



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, JULY 28, 2015
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: 6:00 p.m.

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present. Councilor Linnet opted to not attend the Closed Session.

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:

Ross Turner and Susan Price both inquired as to the legalities of discussing the recruitment for the Police Chief, Building Official and Senior Accounting Technician positions in Closed Session. City Attorney Jody Burgess verified that in fact it was legal to discuss these positions in Closed Session. City Manager Brewer stated that his intention is to acquaint Council with his recruitment plans not seek their guidance. Both stated their hope that Council would only discuss recruitment for City Manager in Closed Session.

Councilor Linnet clarified exactly what could be discussed in a Closed Session and whether any of that discussion could be stated outside of the Closed Session. Mayor Strack stated that they would also be discussing the recruitment plans and schedule for hiring a City Manager in the Closed Session. Councilor Linnet stated that he did not want to attend the Closed Session if they would be discussing the other three positions.

Councilor Linnet abstained from the Closed Session.

D. REGULAR AGENDA:

1. PUBLIC EMPLOYMENT:

Pursuant to Section 54957(b)(1) of the California Government Code:

Public Employment - Recruitment for the following positions:

City Manager; Police Chief; Building Official; and Senior Accounting Technician.

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION:

Mayor Strack reported that Council met in Closed Session and discussed the recruitment of the City Manager, Police Chief, Building Official, and Senior Accounting Technician which will all become vacant by the end of the year. It was decided that the City Manager position would be through an open recruitment; the Police Chief would be a filled via a promotional in house recruitment to start with; the Senior Accounting Technician will be filled via open recruitment; and the Building Official the City is going to look at open recruitment and possibly via Contract as currently there is no one on Staff qualified for this position.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
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A. CALL TO ORDER: 6:40 p.m.

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Mayor Strack.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

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 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. Waive the reading and approve the Minutes of the July 14, 2015 City Council Meeting with any necessary corrections: Pulled from this Agenda...these Minutes will be provided for approval at the August 11, 2015 City Council Meeting.**
- 3. July 22, 2015 Claim Warrant - \$289,292.01.**
- 4. July 22, 2015 Business License Report.**
- 5. Adopt Resolution 07-28-2015-05 waiving the notification requirements per Government Code Sections for former County Court Building at 720 Hoag Street.**

6. Waive Recreational Use Fees for the 7th Annual Tucker Mesker Memorial Scholarship Softball Tournament Fundraiser on August 7th – 9th, 2015.

Ross Turner requested to pull Consent Item #5 for explanation of what the Council is asked to waive.

Councilor Smith moved to approve Consent Items 1-4 and 6; Councilor Dickison seconded the motion.

Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

5. Adopt Resolution 07-28-2015-05 waiving the notification requirements per Government Code Sections for former County Court Building at 720 Hoag Street.

Following a brief explanation by City Manager Brewer of the proposed waiver of the 60 day review period, Councilor Dickison moved to adopt Resolution 07-28-2015-05, a Resolution waiving notification requirements per Government Code Sections 25351 and 65402 as they relate to subleasing the former County Courts Building located at 720 Hoag Street. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

I. PUBLIC HEARINGS AND MEETINGS:

7. Adopt Resolution No. 07-28-2015-01, a Resolution of the City Council of the City of Corning declaring its intent to levy and collect annual assessment of \$63.08 for the City of Corning Lighting and Landscape District 1, Zone 1.

Mayor Strack opened the Public Hearing. Receiving no comments, the Mayor closed the Public Hearing. Councilor Cardenas moved to approve the Engineers Report that no increases are recommended and adopt Resolution 07-28-2015-01 setting the Fiscal Year 2015/2016 Assessment at \$63.08 per Parcel for Landscaping and Lighting District 1, Zone 1. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

8. Adopt Resolution No. 07-28-2015-02, a Resolution of the City Council of the City of Corning declaring its intent to levy and collect annual assessment of \$142.10 for the City of Corning Lighting and Landscape District 1, Zone 3.

Mayor Strack opened the Public Hearing. Receiving no comments, the Mayor closed the Public Hearing. Councilor Linnet moved to approve the Engineers Report and adopt Resolution 07-28-2015-02 setting the Fiscal Year 2015/2016 Assessment at \$142.10 per Parcel for Landscape and Lighting District 1, Zone 3. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

9. Adopt Resolution No. 07-28-2015-03, a Resolution of the City Council of the City of Corning declaring its intent to levy and collect annual assessment of \$4,772.90 for the City of Corning Lighting and Landscape District 1, Zone 4.

Mayor Strack opened the Public Hearing. Receiving no comments, the Mayor closed the Public Hearing. Councilor Dickison moved to approve the Engineers Report and adopt Resolution 07-28-2015-03 setting the Fiscal Year 2015/2016 Assessment at \$4,772.90 per Parcel for Landscape and Lighting District 1, Zone 4. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

J. REGULAR AGENDA:

10. Adopt Resolution 07-28-2015-04 Establishing the Fiscal Year 2015-2016 Appropriations Limit for the City of Corning.

Following a brief report by the City Manager, Councilor Cardenas moved for the Mayor and Council to receive the Report from the City Auditor and adopt Resolution 07-28-2015-04 establishing an Appropriations Limit for the City of Corning General Fund for Fiscal Year 2015-2016 in the amount of \$11,819,203. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

11. Adopt Resolution 07-28-2015-06 and approve the 2015-2016 Program of Services and Annual City Budget.

City Manager John Brewer presented and explained the proposed Budget. He stated that attached are the amended pages previously discussed by the Council at previous meetings.

