



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, SEPTEMBER 8, 2009
WOODSON ELEMENTARY SCHOOL GYMNASIUM
150 NORTH TOOMES AVENUE**

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:

Council:

**Becky Hill
Ross Turner
Toni Parkins
John Leach
Gary Strack**

Mayor:

All Council members were present.

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.

No comments were received from the audience prior to the City Council adjourning to Closed Session.

C. ADJOURN TO CLOSED SESSION:

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Management, Miscellaneous, Dispatch and Public Safety Employees
Bargaining Units**

D. RECONVENE AND REPORT ON CLOSED SESSION: 7:30 p.m.

Mayor Strack announced that Council had met with Labor Negotiator William May and gave him direction.

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

Councilor Leach gave the Invocation and City Manager Kimbrough led the Pledge of Allegiance.

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

1. Proclamation – September 5th – 13th Disabled Veteran's Forget-Me-Not Days in the City of Corning.

City Clerk Lisa Linnet read the Proclamation and Mayor Strack announced that the Proclamation was presented to Mr. Mike Clay of the Corning #115 Chapter of the Disabled Veterans last week.

2. September 2009 as National Alcohol and Drug Addiction Recovery Month in the City of Corning.

City Clerk Lisa Linnet read the Proclamation and Mayor Strack presented it to Patricia Rasmussen, Tehama County Drug and Alcohol Advisory Board Member. Ms. Rasmussen invited everyone to attend an event to be held at the Red Bluff City River Park from 10:00 a.m. to 1:00 p.m. on September 19th.

G. BUSINESS FROM THE FLOOR:

Gene May addressed the Council on the history of and proper American Flag salute etiquette for Veterans and the general public.

Valanne Cardenas addressed the Council announcing that the Olive Festival was a great success and she thanked all who assisted with the event and made donations (both monetary & of their time).

Debbie (Jones) Johnson stated she was here to offer her experience and wisdom on issues related to THC (Tehama Herbal Collective). She stated that Corning should not limit the opportunity to only THC; there should be competition. Councilor Hill asked Ms. Johnson if she would give her phone number to the City Manager so that he may contact her in the future for information.

Another audience member addressed the Council regarding some of the City's crosswalks. She stated that some areas along Solano Street have no crosswalks. She stated that it is supposed to be legal to cross at any corner. Mayor Strack confirmed that she is talking about areas east of the railroad tracks. He then stated that the Public Works Director and his Assistant are looking into this and have even obtained some bids. Public Works Director John Brewer stated that some of the side streets and cross street grades pose some problems in relation to crosswalk installation, however Staff is currently reviewing the issue and the affordability of installing more crosswalks in this area.

H. 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.

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **September 2, 2009 Claim Warrant - \$180,991.34.**
5. **August 2009 Wages and Salaries - \$356,453.05.**
6. **Business License Report – September 2009.**
7. **August 2009 – Treasurer's Report.**
8. **August 2009 Building Permit Valuation - \$71,764.**
9. **City of Corning Wastewater Operation Summary Report – August 2009.**
10. **Authorization of System Exchange Corporation Agreement.**
11. **Resolution 09-08-09-01 To Ratify Sideletters Accepting the Furlough Plan for each of the Individual Employee Units and Set Office Furlough Closure Days.**
12. **Resolution 09-08-09-02 Revoking the No Parking Zone along the East and West Sides of Peach Street from Solano Street North 132 Feet.**

Councilor Leach stated that he would be abstaining from voting on Consent Item 12 due to his association with the New Life Assembly Church which requested the removal of the parking zone.

Councilor Turner moved to approve Consent Items 3 through 11. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

Council Turner moved to approve Consent Item 12 and Councilor Hill seconded the motion. **Ayes: Strack, Hill, Turner and Parkins. Opposed: None. Absent: None. Abstain: Leach. Motion was approved by a 4-0 vote with Leach abstaining.**

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

J. **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.** None.

K. **REGULAR AGENDA:**

13. Authorize Mayor to Sign a Written Report Pursuant to Section 65858(d) of the California Government Code Relating to Interim Ordinance 637.

Mayor Strack introduced this item by title and Planning Director John Stoufer briefed the Council on the requirement of the report and outlined the steps the City Council has taken to date. Mr. Stoufer stated that the report will be provided to the Council prior to the Mayor signing.

Councilor Turner asked the City Attorney whether it is legal for the Council to approve a report that they haven't seen yet stating he has issues with approving a document he has not yet seen. The City Attorney stated that following review by the City Council, should someone have concerns or objections, a special meeting could be held within the 10 days.

Councilor Turner moved to authorize the Mayor to sign the Report issued by the Council pursuant to Section 65858 (d) of the California Government Code pursuant to Interim Ordinance 637 subject to Council review and approval. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

14. Approve One-Year Extension for Use Permit 2008-252 – Salado Orchards Phase 2 Subject to Original Conditions of Approval.

