



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, JULY 25, 2017
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 5:30 p.m.

B. ROLL CALL:

Council:

**Darlene Dickison
Dave Linnet
Jose "Chuy" Valerio
Robert Snow
Douglas Hatley Jr.**

Mayor:

All members of the City Council were present.

C. PUBLIC COMMENTS: None

D. REGULAR AGENDA:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d):
One Case**
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9:
One Case**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 p.m.

Mayor Hatley reported that Council met in Closed Session to receive information from the City Attorney and City Manager regarding both cases; Council gave them direction.



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B. ROLL CALL:

**Council: Darlene Dickison
Dave Linnet
Jose "Chuy" Valerio
Robert Snow
Mayor: Douglas Hatley Jr.**

All members of the City Council were present.

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

D. INVOCATION: Led by Mayor Hatley.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None

F. PUBLIC COMMENTS AND 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 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. **July 19, 2017 Claim Warrant - \$145,386.92.**
3. **July 19, 2017 Business License Report.**
4. **May 2017 Building Permit Valuation Report in the amount of \$743,167.27.**

Councilor Dickison moved to approve Consent Items 1-4; Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Abstain/Absent/Opposed: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS:

5. **Continued from July 11, 2017: Approve Engineers Report and adopt Resolution No. 07-25-2017-01 setting the District 1, Zone 2 2017/2018 City of Corning Lighting and Landscape annual assessment at \$91 per parcel (26 parcels) for phase 1 and \$4,914 for Phase 2 and declaring City's intent to levy and collect said assessment.**

Mayor Hatley opened the Public Hearing at 6:36 p.m. Public Works Director Dawn Grine presented this item announcing item discussion had been continued from the July 11 City Council Meeting in order to research and address concerns stated by Mr. and Mrs. Bergen regarding site maintenance and the proposed assessments.

Mrs. Bergen asked how the fees would be utilized going forward and asked what costs were incurred last year for maintenance. Ms. Grine stated that she could provide Mrs. Bergen with that information tomorrow. City Manager Kristina Miller stated her concerns stem from the fact that currently no lighting exists in the Phase 2 area therefore in the future, the assessment could possibly be reduced; she then explained the process to do so. With no further questions the Public Hearing was closed at 6:41 p.m.

Councilor Linnet moved to approve the Engineers Report and adopt Resolution No. 07-25-2017-01 setting the Fiscal Year 2017/18 Assessment at \$91 per parcel (26 parcels) for Phase 1 and \$4,914 for Phase 2 (54 future lots) for Landscaping and Lighting District 1, Zone 2. Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Abstain/Absent/Opposed: None. Motion was approved by a vote of 5-0.**

J. REGULAR AGENDA:

6. **Declare items as surplus and authorize donation to First Christian Church.**

Following introduction Councilor Dickison moved to declare three (3) Library tables and ten (10) chairs as surplus and authorize donation of these items to the First Christian Church. Councilor Valerio seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Abstain/Absent/Opposed: None. Motion was approved by a vote of 5-0.**

7. **Approve payment in the amount of \$23,539.84 to Hinkle Roofing for repair/replacement of the Blackburn rental house roof.**

Public Works Director Dawn Grine presented this item and informed Council the project had been completed and finalized. Councilor Snow moved to approve payment in the amount of \$23,539.84 to Hinkle Roofing for repair/replacement of the Blackburn rental house roof; and appropriate \$539.84 from Fund 001 – General Fund to FY 2017/2018 budget line number 620-6810-3500 – Building Maintenance/Airport. Councilor Dickison seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Abstain/Absent/Opposed: None. Motion was approved by a vote of 5-0.**

8. Request Council approval to install city sewer services at 24702 Gardiner Ferry Road (APN #075-290-026-000), Corning.

Public Works Director Dawn Grine presented this item and explained that the requesting resident resides outside the City Limits, but the City line runs in the street in front of her property. City Attorney Burgess suggested requiring the requesting resident sign an Agreement to annex into the City in the future should the City request an annexation.

Councilor Snow moved to direct Public Works to install a sewer connection at 24702 Gardiner Ferry Road, (APN # 075-290-026-000) in Corning after the associated Impact Fees of \$6,375 have been collected and following completion of an Agreement to annex this property into the City in the future should this be requested. Councilor Dickison seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Abstain/Absent/Opposed: None. Motion was approved by a vote of 5-0.**

9. Approve DigitalPath Inc. Rental Agreement Amendment.

City Manager Miller presented this item explaining that additional antennas have been added to the tower and the proposed five (5) year Lease Agreement has been negotiated to include, unless terminated, an automatic renewal for two (2) additional periods of five (5) years and renew on an annual basis thereafter. Each renewal shall occur based upon the same terms and conditions. The proposed amended Agreement increases the amount received by the City by \$6,300 in the first year and will increase by 3% annually thereafter. The proposed Lease Agreement terms include:

- Fee increase to \$825 per month (an increase from the current \$382.88/mo. fee) with an annual increase of 3% on the Agreement Anniversary date;
- Additional increase of \$50 per month for each additional antenna (of the same kind and with City's prior approval);
- Tenant agrees to provide Landlord (City) with two (2) free Express Service Internet connections (up to 6 Mbps or fastest available plan provide in the area) located at 794 Third Street Corning and a second location to be determined.

Councilor Snow moved to approve the DigitalPath Inc. Rental Agreement Amendment with any suggested City Attorney changes; Councilor Dickison seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Abstain/Absent/Opposed: None. Motion was approved by a vote of 5-0.**

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 that there was no Community Action Agency meeting and then reported on the Senior Center Board meeting.

Linnet: Reported that the JPA meeting will be next Thursday. He reported that the City sent a Fire Engine as part of a Strike Team to the Detwiler Fire.

Valerio: Reported there will be no Chamber of Commerce Meetings for 2 weeks.

Snow: Stated he was present when the Mesker Family donated a new scoreboard for Yost Park.

Hatley: Nothing.

N. ADJOURNMENT!: 6:54 p.m.

Lisa M. Linnet, City Clerk