



**CITY OF CORNING  
CITY COUNCIL MEETING MINUTES**

**TUESDAY, MARCH 9, 2010  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 7:00 p.m.**

**B. ROLL CALL:**

**Council:**

**Vacant**

**Ross Turner**

**Toni Parkins**

**John Leach**

**Mayor:**

**Gary Strack**

All Council Members were present with one vacancy on the Council.

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. ADJOURN TO CLOSED SESSION: 7:02 p.m.**

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

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Pursuant to Section 54956.8:**

Mayor Strack announced that Council met with the Property Negotiators and gave them direction.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

**Pursuant to subdivision (c) of Government Code Section 54956.9:**

Mayor Strack announced that the City is filing a civil suit against the Comfort Inn for delinquent transient occupancy taxes due the City.

**E. PLEDGE OF ALLEGIANCE:** City Manager Kimbrough led the Pledge of Allegiance.

**F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS:**

- 1. Proclamation: Proclaiming the Week of March 7, 2010 as Girl Scout Week in the City of Corning.** City Clerk Lisa Linnet read the Proclamation and Mayor Strack presented it to Wini Peterson and Girl Scout members that were present.
- 2. Proclamation: Proclaiming 2010 as the "Year of Happiness".** City Clerk Lisa Linnet read the Proclamation and Mayor Strack presented it to Edwin Edebiri of the nonprofit organization "I am Happy Project".

**G. BUSINESS FROM THE FLOOR:**

Mayor Strack announced the need to add an item to the Agenda as an "Urgency Item" stating that this item was brought to the attention of City Staff following the posting of the Agenda and requires immediate attention. City Attorney Michael Fitzpatrick introduced the item, "Consideration of Appointing Council Member to Board of Corning Community Foundation" explaining that according to an IRS representative processing the Foundation's application for federal tax-exempt status, at least one member of the City Council is required to be on the Foundation's Board of Directors.

Councilor Turner moved to add this item to the Agenda as an "Urgency Item". Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Council.** Mayor Strack then announced that this would be added to the Agenda for discussion as the last item on the Agenda.

Leslie Wilbourn addressed the Council stating her concern for the local youth after hearing news that the Recreation Program and the City Pool might be shut down. She announced her support for the Recreation Program, and asked "can't we save these somehow"? Mayor Strack stated that we have to look at everything within the budget this year, however no decisions have been made yet.

Dean Cofer informed the Council that the Corning Skate and Bike Park Association is currently putting together a letter making a similar request to keep Recreation Supervisor Kimberly Beck and the City's Recreation Program.

Corning Skate and Bike Park Association member John Richards presented an update to the Council and announced that they plan to provide a skateboard presentation at the May Madness event.

- 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 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 following Meetings with any necessary corrections:**
    - a. **February 9, 2010; and**
    - b. **February 23, 2010; and**
    - c. **February 23, 2010 Closed Session**
  5. **March 3, 2010 Claim Warrant - \$59,566.98.**
  6. **March 3, 2010 Wages and Salaries - \$337,070.86.**
  7. **February 2010 – Treasurer's Report.**
  8. **March 2010 Building Permit Valuation - \$60,964.64.**
  9. **City of Corning Wastewater Operation Summary Report – February 2010.**
  10. **Resolution 03-09-10-01 Adopting the City's Conflict of Interest Code with No Changes.**

Mayor Strack introduced each item on the Consent Agenda by title. With no discussion, Councilor Turner moved to approve Consent Items 3-10. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Council.**

I. **ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

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

K. **REGULAR AGENDA:**

Councilor Turner made a motion to move Item 14, "Review of Applicants and Possible Selection of Council Member to Complete former Council Member Becky Hill's term" as the first item for

discussion and decision on the regular agenda. By consensus of the Council this reorganization of the regular agenda was done.

**14. Review of Applicants and Possible Selection of Council Member to Complete former Council Member Becky Hill's term.**

Mayor Strack stated the names of the four who responded with letters of interest outlining their various qualifications. He announced that one of the applicants; Sheree Parish-Liddell has asked to be removed from consideration due to a conflict in her school schedule. Mayor Strack stated that he would like to see someone appointed with experience with City processes and budgeting, especially during this difficult time, therefore his vote is for Darlene Dickison. Councilor Parkins stated she would like to see Mr. Lopez run during the next election, however she feels that during this budget crisis we should fill the position tonight with Mrs. Dickison. Councilor Leach stated he believed the Council should wait until the next election and let the voters of Corning chose who sits on this Council. Councilor Turner stated his agreement with Councilor Leach, that the citizens of Corning should make the choice not the four of us.

Mayor Strack stated he believes that we have a grave situation in the City of Corning and we are going to need all the help we can get. Councilor Parkins stated that this appointment will only be until next December, no harm – no foul to putting someone on the Council until December. Mayor Strack stated his belief that our Staff and the Citizens of Corning need the Council to appoint someone as there is a good possibility that the votes will go to a 2-2 vote, therefore they'd be put off. He further stated that even if he lost on a 3-2 vote the Council could still keep the City going, by not appointing we are hindering the City and slowing it down. Councilor Leach stated that the Mayor was entitled to his opinion, we all have that right however he still believes the election process is best.

