



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, OCTOBER 10, 2006  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

Councilmember:

Hill  
Parkins  
Zuniga  
Dickison  
Strack

Mayor:

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

City Manager Kimbrough led the Pledge of Allegiance.

**D. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS:**

**1. Proclamation: October 15 – 21, 2006 as Fiddle Week in the City of Corning.**

Tex Ash, Co-Chair of the Western Open Committee was present to accept the Proclamation presented by Mayor Strack. Rich Reynolds, Kate Busey and Tex Ash provided a sample performance of the music to be experienced during the 24th Annual Western Open Fiddle Championship.

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

**F. 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 September 12, 2006 and September 26, 2006 City Council Meeting with any necessary corrections.**

**4. September 2006 Wages and Salaries - \$305,750.40.**

**5. October 4, 2006 Claim Warrant - \$762,238.86.**

**6. September Building Permits - \$344,330.86.**

**7. September 2006 Treasurers Report.**

**8. ECO Resources, Inc. Wastewater Operations Summary Report – September 2006.**

**9. Authorize Public Works Director to Seek Bids for the Safe Routes to School Grant Program Sidewalk Installation.**

**10. Resolution No. 10-10-06-01 Designating No Parking Zones and a Twenty Minute Parking Zone on the south side of Blackburn Avenue between Marguerite Avenue and First Street.**

**11. Resolution No. 10-10-06-02 Designation of a Bus Loading/Unloading Zone on Fig Lane.**

**12. Resolution No. 10-10-06-04, Acceptance of 2006 California Citizen's Options for Public Safety Grant.**

**13. Approve Salary Range and Job Description – Building and Public Works Construction Inspector.**

Mayor Strack introduced each Consent Agenda Item by title stating that the minutes of the September 12, 2006 City Council Meeting had been pulled from the Consent Agenda for further review. Councilor Hill requested that Item 10 be removed for further discussion, and an audience member asked that Item 8 also be removed for further discussion. Councilor Hill motioned approval of Consent Items 2 through 7, Item 9, and Items 11-12. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Parkins and Dickison. Opposed: None. Absent: Zuniga. Abstain: None. Motion was approved by a vote of 4-0 with Zuniga absent.**

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

**Item 8:** An audience member asked if Item 8 related to waste management (garbage); he was informed no, it referred to the Wastewater Treatment Plant. With no further discussion, Councilor Hill motioned approval of Consent Agenda Item 8. Councilor Dickison seconded the motion.

**Ayes: Strack, Hill, Parkins and Dickison. Opposed: None. Absent: Zuniga. Abstain: None. Motion was approved by a vote of 4-0 with Zuniga absent.**

**Item 10:** Councilor Hill stated that there was not enough parking now, especially during games, etc. Mayor Strack and Public Works Director Tom Russ explained that the "No Parking" would be from 7:00 a.m. to 4:00 p.m. only. City Manager Kimbrough asked if the time frames should be listed within the Resolution, Mayor and Council stated that they should. An audience member asked about additional disabled parking within the school parking lot; Mayor Strack stated that a request would need to be made to the High School. Another audience member asked about additional disabled parking stalls on the street. City Manager Steve Kimbrough stated that the reasoning for eliminating parking on the south side of the street was to create better visibility and access. Mayor Strack further stated that disabled parking would be better within the parking lot. Another audience member asked about Bus Parking on the street; Mayor Strack stated that the High School had approached the City requesting these parking zones to eliminate visual hazards when exiting the parking lot. Tom Russ stated that street parking would only be allowed on the north side of the street, the No Parking or twenty minute parking would be from the first drive way entrance to the parking lot at the football field to the last parking lot entrance near the Agriculture Building. Councilor Hill motioned to approve Resolution 10-10-06-01 with an addition stating the times the No Parking and Twenty Minute Parking Zones would be in effect. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Parkins and Dickison. Opposed: None. Absent: Zuniga. Abstain: None. Motion was approved by a vote of 4-0 with Zuniga absent.**

**H. PUBLIC HEARINGS AND MEETINGS:**

**14. Resolution No. 10-10-06-03; Approving a CDBG Grant Application for Geospatial Data Compilation and Implementation (GIS Mapping, etc.).**

Mayor Strack introduced this item by title and asked City Manager Kimbrough to further explain the Grant Application. He stated that the focus would be on a contour map for drainage and flood control for the future. Mayor Strack stated that Public Works and Planning already have the basic software that provides an aerial view that shows water, sewer and drainage without the contour mapping capabilities. This would provide for the contour mapping. Mayor Strack then opened the Public Hearing. With no discussion from the audience, Mayor Strack then closed the Public Hearing. Councilor Hill asked if the matching funds would come from the General Fund; Mr. Kimbrough stated \$8,750 from the CDBG Reuse Funds and \$8,750 would be "in-kind" funding. Councilor Hill asked if these funds could be reused, the Staff Report stated the application amount as \$70,000; Planning Director John Brewer stated that on the fourth and fifth page of the Staff Report is a quotation from ENPLAN listing the items sought and the cost.

