



**CITY OF CORNING  
CLOSED SESSION MINUTES  
TUESDAY, NOVEMBER 13, 2012  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

**All members of the City Council were present.**

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.**

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 LEGAL COUNSEL – ANTICIPATED LITIGATION:  
(Pursuant to Subdivision (b) of Gov't. Code Section 54956.9): 1 Issue.**

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

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

1. Met with Legal Counsel and received direction.
2. Met with the City's Labor Negotiator and gave him direction.

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

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**Lisa M. Linnet, City Clerk**



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

All members of the City Council were present.

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by Mayor Strack.**

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:**

**1. Proclamation – November 2012 as “Toys for Tots Month” in the City of Corning.**

Mayor Strack presented the Proclamation to Tehama Marine Corps League Detachment 1140 member Al Bordeau.

**2. Mayor Strack presented Certificates of Appreciation for Outstanding Service to:  
Marilyn Bright – Library Commissioner (5 years, 5 months)  
Ed Pitman – Airport Commissioner (2 years, 6 months)**

Mayor Strack presented the Certificate of Appreciation to former Library Commission Chairperson and Commissioner. Former Airport Commissioner Ed Pitman was not present to accept his Certificate; it will be sent to Mr. Pitman.

**F. BUSINESS FROM THE FLOOR:**

- Local resident Wally Prather addressed the Council requesting to know how the City can calculate a water charge for his residence when his meter was broken. Mayor Strack requested that a Staff Report be prepared providing the Council with information regarding this issue and that it be scheduled on the Agenda for the November 27<sup>th</sup> City Council meeting.

- Julie Johnson stated she had attended Winnie White's funeral services on Monday, November 12<sup>th</sup> and was disappointed that so few people attended, emphasizing that there was no one present on behalf of the City. She reported that it was a very nice service.

**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.

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 October 23, 2012 meeting with any necessary corrections.**
5. **November 7, 2012 Claim Warrant - \$291,200.94.**
6. **November 7, 2012 Business License Report.**
7. **October 2012 Wages and Salaries - \$328,930.93.**
8. **October 2012 Building Permit Valuation Report - \$76,900.50.**
9. **October 2012 Treasurer's Report.**
10. **City of Corning Wastewater Operations Summary Report – October 2012.**
11. **Adopt Resolution No. 11-13-2012-01 approving and authorizing the Fire Chief to sign the Volunteer Fire Assistance Grant (VFA) Agreement for \$6,657 for Personal Protective Equipment and authorize the expenditure of \$6,657 from fund 076-9301-2301 as the City's VFA Grant match.**
12. **Adopt Resolution No. 11-13-2012-03 Regarding the Retirement of Armando Mendoza.**
13. **Authorize Public Works Director to solicit Bids for Phase 1 of the Corning Community Park Project.**

Mayor Strack asked to pull item 13 for further discussion.

Councilor Leach moved to approve Consent Items 3-12. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

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

13. **Authorize Public Works Director to solicit Bids for Phase 1 of the Corning Community Park Project.**

Mayor Strack confirmed with City Engineer Ed Anderson that Phase I is now ready to go to bid. It was explained that the tentative schedule is to open bids on February 5, 2013 and immediately return to Council with a recommendation of Bid award and begin construction next spring.

Councilor Leach moved to authorize Staff to solicit Bids for Phase I of the Corning Community Park Project. Councilor Parkins seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

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

**J. REGULAR AGENDA:**

14. **Authorize Staff to proceed with the SR2S (Safe Routes to School) Cycle 10 Project, create and fund the accounts for the project and the 10% City match requirement.**

City Manager John Brewer explained that our application was initially ranked just below the "funding line" and if additional funds became available, we could possibly receive funding. He stated that the City recently received notification from the Department of Transportation that the City in fact did receive funding in the amount of \$169,200 to install curb, gutter and sidewalk on the north east side

of Fig Lane in the area of Centennial High School and extending east to the end of the street and encompassing the frontage of the Early Head Start and Corning Adult Education facilities.

