



**CITY OF CORNING  
CITY COUNCIL MINUTES**

**TUESDAY, NOVEMBER 24, 2009  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Becky Hill  
Ross Turner  
Toni Parkins  
John Leach  
Gary Strack**

**Mayor:**

All members of the City Council were present except Councilor Parkins.

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.**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Pursuant to Section 54956.8**

**Potential Land Acquisition:**

**Potential Properties: APN No's: 71-250-06, 71-250-21, 71-250-35, 71-250-38,  
71-116-01, 71-116-02 and 71-116-03.**

**Negotiating Party: Stephen Kimbrough, John Brewer, Ed Anderson and  
John Stoufer.**

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

Mayor Strack announced that the Council met in Closed Session with property negotiators and gave them direction.

**E. INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS: None.**

**G. BUSINESS FROM THE FLOOR: None.**

**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.**

**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 November 10, 2009 City Council Meeting with any necessary corrections.**

**3. November 19, 2009 Claim Warrant - \$904,314.44.**

**4. Business License Report – November 2009.**

**THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER**

5. **Approve Use of Transportation Center by PAL Boxing Program.**
6. **Approve Transfer of Designated Funds to Animal Control Spay and Neuter Voucher Program.**
7. **Approve Fire Dispatcher Classification and Authorize Filling Vacant Fire Dispatcher Position.**

Mayor Strack introduced each of the Consent Agenda Items by title and stated that Item 6 is being removed as it is already in the Budget. Councilor Hill asked to remove Consent Agenda Item No. 5 for further discussion. With no further discussion on the remaining items, Councilor Turner moved to approve Consent Agenda Items 1-4 and 7 (Item 6 was removed from the Agenda). Councilor Hill seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

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

**5. Approve Use of Transportation Center by PAL Boxing Program.**

Councilor Hill stated for public information and clarification that the California Transportation Commission never put constraints on the use of the Transportation Center and in a letter to Mr. Dean Cofer dated April 6, 2009 noted that the Corning Transportation Center is still being used for a valid transportation purpose – by Amtrak and TRAX – and still meets the goal of Proposition 116 and is not misusing the Transportation Center. She also stated that in a letter dated November 10, 2009 from the Department of Transportation, the City was informed that the Bond Council reached the conclusion that the City may use the transit facility (Transportation Center) for the Police Activities League Boxing Program as long as the revenues generated are used solely for public transportation. With this being said, Councilor Hill moved to approve Consent Agenda Item 5 and Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

**J. 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. None.**

**K. REGULAR AGENDA:**

**8. Approve Expenditures for Piping Drainage Course through Assessor's parcel 71-140-12 to Facilitate New Driveway Serving 2005 Solano Street, Mike Moller-Property Owner.**

Mayor Strack introduced this item by title. Councilor Leach asked about the entry/egress from this property. Public Works Director John Brewer explained the changes on Solano Street informing the Council that left turns onto Solano Street from the stores would be prohibited and left turns into the stores from Solano Street will be prohibited once this is completed. City Manager Kimbrough gave acknowledged Public Works Director John Brewer and City Engineer Ed Anderson for their work on this issue.

Councilor Hill moved to:

- Authorize the installation of a new stormsewer drain line connecting the existing City drainage system pipes within the Toomes Storm drain on Assessor's Parcel No. 71-140-12, along with the associated catch basin, backfill and embedding materials; and
- Appropriate \$3,284 from Drainage Fund 345 to Street Projects Account 345-5100-3001 in the amount of \$700 for Employee Force Account Labor and \$2,584 to Account 345-8030-3001 for materials.

Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

**9. Authorize Outside Counsel Review of City Attorney Contract.**

Mayor Strack introduced this item by title stating that this has been an issue that has come up numerous times.

Councilor Hill moved to authorize Staff to seek the review of the City Attorney contract by outside Counsel. Councilor Turner seconded the motion. **Ayes: Strack, Hill, Turner and Leach. Opposed: None. Absent: Parkins. Abstain: None. Motion approved by a vote of 4-0 with Parkins absent.**

L. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

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

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

10. Hill: None

11. Turner: None

12. Parkins: Absent

13. Leach: None

14. Strack: Stated that he, John Brewer and Steve Kimbrough would be meeting with FAA on December 1<sup>st</sup> and hopefully will be able to get more money for the City. He also stated that the ribbon cutting for South Avenue was today and it really looks great. He acknowledged Barbara O'Keeffe and Gary Antone for their outstanding work on this project.

Councilor Turner asked about the status on the Theatre Roof. Tony Cardenas stated that the Theatre Committee has contact Richard Rezendes and will have something to the Council by the next meeting on this subject and John Brewer announced that part of the Heating and A/C would be covered under a grant. Walter Dodd asked what was the cost to the City for South Avenue Interchange improvements. He was informed none.

O. **ADJOURNMENT!:** 7:49 p.m.

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Lisa M. Linnet, City Clerk