Councilor Hill motioned to adopt Resolution No. 10-10-06-03 approving an application for funding and the execution of a Grant Agreement and any amendments thereto from the Planning/Technical Assistance allocation of the State CDBG Program. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Parkins and Dickison. Opposed: None. Absent: Zuniga. Abstain: None. Motion was approved by a vote of 4-0 with Zuniga absent.**

**15. Tentative Parcel Map 06-29 - Golden West Homes of Chico; to Create a 3.01 Acre Parcel and a 6.82 Acre Remaining Lands Parcel in an SPMU-CH-CBDZ Zoning District. Located between Interstate 5 and Highway 99-W and south of Loleta Avenue; APN 87-040-06.**

Mayor Strack introduced this item by title and asked Planning Director Brewer to provide a brief overview of this item. Mr. Brewer briefly outlined the project and stated that Mr. Marple representing Golden West Homes was in the audience to respond to any questions. Mayor Strack then declared the Public Hearing open. Julie Johnson asked some questions relating to flooding in that area. Mr. Brewer stated that number 14 of the recommended conditions addresses this. Mayor Strack asked about condition 27 (Deferred Improvement Agreement) and number 19 (Highway 99-W Improvements) of the recommended conditions. Condition number 19 relates to the frontage improvements and conformation to the adopted Highway 99-W Specific Plan "Four Lane Arterial Street Section" to which Mr. Brewer referred to Exhibit J of the Staff Report stating that this was the adopted standard. Mayor Strack asked if the City is requiring the improvements only in the front; Mr. Brewer stated that there would be additional lane widening on the left half width, etc. Councilor Hill asked if this was similar to what was asked of Butte Community Bank; Mr. Brewer stated yes. Mayor Strack asked if this could be deferred now until such time as development occurs across the street and adjacent to this project. City Engineer Ed Anderson stated that if we defer this at this time, the City should obtain some type of guarantee that it will be done at a later time. Mayor Strack stated that he would like this deferred until the City completes their Highway 99-W street improvement work and have Staff use the standard deferral contract. With no other discussion, Mayor Strack closed the Public Hearing. Councilor Parkins motioned to approve Tentative Parcel Map 06-29 subject to the adoption of the six CEQA Sub-Findings (A-F) and three findings, and adopt the 27 Conditions of Approval on the Golden West Homes Tentative Parcel Map 06-29 with a deferral on "Conditions of Approval" number 19. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Parkins and Dickison. Opposed: None. Absent: Zuniga. Abstain: None. Motion was approved by a vote of 4-0 with Zuniga absent.**

**16. Tentative Tract Map 06-1010 – Corning North LLC; to Create 134 Single-Family Residential Parcels in an R-1 Zoning District. Located between North Street and Blackburn Avenue and east of Houghton Avenue; APN's 71-030-06 & 16, approximately 33.1 Acres.**

Mayor Strack introduced this item by title. Councilor Hill excused herself from voting on this item due to a conflict of interest and left the Council Chambers at 8:09 p.m. John Brewer then gave a presentation explaining this proposal stating it would create 134 Single-Family residential parcels. He stated that he would let the applicant (Brian Millar) and his engineer (E.Z. Ross) address the various challenges. Mayor Strack then opened the Public Hearing. Mr. Ross stated that some of the challenges on North Street were the PG&E power lines, and the round-a-bouts necessary to accommodate the traffic on North Street, and the elimination of parking on the north side of the Street. He also addressed the storm system and drainage issues. Mr. Ross stated that he agrees with all of the conditions and findings in relation to the City Standards. Mayor Strack asked if all of the Olive Trees would be removed; Brian Millar stated yes with exception of a few. Mayor Strack requested that all of the Olive Trees be removed because of the Olive Fruit Fly. Mr. Millar stated that he would have no problem with that. City Manager Kimbrough reiterated that the City has a serious problem in maintaining City Olive Trees in relation to the Fruit Fly.

