



**CITY OF CORNING  
SPECIAL CITY COUNCIL  
CLOSED SESSION MINUTES  
TUESDAY, SEPTEMBER 11, 2018  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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: 5:30 p.m.**

**B. ROLL CALL:**

**Council:**

Darlene Dickison  
Dave Demo  
Jose "Chuy" Valerio  
Robert Snow  
Douglas Hatley Jr.

**Mayor:**

All members of the City Council were present.

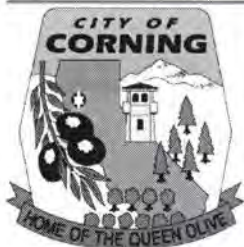
**C. PUBLIC COMMENTS: None**

**D. REGULAR AGENDA:**

1. CONFERENCE WITH LEGAL COUNSEL ON PENDING LITIGATION PURSUANT TO GOVERNMENT CODE, SECTION 54956.9(D)(1):  
Shellebarger, ET AL vs City of Corning

**E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 P.M.**

Mayor Hatley reported that Staff provided a report to Council.



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**Council:**

Darlene Dickison  
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Jose "Chuy" Valerio  
Robert Snow  
Douglas Hatley Jr.

**Mayor:**

All members of the City Council were present.

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by Mayor Hatley who acknowledged all those affected by the tragedy of September 11, 2001.**

**E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:**

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

Airport Commissioner Barbara Boot addressed the Council regarding the status of the City applying for an Airport Grant; City Manager Miller responded stating that Staff has been looking into this and stated that the City is not a priority applicant. She then explained that although the City has had the fencing w/electronic gate and runway on the Airport CIP, Staff believes that the drainage issues should be addressed first. She stated that she has been in contact with the FAA to discuss this issue.

An audience member asked what the City is doing in relation to the homeless issue. City Manager Miller responded stating that the City Council recently attended a Joint Meeting with the Tehama County Board of Supervisors, and Cities of Tehama and Red Bluff to discuss this issue. She stated she could provide contact information on the subject.

Tony Miller: Stated he believes the grant items City Manager Miller referred to are misquoted and stated that there is no interplay with those at the Airport. He further stated his opinion that the City does not entice businesses at the Airport. He then referred to the Lease Agreement he currently has with the City that was executed last April and stated his intent to file a law suit against the City in reference to his Lease Agreement.

LeRose Lane: She announced that she is part owner of the Hanger previously mentioned (with Tony Miller) and suggested utilizing the Lease Agreement used by the City of Red Bluff with whatever modifications necessary for the City's Airport Ground Leases.

Chief Tomlinson stated that the Volunteer Fire Department hosted a raffle (of two (2) 49er Football Game tickets) to support victims of the Carr Fire in Shasta County and raised \$3,675. Brad Gravitt was the winner.

City Manager Miller announced that we have the updated Recreation Program listing. She stated that payments can be made by phone or at City Hall. The completed registration forms could be completed and turned in at the class.

**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 request 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 August 28, 2018 City Council Closed Session and Regular meeting with any necessary corrections.**
3. **September 5, 2018 Claim Warrant in the amount of \$219,837.89.**
4. **September 5, 2018 Business License Report.**
5. **August 2018 Wages & Salaries: \$523,341.46.**
6. **August 2018 Treasurer's Report.**
7. **August 2018 Building Permit Valuation Report in the amount of \$6,924,866.30.**
8. **August 2018 City of Corning Wastewater Operations Summary Report.**

Councilor Dickison moved to approve Consent Items 1-8; Councilor Snow seconded the motion.

**Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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

**I. PUBLIC HEARINGS AND MEETINGS:**

9. **PUBLIC HEARING: Adopt Resolution No. 09-11-2018-01 adopting Findings and approving Energy Service Contract for energy related improvements to City facilities with Aircon Energy, Inc.**

City Manager Kristina Miller and Andy Roth (Aircon Energy, Inc.) presented this item. Ms. Miller stated that there are 15 energy saving measures proposed for a total projected savings to the City of \$412,344 over time. She further stated that she would address both public hearings at this time

as they are both inter-related. Public Hearing was opened at 6:56 p.m. and closed without questions at 6:56 p.m.

Councilor Dickison moved to adopt Resolution 09-11-2018-01 approving an Energy Service Contract with AIRCON ENERGY, INC. for energy related improvements to City Facilities and authorize the City Manager to execute the Energy Service Contract with AIRCON ENERGY, INC. Councilor Valerio seconded the motion. **Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**10. PUBLIC HEARING: Accept public comments and potentially adopt Resolution 09-11-2018-04 adopting Findings and approving a Financing Agreement and related loan documents with Pacific Gas and Electric to fund the implementation of certain energy conservation improvements to City facilities.**

City Manager Kristina Miller and Andy Roth (Aircon Energy, Inc.) presented this item (see above). Ms. Miller explained that this addresses the financing portion of the energy improvements through PG&E. She stated that there will be 10 separate Agreements and the City Attorney has reviewed and approved the Agreements. The Public Hearing was opened at 6:58 p.m.; with no comments received, the Public Hearing was closed at 6:58 p.m.