Mayor Strack introduced this item by title and Mr. Stoufer briefed the Council on the status of this project. With little discussion Councilor Parkins moved to adopt the 4 Findings and Subfindings as presented in the Staff Report and approve a 1-year extension for Use Permit 252, Salado Orchard Apartments Phase 2, subject to the Conditions of Approval imposed by the Council on September 9, 2008. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Parkins and Leach. Opposed: Turner. Absent/Abstain: None. Motion was approved by a 4-1 vote with Turner opposed.**

15. Corning Municipal Airport Improvement Project - Award Bid for the Corning Municipal Airport Runway and Taxiway Paving and Lighting Improvement Project to A. Teichert & Sons, Inc. (dba Teichert Construction) in the amount of \$2,187,398.90.

Mayor Strack introduced this item by title and Public Works Director John Brewer briefed the Council on the Bids received. With little discussion Councilor Turner moved to award the Bid for the Corning Municipal Airport Runway and Taxiway Paving and Lighting Improvement Project (FAA AIP Project No. 3-06-0053-06) to A. Teichert & Son, Inc., dba Teichert Construction of Davis California in the amount of \$2,187,398.90, subject to the Federal Aviation Administration grant notification. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

16. Approve Change Order No. 1 for Corning Municipal Airport Improvement Project.

Mayor Strack introduced this item by title and Public Works Director John Brewer explained that approval of this Change Order would reduce the overall cost of the project by \$45,730 by deleting all fencing items, and the removal of 3 separate distance signs from the project.

Councilor Hill moved to approve Change Order No. 1 to the Corning Municipal Airport Improvement Project. Councilor Leach seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

17. Corning Municipal Airport Improvement Project; Modification to Master Agreement with Wadell Engineering Corporation for Construction Observation and Inspection Services.

Mayor Strack introduced this item by title and Public Works Director John Brewer stated that we currently have an Agreement with Mr. Wadell. He stated that approval of this item would modify the Master Agreement for Airport Consultant Services which was approved by Council on November 25, 2008 by increasing his fee by \$194,075. Mr. Brewer explained that this increase is to compensate the Consultant for onsite construction observation and inspections, contract administration and reporting, and preparation of record drawings.

Councilor Leach moved to approve the attached Addendum to the Master Agreement between the City of Corning and Wadell Engineering Corporation for construction phase services and authorize the City Manager to sign the Agreement on behalf of the City. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

18. Corning Municipal Airport Improvement Project; Advisory Matter Regarding Loan Amount from City's Transportation Development Impact Fee Account for "5% City Matching Funds" Share.

Mayor Strack introduced this item by title and Public Works Director John Brewer briefed the Council on the total required City funding amount of \$118,421 (5% City Match) to be borrowed from the City's Transportation Development Impact Fee Account. Councilor Turner asked what interest rate the City would be paying on this loan and was informed by the City Manager that it would be a variable interest rate based upon the interest currently earned by the City on our deposits. **No action required, informational only.**

19. Approve Participation in Bond Program through California Communities Development Authority to offset State Taking of Property Tax.

Mayor Strack introduced this item by title and City Manager Kimbrough briefed the Council on the Plan for our Joint Powers Authority to sell Bonds to pay back the City for the Property Tax funds taken by the State. The City would not absorb any of the liability, the JPA and the State would absorb the liability. By Council consensus the City will participate.

20. Approve Resolution No. 09-08-09-03 Authorizing Staff to Record a Lien for Delinquent Water and Sewer Services in the Amount of \$4,843.63.

Mayor Strack introduced this item by title. With no discussion, Councilor Turner moved to adopt Resolution 09-08-09-03 approving the recording of the Resolution and attached Notice of Lien in the amount of \$4,843.63 on the property located at 650, 662, 674 and 686 Fairview Avenue, APN # 71-091-12, to secure the payment of delinquent water and sewer fees through June 2009. Councilor Parkins seconded the motion. **Ayes: Strack, Hill, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

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

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

N. **REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

21. **Hill:** Stated she will be attending the League of CA Cities Convention next week. Normally the City has a chance to review any Resolutions, do they want her to abstain

since the Council has not had a chance to view, or go ahead and vote. Council by Consensus stated they have faith in her judgement, and for her to go ahead and vote.

22. Turner: None.

23. Parkins: None.

24. Leach: Thanked Staff and Council for flowers sent to him following the death of his Mother.

25. Strack: Announced that the County of Tehama Exhibit (which the City contributed to) earned a silver ribbon at the California State Fair for the display entitled "Beef – A Wild West Tradition in Tehama County". The exhibit will be on display at the Tehama County Fair later this month, September 24th thru September 27th.

Mayor Strack also announced that the next City Council Meeting, on Tuesday, September 22, 2009 will be held at the Olive View School Gymnasium, located at 1402 Fig Street.

Mayor Strack stated he would like on the next Agenda a Staff Report allowing Council to voluntarily reduce their monthly stipend and participate in the furlough program.

O. **ADJOURNMENT!: 8:15 p.m.**

Lisa M. Linnet, City Clerk