



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MAY 26, 2015
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 6:30 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 Councilman 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. 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 following City Council Meeting with any necessary corrections:**
 - a) **April 28, 2015; and**
 - b) **May 12, 2015**
3. **May 20, 2015 Claim Warrant - \$102,467.85.**
4. **May 20, 2015 Business License Report.**

Councilor Linnet moved to approve Consent Agenda Items 1-4; Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. REGULAR AGENDA:

5. **Approve Annual Agreement with 3CORE Economic Development District at a cost of \$5,500.**

City Manager John Brewer confirmed that the proposed Agreement includes an increase of \$500 over the previous year's Agreement. He briefed the Council on the services provided by 3CORE and encouraged the Council to continue the partnership. He explained that although the Agreement costs have increased by \$500, he will not be recommending continuation of the annual \$2,500 for Tehama Economic Development Corp. (TEDC) in the 2015-16 Budget as a result of confirmation by the County of their planned discontinuation of annual funding participation next year.

Councilor Cardenas moved to approve the annual participation in 3CORE, and commit \$5,500 from the City's General Fund as the City's share of the local grant match. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

6. Introduction of Ordinance 659, an Ordinance allowing Insurance in lieu of Bonds. (First Reading)

City Attorney Jody Burgess briefed the Council on the associated regulations relating to this issue. He provided an explanation of the required process and stated that the City would benefit through a cost savings and increased liability coverage with the proposed change from Bonds to Insurance. Councilor Dickison motioned for the City Clerk to:

- Read Ordinance 659 by Short Title;
- Introduce Ordinance 659, an Ordinance proposing to allow the use of Insurance in lieu of Posting Bonds; and
- Set June 9, 2015 as the date for the second reading and proposed adoption of this Ordinance.

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

7. Introduction of Ordinance 660, an Ordinance declaring a Stage II Drought Condition and amending, in part, Chapter 13.14 of the Corning Municipal Code water use regulations effective during Stage II Drought Conditions.

City Manager John Brewer briefed the Council on the proposed Ordinance 660. He explained the proposed amendments under the proposed Ordinance which limits outdoor watering to no more than two (2) days per week, mandates watering be between the hours of 8 p.m. and 8 a.m., and explains the consequences of non-compliance.

Mayor Strack suggested 3 days rather than the 2 days for outdoor watering. He then questioned Public Works Director Dawn Grine about the status of the City's well standings and whether the existing wells are deep enough. She responded stating that they have dropped a little, but the City's wells are currently deep enough. Councilor Cardenas suggested the requirement of drought tolerant landscaping on new development rather than requiring a delay of landscaping installation until drought conditions are lifted. He also asked the repercussions to the City's revenues from water sales and whether it will cause the need to raise rates? City Manager Brewer responded that he and the City's contract accountant are currently looking into this. Councilor Cardenas suggested that it might be better received by our rate payers to offer an incentive. Councilor Linnet asked if the limit is per lot, as he currently waters his front yard one day and the back another.

Jerry Lequia concurred with the Mayor's suggestion of changing the watering limits to 3 days per week rather than 2.

Following discussion, City Manager Brewer confirmed that the approved Ordinance amendments are:

- 13.14.030 (A) (1) "to no more than three (3) days per week; and
- 13.14.030 (B) "for internal purposes, or if used outside the onsite structure for landscaping, it shall be used to irrigate landscape features that are drought tolerant (xeriscape) plants until drought conditions are lifted."

There was also discussion of the penalties and difficulties for Staff to "monitor and police". It was also suggested to add to information relating to this Ordinance and the Stage II Drought Conditions to the annual water report.

Diane Robertson asked about watering vegetable gardens; she was informed that was exempt as it doesn't fall under "ornamental landscape". Ryan Reilly asked when it would be lifted; he was informed it would be lifted when the State lifts the Stage II Drought Conditions.

Councilor Dickison moved to:

- Waive the first reading and introduce Ordinance 660, an Ordinance amending Chapter 13.14 of the Corning Municipal Code (in part); Declaring Stage II Drought Conditions and Implementing Stage II Water Use Regulations in the City of Corning; and
- Find and declare that the property at Phase 2 of the Corning Community Park, also known as Lennox Fields, is temporarily exempt from watering days and hours limitations of Ordinance 660. This exemption shall expire six months after implementation of Ordinance 660 unless extended by action of the City Council; and

Include the following amendments:

- Section 13.14.030, (A)(1) to “no more than three days per week” **instead** of the stated “two days per week”; and
- Section 13.14.030, (B) **removing** “and that the landscaping must be delayed until drought conditions are lifted” and **replace with** “or if used outside the onsite structure for landscaping, it shall be used to irrigate landscape features that are drought tolerant (xeriscape) plants until drought conditions are lifted.”

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

8. Approve Emergency Access to water for Paskenta Community Services, a District within the County of Tehama.

It was confirmed that the City provided water to Paskenta from July through December of 2014 per Council authorization. Mr. Brewer stated that the current arrangement will expire at the end of June 2015 and stated that Janet Zornig from the Paskenta District is present to answer any questions. Mr. Brewer also suggested postponing a decision on this item until he and the City Attorney could put together a formal contract. Ms. Zornig also stated that last year the Community members of Paskenta did not use the full 20,000 gallons a day, they were very good at conserving. By consensus this item will be postponed until the next meeting in June. **No action was taken at this time.**

9. Adopt Resolution 05-26-2015-01, a Resolution declaring a public nuisance on 37 properties within the City and authorizing the Fire Chief to initiate abatement procedures.

City Attorney Jody Burgess explained that this is the first step as outline in Ordinance 656 adopted on October 14, 2014 that allows the Fire Chief to post notices providing 7 days to abate before the City can step in. Councilwoman Smith stated that the field between Colusa and North Street is not on the list. Mr. Burgess confirmed that any additional properties requiring action will need to be brought back before the Council with another Resolution before any action can be taken towards those property owners.

Councilor Cardenas moved to adopt Resolution 05-26-2015-01, declaring the following: A public nuisance exists on the properties listed on the attached exhibit “A”; 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 Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

L. 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: Stated that the scheduled LAFCO meeting had been cancelled and then reported on the May 21st Tehama County Community Action Tripartite Board Meeting.

Linnet: Stated that he had cleaned a couple of areas tagged with graffiti; and reported that the JPA 1 meeting was cancelled. He then spoke regarding the reference to cutting the Fire Dispatch suggested at the previous meeting and suggested cutting in other areas. He stated he has spoken to both the Fire and Police Chiefs in regards to this matter and suggests looking at other areas rather than personnel. Mayor Strack suggested adopting the budget and then seriously looking at where to save General Fund dollars.

Cardenas: Announced that the Farmers Market begins on June 4th at Northside Park.

Smith: Nothing other than thanking everyone for their prayers recently.

Strack: Announced the 10 a.m. dedication at Lennox Fields.

M. ADJOURNMENT!: 7:17 p.m.

Lisa M. Linnet, City Clerk