



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MEETING MINUTES**

**TUESDAY, JUNE 14, 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: 6:00 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.

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:

D. REGULAR AGENDA:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9:
One Case**

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

Mayor Strack reported that Council met in Closed Session with the City Manager and the City Attorney and gave them direction.

Lisa M. Linnet, City Clerk



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

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

All members of the City Council were present.

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

D. INVOCATION: Led by Tony Cardenas.

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

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

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

Ross Turner: In regards to the Part-Time Planning Consultant contract that is to expire on June 30th...is the individual currently doing the job going to continue, or will it be advertised? City Manager Kristina Miller stated that it will be brought before the Council for discussion and possible action at the next meeting.

Chief Spannaus: Announced that the Volunteer Fire Department has acquired a 1998 Fire Truck to replace Engine 6, the 1978 Van Pelt Engine. He stated that it will be the Volunteers Engine and City Manager Miller stated that it will be insured by the City. Mayor Strack expressed the City's appreciation, stating that the Volunteers are a great bunch.

Corning Little League: A member of the Little League Board spoke stating that they now have the proposed building Plans from Luke Alexander for the new restroom/concession building at Clark Park. They are awaiting visual Plans from the City as well as an approved building location. City Engineer Ed Anderson confirmed that they are looking for a floor/site plan as well as a cost estimate (Engineer's Estimate) from the City. Public Works Director Dawn Grine stated that she believes the City can get this to the Board before Friday. The City Attorney again explained the legalities relating to donated materials/services as applies according to the State Labor Codes. Mayor Strack confirmed that this will be brought back to the City Council on June 28th.

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 May 24, 2016 City Council Meeting with any necessary corrections:**
- 3. June 8, 2016 Claim Warrant - \$216,980.55.**
- 4. June 8, 2016 Business License Report.**
- 5. May 2016 Wages & Salaries: \$331,175.12.**
- 6. May 2016 Treasurer's Report.**
- 7. May 2016 City of Corning Wastewater Operations Summary Report.**

8. **May 2016 Building Permit Valuation Report in the amount of \$590,594.09.**
9. **Authorize transfer of remaining donated bags of rubberized bark to the Corning Elementary School District.**
10. **Adopt Resolution No. 06-14-2016-01 appointing Community Service Officer Ron Robbins as the City's voting member to the Tehama County Abandoned Vehicle Abatement Service Authority and Tom Watson as the alternate.**
11. **Appoint City Public Works Director Dawn Grine to the Tehama County Flood Control & Water Conservation District Groundwater Commission.**
12. **Award Bid to furnish and install a 60 HP Pump & Motor at the Blackburn Well to Durham Pump, Inc. in the amount of \$37,469 and authorize the City Manager to sign associated Contract.**
13. **Re-authorize the Public Works Department to seek formal bids for a three-year Janitorial Service Agreement.**

City Manager Miller stated that Consent Item 12 is being pulled for changes to the proposed contract, and Councilor Cardenas asked to pull Consent Item 13 for clarification.

Councilor Linnet moved to approve Consent Items 1-11 and Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Abstain/Absent/Opposed: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

- 12 **Award Bid to furnish and install a 60 HP Pump & Motor at the Blackburn Well to Durham Pump, Inc. in the amount of \$37,469 and authorize the City Manager to sign associated Contract.**

This was pulled by the City Manager for review by the City Attorney for possible revisions to the Contract.

- 13 **Re-authorize the Public Works Department to seek formal bids for a three-year Janitorial Service Agreement.**

Councilor Cardenas commended Staff for proposing measures to reduce costs; and he wanted to ensure that whoever opens/closes the restrooms does in fact do this. Councilor Cardenas moved to re-authorize Public Works to seek Bids for a three-year (3) Janitorial Service Agreement to provide janitorial services to 10 City locations. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Abstain/Absent/Opposed: None. Motion was approved by a 5-0 vote.**

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

14. **Authorize the City Manager to negotiate with and purchase a new F350 Truck from Corning Ford.**

Following a brief explanation by the City Manager, Councilor Cardenas moved to reject the Bids received for non-conformity (Bid solicitation was for a 2016 Ford F350 and all Bids received were for 2017 trucks), make the finding that the City's needs are better met to negotiate directly with Corning Ford to solicit a purchase price for the 2016 Ford F350 Truck; and authorize the City Manager to negotiate for, and purchase a new 2016 F350 Truck from Corning Ford for a total price not to exceed \$24,000. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Abstain/Absent: None. Opposed: Linnet. Motion was approved by a 4-1 vote with Linnet opposing.**

15. **Approve selection of AT&T as the 911 Vendor and authorize the Fire Department to proceed with the purchase and installation of the Emergency 911 Equipment at the City's Fire Dispatch Center.**

Councilor Dickison moved to approve the selection of AT&T as the 911 Vendor and authorize the Department to proceed with the purchase and installation of the Emergency 911 Equipment. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Abstain/Absent/Opposed: None. Motion was approved by a 5-0 vote.**

16. Adopt Resolution 06-14-2016-02, a Resolution declaring a public nuisance on 30 properties within the City and authorize the Fire Chief to initiate abatement procedures.

