



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, JULY 26, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET**

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.

A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council:

**Darlene Dickison
Dave Linnet
Tony Cardenas
Willie Smith
Gary Strack**

Mayor:

All members of the Council were present.

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

D. INVOCATION: Led by Mayor Strack.

E. PUBLIC COMMENTS: None.

F. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Presentation of Certificates by Restore Program Coordinator Tara Cory.

Mayor Gary Strack and Tara Cory, Restore Program Coordinator presented Certificates to Restore Program graduates Karina Ramon, Samatha Hernandez and Dylan Schroer. Mrs. Cory acknowledged and honored each student for their accomplishments.

G. BUSINESS FROM THE FLOOR: None

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 request 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. Waive the reading and approve the Minutes of the July 12, 2016 regular City Council Meeting with any necessary corrections.

4. July 26, 2016 Claim Warrant - \$1,002,441.01.

5. July 26, 2016 Business License Report.

6. Authorize Staff to seek Bids for Pruning 480 City Street Trees.

7. Accept Agreement with Aarel Striping & Engineering to provide and monitor a Stormwater Prevention Plan for the Corning Downtown Solano Street Streetscape Project.

Councilman Linnet asked to pull Consent Item 7 for further discussion.

Councilor Linnet moved to approve Consent Items 2-6 and Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

I. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. Accept Agreement with Aarel Striping & Engineering to provide and monitor a Stormwater Prevention Plan for the Corning Downtown Solano Street Streetscape Project.

Mayor Strack and Public Works Director Dawn Grine explained that this item required immediate action in regards to the Streetscape Project Intersections. It was further explained that the inclusion of the intersection work put the City over the 1 acre limit for the project thus requiring a Storm Water Pollution Prevention Plan (SWPPP) necessitating this Agreement immediately in order to prevent expensive project delays.

Councilor Linnet moved to accept the Consultant Agreement with Aarel Striping & Engineering for a Storm Water Pollution Prevention Plan for the Corning Downtown Area Streetscape Project, effective June 27, 2016 by signature of the City Manager and action of the City Council under Article IV of the Agreement. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

J. PUBLIC HEARINGS AND MEETINGS: None.

K. REGULAR AGENDA:

- 8. City Council initiate final action with the Board of Equalization related to the Transactions and Use Tax otherwise known as Measure "A" passed by the voters at the June 7, 2016 Primary Election through adoption and approval of the following:**
 - a. Adopt Resolution 07-26-2016-01, a Resolution of the City of Corning authorizing the Mayor to execute Agreements with the State Board of Equalization for implementation of a Local Transactions and Use Tax;**
 - b. Approve proposed Agreement for State Administration of City Transaction and Use Tax;**
 - c. Approve Agreement for preparation to administer and operate City's Transactions and Use Tax Ordinance; and**
 - d. Authorize the Mayor to sign said Agreements and direct the City Clerk to process and send requested certified copies to the Board of Equalization.**

With little discussion and noting that this is the final act necessary by the Council to enact the Transactions and Use Tax approved by the voters at the June 7, 2016 Primary Election, Councilor Smith moved to:

- Adopt Resolution 07-26-2016-01, a Resolution of the City of Corning authorizing the Mayor to execute Agreements with the State Board of Equalization for implementation of a Local Transactions and Use Tax; and
- Approve proposed Agreement for State Administration of City Transactions and Use Tax;
- Approve Agreement for preparation to administer and operate the City of Corning's Transactions and Use Tax Ordinance; and
- Authorize the Mayor to sign said Agreements and direct the City Clerk to process and send requested certified copies to the Board of Equalization.

Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

- 9. Award three-year Janitorial Service Agreement to Ochoa Office Cleaning Services for cleaning services at ten (10) City properties.**

Following a brief discussion, Councilor Linnet moved to approve Bid "B" for a three-year Janitorial Service Agreement to Ochoa Office Cleaning Services in the amount of \$1,860 monthly. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

- 10. Approve HOME (13-HOME-9015) Program, Owner Occupied Housing Rehabilitation Loan in the amount of \$47,197 at 3% simple interest deferred for 15 years.**

Mayor Strack introduced this item and City Clerk Lisa Linnet confirmed that the proposed loan would be funded entirely by the 13-HOME-9015 Program Grant and explained that the Loan Committee had reviewed the application and associated documents and found that the applicant met all qualifications for the loan.

