



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, JULY 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: None.**

**E. BUSINESS FROM THE FLOOR:**

Charles Nace addressed the Council regarding his Variance that was denied by the Planning Commission at the July 15, 2008 Planning Commission Meeting. Mr. Stoufer explained that Mr. Nace could appeal the denial of his Variance, however he would need to do so before the appeal deadline.

**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.**

- 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 June 24, 2008 meeting and July 8, 2008 meeting with any necessary corrections.**
- 7. July 16, 2008 Claim Warrant - \$418,703.51.**
- 8. Business License Report -- June 18, 2008.**
- 5. Final Map 07-20, Accepting 30' wide Right-of-Way along Solano Street, a 10' Right-of Way with Variable Width for Public Road along Marguerite Avenue, and a 10' Easement for Trail and Drainage Purposes across Parcel 3.**
- 6. Approve Agreement with Tehama County to Fund Transportation Center Maintenance.**

Walter Dodd requested that Consent Agenda Item No. 5 be pulled from the Agenda for further discussion.

At this time, City Clerk Lisa Linnet requested a brief delay in discussion to allow her to correct the problem she is having with her computer. Mayor Strack announced that the meeting discussion would be held for a moment to allow the City Clerk to shut down her computer and bring it back up so that all discussion would be captured on the meeting recording. The meeting was immediately resumed.

With no other discussion on the remaining Consent Agenda Items, Councilor Turner motioned approval of Consent Items 1 through 4 and Item 6. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

**G. ITEMS REMOVED FROM THE CONSENT AGENDA:**

**9. Final Map 07-20, Accepting 30' wide Right-of-Way along Solano Street, a 10' Right-of Way with Variable Width for Public Road along Marguerite Avenue, and a 10' Easement for Trail and Drainage Purposes across Parcel 3.**

Mr. Dodd requested that certain items listed on the Staff Report be noted for the record. Mr. Dodd wanted to make it a matter of Public Record that the 10 foot variable width dedication to the public (the width of the dedication ranges from 10 foot to 40.3 foot) means ownership. Planning Director John Stoufer clarified that it did.

With no other discussion, Councilor Hill motioned to accept the 10 foot and variable width right-of-way dedication along Marguerite Avenue, an easement for a pedestrian trail and drainage purposes within Parcel 3, an additional 30 feet, previously not dedicated, along Solano Street. Direct the City Clerk to certify said acceptance on final Parcel Map 07-20, and direct Staff to record final Parcel Map 07-20. Councilor Zuniga seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a 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.**

**7. Public Hearing; Resolution No. 07-22-08-01, A Resolution of the City Council of the City of Corning Declaring its intent to Levy and Collect Annual Assessment for the City of Corning Lighting and Landscape District 1, Zone 1.**

Mayor Strack introduced this item by title and Public Works Director Brewer explained that the City proposes no increase in fee and explained the required legal process. Councilor Turner asked how the process would work in regard to foreclosed properties. He was informed that it is an assessment on the property and stays with the property. Mayor Strack then opened the Public Hearing. An audience member residing within this area asked if the fees would stay the same, who receives the fees, and who is responsible for the maintenance. She was informed that the fees would remain the same, the City receives the fees minus a percentage retained by the County for administrative fees, and the City maintains the lighting and landscaping. She then informed Public Works Director Brewer that a light was not working in this area.

With no further discussion, Councilor Hill motioned to approve the Engineers Report and adopt Resolution No. 07-22-08-01 setting the fiscal year 2008-2009 assessment at \$63.09 per parcel for Landscaping and Lighting District 1, Zone 1. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

**8. Public Hearing; Resolution No. 07-22-08-02, A Resolution of the City Council of the City of Corning Declaring its intent to Levy and Collect Annual Assessment for the City of Corning Lighting and Landscape District 1, Zone 3.**

Mayor Strack introduced this item by title and Mr. Brewer briefly explained the procedure and need for this. Mayor Strack then opened the Public Hearing. Julie Johnson asked if there were any plans relating to the gap between the two fences along a property within this area, stating that her concern was with children becoming trapped or injured within this area. Mrs. Johnson then asked who is responsible for maintenance of this area between the two fence lines. She was informed that it was private property and the responsibility of the property owner.

Mayor Strack asked Mr. Brewer to please contact Mike Delles of SHHIP and inquire about a solution to this fence issue.

With no further discussion, Councilor Turner motioned to approve the Engineers Report and adopt Resolution No. 07-22-08-02 setting the fiscal year 2008-2009 assessment at \$142.10 per parcel for Landscaping and Lighting District 1, Zone 3. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.** Councilor Turner requested that the Council be kept informed on the outcome of discussions with Mr. Delles and provided with information on how the situation is being solved.

I. **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.

**9. Community Bulletin Board – Yard Sale Advertising; Location and Display Options.**

Mayor Strack introduced this item by title. Mayor Strack asked Yvonne Boles of Hometown Revitalization if she had any comments or suggestions. After some discussion, Councilor Hill motioned the sign be located in the modified parking area behind the curb at the Park & Ride and the color be tan. Councilor Zuniga seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

J. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

Mr. Dodd asked to revisit Consent Agenda Item F-2 and remove the July 8, 2008 Minutes as they were not included in the packet. City Clerk Lisa Linnet stated that was correct and apologized. Mrs. Linnet stated that the Minutes were not complete and had meant to request that they be pulled from the Agenda at the beginning of the meeting. However, due to the computer problems she was experiencing at the beginning of the meeting she became distracted and failed make the request for the removal of the July 8, 2008 Minutes from the Consent Agenda.

After some discussion, Councilor Turner motioned to remove the July 8, 2008 Minutes from the Consent Agenda, and approve Consent Items 1 through 4 noting the removal of the July 8, 2008 Meeting Minutes to Item 2, and Item 6. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

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

L. **REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

10. Hill: Nothing

11. Dickison: Reported on the LAFCO meeting she attended and announced that she had missed the Tripartite Board Meeting. She stated that the Tripartite Board is doing a food drive and requested that a food donation box be placed at City Hall and she would deliver any collections on behalf of the City. By consensus of Council this request was approved.

12. Zuniga: Nothing

13. Turner: Nothing

14. Strack: Stated that he would not be in attendance at the August 26<sup>th</sup> meeting as he would be out of town during that week.

Mayor Strack asked City Manager Kimbrough to report on his attendance at the League of California Cities meeting he attended in South Lake Tahoe. Mr. Kimbrough reported that

Councilor Hill was appointed as the new President of the Sacramento Valley Division of the League of California Cities. He also announced some of the issues that they plan to address within the next year. Councilor Hill further elaborated on some of these issues and programs.

**M. ADJOURN TO CLOSED SESSION: 8:15 p.m.**

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**

Agency negotiator: William May, Labor Relations Consultant; Negotiation with Miscellaneous Employees.

**N. RECONVENE AND REPORT ON CLOSED SESSION: 9:15 p.m.**

Mayor Strack reconvened the meeting and announced that the Council had met with the Labor Relations Consultant and gave him direction.

**M. ADJOURNMENT!: 9:16 p.m.**

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**Lisa M. Linnet, City Clerk**