



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, NOVEMBER 12, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

The City of Corning welcomes you to our meetings, which are regularly scheduled for the second and fourth Tuesdays of each month. Your participation and interest is encouraged and appreciated.

In compliance with the Americans with Disabilities Act, the City of Corning will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office (530/824-7033) to make such a request. Notification at least 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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: 6:30 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.

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: None.

D. ADJOURN TO CLOSED SESSION: 6:30 p.m.

**1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Management, Dispatch and Public Safety Units**

**2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Pursuant to subdivision (A) of Section 54956.9 of the Government Code.
(1 potential case)**

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

1. Mayor Strack reported that Council met in closed session with the City's Labor Negotiator and gave him direction.
2. Mayor Strack reported that Council met with the City's Legal Counsel and gave him direction.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.

Lisa M. Linnet, City Clerk



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A. CALL TO ORDER: 7:31 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 Mayor Gary R. Strack.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Proclamation: December 2013 as Toys for Tots Month in the City of Corning.

Mayor Strack announced that this item had been removed from the Agenda and will be presented at the next City Council Meeting to be held on Tuesday, November 26, 2013.

F. BUSINESS FROM THE FLOOR:

Luke Alexander requested to agendized for a future meeting improvements to the Clark Park restrooms, as well as developing a process to fund improvements to the restrooms at Clark and Yost Parks. Mr. Alexander stated that these facilities are in poor shape. Mr. Brewer stated that one possible funding source could come from a Lease Agreement staff is currently preparing for Council consideration for a Cell Site at Clark Park.

By consensus, Council directed scheduling a meeting between Public Works Director Patrick Walker, Building Official Terry Hoofard, Luke Alexander and/or others from Corning Little League and the Youth Football League, as well as a representative(s) from users of Yost Park to review and discuss improvement needs at these facilities. It was further directed that following this meeting, any proposals/suggestions should be presented to the Recreation Commission for their recommendations to the City Council. Mayor Strack then announced that the City currently has two vacancies on the Recreation Commission...anyone interested in serving should pick up an application at City Hall.

Chamber of Commerce Manager Valanne Cardenas announced Hometown Christmas will be held on Saturday, December 7, 2013. There will be a lighted parade and tree lighting ceremony. If interested in being in the parade, get your applications in to the Chamber.

- 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 requests separate discussion and/or action.
2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
 3. **Waive the reading and approve the Minutes of the October 22, 2013 City Council Closed Session and Regular Meeting with any necessary corrections.**
 4. **November 6, 2013 Claim Warrant - \$460,550.09.**
 5. **November 6, 2013 Business License Report.**
 6. **Wages and Salaries: \$484,448.60.**
 7. **October 2013 Building Permit Valuation Report - \$200,898.**
 8. **October 2013 Treasurer's Report.**
 9. **October 2013 City of Corning Wastewater Operation Summary Report.**
 10. **Adopt Resolution No. 11-12-2013-01, a Resolution accepting the 2013 California Citizen's Options for Public Safety (COPS) Grant.**
 11. **Adopt Resolution 11-12-2013-02 approving and authorizing the Fire Chief to sign a Volunteer Fire Assistance Grant Program Agreement between CALFIRE and the City of Corning in the amount of \$6,860.**

Councilor Dickison moved to approve Consent Items 2-11 and Councilor Smith seconded the motion.
Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None.
Motion was approved by a vote of 5-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS:

12. **Review and update Development Impact Fees charged to mitigate the impacts of development in the City of Corning.**

City Manager John Brewer provided an informational PowerPoint presentation outlining the City's existing Development Impact fees, the process utilized to calculate these fees, and options for updating the fees. Mayor Strack confirmed with Mr. Brewer that Staff is requesting a continuation of this Public Hearing to the December 10, 2013 City Council meeting and then opened the Public Hearing at 8:17 p.m.

Pastor J. R. Gonzalez stated that when researching the City Building Permit Fees/Development Fees required for constructing a parsonage on a lot owned by New Life Assembly Church, he determined it would be more cost effective to purchase an existing building, possibly a foreclosed property. He then asked what could be done to bring the City's fees more in line with those charged by the City of Red Bluff which has lower development fees. He also suggested stimulating building in Corning by advertising that our fees were less than some of the surrounding communities such as Orland, Chico, Redding, Gridley and Oroville.

Luke Alexander asked about reducing or eliminating the 19.5 CPI (Consumer Price Index) rate used to increase construction cost projections. Councilor Cardenas asked about reducing the growth projection to 1%.

Mayor Strack announced that this Public Hearing is continued to the December 10th City Council meeting. Councilor Dickison then moved to direct Staff to prepare individual Resolutions for Traffic, Water, Sewer & WWTP, Parkland and Drainage Development Impact Fees consistent with the information presented tonight, for City Council consideration at the December 10, 2013 meeting. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

J. REGULAR AGENDA:

(Mayor Strack announced that Council would consider and act on Item J-14 first, and then take action on Item J-13.)

- 13. Approve Progress Pay Estimate #8 in the amount of \$9,822.48 to Trent Construction, approve Contract Change Order #4 increasing contract amount by \$6,534.18 for a total contract amount of \$1,898,624.68, accept the Substantial Notice of Completion, and authorize the release of contract retention in the amount of \$85,770.90 for the Corning Community Park Project, Phase 1.**

With no questions or discussion, Councilor Cardenas moved to:

1. Approve Progress Pay Estimate No. 8 in the amount of \$9,822.48;
2. Retain the 5% contract retention of \$491.12;
3. Issue payment in the amount of \$9,331.36 to Trent Construction for the Corning Community Park Project, Phase 1;
4. Approve Contract Change Order #4 increasing the contract amount by \$6,534.18 for a contract total of \$1,898,624.68;
5. Accept the Substantial Notice of Completion; and
6. Authorize the release of 90% of the \$95,301 held retention, issuing payment in the amount of \$85,770.90 after the 35-day waiting period, to Trent Construction.

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

- 14. Approve Contract Change Order #1 decreasing (Balancing) the contract by \$1,530 for a contract total of \$211,763.40 for the Corning Safe Routes to School, Cycle 10 Project.**

With no questions or discussion, Councilor Dickison moved to approve Contract Change Order #1, balancing/decreasing the Safe Routes to School Project by \$1,530 for a contract total of \$211,763.40. Councilor Smith seconded the motion.

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

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: Announced that tomorrow she has a LAFCO meeting at 2:00 p.m. and the Board of Supervisors meeting in Red Bluff at 6:00 p.m. The following Wednesday she will attend the Tehama County Heritage and Historical Records Commission and on the following Thursday the Community Action Agency Commission Meeting.

Linnet: Announced that on Saturday, November 16th at 9:30 a.m. the Pay it Forward Committee will be cleaning some alleys.

Cardenas: Reported on his attendance at the Chamber of Commerce Board of Directors meeting tonight, as previously announced they are preparing for Corning's Hometown Christmas which will be held on Saturday, December 7th. He also stated that he will be attending the Expect More Tehama meeting tomorrow.

Smith: Announced she will be attending tomorrow's Senior Center meeting as well as the Tehama County Board of Supervisors meeting.

Strack: Nothing.

N. ADJOURNMENT!: 8:54 p.m.

Lisa M. Linnet, City Clerk