



**CITY OF CORNING  
CITY COUNCIL CLOSED SESSION MINUTES  
TUESDAY, SEPTEMBER 23, 2014  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 7:00 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 except for Councilor Linnet.

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. REGULAR AGENDA:**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Pursuant to Section 54956.8**

**Potential Land Acquisition Property: APN No. 71-131-01**

Negotiating Party: John Brewer, Jody Burgess and John Stoufer

Continuation of September 17, 2014 Meeting – Discussion and status update.

**E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.**

Council met with Property Negotiators and gave them direction.

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**Lisa M. Linnet, City Clerk**



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**Council:**

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**Mayor:**

All members of the City Council were present except Councilor Linnet.

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

**D. INVOCATION: Led by City Council Member Tony Cardenas.**

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

1. **Proclamation – October 2014 as National Domestic Violence Awareness Month in the City of Corning.** Present to accept the Proclamation was Advocate Supervisor Maggie Michaels, Alternatives to Violence. She stated that this year alone they have served 147 people in the City of Corning and informed the Council of the upcoming events that they will be having in Red Bluff.
2. **Proclamation – October 13<sup>th</sup> – October 17<sup>th</sup> as Veterans of Foreign Wars “2014 Buddy Poppy Sales Days”.** VFW Post 4218 Chaplin and Post Veterans Service Officer James Darrow accepted the Proclamation.
3. **Proclamation – October 5-11, 2014 as 4-H Week in the City of Corning.** Present to accept the Proclamation was Cindy McClain and eight members of Corning 4-H and one chicken (Millie), one rabbit and one turtle.

**F. BUSINESS FROM THE FLOOR:**

Richard Orduno read a letter on behalf of him and his neighbors, some of whom were present, regarding safety concerns due to the high volume of industrial large semi-truck traffic and speeding vehicles in the southeast side of town, specifically the area of 1<sup>st</sup>, 2<sup>nd</sup> and Almond Streets from Solano Street to Fig Lane. He is requesting some type of Ordinance restricting large semi truck traffic on residential streets and the possible installation of speed bumps/stops signs to eliminate this hazard.

James McAllister, an Almond Street resident, also stated his concerns, specifically regarding Bell Carter Trucks, announcing that he has almost gotten hit on numerous occasions. Jeanine Quist stated that she has also witnessed some of the incidents stated tonight and that she would like to see the City be proactive rather than reactive.

Mayor Strack stated that the City would look into the situation and try to find a solution that works for everyone. He then requested that Public Works Director Patrick Walker look into the situation and report back to the Council.

**G. CONSENT AGENDA:**

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 September 9, 2014 City Council Meeting with any necessary corrections:**
6. **September 17, 2014 Claim Warrant - \$447,921.42.**
7. **September 17, 2014 Business License Report.**
8. **Award Contract in the amount of \$24,864 for pruning 514 City Palm Trees to George Salinas Tree Preservation.**

Councilor Dickison moved to approve Consent Items 4-8. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None.** 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:**

9. **City Attorney advise to City Council regarding Ed Baker complaint regarding the Senior Center:**

City Attorney Jody Burgess informed the Council that he has looked into this and there is a Lease Agreement between the City and the Senior Center. He further informed the Council, per our Lease Agreement Contract, we are a Landlord and as such our rights are governed pursuant to that Lease Agreement and there is a particular provision that we can get involved relative to retaining and hiring a Manager and also its use, meaning the regulated use (such as use as a Senior Center). Nothing in this Agreement gives us a right to address the complaint however we can hear it and bring it to the attention of the Senior Center Board.

Mr. Baker explained that his complaint is not limited to a complaint about an employee, but also relating to the Minutes, Brown Act infringements, etc. He also stated that because the City has a Council Member that is obviously a Liaison and Senior Center Board Member he feels that there is some tie there. He also presented the Council with a copy of another letter of complaint submitted to the Senior Center Board of Directors dated May 18, 2011.

City Attorney Jody Burgess intervened emphasizing that the Council has no authority/jurisdiction to act on this complaint.

10. **Approve five-year Engineering Services Contract with Ed Anderson Engineering with hourly compensation set at \$75 plus annual payment of Professional Liability Insurance (Errors and Omissions) in the amount of \$2,500 - \$3,000.**

Following discussion, Councilor Cardenas moved to approve the Engineering Services Contract with Ed Anderson Engineering for a 5-year period commencing on September 1, 2014 and authorize the City Manager to sign the contract on behalf of the City of Corning. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None.** Motion was approved by a 4-0 vote with Linnet absent.

11. **Introduction and first reading of Ordinance 656 (and associated Summary Ordinance); an Ordinance modifying existing Weed Abatement procedures outlined in the City of Corning Municipal Code.**

City Attorney Jody Burgess briefed the Council on this item explaining that some of the issues Staff hopes to correct are the reference to the Municipal Court that no longer exists and the establishment of an appeals process before the City Council. Mayor Strack also suggested including a procedure allowing the process to start early in times of drought. Fire Chief Spannaus stated that there is terminology included that allows the Fire Chief to make the determination to start the weed abatement process earlier based upon need and/or existing conditions.