Councilor Snow moved to adopt Resolution 09-11-2018-04, a Resolution approving the Findings, the Financing Agreement, and the Loan Documents with PG&E upon final approval of the City Manager and City Attorney to fund the implementation and installation of specified energy efficiency improvements to City Facilities at an amount not to exceed \$370,000. Councilor Demo seconded the motion. **Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**11. Hearing to consider objections/appeals from noticed property owner and adopt Resolution 09-11-2018-03 declaring a public nuisance on one (1) property within the City and authorize the Fire Chief to initiate abatement procedures.**

This item was introduced by Fire Chief Tom Tomlinson. He stated that several years ago there was a fire at 1919 Solano and resulting refuse still remains at the site along with refuse accumulated since. The Public Hearing was opened at 6:59 p.m.; will no comments or appeals the Public Hearing was closed at 6:59 p.m.

Councilor Snow moved to adopt Resolution 09-11-2018-03 declaring that a Public Nuisance exists on the one property listed on the attached Exhibit "A" (1919 Solano Street); such conditions are seasonal and recurrent nuisances; and authorize the Fire Chief and City Clerk to initiate abatement procedures including, but not limited to issuing misdemeanor violations and civil penalties on these properties/parcels as specified in the City's Municipal Code as well as liens to recoup cost incurred by the City for abatement. Councilor Demo seconded the motion. **Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**J. REGULAR AGENDA:**

**12. Adopt Resolution 09-11-2018-02 approving a Volunteer Fire Assistance (VFA) Program Agreement for awarded funding in the amount of \$4,069 between the City and CALFIRE and authorize the City Manager to sign the Agreement.**

This item was introduced by Fire Chief Tom Tomlinson; he informed Council that the Application was approved on July 23<sup>rd</sup>.

Councilor Dickison moved to adopt Resolution 09-11-2018-02 approving Agreement No. 7FG18020 between the City of Corning and the California Department of Forestry and Fire Protection; authorize the City Manager to sign and execute the Agreement and any amendments on behalf of the City of Corning; and approve the expenditure of the budgeted \$4,069 from fund 076-9301-2301 for the Grant matching fund criteria. Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**13. Award Bid for the 2018-14 City Street Tree Pruning (southeast & northeast quadrants) to West Coast Arborists in the amount of \$125 per tree, not to exceed the budgeted amount of \$40,000 and authorize the City Manager to execute the Contract.**

Public Works Director Dawn Grine presented this item informing Council that the City only received two bids.

Councilor Snow moved to award Bid for the 2018-14 City Street Pruning, southeast & northeast quadrants to West Coast Arborists, Inc. in the amount of \$125 per tree, not to exceed \$40,000 and authorize the City Manager to execute the Contract. Councilor Valerio seconded the motion. **Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**14. Approve Real Property Lease Agreement with Corning Volunteer Fire Department.**

City Manager Miller presented this item. She stated that this Agreement would allow the Volunteer Fire Department to utilize the second story room as a meeting room, training room and for recreational benefits. She stated that the Agreement cost is \$1 per year in light of the Volunteer Service they provide the community. City Attorney Bogener stated the reasoning for the Agreement is primarily indemnification.

Councilor Dickison moved to approve the Lease Agreement between the City of Corning and the Corning Volunteer Fire Department as presented. Councilor Valerio seconded the motion. **Ayes: Hatley, Dickison, Valerio, Snow and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**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 that tomorrow's LAFCO meeting was cancelled and possibly the Senior Center Board Meeting scheduled for tomorrow will also be cancelled. The Tripartite Board Meeting won't be until the following week. She also reported on her attendance at the Joint Meeting of the Tehama County Board of Supervisors and the City Councils of Corning, Red Bluff and Tehama last night to discuss the County Homeless Plan.

**Valerio:** Announced the upcoming Olive Festival and stated that they will have a raffle and tickets are now on sale. He will bring more information to the next meeting.

**Snow:** Olive Festival Fire Department Pancake Breakfast on October 6<sup>th</sup> from 7-10 a.m. A teacher from Olive View School had his class write letters in memory of 9/11 to first responders and some were delivered to the Fire Department today.

**Hatley:** Stated that he also attended the meeting last night and stated that one of the items they are looking at purchasing is a shower trailer. He announced that next Tuesday, Sept. 18<sup>th</sup> will be the Food Truck Tuesday Event starting at 5 p.m. and the next City Council Meeting is Sept. 25<sup>th</sup>.

**Demo:** The Corning Volunteer Fire Department Engine returned from service on the Delta Fire yesterday (9/10/2018). He also stated he attended the Special Joint Meeting last night and stated it is a huge project that will take a lot of time and money.

**N. ADJOURNMENT!: 7:16 p.m.**

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**Lisa M. Linnet, City Clerk**