



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, MARCH 13, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

- A. **CALL TO ORDER: 7:30 p.m.**
- B. **ROLL CALL:** Councilmember: Hill
Dickison
Zuniga
Turner
Strack
Mayor:
- C. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
- D. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS:**
- E. **ROSE TOBISCH, CORNING HIGH SCHOOL LIAISON REPORT:**
- F. **BUSINESS FROM THE FLOOR:** If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, give your name and address, and briefly identify the matter you wish to have placed on the Agenda. The Council will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Council from taking formal action on the issue, however, unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.
- 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.
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 February 20, 2007 Meeting with any necessary corrections.**
 3. **March 7, 2007 Claim Warrant - \$126,317.10.**
 4. **February 2007 Wastewater Treatment Plant Summary Report.**
 5. **February 2007 Building Permit Valuations - \$73,747.**
 6. **March 2007 Treasurer's Report.**
 7. **February 2007 Wages and Salaries - \$330,683.58.**
 8. **Approve Recommendation by the Recreation Commission of Darlene Haskins and Shannon Boles to the Recreation Ad-Hoc Committee with Wini Peterson as the Commissions Alternate.**
- H. **ITEMS REMOVED FROM THE CONSENT AGENDA:**

I. **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.**

9. **Rezone No. 2007-01; To Implement a Density Bonus and Affordable Housing Incentive Ordinance Pursuant to State Law; Ordinance No. 627.**

J. **REGULAR AGENDA:** All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

10. **Resolution No. 03-13-07-01; A Resolution of Intent to Vacate Unconstructed Portions of Blossom and Orange Avenues Within and Adjacent to the Shasta View Tract.**

11. **Discussion of Complaint by JoAnn Landingham and Request for Installation of Separation Fence Between Her Property and Flying J.**

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

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

M. **REPORTS FROM MAYOR AND COUNCILMEMBERS:**

12. Hill:

13. Dickison:

14. Zuniga:

15. Turner:

16. Strack:

N. **ADJOURN TO CLOSED SESSION:**

PUBLIC EMPLOYEE EVALUATION:

Pursuant to Government Code Section 54957:

City Manager Evaluation

O. **RECONVENE AND REPORT ON CLOSED SESSION:**

P. **ADJOURNMENT!**

POSTED: MARCH 9, 2007

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, FEBRUARY 27, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Councilmember:

Hill
Dickison
Zuniga
Turner
Strack

Mayor:

Mayor and Councilors were all present.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS: None.

E. ROSE TOBISCH, CORNING HIGH SCHOOL LIAISON REPORT: Not Present.

F. BUSINESS FROM THE FLOOR:

Recreation Programs Request:

Shannon Boles addressed the Council regarding the possibility of hiring a Recreation Coordinator. Mayor Strack responded stating that should the City decide to hire a Recreation Director, he would like to see it be done under a Recreation District rather than the City solely supporting it. He stated that the formation of a Recreation District was placed on the ballot in the past and was voted down, possibly the time is right to try this again. Mayor Strack further stated that he believed the City Council would support a Recreation District. Councilor Hill stated she would like the Recreation Commission to look into this and bring the information back to the City Council.

Randy Maday spoke stating a cost of \$145,000 presented by Garrett White, Recreation Director for the City of Orland at a previous meeting for a Recreation Program and Director. Mr. Maday said that such programs would create tax revenues for the City. Mayor Strack responded stating he would like to see such a program fall under a Recreation District, not solely financed by the City. Mayor Strack stated that Mr. Maday, Shannon Boles, and some of the others present tonight and requesting such a program reside in the County. Mayor Strack responded stating that the City hired a Recreation Coordinator a couple of years ago; this program was in effect for approximately one year and received very little response. Councilor Zuniga stated that she served as the Recreation Coordinator during this time, that her education had centered on recreation, she had received her degree in that field and that it was a passion of hers. She stated that she had sent out questionnaires to each household within the High School District with children to obtain an idea of what type of programs they would like, she received less than 1% of the completed questionnaires back.

