



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, SEPTEMBER 10, 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: 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 except Councilor Linnet who is on a fire.

**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:**

Mayor Strack requested changing the order of the Proclamation presentations, Proclamation No. 2 (National Alcohol & Drug Addiction Recovery Month/Recovery Happens Day) will be presented first, followed by the "Big Read in the City of Corning", then Family History Month.

1. **Proclamation: September 2013 as National Alcohol & Drug Addiction Recovery Month and September 21, 2013 as "Recovery Happens Day".** Present to accept the Proclamation was Drug/Alcohol Division Supervisor Denise Norwood and Holly Wilson, Drug/Alcohol Advisory Board member. They invited those present to attend the free Community Picnic at the Red Bluff River Park on Saturday, September 21<sup>st</sup> beginning at 11 a.m. and ending at 1:30 p.m.
2. **Proclamation: "Big Read in the City of Corning".** Present to accept the Proclamation was Tehama County Arts Council Chairperson Melissa Mendonca, and Tehama County Librarian Sally Ainsworth. They announced that the selected "Big Read" book in common is "Love Medicine" and that the Library will be hosting book discussions, the first one in Corning will be on November 27<sup>th</sup> from 6-7:30 p.m. at the Library.
3. **Proclamation: September 2013 – Family History Month.** Present to accept the Proclamation was Corning Family History Center Director Deanna Baker and Jerry Lequia of the Corning Ward of the LDS Church. Deanna Baker stated that the Center is

currently open only on Wednesdays (10 a.m. to 8 p.m.) and will be holding a Family History Faire on Saturday, Sept. 14<sup>th</sup> from 8 a.m. to 1:30 p.m. at the Ward Building of the LDS Church. She reiterated that the service is free.

**F. BUSINESS FROM THE FLOOR:**

Mayor Strack and City Manager John Brewer requested to add Urgency Item K-16 under the "Items Placed on the Agenda from the Floor". He explained that this is an item requesting adoption of Resolution 09-10-2013-01, a Resolution appointing Tom Watson as the City's voting representative on the Tehama County Abandoned Vehicle Abatement Service Authority Board.

On Monday, September 9<sup>th</sup> Staff was informed that the next meeting of the Tehama County Abandoned Vehicle Abatement Service Authority Board is to be held on Monday, September 16<sup>th</sup>. Currently the Mayor serves as the City's representative to this Board, with Mr. Watson as an Alternate. Although Mr. Watson has attended these meetings, voting on behalf of the City when the Mayor was unable to attend, County Counsel now has determined through his interpretation of the Service Agreement, that Mr. Watson can no longer legally be a voting representative of the City in the capacity of "Alternate". Unfortunately, the Mayor will be unable to attend the Service Authority Board meeting on this date.

Councilor Dickison moved to add Item K-16 to tonight's Council Agenda, and Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

**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.

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 August 27, 2013 City Council Meeting with any necessary corrections.**
6. **September 4, 2013 Claim Warrant - \$105,745.67.**
7. **August 2013 Wages and Salaries: \$331,625.23.**
8. **September 4, 2013 Business License Report.**
9. **August 2013 Building Permit Valuation Report - \$110,180.13.**
10. **August 2013 Treasurer's Report.**
11. **City of Corning Wastewater Operation Summary Report for August 2013**

Councilor Dickison moved to approve Consent Items 4-11. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

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

**I. PUBLIC HEARINGS AND MEETINGS: None.**

**J. REGULAR AGENDA:**

12. **Approve Reimbursement Agreement with David and Zena McCurdy for their completed drainage improvements on Toomes Avenue.**

City Manager John Brewer explained that in 2004 the McCurdy's, during Phase I of their Mini-storage complex construction at Fig Lane and Toomes Avenue, installed at the City's request, an oversized drainage pipe and outlet structure to accommodate additional development on Toomes Avenue. These drainage facilities cost the McCurdy's \$59,242. The City has now connected Phase I of the new Corning Community Park to these drainage facilities, as a result, about 5.6 acres of the new Park will drain via the facilities installed by the McCurdy's. Therefore, the City,

as a developer, should be responsible for reimbursing the McCurdy's for their fair share of these facilities at a total cost of \$12,432. As such, Staff is recommending Council approval of the proposed Reimbursement Agreement with Zena and David McCurdy.

