



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, JUNE 23, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:30 p.m.

B. ROLL CALL:

Council:

**Becky Hill
Ross Turner
Toni Parkins
John Leach
Gary Strack**

Mayor:

All Council Members were present.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

Councilor Leach gave the invocation and City Manager Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

Presentation of Plaque Honoring Eagle Scout Dustin Mills by Mayor Strack on behalf of the City of Corning, and presentation of a Corning Rotary Certificate by in-coming President Kyle Lauderdale.

Mayor Strack presented Dustin Mills a plaque from the City honoring his achievement in obtaining the high honor of Eagle Scout. Police Chief Tony Cardenas presented a Certificate on behalf of Corning Rotary to Eagle Scout Dustin Mills.

E. BUSINESS FROM THE FLOOR:

Councilor Turner addressed the audience and Council regarding the budget, see attached printout.

Gloria Warren addressed the Council in support of the Recreation Department.

Councilor Hill requested that an Emergency Resolution, No. 06-23-09-01 A Resolution of the City Council of the City of Corning authorizing the City Attorney to cooperate with the League of California Cities, other Cities and Counties in Litigation Challenging the Constitutionality of any seizure by the State Government of the City's Street Maintenance Funds, be added to the Agenda. She explained that the proposed Resolution was received by the City from the League of California Cities today and required immediate action. Councilor Turner moved to add Emergency Resolution No. 06-23-09-01 to tonight's City Council Meeting Agenda. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

Councilor Hill and City Manager Kimbrough briefly outlined the reasons behind this Resolution and stated that the League of California Cities supports this Resolution. They explained that the Resolution specifically addresses the illegal taking of City funds by the State. Mr. DeScala asked if the City would bear any legal fees associated with this action; Mayor Strack stated that there could be, however none that is recognizable at this time.

Councilor Hill moved to approve Resolution No. 06-23-09-01 and authorize the City Attorney to cooperate with the League of California Cities, other Cities and Counties, in litigation challenging the constitutionality of any seizure by the State Government of the City's Street Maintenance Funds. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner,**

Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.

Walter Dodd addressed the Council requesting a copy of the Resolution just added to the Agenda and approved by the Council; he was presented a copy.

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 9, 2009 Meeting with any necessary corrections.**
3. **June 17, 2009 Claim Warrant - \$169,393.55.**
4. **Business License Report – June 2009.**
5. **Transfer of \$1,925 in Designated Funds to Animal Control Spay and Neuter Voucher Program.**
6. **City Attorney Employment Agreement – Modify Method of Providing Retirement Contribution.**
7. **Approve Agreement with Tehama County for City Transportation Center Janitorial Services and Authorize the City Manager to Sign Agreement.**

Mayor Strack noted that some dates stated in the Staff Report for Item 7 were incorrect and gave the correct dates. He then introduced each of the Consent Agenda Items by title.

Councilor Leach asked to pull Consent Item 7, and Councilor Turner asked to pull Consent Item 6 for further discussion.

Councilor Hill moved to approve Consent Items 1-5. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

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

6. **City Attorney Employment Agreement – Modify Method of Providing Retirement Contribution.**

Dean Cofer stated his views on the subject, asked when the change in PERS regulations occurred, and questioned whether this proposal is legal stating that he believes it to be a gift of public funds. He advised the Council to obtain outside Council or obtain information and advice from PERS.

Councilor Turner moved to postpone action on this item until the City obtains more information. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

7. **Approve Agreement with Tehama County for City Transportation Center Janitorial Services and Authorize the City Manager to Sign Agreement.**

Councilor Leach clarified that Ken Vaughn does the janitorial for the Transportation Center. Councilor Leach moved to approve the Agreement with Tehama County for City Transportation Center Janitorial Services and Authorize the City Manager to sign the Agreement. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. **PUBLIC HEARINGS AND MEETINGS:** None.

I. **REGULAR AGENDA:**

8. Presentation by Marc Nemanic, Tri-County Economic Development.

Marc Nemanic of Tri-County Economic Development addressed the Council regarding the services that Tri-County EDC provides to the City. Mr. Nemanic presented the "Core Assets of the Organization". He stated that Tri-County Economic Development is an Economic Development District and serves 3 Counties and 9 Cities. Mr. Nemanic outlined the current EDD Projects (10) stating that Corning's Housing Element is one of these. He stated that the organization was formed in 1985 but didn't start lending until 1987.