Councilor Dickison moved to introduce and read by short title, Ordinance 656, an Ordinance that modifies and updates the existing Weed Abatement Ordinance to allow the City to adopt Resolutions as necessary identifying potential fire hazard and/or public nuisance properties; establish an appeal process by objection for property owners whose property has been so identified; and if not abated by property owner within established time limits, establishes process legally allowing City access to property to abate hazard/nuisance and collect for costs incurred by City for said abatement. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

**12. Award Contract for the 2014 Street Paving Project to Jason Abel Construction in the amount of \$220,556.83.**

Mayor Strack asked if the items crossed out on Jason Abel's bid will affect the project; City Engineer Ed Anderson stated no. Public Works Director Patrick Walker announced the streets included in this project and Mr. Anderson stated that the project should begin within the next two-three weeks.

Councilor Smith moved to award the 2014 Street Paving Project to Jason Abel Construction for the amount of \$220,556.83 and authorize the City Manager to sign the contract. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

City Manager Brewer pointed out that were it not for the extra \$65,000 in RSTP and LTF funds included in the Budget Amendment presented at the previous meeting (August 26<sup>th</sup>) we would not have had the budget to do all of this.

**13. Seeking Council approval of the Byrne Criminal Justice Innovation Implementation Plan.**

Matt Russell, project consultant presented a PowerPoint presentation on the Byrne Criminal Justice Innovation Implementation Plan Grant. Mr. Russell stated that this is part of the larger initiative, The Everett Freeman Promise Neighborhood Project that was funded about 2 years ago. In February of 2013 Mr. Russell stated he met at Corning High School with Mayor Strack, Councilman Cardenas, City Manager John Brewer and Police Chief Don Atkins to discuss this grant that they had heard of, The Byrne Criminal Justice Grant. The City received word last September that they had been awarded this \$1,000,000 grant; Corning was the smallest City in the nation that was funded. He stated that the first \$140,000 was set aside for planning, to date he believes that we have used approximately \$80,000 on this planning, the components of which he will be presenting.

He stated that the proposal is comprised of basically two components. He stated that they had to choose evidence based practices.

1. **Hot Spot Policing**, a nationally used term among Police Forces, which means through a large community assessment process, to focus on certain areas. Utilizing this process it was determined to continue to have a School Resource Officer at Corning Union High School, Corning Centennial High School, and C-Cal, (for 9 months this Officer will be paid out of Grant Funds).

Also, having created a crime map following review of crime records over the last year, specifically property crime and violent crimes, to focus police efforts where they are primarily located along Solano Street and Spring Mountain Apartment complex. They will use current City resources to focus on these areas. They also want to expand the Volunteer Police Force using some grant funds for equipment, uniforms, training and possibly funding stipend for a coordinator.

- 2. Children in Youth Prevention and Intervention Services.** Part of the money will be used for two Counselors at the High School. These Counselors will continue to provide some of the services currently provided which will no longer be funded under their existing grant. Last year over 300 students received some type of Counselling at the High School District; these grant funds will allow the Counselling services at the High School to continue. He also stated that he just saw this morning that the Elementary School District has also received grant funding, a little over \$1,000,000 along with Gerber, to provide Counselors and a Social Worker at Olive View and West Street. He stated that the Elementary School grant would not have been funded had the City not gone through the Byrne because it was based a lot on the criminal justice data we provided. He also stated that this is funding a new Afterschool Program that has just started at the High School which has been funded for five years. To date we have received (via the Schools) an additional \$2,500,000 that will last for 3 years for Counselling services and five years for the Afterschool Program. He stated they hope to initiate a School Safety Team to address issues such as bullying, substance use/abuse, etc. (funding for this will not come from the Cities grant funds, but from the new Counselling grant), and re-implement a Restorative Justice Program utilizing community volunteers.

Councilor Cardenas moved to approve the proposed Byrne Criminal Justice Innovation Implementation Plan for submittal to the Bureau of Justice Assistance. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Absent: Linnet. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Linnet absent.**

**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 Community Action Agency Meeting held here in Corning at which they were updated on projects/events. She reported she also attended the Community Forum that evening at City Hall where they had various organizations with food, recipe books, and surveys for them to fill out with questions such as: Do you feel safe in your community, your concerns relating to local crime, transportation, etc. with the purpose of finding possible solutions.

**Linnet:** Absent – currently working on the King Fire.

**Cardenas:** Nothing

**Smith:** Reported that the Senior Center had their first meeting following a short hiatus to discuss finances, etc. She stated that she attended the recently held Police Simulator Training at the Corning Transportation Center. She stated that having attended and participated in aspects of the program, she has a renewed and stronger respect for Police Officers.

**Strack:** Nothing.

**N. ADJOURNMENT!: 8:38 p.m.**

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**Lisa M. Linnet, City Clerk**