



**CITY OF CORNING
CITY COUNCIL MINUTES**

**SPECIAL MEETING
CITY COUNCIL AND CHAMBER OF COMMERCE
AND
REGULARLY SCHEDULED CITY COUNCIL MEETING**

**TUESDAY, OCTOBER 28, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

SPECIAL MEETING: CITY COUNCIL AND CHAMBER OF COMMERCE.

A. CALL TO ORDER: 6:00 p.m.

Mayor Strack called the meeting to order at 6:00 p.m.

B. ROLL CALL:

Council:

**Hill
Dickison
Zuniga
Turner
Strack**

Mayor:

All Council members were present. Fourteen Chamber of Commerce Members were present (Martin Spannaus, Yvonne Boles, Andrea White, Valanne Cardenas, Carol Powers, Tony Cardenas, Pete Dagherret, Claudia Martin, Jerry Crow, Kyle Lauderdale, Doug Hatley, Linda Tousey, Willie Smith, Barbara Landavazo, Sonja Akers). Also present was City Manager Stephen Kimbrough, John Brewer, John Stoufer and Ed Anderson were also present.

- 1.) **Discussion of wording for entry signs:** Mayor Strack presented a power point program showing a proposed sign message of: Olive and Olive Oil Sales and Tasting Next 3 Exits. Various suggested wording has been proposed. Also discussed was additional signage to lure visitors downtown. Chamber Board Member Linda Towsey made the motion to not move forward on the signs at this time. Chamber Board Member Willie Smith seconded the motion. Motion was carried unanimously. By consensus the decision was made to further discuss this at a future meeting.

Corning City Council representatives to a committee to finalize the entry sign wording will be selected at a future meeting.

The Special Meeting was adjourned at 6:35 p.m.

CITY COUNCIL MEETING:

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

D. ROLL CALL:

Council:

**Hill
Dickison
Zuniga
Turner
Strack**

Mayor:

All Council members were present.

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Kimbrough led the Pledge of Allegiance.

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS: None

G. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:

Nolan Schlereth reported that the High School is recovering from Homecoming and briefed the Council on the various upcoming School activities and events.

H. BUSINESS FROM THE FLOOR: None.

I. 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 October 14, 2008 with any necessary corrections.**
3. **October 22, 2008 Claim Warrant - \$118,415.11.**
4. **Business License Report – October 22, 2008.**
5. **Appropriate \$29,670 from the Water Capital Replacement Fund for Repair and Water Lube Conversion of Edith Well.**
6. **Resolution No. 10-28-08-01, Acceptance of 2008 California Citizen's Options for Public Safety Grant.**
7. **Request Council Direction: To Reschedule, or Cancel the November 11, 2008 Regularly Scheduled City Council Meeting due to the Veterans Day Holiday.**

Mayor Strack requested removal of Consent Item 7 for further discussion and action.

Mayor Strack asked a question regarding the use and tracking of funds relating to Consent Item #6, the 2008 California Citizen's Options for Public Safety Grant. Councilor Turner asked if the City was able to acquire interest on these funds; he was informed yes.

With no further discussion, Councilor Hill moved to approve Consent Items 1-6 with corrections to the Minutes (correcting Councilor Hill's report at end of meeting to state: requesting Council's approval to hold the Sacramento Valley Division of the League of California Cities 1st meeting of 2009 here in Corning). Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

J. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **Request Council Direction: To Reschedule, or Cancel the November 11, 2008 Regularly Scheduled City Council Meeting due to the Veterans Day Holiday.**

After some discussion, Councilor Turner moved to reschedule the Tuesday, November 11, 2008 City Council meeting because of the Veterans Day Holiday and reschedule it to Thursday, November 13, 2008 at 7:30 p.m. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

K. PUBLIC HEARINGS AND MEETINGS: None.

L. REGULAR AGENDA:

8. **Authorize Staff to Prepare and Submit USDA Rural Development Pre-Application for a \$578,000 Loan for Construction of a new City Water Supply Well.**

City Manager Kimbrough explained that this is a pre-application. Mayor Strack asked if the generator would be included; he was informed yes. Councilor Hill moved to authorize City Staff to prepare and submit a USDA Rural Development Pre-Application for a \$578,000 loan for construction of a new City water supply well and appurtenant facilities. Councilor Turner seconded the motion noting that this is just a projected cost. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

9. Approve Infrastructure Agreement for 2120 Loleta Avenue and Allow Property Owner to Pay \$10,000 In-Lieu of Construction Fee for Loleta Avenue thus Satisfying Condition No. 2 of Use Permit 2008-255, Lucero Olive Oil.

Mayor Strack introduced this item by title. Councilor Turner stated that he was contacted by the attorney representing petitioner and Councilor Turner informed him that he could not discuss this issue prior to tonight's meeting. Mr. DeScalla spoke stating that he was the one who contacted Councilor Turner. Mark Ginalski, representing Mr. DeScalla spoke stating that he and Mr. DeScalla had attended a meeting with Mr. Stoufer and Mr. Brewer today and have worked out most of the terms of the Agreement. He asked if the Council would be agreeable to a payment schedule for the \$10,000 for financial reasons. City Attorney Mike Fitzpatrick stated that he had met with Mr. DeScalla and his representative prior to the meeting and they are close to a final agreement. Mr. Fitzpatrick stated his concerns relating to a payment plan stating that should problems happen, the City's only recourse would be to revoke the Use Permit.

Councilor Hill asked how much would be paid up front and what would the payment schedule be. Mr. DeScalla stated he would be willing to make monthly payments. Councilor Turner asked if the property owner would be willing to pay \$2,500 up front with the payment schedule set so that the entire \$10,000 dollars is completely paid by the end of fiscal year, June 30, 2009. Mr. DeScalla stated that they could.

Councilor Turner moved for the Agreement to require an initial payment of \$2,500 and a payment schedule would be imposed to ensure that the entire \$10,000 would be paid in full by June 30, 2009. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

City Engineer Ed Anderson stated that he was under the impression that this was a Deferred Improvement Agreement, why would the property owner want to pay \$10,000 now when the Agreement might not be activated depending on the use. Mr. Stoufer explained how we arrived at this point and stated that the pre-payment was at the request of the property owner.

M. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.

N. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

O. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

10. Hill: Received official notification of appointment as Chair of the Administrative Services Policy Committee for 2009 for the League of California Cities.

11. Dickison: Reported that the Lafco meeting was continued to the November 12th meeting at the request of the applicant. She also stated she had attended the Tripartite Board Meeting on October 16, 2008.

12. Zuniga: None.

13. Turner: None

14. Strack: Thanked Staff on the work on Butte and 6th Street and acknowledged Staffs work out of schedule on the downtown cleanup.

Recessed Meeting at: 8:05 p.m.

P. Reconvened the CLOSED SESSION: 8:15 p.m.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

**Agency Negotiator: William May, Labor Relations Consultant;
Police Employee Unit and Dispatch Employee Unit Negotiations**

PUBLIC EMPLOYMENT:

**Pursuant to Government Code Section 54957:
City Manager Evaluation**

Q. RECONVENE AND REPORT ON CLOSED SESSION: 10:05 p.m.

Mayor Strack reported that the Council had met in Closed Session with the Labor Negotiator in regards to the Police Employee and Dispatch Employee Units and gave instruction to the negotiator. He also reported that Council had performed the City Managers evaluation.

R. ADJOURNMENT!: 10:07 p.m.

Lisa M. Linnet, City Clerk