



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JULY 10, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Councilmember:

Hill
Dickison
Zuniga
Turner
Strack

Mayor:

Council present: Strack, Hill, Dickison and Turner. Absent: Zuniga.

C. ADJOURN TO CLOSED SESSION: 7:10 p.m.

1. CONFERENCE WITH LEGAL COUNSEL:

Potential Litigation, Initiation of Litigation pursuant to subdivision (a) of section 54956.9.

Patel (Delinquent Motel Taxes)

Closed Session was adjourned at 7:20 p.m. and will reconvene to the Council meeting at 7:30 p.m. and report on the closed session at that time.

D. RECONVENE AND REPORT ON CLOSED SESSION: 7:30 p.m.

All Council members were present. Mayor Strack reported that the Council had met in Closed Session where City Attorney Mike Fitzpatrick advised Council on the status of the delinquent Transient Occupancy Taxes.

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Stephen Kimbrough led the Pledge of Allegiance.

F. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS:

G. BUSINESS FROM THE FLOOR:

Friends of the Theatre representative, Danny Dunnegan addressed the Council stating that the Theatre Group is considering recreational uses in the restoration of the Theatre Building so that it can serve as a Recreation Center as well as a Theatre. He stated that if the Council appoints a Recreation Director, he hopes that this person, with Council support, will be working in support of the Theatre as well.

H. 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. July 5, 2007 Claim Warrant - \$200,786.37.

4. July 5, 2007 Business Licenses.

5. June 2007 Building Permit Valuations Report - \$2,939,919.64.

6. **June 2007 Wastewater Treatment Plant Summary Report.**
7. **Authorization to Seek Proposals for a Three-Year (3) Janitorial Service Agreement.**
8. **Approve Recommendation of Jason Armstrong for Appointment to the City Planning Commission.**
9. **Taxi Cab Permit to Operate.**

Councilor Turner asked to remove Consent Agenda Items 3 and 8 for further discussion and clarification. With no further discussion on the remaining Consent Agenda Items, Councilor Hill motioned approval of Consent Agenda Items 2, 4-7 and 9. Councilor Dickison 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. ITEMS REMOVED FROM THE CONSENT AGENDA:

3. July 5, 2007 Claim Warrant - \$200,786.37.

Councilor Turner questioned the expenditure for the new radio system, asking if this is tied to dispatching for Orland and Capay; Fire Chief Pryatel stated yes. Councilor Turner motioned approval 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.**

8. Approve Recommendation of Jason Armstrong for Appointment to the City Planning Commission.

Councilor Turner asked if the vacancy had been advertised? Mayor Strack explained that the vacancy occurred from the resignation of Commissioner Barker (Poisson) and the selection was made from the applicants on file. He further explained that the City has advertised previously, however very few applicants respond. With no further discussion, Councilor Turner motioned approval 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.**

J. 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.

10. Resolution No. 07-10-07-01; Ordering Annexation of Blossom Avenue Project Phases 2 & 3 into Landscaping and Lighting District No. 1 as Zone No. 3; Self Help Home Improvement Project.

Mayor Strack introduced this item by title and Planning Director Brewer gave a brief explanation of the item. Mayor Strack then opened the Public Hearing. With no discussion, Mayor Strack closed the Public Hearing. Councilor Turner motioned to adopt Resolution No. 07-10-07-01 annexing Blossom Avenue Project, Phases 2 & 3 into the City of Corning Landscaping and Lighting District 1, Zone 3. 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.**

11. Tentative Parcel Map 07-08, Robert Vardenaega, to Create Two Single Family Residential Lots in an R-1-2 Zone, located between Fourth and Chicago Avenues and approximately 76 feet south of Center Street; site address is 1311 Fourth Avenue; APN 71-273-02.

Councilor Hill excused herself from the room 7:41 p.m. during discussion and vote on this item due to possible future conflict of interest.

Mayor Strack introduced this item by title and Planning Director John Brewer gave a brief description of the project. Mayor Strack asked about the City's right of way. Councilor Turner asked if there were any limitations with the PUC (Public Utilities Commission) on footage from the

railroad property? Public Works Director Tom Russ explained that it would be a substandard road (40'). Mayor Strack then opened the Public Hearing.

A neighboring property owner stated concerns about the existing open drainage ditch and suggest piping it. Mr. Brewer responded stating that piping that ditch would not be economically feasible for this two residential lot split. The same gentleman stated his concerns about children walking through it on their way to school. Mayor Strack asked about fencing the area, stating that the property owner could fence it, at least halfway through up to the City easement.

