



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MARCH 24, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

**Hill
Turner
Parkins
Leach
Strack**

Mayor:

All Councilmembers 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.

No comments were received in relation to the Closed Session.

C. ADJOURN TO CLOSED SESSION: 6:31 p.m.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

**Agency Negotiator: William May, Labor Relations Consultant
Miscellaneous Employee Bargaining Unit
Management Employee Bargaining Unit**

**CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation, Initiation of
Litigation pursuant to subdivision (c) of section 54956.9.**

**City Attorney and Planning Director regarding possible litigation:
Corning West Apartments.**

D. RECONVENE AND REPORT ON CLOSED SESSION: 7:30 p.m.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

**Agency Negotiator: William May, Labor Relations Consultant
Miscellaneous Employee Bargaining Unit
Management Employee Bargaining Unit**

Mayor Strack reported that the Council had met with the City's Labor Negotiator and gave him direction.

**CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation, Initiation of
Litigation pursuant to subdivision (c) of section 54956.9.**

**City Attorney and Planning Director regarding possible litigation:
Corning West Apartments.**

Mayor Strack reported that Council met with City Staff and the City Attorney and gave direction based upon the information presented.

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

F. INVOCATION AND PLEDGE OF ALLEGIANCE:

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

G. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

1. **Proclamation – April 2009 Sexual Assault Awareness Month and April 22, 2009 as “Denim Day California” in the City of Corning.** (Michelle Bouma, Counselor/Community Outreach for Rape Crisis Intervention and Prevention will be present to accept the Proclamation.)

Mayor Strack presented the Proclamation to Michelle Bouma, Counselor/Community Outreach for Rape Crisis Intervention and Prevention.

2. **Proclamation – Designating May 2009 as “Relay for Life Month” in the City of Corning.** (Present to accept the Proclamation will be Jean Anderson, Corning Representative of Relay for Life, and Richard Scheuler, Relay Events Coordinator.)

Mayor Strack presented the Proclamation to Jean Anderson Corning Representative of Relay for Life and Richard Scheuler, Relay Events Coordinator. Ms. Anderson stated that May 1st is “Paint Your Town Purple Day”. Councilor Hill challenged the Council and all City Staff to wear purple on May 1st.

H. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT: Not present.

I. BUSINESS FROM THE FLOOR: None.

J. 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.

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **Waive the Reading and Approve the Minutes of the March 10, 2009 Meeting with any necessary corrections.**
5. **March 18, 2009 Claim Warrant - \$210,951.57.**
6. **March 18, 2009 Business License Report.**
7. **Ratify Memorandum of Understanding between City and Operating Engineers Local #3 Representing City of Corning Public Safety Bargaining Unit.**
8. **Ratify Addendum to Employee Memorandum of Understanding Limiting Vacation and Compensatory Time Accrual for Miscellaneous Bargaining Units.**

Mayor Strack introduced the Consent Agenda Items by title and stated that he would like to pull Item 7 to address as a separate item.

With no further discussion on the remaining Consent Agenda Items, Councilor Turner moved to approve Consent Agenda Items 3-6 and 8. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

K. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. Ratify Memorandum of Understanding between City and Operating Engineers Local #3 Representing City of Corning Public Safety Bargaining Unit.

Mayor Strack confirmed that the increased cost to the City in the first year of the MOU would be \$28,824 and \$68,000 in the two following years.

With no further discussion, Councilor Parkins moved to ratify the Memorandum of Understanding between the City of Corning and the Operating Engineers Local #3 representing the City of Corning Public Safety Employees Bargaining Unit. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

L. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Mayor declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.

9. Continued Public Hearing and Action on Request for Disposal Service Rate Increase.

Mayor Strack introduced this item by title adding that at the last Public Hearing two Councilmembers were appointed to meet with Tim Magill of Waste Management to discuss a reduction of the proposed CPI increase and the Public Hearing was continued to the next City Council Meeting (tonight). He then reopened the Public Hearing at 7:47 p.m.

Mayor Strack announced the proposed rate changes resulting from the meeting between Mayor Strack and Vice Mayor Hill, Tim Magill of Waste Management and City Staff. He stated that from this meeting, the proposed rate increase for this year would be 2.47% for CPI and 2% increase for fuel cost adjustment, for a total increase this year of 4.47% (with an additional 2% automatic deferred increase for CPI postponed until April 1, 2010).

With no further discussion, Councilor Hill moved to, having conducted the Public Hearing and receiving all protests, consider and approve the final rate increase by approving "Exhibit C Amended" effective April 1, 2009 reflecting a 2.47% Consumer Price Index Increase and a 2% fuel cost adjustment, for a total of 4.47% as reflected in the rate schedule and postponing a portion (2%) of the CPI to April 1, 2010, as also shown on the attached rate schedule in the right hand column. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, and Parkins. Opposed: Turner and Leach. Absent/Abstain: None. Motion was approved by a vote of 3-2 with Councilors Turner and Leach both opposing.**

M. REGULAR AGENDA:

10. Presentation and Request for Approval of the Five-Year Regional Agency Integrated Waste Management Plan Review Report by Kristina Miller, Solid Waste Program Manager, Tehama County Sanitary Landfill Agency.

Kristina Miller, Tehama County Sanitary Landfill Agency Solid Waste Program Manager presented the 5-year Regional Agency Integrated Waste Management Plan Review Report to the City Council outlining the content of the report.

With no discussion, Councilor Turner moved to approve the Five Year Regional Agency Integrated Waste Management Plan Review Report. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

11. Presentation on the \$28,538 Department of Conservation Multi-Family Recycling Grant for the City of Corning by Kristina Miller, Solid Waste Program Manger, Tehama County Sanitary Landfill Agency.

Kristina Miller, Tehama County Sanitary Landfill Agency Solid Waste Program Manager reported on the \$28,538 Department of Conservation Multi-Family Recycling Grant for the City of Corning. She provided the Council with an outline of the Recycling Grant stating that following submittal of this Agenda Item she had received a "Stop Notice" from the State due to a lack of funding.

12. Presentation by D. Andrew Cox of the Tehama County Mosquito and Vector Control District's "End of Year Report – 2008".

D. Andrew Cox presented the Tehama County Mosquito and Vector Control District's "End of the Year 2008" Report.

13. Proposed Amendment to City Council Rules of Procedure (Vice Mayor).

Mayor Strack introduced this item by title explaining that this is a revision to the existing Codes enabling, via a rotation schedule, each member of Council to serve as Vice Mayor.

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

O. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

P. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

14. Hill:

15. Turner: None.

16. Parkins: None

17. Leach: Reported on his attendance at the Tripartite Board and Tri-County Economic Development Meetings.

18. Strack: Reported on the Transportation Commission meeting. He then stated that he had presented Council and the City Attorney with a listing of placements on the Rodgers Theatre Board.

Q. ADJOURNMENT!: 8:15 p.m.



Lisa M. Linnet, City Clerk