Councilor Cardenas moved to find that the McCurdy's are entitled to reimbursement for installing the "Oversized" drainage facilities within Fig Lane and Toomes Avenue, authorize the Mayor to sign the attached Reimbursement Agreement, and upon execution of the Reimbursement Agreement, authorize payment of \$12,432 from Fund 355 to Zena and David McCurdy. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

**13. Approve Budget Line Item adjustment for Solano Streetscape Project Engineering.** City Manager John Brewer stated that the initial project plans were developed in 2007 and subsequently the project was delayed and later unfunded. He further explained that the project has again been added to the State Transportation Improvement Project (STIP) list with a higher funding value. The \$15,000 budget adjustment now requested is to accommodate the additional Engineering costs associated with the project inclusion of street repaving and waterline extensions to serve new street trees. The Mayor confirmed that the project is funded.

Councilor Cardenas moved to approve a \$15,000 "Budget Line Item Adjustment" from Fund 114, Local Transportation Funds, to account #105-6300-4200 for the Solano Streetscape Project Engineering. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

**14. Urgency Ordinance 653 adding Chapter 7.20 to the Corning Municipal Code regulating use of the dedicated Skateboard/BMX Bicycle area at Corning Community Park.**

Mayor Strack confirmed that this was required by the City's Joint Powers Authority (Northern California Cities Self Insurance Fund) to establish posted regulations that address and possibly reduce potential liability issues. The urgency is the need to have these regulations in place prior to the tentative October 19<sup>th</sup> opening of the Park. Mayor Strack then introduced the proposed Ordinance 653 by title.

Councilor Dickison moved to adopt Urgency Ordinance 653, an Ordinance adding Chapter 7.20 to the Corning Municipal Code to regulate the use of the dedicated Skateboard/BMX Bicycle portion of the Corning Community Park. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

**15. Approve Progress Pay Estimate No. 5 in the amount of \$276,902.90 to Trent Construction for the Corning Community Park Project, Phase 1.**

Councilor Cardenas moved to approve Progress Pay Estimate No. 5 in the amount of \$276,902.90, retain the 5% contract retention of \$13,845.15, and issue payment in the amount of \$263,057.75 to Trent Construction, Inc. for the Corning Community Park Project, Phase I. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

**K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

**16. Urgency Item Addition: Adopt Resolution 09-10-2013-01 appointing Tom Watson as the City's representative and voting member to the Tehama County Abandoned Vehicle Abatement Service Authority.**

Councilor Smith moved to adopt Resolution 09-10-2013-01 appointing Tom Watson as the City's voting representative and Tehama County Abandoned Vehicle Abatement Service Authority Board Member. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas**

and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.

**L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:**

City Clerk Lisa Linnet informed the Council that the City had received a thank you card addressed to the City Council and City Staff from the Chamber of Commerce thanking the City for their assistance and support during the Olive Festival.

**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:** Announced the cancellation of the LAFCO meeting and stated that she would be attending the Community Action Agency meeting on the following Thursday.

**Linnet:** Absent.

**Cardenas:** Reported on Chamber of Commerce meeting stating Corning in the Evening will be held on Thursday, September 12<sup>th</sup> at 5:30 p.m. at the Corning Observer, they are observing their 150<sup>th</sup> Anniversary; and Thursday, September 12<sup>th</sup> is the last Farmers Market, the location has worked so well, the Chamber would like to continue having it at Northside Park, but start the first week of June.

**Smith:** Stated that she will be attending the Senior Center meeting tomorrow.

**Strack:** Announced that Councilor's Cardenas, Smith and himself had attended Wyatt Haywood's Eagle Scout Ceremony. He also stated that he had received a letter from Dennis Wyman of the Mt. Olive Church requesting he participate as a panel member on the "Role of the Church in the Community Today", however he will not be in town. He confirmed that Councilor Smith is serving on that panel and can act as a representative on behalf of the City Council. He stated he would inform Mr. Wyman.

**N. ADJOURNMENT!: 8:03 p.m.**

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**Lisa M. Linnet, City Clerk**