



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, OCTOBER 22, 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**

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

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

Mayor Strack reported that Council met in Closed Session with the City's Labor Negotiator William May and gave him direction in relation to the negotiations with the Dispatcher, Management and Public Safety Units.

Lisa M. Linnet, City Clerk



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

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

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.

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: October 23 – 30, 2013 as "City of Corning Red Ribbon Week". Al Bordeau and Tehama County Young Marines M/Sgt. Nandino, Tehama County Young Marine 1st Class England and Tehama County Young Marine Lance Corp. Christian Perez were present to accept the Proclamation.

2. Proclamation: November 4th – November 10th, 2013, Veterans of Foreign Wars "2013 Buddy Poppy Sales Days". Present to accept the Proclamation were Jim Darrow, Post 4218 VFW President and Lorrie Raymond, VFW Auxiliary.

F. BUSINESS FROM THE FLOOR:

Presentation by the Mayor of a Plaque from the City to the members of the Corning Bike and Skate Park Association in gratitude for their contributions to the grand opening of the Corning Community Park Bike & Skateboard Park. Mayor Strack presented the plaque to Teresa Smith, Blaine Smith and John Richards of the Corning Bike & Skateboard Park Association. Teresa Smith announced that a video of the Professional Skateboarders that were present at the Grand Opening is available for viewing on the web through Thrasher Magazine.

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 8, 2013 City Council Meeting with any necessary corrections.**
5. **October 16, 2013 Claim Warrant - \$358,481.49.**
6. **October 16, 2013 Business License Report.**
7. **Authorization for additional expenditures for TIDE vehicle after-market equipment.**

Councilor Linnet asked to pull Consent Item No.7 for further discussion. Councilor Linnet then moved to approve Consent Items 3-6. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. Authorization for additional expenditures for TIDE vehicle after-market equipment.

Councilor Linnet stated that Council had previously approved and budgeted the additional expenditure of \$1,000, however the total cost ended up being close to \$3,000. He asked why this was ordered and installed prior to obtaining Council's authorization. Police Chief Atkins responded stating that the projected cost was estimated by the "Acting Chief" when he was out due to a family emergency. The Vendors from Yuba City/Chico were here to install equipment removed from one of our other vehicles and determined this equipment was not compatible with the new vehicle. Since they were here and started on it they just had them complete the task rather than pay for another trip. Mayor Strack confirmed with City Staff that funding for the equipment and installation would come from Prop. 30 not the City's General Fund.

Councilor Linnet moved to authorize the additional expenditures totaling \$1,954.14 from account 073-8007-2114 for the new TIDE vehicle after-market equipment and installation. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a vote of 5-0.**

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

8. Accept proposal from Holdrege & Kull for consulting geotechnical services for Phase II of the Corning Community Park at a cost not to exceed \$12,625.30, and pending endorsement of City Attorney, approve contract.

Councilor Dickison moved to accept the proposal from Holdrege & Kull, Consulting Engineers/geologists for geotechnical services, for an amount not to exceed \$12,625.30 for soil analysis for Phase II of the Corning Community Park; and, pending City Attorney review and approval, authorize execution of contract for services with Holdrege & Kull, Consulting Engineers/Geologists. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a vote of 5-0.**

9. Approve Land Lease Agreement with Corning Union High School for 1.5 acres of City property located on Blackburn Avenue, Assessor's Parcel Number 75-080-29 for Solar Arrays.

City Manager John Brewer stated that High School Superintendent John Burch was present to address any questions the Council might have. Mr. Brewer explained that the High School District has proposed a 25 year Lease Agreement commencing on November 1st at a rate of \$1,200 per acre, per year, for 1.5 acres of City owned property across from the school at the northwest corner of the City's 10 acre property (Exhibit B) to install solar arrays. This Lease Agreement includes a 25 foot wide easement connecting the property to Blackburn Avenue for underground electrical. He stated that Mayor Strack suggested this easement also be used for the access route. Mr. Brewer then suggested a modification to paragraph 3 on page 1 of the Agreement to state: "together with a 25 foot wide easement for underground electrical service and access to and from

Blackburn Avenue as shown on Exhibit B, as well as a modification to Exhibit B to reference the easement for access as well as the underground electrical.

High School Superintendent John Burch stated that funding is the reason for expediting the Contract and announced that the project should take approximately 8 weeks, and if approved will begin next spring.

City Attorney Jody Burgess proposed a license for the underground electrical and access which would terminate upon termination of use, rather than an Easement.

Councilor Cardenas moved to approve the proposed 25 year Land Lease Agreement with Corning Union High School, and authorize the Mayor to sign this Agreement with the modification proposed by the City Attorney. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a vote of 5-0.**

10. Approve Progress Pay Estimate No. 7 in the amount of \$186,662.12 to Trent Construction for the Corning Community Park Project, Phase I.

Councilor Cardenas moved to approve Progress Pay Estimate No. 7 in the amount of \$186,662.12, retain the 5% contract retention of \$9,333.11, and issue payment in the amount of \$177,329.01 to Trent Construction, Inc. for the Corning Community Park Project, Phase I. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: 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: Reported she attended the LAFCO meeting on October 9th in Red Bluff where they continued the public hearing for an applicant to get into the Corning Water District; on October 11th the Community Action Agency held the tailgate food giveaway with food provided by Food Link, food was given to 232 families; on October 17th she attended the Corning Health Care District's event to welcome the "Association of California Health Care Districts" which consisted of introductions, a slideshow presentation by the Board President, and tours of the facility. On October 17th she attended the Community Action Agency Meeting at which an update of the current projects and grants were provided.

Linnet: Reported that the Tehama County Sanitary Landfill Agency will have a tractor disposal in February, not sure where. Pay-it Forward had their work day Saturday where they made another faux "Gary's Gift Shop" and the next meeting will be October 29th.

Cardenas: Reported he attended same meeting at the Health Care District; he stated that for those that haven't toured the facility and seen the services they offer, it is really important to understand how much is anchored in the south county, it is an important facility for the area.

Smith: Reported she had also attended the Health Care District meeting and is very pleased with everything they have to offer.

Strack: Reported he had also attended the Health Care District meeting and stated that the public should contact that Board to provide input on what should be done with the remaining land that they have. He also stated that he has a Transportation Commission meeting next Tuesday in Red Bluff where they will be discussing the County's unmet needs. He also stated that the Grand opening of the new Corning Community Park went well.

N. ADJOURNMENT!: 8:07 p.m.

Lisa M. Linnet, City Clerk