



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, OCTOBER 24, 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:

Councilors Hill, Parkins, Zuniga and Strack present, Councilor Dickison was absent.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Stephen Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS:

1. Proclamation: October 23-31, 2006 as Red Ribbon Week in the City of Corning.

Tina Zastrow, Friday Night Live Coordinator from the Tehama County Department of Education was present to accept the Proclamation.

2. Proclamation: November 3-4, 2006, Veterans of Foreign Wars "2006 Buddy Poppy Sales Days" in the City of Corning.

Gene May, representing the Veterans of Foreign Wars was present to accept the Proclamation and collect donations for Poppy Days.

3. Proclamation: November 10-11, 2006 as Disabled Veteran's "Forget-Me-Not Day" in the City of Corning.

James Darrow was present to accept the Proclamation. Mr. Darrow announced the Veterans Day Parade in Corning to be held on November 11th at 10:00 a.m.

E. BUSINESS FROM THE FLOOR:

Danny Dunnigan, Co-Chairman of the "Friends of the Theatre", informed the Council the response to date has been positive for restoration of the Theatre. He stated that just spending \$91,000 on the Theatre to open it is not enough, that in his opinion it would be a waste, we should completely restore it. He stated that he has obtained a mailing list from the High School and found out that they have their own print shop and would be willing to assist in the mailings for approximately \$0.08 per page. He also asked about the legalities pertaining to the Theatre. Mayor Strack stated that this would be explained later in the meeting when we discuss item 11.

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.

4. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.

5. Waive the Reading and Approve the Minutes of the October 10, 2006 City Council Meeting with any necessary corrections.

6. **October 17, 2006 Claim Warrant - \$132,032.38.**
7. **October 16, 2006 Business Licenses.**
8. **Authorize Public Works to Seek Proposals for a Three-Year Concrete Contract.**
9. **Authorize Public Works to Seek Proposals for a Three-Year City Weed and Tree Spraying Contract.**
10. **Authorize Public Works to Seek Proposals for a Three-Year Contract for Pavement Striping and/or Removal.**
11. **Award Bid for New Four Wheel Drive Diesel Powered Loader/Backhoe to Western Power & Equipment in the amount of \$70,009.78.**

With no further discussion, the motion was made by Councilor Hill to approve items 4-11. Councilor Zuniga seconded the motion. **Ayes: Strack, Hill, Parkins and Zuniga. Opposed: None. Absent: Dickison. Abstain: None. Motion was approved by a vote of 4-0 with Dickison absent.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

H. 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.

12. Resolution No. 10-24-06-01; General Plan Amendment 2006-2C; Additional Rail Crossings at Finnell and Gallagher Avenues; City of Corning.

Mayor Strack introduced this item by title and referred to Planning Director John Brewer for further explanation of the project. Mayor Strack then opened the Public Hearing. Gena Bowen asked if this item had been previously discussed at another meeting relating to the closing of the Orangewood crossing to accommodate the addition of these two railway crossings. It was explained that information we received informed the City that a crossing would need to be closed to accommodate more crossings. With no further discussion Mayor Strack closed the Public Hearing. Councilor Hill motioned for the Council to adopt the three findings, and adopt Resolution 10-24-06-01 approving General Plan Amendment 2006-2C, and amending Implementation Measure No. 8 of the Circulation Element of the General Plan, to facilitate additional railroad crossings at Gallagher and Finnell Avenues as described on Exhibit A with the twelve Recommended Conditions of Approval. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Parkins and Zuniga. Opposed: None. Absent: Dickison. Abstain: None. Motion was approved by a vote of 4-0 with Dickison absent.**

I. REGULAR AGENDA:

13. Renovations and/or Repair of Rodgers Theatre and Request for City Council Direction.

Mayor Strack introduced this item by title and then asked Public Works Director Tom Russ to provide any additional information he has received. Mr. Russ stated that since the last meeting, the City has had an electrician review the Theatre and he has increased the cost for the necessary electrical work an additional \$500. He also stated that Staff discussed hiring Robert Heaton, an architect that assisted with the Transportation Center, for ideas on the design and to obtain a cost estimate to completely restore the Theatre. He stated that Staff would like to see the Theatre remain open. Mr. Russ stated that the City Engineer stated in Staff Meeting "if the roof is bad, the walls are bad, and the floor is bad...you have a parking lot". To spend \$91,000 just to reopen without a complete restoration would possibly be throwing good money after bad. Mayor Strack asked about the Park Grant Funds; Mr. Russ stated that they could be used for this project. Mr. Russ also stated that Councilor Parkins had a question about gifting the Theatre to a private

group. The City Attorney stated that this could restrict the funding that could be used such as the Park Grant Funds.

Mayor Strack asked if there were any strings on how the Council could utilize the building or transfer ownership. City Attorney Michael Fitzpatrick stated that there were no strings; it was a simple Grant Deed of ownership to the City.

Councilor Hill stated she would like to proceed with the assistance of Robert Heaton and allow the Friends of the Theatre to move forward, they are doing very well. Mayor Strack agreed. Councilor Hill motioned to spend the \$500 for Robert Heaton's fees to provide a total cost for theatre restoration that will include heating and air conditioning, new seats, etc. Councilor Parkins seconded the motion. Janice Bracken suggested hiring an architect more familiar with Theatre's. Mayor Strack and City Manager Kimbrough stated that this is just a first step, an architect that specializes in Theatre design could come further down the road. **Ayes: Strack, Hill, Parkins and Zuniga. Opposed: None. Absent: Dickison. Abstain: None. Motion was approved by a vote of 4-0 with Dickison absent.**

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

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

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

14. Hill: None

15. Parkins: None

16. Zuniga: None

17. Dickison: Absent

18. Strack: None

Bucky Bowen addressed the Council regarding Proposition 90 regarding Imminent Domain. Mr. Bowen responded Mr. Dodd's statements regarding this issue at the October 10, 2006 City Council meeting.

M. **ADJOURNMENT! 8:18 p.m.**

/s/ Lisa M. Linnet

Lisa M. Linnet, City Clerk