Tehama Street resident Leslie Fergusson stated her concerns with the increased traffic and entertaining the additional children that will be moving into these homes what with the rumored closure of the Rodgers Theatre, stating that the City's recreation program is a joke. She stated

that we already know that we have established gangs in our middle schools. She requested the Council to come up with solutions to the traffic problems before they approve the additional homes. Mayor Strack stated that this project would be completed in phases and supply additional funds to improve City streets and traffic issues.

Harry Zemansky stated that it was unfair to compare us with the City of Orland, they have a Recreation District; Corning has a Hospital District. He asked if City residents want to pay additional taxes in order to have a Recreation District. Mr. Brewer stated that a portion of North Street, from 4<sup>th</sup> Street to Highway 99-W would be closed. He further stated that curb, gutter and sidewalk will be installed and the street will be widened. He also stated that as a trade off with Bell Carter, the City would ask them to dedicate right-of-way to complete Blackburn Avenue to alleviate some of the traffic on Sixth Street, however that will not be completed until the fourth and final phase. The applicants have proposed an additional 50' buffer zone between Bell Carter and the subdivision with a bike path with lighting. An audience member asked if this would affect the current residents on the south side of North Street; Mr. Brewer responded stating no, except for the street widening between 4<sup>th</sup> and 5<sup>th</sup> Streets. Mayor Strack stated that parking on the north side of North Street would be eliminated. An audience member asked the size and price range of the homes; Mr. Millar stated that they will be 3-4 bedrooms and the market value will determine the cost. An audience member asked if an architectural design was completed prior to approval; they were informed that this was required prior to zoning.

Mayor Strack stated he would like to realign the street with Fifth Street. Mr. Brewer requested the Council look at Exhibit Z-1; the circle symbol is in fact a power pole. To realign the Street, the power pole would have to be moved and will cause the loss of one lot. An audience member asked if the City had the water and sewer capacity to accommodate this development; Mayor Strack stated yes. An audience member inquired about a developer donation to the City for the Theatre; Mayor Strack stated that the City has existing development fees in place.

Councilor Parkins asked John Brewer to read "Recommended Condition" number 38 "Park & Equipment" relating to the addition of a park and associated equipment. Councilor Parkins then asked how many Street outlets there will be per phase. She was informed that there would be 2. A member of the Press asked when the closure of North Street (Fourth Street to Highway 99-W) would take place; Mr. Ross and Mr. Brewer stated this would take place during phase I as will the bike path. Councilor Dickison asked for a correction to Recommended Condition number 42 stating Houghton Avenue instead of Blackburn Avenue.

With no further discussion, Mayor Strack closed the Public Hearing. Councilor Parkins motioned approval of Tentative Tract Map 06-1010, adoption of the six recommended findings and the 62 recommended conditions of approval. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins and Dickison. Opposed: None. Absent: Zuniga. Abstain: Hill. Motion was approved by a vote of 3-0 with Zuniga absent and Hill abstaining.** Councilor Hill reentered the room at 8:45 p.m.

## **I. REGULAR AGENDA:**

### **17. Report on Rodger's Theatre Renovations/Repairs and Associated Costs and Request for City Council Direction.**

Mayor Strack introduced this item by title and then asked City Manager Kimbrough to present the information Staff has acquired. Mr. Kimbrough read the Staff report prepared by City Staff stating the cost estimates they acquired and the options that they suggest.

Councilor Hill asked if the City did the minimal amount of repairs of \$7,800 the Theatre could still not reopen. She was informed that this amount was necessary just to maintain the structural integrity of the building and prevent further damage. Mayor Strack stated that he had confirmed with the City Attorney that the repair work would need to be done by prevailing wage. Councilor Hill stated that she had met with Hometown Revitalization, and depending upon the decision made tonight, they will consider assisting with the Theatre repairs. Councilor Hill asked if Parks

and Recreation Funds could be utilized for repairing the Theatre; Mr. Kimbrough stated yes. She then asked if CDBG Funds could be used to do a Feasibility Study; Mr. Kimbrough stated that he had spoken with James Norvall about use of CDBG Funds for this and was informed that it could not be done. Venita Fillbrook stated that the City of Red Bluff applied for a CDBG Planning and Technical Study Grant and the Friends of the Theatre matched the funds. Mr. Kimbrough stated that he would look into this. Councilor Dickison stated that we already have the information that such a study would provide. Councilor Parkins stated that this \$91,015 does not include new seats, air conditioning, etc., this amount only applies to the health and safety issues. Councilor Hill stated that the Community has to take ownership of the Theatre and assist with funding. Yvonne Boles stated that the Hometown Revitalization has agreed that they want to assist with bringing the Theatre back as it once was, not just safe for current use.