With no other discussion Mayor Strack closed the Public Hearing. Councilor Dickison stated that the property owner has agreed to move the property line back to the power line thus aligning it with surrounding properties. Councilor Zuniga motioned Council approval of Tentative Parcel Map 07-08, and adoption of the four recommended Findings and the nine Conditions of Approval on the Vardanega Tentative Parcel Map 07-08. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Zuniga and Turner. Opposed: None. Absent: None. Abstain: Hill. Motion was approved by a vote of 4-0 with Councilor Hill abstaining.**

Following the vote, Councilor Hill reentered the Council Chambers and rejoined the Council meeting.

K. REGULAR AGENDA: All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

12. Adopt Resolution No. 06-26-07-02 and Approve Annual Program of Service and City Budget for the 2007-2008 Fiscal Year.

Mayor Strack introduced this item and asked City Manager Kimbrough to update the Council on the changes to budget information provided as a result of past budget discussions at the previous Council meetings. Mr. Kimbrough responded stating that the additional uncommitted "Available Reserve" is now \$115,125. Councilor Turner stated that he had spoken with two contractors about the railroad crossing costs and stated a figure they gave him to complete the work. PW's Director Tom Russ informed the Council that he and Carl Crain would be meeting with a representative from the railroad tomorrow to discuss the railroad crossing improvements. He further stated that the crossing, once the improvements are completed would be similar to the Solano and Colusa Street crossings.

Mayor Strack stated that he would like to see a large percentage of the \$115,125 used for street repairs/reconstruction. Some of the reserves could possibly be used for the proposed Recreation Program.

Councilor Hill stated she would like to maintain a reserve of \$15,000, stating the rest could be split between recreation and streets. A member of the audience stated that the recreation would not be entirely sports related, that was not the intent. Mayor Strack stated that he supported recreation, however he does not feel that a fulltime Recreation Director is needed. Further explaining that a Recreation Director would not take over Little League, the PAL Program, etc. Corrine Maday addressed the Council stating that a Recreation Department would provide programs for all age groups. Councilor Hill responded stating that some of the programs presented were fee based programs, the kids needing the programs will not be able to afford these programs, however if a District were involved, the revenues received could help subsidize the programs. Councilor Zuniga stated that she just paid \$50 to CARD for her daughter to participate in the program and this is a district. Another audience member and teacher stated that the students Mrs. Hill is referring to are survivors and would find a way to join these programs. Councilor Zuniga stated that some of the classes sometimes make more money than others and could help subsidize some of the other programs. She also stated that CARD also accepts

donations and sign-ups. Recreation Commissioner Marya Mahutga stated a need for a Recreation Center, stating that the Recreation Advocates and the Theatre Group need to work together. Mayor Strack agreed that the Recreation Advocates and the Theatre Group should work together. He also stated that he felt that the City had priorities such as Streets, Water, Sewer and then Recreation.

Lonnie Boles stated that he works with the Corning Swim Team and it costs \$200 per child and children unable to pay this receive sponsors. Yvonne Boles stated that she thought those on the Recreation Committee were being treated kind of unfairly. For the program to work they will need to work with all the other existing Program Leaders such as Swim Team, Little League, etc. Randy Maday stated that the Ad Hoc Committee is working with a Grant Writer to possibly obtain more Grant Funding and that the Ad Hoc Committee has presented a program that he believed was well thought out, however he felt slapped in the face. Marya Mahutga asked whose job it was to provide a Recreation Director Position Description; Mayor Strack stated that it was the City Staff and Council's.

Councilor Zuniga stated that she doesn't understand why the Council cannot utilize the next four months to put together a position description. Councilor Turner stated that unless a motion to rescind the previous vote was made, he is recommending that a job description for a Recreation Director be presented to the Council prior to January 2008 and suggests that it be a management position and overtime exempt.

Councilor Hill asked if the Council could now move on and discuss how to spend the remaining \$115,125 stating her agreement that it should go to streets. Councilor Zuniga stated her agreement that the City should retain \$15,000. Council agreed by consensus to move \$100,000 to streets for the Public Works Director to decide which additional street repairs to do. Councilor Turner asked when the City would have the final figures for mid-year, City Manager Kimbrough stated possibly in September.

Councilor Hill motioned to use \$100,000 of the "Available Reserve" to fund additional street repairs to be decided upon by the Public Works Director, and retain \$15,000 as reserves. Councilor Zuniga seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

L. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

M. **COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:** None.

N. **REPORTS FROM MAYOR AND COUNCILMEMBERS:**

13. Hill: Nothing

14. Dickison: Reported that the LAFCO meeting scheduled for tomorrow has been cancelled due to lack of Agenda.

15. Zuniga: Nothing.

16. Turner: Asked that the meeting be adjourned in memory of the late Dorothy Harper.

17. Strack: Nothing,

O. **ADJOURMENT! 8:44 p.m.**



Lisa M. Linnet, City Clerk