Councilor Leach moved to authorize Staff to proceed with the SR2S-Cycle 10 Project; increase budget account No. 001-9258-3001 (Safe Routes to School Cycle 10- City Match) by \$18,800, decrease budget account No. 001-6150-3000 (Street Maintenance Materials and Supplies) by \$18,800; and increase budget for Account No. 118-9258-3001 (Safe Routes to School Cycle 10 Grant) to \$162,200. Councilor Parkins seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

**15. Adopt Resolution No. 11-13-2012-02 to correct errant transfer amounts in Budget Resolution No. 06-26-2012-01.**

Mayor Strack confirmed that the proposed changes do not increase or decrease the Budget; City Manager Brewer confirmed that was correct stating this Resolution just corrects the errors on the previous Resolution.

Councilor Dickison moved to adopt Resolution No. 11-13-2012-02; thereby correcting errant budget transfer amounts contained within Resolution No. 06-26-2012-01. Councilor Leach seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

**16. Adopt Resolution 11-13-2012-04 adopting the Tehama County Hazard Mitigation Plan.**

Fire Chief Martin Spannaus informed Council that Federal Legislation, specifically the Disaster Mitigation Act of 2000 (DMA 2000, Section 322 requires States and Communities to have an approved mitigation Plan in place prior to receiving post-disaster Hazard Mitigation Grant Program (HMGP) funds. He explained that adoption of this Resolution allows the City to obtain Federal monies during a disaster situation or, if monies are available, the City can apply for funds to correct hazardous situations. He further explained that the City is also preparing a Hazard Mitigation Plan that identifies hazards and mitigations on a more specific level to the City and surrounding area which will be presented to the Council for adoption at a later time following final review by City Staff and FEMA approval.

Councilor Parkins moved to adopt Resolution No. 11-13-2012-04 authorizing the adoption of the Tehama County Hazard Mitigation Plan. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

**17. Updating City of Corning Budget Information – Discussion Only.**

City Manager John Brewer provided the Council with updated budget information relating to the following:

- **2<sup>nd</sup> Quarter Sales Tax Revenues:** Sales up in most sales tax categories over the previous year's, but sales tax receipts showed a 5.6% reduction in the "Fuel Sales" category compared to the 2011 2<sup>nd</sup> Quarter.
- **Fuel sales and the possible loss of revenues resulting from the completion of fuel line and dispenser replacement projects at the three "travel centers":** Mr. Brewer stated concerns related to the temporary fuel aisle closures at the three "travel centers" and stressed that "Fuel and Service Stations" currently account for about 61% of our total sales tax revenue. He emphasized that any disruption to fuel sales at those retailers can substantially affect our bottom line. Local resident and Walburg Construction employee John Richards reported on the status and delays encountered with the construction projects at the TA Fuel Centers. Mr. Richards informed the Council that work there could extend through February of 2013.
- **Status on Recovery of Misallocated Sales Tax Revenue:** The City still hasn't recovered the \$210,000 in misallocated sales tax revenue which we've been seeking since 2010 and is included in the 2012-2013 Budget. A letter was sent to the County that received the misallocated funds by the State Board of Equalization informing them they had a 30-day window to appeal the decision to redirect the funds. We do not know when or how we will

receive these funds, whether all at once, or in payments, etc. The final dollar amount the City should receive is \$210,878. This could be reduced to \$179,246 should Hinderliter deLamas (the City's sales tax consultant that assisted with the presentation of our claim for misallocated funds to the State Board of Equalization) receive their customary recovery fee of 15%.

➤ **Budgeted Revenues and Expenditures vs. Current Projections.**

**Informational Only...No action required.**

**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).**

**Parkins:** None.

**Leach:** Reported he would be attending a Community Action Agency Meeting on Thursday.

**Dickison:** Reported that the LAFCO Meeting had been canceled.

**Linnet:** Reported that the next Pay it Forward meeting would be held on November 27<sup>th</sup> and that the group had most recently cleaned the field by Porters Recycling.

**Strack:** None.

**Chamber of Commerce Manager Valanne Cardenas announced that the next Corning in the Morning would be sponsored by the Corning Senior Center and will be held on Thursday at 8:00 a.m.**

**N. ADJOURNMENT!: 8:05 p.m.**

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**Lisa M. Linnet, City Clerk**