Mayor Strack stated that we should do what we can to get the building open utilizing the funding we have (\$40,000) and possibly look into the use of Recreational Funds. Mayor Strack stated that he hesitates in using the Recreation Funds at this time for the Theatre unless attendance were to increase. Gena Bowen asked about a referendum to add a Recreation District, it was stated by Councilor Dickison that his was tried a few years ago and was defeated by a vote of 70%. Venita Fillbrook suggested the City contact Loveland, Colorado, they have a City owned and supported Theatre and might be able to provide ideas for funding. She stated that the Theatre would never be self-supporting. Ms. Fillbrook said that the first step should be putting together a plan.

Dean Lundy addressed the Council and said that the entrance and exit of the Theatre building was better than the Monkey Boards building that he and Janice Bracken restored. He also stated that the men's bathroom restoration would take at least \$10,000 or more, it is bad! He also stated that the electrical should be upgraded in order to last another 100 years. Sheri Abel stated the issues with handicap accessibility and stated that she would raise \$1,000 towards the Theatre restoration if it were to be reopened. Dan O'Connor of Specialized Fibers Recycling Co. pledged a donation of \$5,000 to the project and another pledge of \$5,000 was made on behalf of Omega Waste Management. Councilor Hill asked Yvonne Boles if Hometown Revitalization, a non-profit organization would handle the donations, she said yes.

Mayor Strack stated that a Public Meeting would need to be held where the people can make their recommendations to the Council. Carl Crain stated that it is getting into the rainy season, and major repairs such as the roof can't be done now, just patching. Tom Russ stated that the \$91,015 is just to get the Theatre open, not to repair the seats, paint, or add air conditioning. The \$7,800 is just to maintain the structural integrity of the building. After further discussion a motion was made by Councilor Hill to seek bids for the necessary repairs to open the Theatre. Councilor Dickison seconded the motion. **Ayes: Hill and Dickison. Opposed: Strack and Parkins. Absent: Zuniga. Abstain: None. Motion was defeated by a tie vote of 2-2.**

Further discussion of this item was continued to the next City Council meeting.

#### **18. Authorization to Seek Formal Bids for Street Repairs on Highway 99-W and on the West Side of the South Avenue Overpass.**

Mayor Strack introduced this item by title and then asked Public Works Director Tom Russ to brief the Council on this item. Mr. Russ briefly informed the Council that the heavy volume of truck traffic has deteriorated the Highway 99-W roadway south of the South Avenue Intersection to the South City Limits and on the west side of the South Avenue overpass turning east after exiting from the southbound Interstate 5 off-ramp. Work on this area must be completed before the onset of winter rains to prevent the damaged road sections from further deterioration. Mr. Russ explained that the total cost to complete this work would be \$104,700.

Councilor Parkins motioned to authorize Public Works to seek bids for completion of Highway 99-W repairs south of the south Avenue Intersection to the South City Limits; and replacement of 3,000 square feet of asphalt on the west side of the South Avenue Overpass with 12" Portland Concrete Cement; and appropriate the required funds from:

Gas Tax Fund 2105 - \$10,000;

Gas Tax Fund 2106 - \$10,000  
Gas Tax Fund 2107 - \$10,000  
Gas Tax Fund 2107 - \$10,000  
State Traffic Congestion Relief Fund - \$20,000  
Fed. TEA Balance Funds - \$9,000  
General Fund Reserve - \$45,700

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

**19. Direct Staff to Research Funding Sources for Blackburn Avenue to Jewett Creek Bridge Drainage Project at a Total cost of \$1,300,000.**

Mayor Strack introduced this item by title and asked if City Manager Kimbrough, Public Works Director Tom Russ, and City Engineer Ed Anderson would present the information related to this item. After a brief discussion Council directed Staff to research possible funding sources to complete this project.

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

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

L. **REPORTS FROM MAYOR AND COUNCILMEMBERS:**

20. Hill: None

21. Parkins: None.

21. Zuniga: Absent

23. Dickison: LAFco meeting for tomorrow cancelled due to lack of Agenda.

24. Strack: None

M. **ADJOURNMENT! 10:06 p.m.**

**/s/ Lisa M. Linnet**

**Lisa M. Linnet, City Clerk**