor Parkins moved to, having conducted the public hearing and received all protests, approve the proposed CPI Increase of 3.76% and the fuel cost adjustment of an additional 1.47% for a total rate increase of 5.23%. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins and Linnet. Opposed: Leach and Dickison. Absent/Abstain: None. Motion was approved by a 3-2 vote with Leach and Dickison opposed.**

J. REGULAR AGENDA:

10. Accept Rotary Club donation for two handicap accessible drinking fountains for City Parks and authorize installation of small plaques acknowledging the donation.

Mayor Strack introduced this item by title and City Manager Kimbrough briefed the Council. Councilor Dickison moved to thank the Corning Rotary Club for their donation of \$3,124.32 to fund the purchase of two accessible drinking fountains, and allow the installation of small engraved plaques acknowledging the Rotary Club donation onto accessible fountains at two Park locations as requested by the Rotary Club. Councilor Leach seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

11. Introduction and first reading of Ordinance 650, an Ordinance to officially disband the Corning Redevelopment Agency and repeal Chapters 2.56 and 2.60 of the Corning Municipal Code.

Mayor Strack introduced this item by title and confirmed with City Manager Kimbrough that although the Corning Redevelopment Agency was developed, it has been inactive and was never funded. City Manager Kimbrough explained that the California Supreme Court recently upheld AB26x1 which dissolves all of the Redevelopment Agencies in California. He further stated that since the Redevelopment Agency was never funded, disbanding it and repealing the associated section from our Municipal Code has no financial impact on the City. He further explained that since the Economic Development Commission no longer exists, it should also be repealed.

Commisisoner Parkins introduced Ordinance 650 by title and moved to conduct the first reading of Ordinance 650, an Ordinance to officially disband the Corning Redevelopment Agency and repeal Chapters 2.56 and 2.60 of the Corning Municipal Code. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

12. Adopt Resolution 01-24-2012-01 creating a "No Parking Zone" on the south side of 2100 block of Solano Street.

Mayor Strack introduced this item by title and explained that this "No Parking Zone" would be on the south side of Solano Street and extend from just west of the Corning Chevy Dealership and extend west approximately 230' to the end of the Super 8 Motel frontage. Mayor Strack asked if

the City had received any comments from the owners of the hotel and was informed by Public Works Director John Brewer that we had not. Mr. Brewer stated that this is proposed for safety reasons, and if approved, this will tie it in to the existing "No Parking Zone" that currently goes west through to Edith Avenue. This will be in front of the new Auto Zone store.

Councilor Parkins stated that she is happy when she sees trucks parked at this location because it means they are staying in our hotels and not out at the Casino.

Councilor Leach moved to approve Resolution No. 01-24-2012-01 creating a "No Parking Zone" located on the south side of the 2100 block of Solano Street. Councilor Dickison seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed: Parkins. Absent/Abstain: None. Approved by a 4-1 vote with Parkins opposing.**

13. Report regarding status of Blackburn Avenue Construction Project, Grant No. 10-STBG-6707.

Mayor Strack introduced this item by title and stated that he requested it be placed on the agenda so that Council can be apprised of the status. He confirmed that the City did receive a grant; however one of the stipulations of the grant is that 12 low income homes would be constructed. After approaching various independent sources to construct these homes (SHHIP, CHIP, etc.), it has been determined that at this time no one wants to assume this project due to the current housing situation, or because they have existing commitments. Mayor Strack stated his fears that the State could pull the funding as they have in the past.

City Manager Kimbrough stated that he would like the City to meet with the State to negotiate an extension on the date to complete the construction of the 12 homes until we are out of the housing recession. Mr. Kimbrough stated that if we are unable to obtain the extension, Staff will approach Council with the recommendation not to proceed any further. City Engineer Ed Anderson suggested that we utilize the fact that the Map Act has been extended due to the current housing and economic recession when meeting with the State. By consensus of the City Council, Staff has been directed to schedule a meeting ASAP with the State.

14. Declare surplus and approve disposal of 18 obsolete/unsafe Self Contained Breathing Apparatus (SCBA's).

Councilor Dickison moved to declare 18 Survivair SCBA's as surplus property and allow the Corning Fire Chief to dispose of the units in the best way to benefit the City. Councilor Leach seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Absent/Abstain: 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 Council members will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Parkins: Reported on the Landfill meeting here in Corning.

Leach: Last Thursday he attended a very productive meeting with Community Action Committee.

Dickison: Reported on her attendance at the Economic Conference in Oroville (Steve and John also attended) and stated that it probably won't be until 2018 before we start recovering jobs had prior to recession and that all Cities and States are in the same predicament. She also reported that she attended the Tehama County Heritage Committee Meeting on January 19th, and the State Fair Exhibit Committee Meeting on January 20th. She stated that the State Fair Exhibit Committee is going to recommend skipping it this year as they have received no comments from those contacted with donations, etc. It will be taken to the County Board of Supervisors on January 31st.

Linnet: Reported that he attended the funeral of the fallen Marine in Anderson. He also stated that he would like to research whether we could initiate some kind of law against protesting at military funerals. He suggested possibly a law that would keep protesters 600 feet from the funeral.

Strack: Nothing.

N. ADJOURNMENT!: 8:48 p.m.

Lisa M. Linnet, City Clerk