Councilor Dickison moved to accept the recommendation of the City's Loan Review Committee to approve a "HOME Program" owner occupied housing rehabilitation loan in the amount of \$47,197 deferred for 15 years at three percent (3%) simple interest. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

11. Discussion and Action on Council consideration of restroom construction options at Clark Park.

Mayor Strack introduced this item by title and stated that following meetings amongst Staff, the members of the Little League Board and Luke Alexander (their spokesman), the Board is asking that Council change their opinion reached at the previous Special Meeting and allow them to demolish the existing bathroom/concession stand structure and build a new one with Volunteers and donations. Mayor Strack stated that the City Attorney, Little League Board Members & Luke Alexander are still working through some Prevailing Wage Workers Compensation & Liability Issues related to this project.

Councilman Linnet asked the reasons for not remodeling/repairing the existing building; Mr. Alexander and another member of the Little League Group responded. Councilman Cardenas agreed with Mr. Alexander. By consensus of the members of the Little League Board they believe the proposed project will be a benefit to the community.

Councilor Cardenas moved to authorize the Corning Little League Volunteers to demolish the existing concession/restroom building and construct a new concession/restroom building. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

12. Accept Agreement with Applied Testing Consultants for materials testing for the Corning Downtown Solano Street Streetscape Project.

Following some discussion, Councilor Cardenas moved for the City Council to accept the Consultant Agreement with Applied Testing Consultants for materials testing for the Corning Downtown Area Streetscape Project made effective June 30, 2016 through signature of the City Manager and action of the City Council under Article IV of the Agreement. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

13. Accept Progress Payment Estimate No. 3 to Trent Construction for the Streetscape Project in the amount of \$439,213.77 and accept Contract Change Order No. 3 increasing the contract amount to \$1,435,766.57.

Councilor Linnet asked about the cracked curb & gutter in front of the Museum and City Finance Office. He was informed by City Engineer Ed Anderson that replacement of that area was not included in the project however it could be replaced at a later date. Councilor Linnet also asked if there was a drain on the southwest side of the 6th Street intersection; Mr. Anderson stated he didn't believe there was.

Mayor Strack asked about a lighted crosswalk at West Street and Solano Street, do we need to find funding for this. Mr. Anderson stated that specific intersection is not part of the Streetscape Project so the City would need to find another funding source to do this.

Councilor Cardenas moved to accept Progress Payment Estimate No. 3 to Trent Construction for the Streetscape Project in the amount of \$439,213.77 and accept Contract Change Order No. 3 increasing the contract amount to \$1,435,766.57. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

14. Adopt Resolution 7-26-2016-02 declaring a Stage I Drought Condition in the City of Corning.

Following little discussion and clarification that, if approved, Stage I Drought Conditions make the water use reductions voluntary, **not** mandatory. Councilor Linnet moved to adopt Resolution 7-26-2016-02 declaring a Stage One Drought Condition in the City of Corning. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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

M. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

N. 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: Announced that the Community Action Tripartite Board meeting was cancelled due to lack of quorum however, in August they will hold their food give away.

Linnet: Stated that no carts were picked up, and that he attended a 6 minute JPA meeting.

Cardenas: Announced that Police Chief Fears, Restore Program Coordinator Tara Cory, a couple of members of the Nomlaki Tribe and himself recently met to discuss the Promise Grant. He informed the Council that Matt Russell is again applying for the grant. Only 3 or 4 grants will be awarded nationwide. Mr. Russell believes that we have a good chance of obtaining one of them. Councilor Cardenas stated that Tara Cory approached him about having students from the High School and Elementary School provide reports to the Council; by Council consensus the Council would like to proceed with this.

Smith: Reported on the Senior Center Bunko event to be held on Thursday night.

Strack: Announced the location and times that the Corning Cooling Centers will be open. He also provided an update on the Kaufman Building.

O. ADJOURNMENT!: 7:30 p.m.

Lisa M. Linnet, City Clerk