Mayor Strack moved to appoint Darlene Dickison to the Council to complete the term of former Councilor Becky Hill. Councilor Parkins seconded the motion. **Ayes: Strack and Parkins. Opposed: Turner and Leach. The motion was not carried on a tied vote.**

With no other motions for appointment, Mayor Strack stated it was clear that no appointment would be made tonight therefore we will move on with the agenda.

**11. Request for Annual Tehama County State Fair Exhibit Contribution From the City of Corning in the amount of \$200.**

Mayor Strack introduced this item by title. Councilor Turner moved to approve the \$200 contribution. Councilor Parkins seconded the motion. Mayor Strack stated that he doesn't think the City should do this now during these economic times. After some discussion, Councilor Leach agreed with the Mayor. Councilor Parkins motioned to not contribute the cost of \$200 for the annual Tehama County State Fair Exhibit and Councilor Turner then amended the motion to state that Council Members could contribute up to the \$200 individually for the annual Tehama County State Fair Exhibit. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy.**

**12. City Budget – Reducing the Cost of Service Delivery.**

Mayor Strack introduced this item by title and City Manager Kimbrough provided a report outline emphasizing that City Staff is committed to qualifying and quantifying each of the items Council has suggested. He further stated that Staff would be coming to Council over the next few months with more suggestions and possible actions. Mr. Kimbrough also informed the Council of the attached listing of Planning Department Fees stating this is something Staff and Council may want to seriously look at. **Information Item Only – No Action required.**

**13. Reorganization of Building and Safety Function in Response to Recession.**

Mayor Strack introduced this item by title with City Manager Kimbrough presenting the Staff Report. Mr. Kimbrough stated that the Building Official's work schedule could be split between

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Public Works, where he previously was assigned, and the Building Department. He outlined the qualifications of Building Official Terry Hoofard, the various benefits to the City such as helping to fill the gap caused by the four vacant positions in the Public Works Department and the savings to the General Fund.

Mayor Strack stated that the City has a substantial building project coming in, The Healthcare District Building, which is a multi-million dollar project that will require periodic inspections. He stated that this schedule would allow enough flexibility in order for this work without disrupting the Public Works schedules.

Councilor Turner confirmed that this would save the City approximately \$7,000 in the budget. Mayor Strack clarified that the actual savings is really in retirement, by not filling a vacant position at this time, therefore the savings is really approximately \$50,000 in retirement benefits.

Councilor Parkins moved to restructure the department of Building and Safety to reduce office hours making the Building Official available to work in Public Works where four full-time positions are being held vacant. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion approved by a 4-0 vote with one vacancy.**

**L. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

**Urgency Item added to the Agenda: Consideration of Appointing Council Member to Board of Corning Community Foundation:**

Mayor Strack outlined some of the complications associated with this. He stated that the current By-Laws of the Foundation requires five Board Members, which they currently have. He stated that the Council really doesn't have the authority to appoint someone to this Board, only to recommend, and in so doing; a current member would be required to step down should the recommendation be accepted.

Councilor Parkins suggested that the appointee to serve on the Foundation be a member of the Council that is retired. After some discussion, Mayor Strack and Councilor Leach both volunteered to serve on the Foundation. After some discussion, Mayor Strack confirmed the Foundation's meeting dates with audience member and Foundation Secretary Darlene Dickson to avoid any possible conflicts with other committee meeting obligations of prospective appointed Council representative.

Mayor Strack stated that in his power as Mayor he appointments Councilor Leach as the Councils recommended representative and Councilor Turner seconded this and was approved by Council consensus.

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

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

15. **Turner:** None.
16. **Parkins:** Stated she had attended the ribbon cutting ceremony in Red Bluff for the new latex paint recycling at the PaintMart Store. She announced that locally Hatfield's would provide latex paint recycling here in Corning.
17. **Leach:** Thanked Council, City Staff and the Public for their support during his recent surgery.
18. **Strack:** Mayor Strack stated that due to the reduced staffing in Public Works, he believes John and the Public Works Staff will need to re-address the brush pickup within the City. He also asked the Public to please not stack private brush in the gutters during rainy weather. Mayor Strack also announced that at the Exchange Club dinner the following individuals were honored:

“Fireman of the Year” – Corning Volunteer Fireman Jerry Duby, “Police Officer of the Year” – Corning Police Officer David Pryatel, and Corning Cadet Juan Vadillo was honored as “Cadet of the Year”.

Fire Chief Martin Spannaus introduced new Corning Fire Dispatcher, Rocky Peterson.

Mr. Bucky Bowen addressed the Council stating that the public was not provided an opportunity to address the items listed on the regular agenda. After some discussion Mayor Strack instructed the City Clerk to add a new section to the agenda format calling for public comment prior to the Regular Agenda.

**O. ADJOURNMENT!: 8:26 p.m.**

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**Lisa M. Linnet, City Clerk**