Councilor Linnet moved to adopt Resolution 06-14-2016-02 declaring a public nuisance on the thirty (30) properties listed on the attached Exhibit "A", find that such conditions are seasonal and recurrent nuisances; and authorize the Fire Chief to initiate abatement procedures on these properties/parcels as outlined in the City's Municipal Code. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Abstain/Absent/Opposed: None. Motion was approved by a 5-0 vote.**

17. Accept Progress Pay Estimate No. 2 to Trent Construction in the amount of \$163,117.91, and accept Contract Change Orders No. 1 & 2 decreasing the Contract amount to \$1,205,972.40 for the Downtown Streetscape Project.

Mayor Strack asked about installing the lighted crosswalks on West Street, inquiring whether the City should investigate finding funding to accomplish this. Councilor Linnet asked whether all the curb and gutter is being replaced on the blocks between Sixth and West Street; City Engineer Ed Anderson stated no, however he confirmed that the bad gutters in front of Les Schwab will be replaced and the bad sidewalk between 6th Street and Les Schwab on the north side will be replaced. Councilor Cardenas confirmed that the entire intersections will be removed and the street will be lowered to meet ADA compliance.

Ross Turner asked if the City will be responsible to replace the trees removed from Les Schwab; he was informed no, the removed trees were on Les Schwab property.

Councilor Dickison moved to accept Progress Pay Estimate No. 2 to Trent Construction for the Streetscape Project in the amount of \$163,117.91; and accept Contract Change Order No. 1 & 2 decreasing the contract amount to \$1,205,972.40. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Abstain/Absent/Opposed: None. Motion was approved by a 5-0 vote.**

18. Adopt Resolution 06-14-2016-03, a Resolution authorizing the City Manager to execute Agreements with the California Transportation Commission and/or the California Department of Transportation for Alternative Transportation Infrastructure Improvements through the Active Transportation Program.

City Manager Kristina Miller provided a brief explanation of this item and confirmed that this ties in with the Bike and Pedestrian Plan Improvements and would be fully funded by a grant. Councilor Cardenas moved to adopt Resolution 06-14-2016-03 authorizing the City Manager, or her designee, as the authorized person to enter into Contracts and execute all funding Agreements and any amendments thereto with the California Transportation Commission and/or the California Department of Transportation for alternative transportation infrastructure improvements through the Active Transportation Program. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Abstain/Absent/Opposed: None. Motion was approved by a 5-0 vote.**

Two applications were submitted, one for First street, and another for South Street per Public Works Director Dawn Grine. Mayor Strack stated that the City should be receiving something relating to East Fig Lane by Clark Park/Centennial School.

19. City Council review and approve the proposed amendment to the Nepotism Policy listed in the City's Personnel Rules and Regulations.

Councilor Linnet moved to amend Section 7.9 of the Personnel Rules and Regulations to read: "No close relative (defined as a parent, spouse, child, brother, or sister) of a City Management Employee may be hired to work in the same department as the City Management Employee. No Close relative of the City Manager, Mayor or City Council can be hired while either Mayor, Council Member or City Manager are serving as City Officials."

Seasonal Lifeguards hired on an annual basis are exempt from the nepotism policy.

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

20. Presentation of the Fiscal Year 2016-2017 Program of Service and Annual Budgets for discussion if:

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

- a) **Measure A Passes; and**
- b) **Measure A Doesn't Pass.**

City Manager Kristina Miller presented the Budget stating that on June 28th Staff will ask that the Council pass the proposed Budget listed as: a) Measure "A" Passes.

Councilor Cardenas confirmed that the numbers presented in the draft budget were an estimate based upon the information staff has today. He also stated that, with the passage of Measure A, although the funds go into the General Fund, it was intended to maintain Fire and Police Dispatch Services.

Susan Price confirmed that, although she understands that Capital Improvements will not be made this year, that the City has a Capital Improvement Plan. She was informed by City Manager Miller it did, although she stated that past practice relating to the Capital Improvement Plan was not formulated the way she believes it should in regards to depreciation. Mrs. Price stated her belief that it is important to have the budget passed by line item, and emphasized the importance of transparency.

Chief Fears stated that he plans on utilizing Volunteers to substantiate the reduction in Police Department Overtime and Compensatory Time.

Dave Demo, thanked Susan Price, Crystal Linnet, and Jerod Smith for their help with the passing of Measure A stating it is his belief that it would not have passed if not for their work.

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: Will be attending the Community Action Tripartite Board Meeting on Thursday.

Linnet: Announced the "Open House" at the new JPA Office.

Cardenas: Nothing

Smith: Nothing

Strack: Thanked everyone who worked on helping "Measure A" get passed. Confirmed no change to the water restrictions and stated that we might get a reminder on the water bills.

N. ADJOURNMENT!: 7:40 p.m.

Lisa M. Linnet, City Clerk