Councilor Linnet addressed the City Management stating that it looks like we are going to pass this irresponsible Budget. He stated that the Public Works Director does not need to purchase a new vehicle, Police Chief, we are in 2015 now, and vehicles last for 200-250,000 miles, not 100,000...so you do not need to buy a new car. Fire Chief, thank you for offering to give back your Capital Improvement Funds however it looks like we are not going to take it, but I do thank you for trying to help get us to a balanced Budget which is what we should be signing every year.

Councilor Smith moved to adopt Resolution 07-28-2015-06 setting the Appropriation and Expenditure Limits for all City funds to implement the 2015-2016 Program of Service and Annual Budget. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent/Abstain: None. Oppose: Linnet. Motion was carried by a 4-1 vote with Linnet opposing.**

12. Approve modification to the Police Chief Job Description relating to Post Certifications.

City Manager Brewer provided a brief explanation of this request. Following a brief discussion, Councilor Cardenas moved to revise the "Other Requirements" section of the Police Chief Job Description to state:

1. Must possess a California Driver's License and have a satisfactory driving record; and
2. Must possess or have the ability to obtain Management, Supervisory and Advanced Certificates issued by the Commission on Peace Officer Standards and testing.

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

13. Approve Agreement between the City and County of Tehama for contribution and expenditure of certain FY 2015 Board of State and Community Corrections, Edward Byrne Justice Assistance Grant (JAG) for the Adolescent Diversion Program (ADP) in the amount of \$40,000.

Following a brief explanation of this Agreement and funding by City Attorney Jody Burgess and Councilor Cardenas, Councilor Smith moved that Mayor and Council approve the attached Agreement with the understanding that the County must hereafter take the same Agreement to its Board of Supervisors for approval. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

14. Approve the purchase and installation of Emergency 911 Equipment for the Fire Department Dispatch. (Continued from the July 14, 2015 Meeting.)

Audience member Susan Price, Chief Spannuas and Councilor Linnet all spoke in favor of approving the purchase and installation of the Emergency 911 Equipment for the Fire Department Dispatch. Mayor Strack and Councilors Cardenas, Dickison, and Smith all stated their preference in waiting until the Budget Ad Hoc Committee concludes their research stating the City has time to await this information before proceeding.

Councilor Cardenas moved for Mayor and Council to table the selection of AT&T as the 911 Vendor and any action to authorize the Department to proceed with the purchase and installation of the Emergency 911 Equipment to be delayed until Council can consider the comments and suggested direction of the Advisory Committee on the General Fund Budgetary Matters. Councilor Dickison seconded the motion. Mayor Strack asked that the motion include a stipulation that this be brought back to the Council for a decision in January (Councilor Cardenas amended his motion to include the stipulation that this item be brought back to the Council in January 2016 for a decision). **Ayes: Strack, Dickison, Cardenas and Smith. Absent/Abstain: None. Oppose: Linnet. Motion was carried by a 4-1 vote with Linnet opposing.**

16. Appoint AD Hoc Committee for City Manager Recruitment and Selection Process.

Susan Price stated her belief that all five of the Council should participate on this Committee rather than appointing a two person Ad Hoc Committee. She also stated that she believes that the recruitment time limit is compressed. Mayor Strack stated that the entire 5 Council Members would participate in the applicant selection.

Mayor Strack appointed himself and Chief Cardenas to the Ad Hoc Committee to review and check applicant information.

17. Approve Contract Change Order No. 2 in the amount of \$9,776.15, increasing the Contract cost to \$447,710.27; and approve Partial Payment Estimate No. 1 in the amount of \$96,172.34 to Stimpel-Wiebelhaus for the 2015 CDBG Street Paving Project.

Mayor Strack asked a question regarding the striping in front of Les Swab, should that particular block be painted rather than thermo-plastic? City Engineer Ed Anderson responded stating that we are not talking much cost to change this when the Streetscape Project is completed.

Councilor Cardenas moved to approve Contract Change Order No. 2 increasing the Contract amount by \$9,776.15 for a total contract amount of \$447,710.27; approve Partial Payment Estimate No. 1 in the amount of \$96,172.34; retain the 5% Contract Retention of \$4,808.61; and issue payment in the amount of \$91,363.73 to Stimpel-Wiebelhaus Associates for the 2015 CDBG Street Paving Project. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Oppose: None. Motion was carried by a 5-0 vote.**

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

An audience member requested, in the interest of conserving water, could the fountain in the hallway be repaired; this was noted by City Manager Brewer.

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 on the July 16th Tripartite Board Meeting.

Linnet: Reported on the JPA 2 Meeting and stated that the graffiti tagging has picked up.

Cardenas: Provided an update on the Rodgers Theatre...they have received the plans to expand the stage and will be starting the demolition of part of the stage and begin the expansion. They have also received the basic plans for the loge area and hope to have it possibly available for the Hometown Christmas. He also stated that the State Theater has donated their old sound system and their old counter. Councilor Dickison reported that the foundation also received a grant from the Tehama County Arts Council which will fund the purchase of chairs. It was also stated that tickets will be sold for a bike to be awarded at the Olive Festival.

Smith: Reported on the Ice Cream Social held at the Senior Center.

Strack: Stated he would be attending a Transportation Meeting on July 30th.

N. ADJOURNMENT!: 7:35 p.m.

Lisa M. Linnet, City Clerk