Mr. Nemanic outlined the benefits to Corning during the period of time from 1999 – 2008, the total in loans and Grants has been \$874,193. Mr. DeScala asked what kind of projects in Corning that Tri-County Economic Development funded. Mr. Nemanic listed some of them, such as the Wellness Center, Dr. Robertson's Office, etc.

9. Presentation – Draft State Route 99 Transportation Concept Report (PowerPoint Presentation by Kathy Grah of the California Department of Transportation – District 2).

Ms. Grah outlined the report for the Council stating that this is a requirement for Federal and State long-range planning and obtaining funding. She explained what to expect in the next 20 years such as an increase in traffic volumes, an increase in speed, etc.

Councilor Turner asked if the property bought and sold was the old Foothill property; Kathy stated she thought it was a different property. Mayor Strack stated that City Staff has presented some comments to Kathy already. Dean Cofer asked if this would generate State funding to improve Solano Street, he was informed that this study is for Hwy. 99-E; not Hwy. 99-W.

This was a presentation only; no action by Council was required.

10. Review Proposal From Second Chance Pet Rescue – Discussion and Direction.

Mayor Strack introduced this item by title. Debbie Eaglebarger addressed the Council stating that she had presented the Council with an alternative proposal which requests that only the adoption fees go to Second Chance Pet Rescue, the other fees go to the City and the service will continue as currently is. She also stated that all the fees should be raised. Mayor Strack asked the Council if they would like to make the decision during the budget discussion, by consensus the answer was yes.

11. Presentation and Discussion of the 2009 – 2010 City Budget, Discussion and Action.

Councilor Hill requested a five-minute break and Mayor Strack adjourned the meeting at 8:35 p.m. for five minutes. The meeting was reconvened at 8:40 p.m.

Councilor Leach addressed the audience with his suggestions on Budget Cuts (see attached). Mayor Strack stated that he and John are about 6,000 miles apart. Mayor Strack stated that City Staff has come up with a \$4,300 dollar annual savings by discontinuing the contract for the 5 pay phones.

Councilor Hill: Stated she was not in agreement with eliminating the Planning Director, Assist. Public Works Director, Building Official etc.. She also stated that as much as she does not like it, she is in favor of the City Managers suggestion of considering the employee furloughs. Mr. Cofer stated that he did not know what the City Manager suggested and was informed that there were handouts outlining this suggestion. Mr. Kimbrough then outlined the status of the budget

and his suggested actions. Mr. Kimbrough stated that his proposed plan requires a commitment from the City and City employees.

Councilor Hill explained that eliminating the part-time attorney position hasn't worked in the past and was more costly...it didn't work. Mr. Cofer stated that at the last meeting Council was not opposed to cutting the Recreation Supervisor, however at this meeting when Councilor Leach suggested cutting the Planning Director position members of the Council are against it, is this a sacred cow?

Councilor Parkins stated her support of the proposal by the City Manager. She stated that she is adamantly opposed to cutting City Staff. She also stated that she would take a 20% cut in her Council stipend. Councilor Hill stated that she would be willing to do this also.

Councilor Parkins moved to implement the City Manager's Plan of Action. Councilor Hill seconded the motion. **Ayes: Strack, Hill, and Parkins. Opposed: Turner and Leach. Absent/Abstain: None. Motion was approved by a 3-2 vote.**

By Council consensus, the budget will be brought back to Council on June 30th at 7:30 p.m. for further review and discussion.

J. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

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

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

12. Hill: None.

13. Turner: None

14. Parkins: None

15. Leach: Reported on the Tripartite Meeting and Tri-County Economic Development meeting.

16. Strack: Requested that City Attorney Mike Fitzpatrick contact the members of the Rodger's Theatre Non-Profit to schedule a meeting.

M. **ADJOURNMENT!:** The Meeting was adjourned at 9:47 p.m. to June 30th at 7:30 p.m.

Lisa M. Linnet, City Clerk