Councilor Turner asked Mr. Maday the dollar amount contributed by the City of Orland, etc. for a recreation program and suggested the formation of an Ad-Hoc Committee consisting of two members from the Council and two members of the Recreation Commission to research this item. He then requested that this information be agendize and brought back to the Council

around mid-year budget for discussion and consideration. Councilor Turner and Councilor Zuniga volunteered to represent the Council on this Ad-Hoc Committee.

Corrine Maday spoke referring to a recent news article relating to the City budget and City sales tax revenues stating that possibly some of the revenue stated in this article could possibly provide funding for a Recreation Program. She stated that youth soccer, and other existing programs are growing beyond the capacity of the parents alone to keep going. She then read from statistics she acquired from a recent training she attended relating to teen pregnancies, youth drug and alcohol consumption, teen suicides, etc. She stated that she would hate to put this to a vote of the public for additional taxes, when according to the newspaper article the City tax revenues have increased and could possibly fund a recreation program.

Mike Albee stated that when he young, he was paid to assist former City Recreation Director Mike Ford in running basketball camps, and other City recreational programs. He stated that this paved the path for his future. He asked when the program started that employed Mr. Ford; Mayor Strack stated he believed that it dated back to the 1950's when Tag McFadden was the director. Mr. Albee stated that these programs make a great impact on the lives of the Children.

Mayor Strack explained the benefit of a Recreation District and how it works. Councilor Hill explained that a Recreational District tax doesn't necessarily mean an additional tax of \$100; it could possibly be as low as \$1 per parcel. It was explained that a District would operate with a Board of Directors, voted on by the members of the Recreation District. Mayor Strack stated that currently the City allocates and spends over \$100,000 a year to maintain the existing parks and recreational programs.

Members of the audience spoke questioning how and where the current recreation/parks budgeted money is spent. Jason Armstrong addressed the Council stating his desire is just to see his children take pride in the Community such as what he has observed by elder members of the Community. He further stated that possibly if more funding was spent and a Recreation Director hired the City would have much more than a 1% response from the Community. Sharie Peterson informing the Council that there are many children currently not able to be on the various sport teams, drill team, etc., these are the children that would especially benefit from an active recreational program.

Mayor Strack stated that an Ad-Hoc Committee would be formed consisting of Councilor Turner and Councilor Zuniga, two members of the Recreation Commission, and two members of the audience. Councilor Turner asked for this to be agendized for the next Council meeting. He also asked if contact could be made with City of Orland Recreation Director Garrett White to obtain documentation of programs, associated costs, and funding sources for his recreational program for Council review and consideration for possible City programs.

Corine Maday asked when the next budget would be done. City Manager Kimbrough stated that it is starting now and we will obtain a better idea of funding possibilities in June when the figures start coming in.

Complaint by property owner JoAnn Landingham regarding Flying J:

Joanne Landingham addressed the Council relating to issues with her neighbor the Flying J Truck Center. She stated that when she was out of the Country she wrote a letter requesting an access road to her property and a wall separating her property from Flying J. She stated that drivers from Flying J are climbing out of trucks and urinating near her property line and are to lazy to walk their garbage to the garbage containers. She informed the Council that her and her Caretakers dogs have been poisoned and she has had people entering and sleeping in her washhouse. She stated that her caretakers have logged license numbers and company names of the problem truckers and have contacted the company and was told that they would pay the veterinary bills associated with the dog poisoning, however this doesn't prevent future problems, some of the truckers still through food over the fence to the dogs.

Mrs. Landingham stated she would like the back 20' of the parking lot closed; or a fence (that she first requested) now be installed as a barrier separating the two properties. Mrs. Landingham then read a letter received from the General Manager at Flying J. She stated that all she wants is no garbage in her back yard and her animals not being poisoned...she reiterated that she wants a fence installed. She stated that she realizes that her house is in a bad area for a residence, she stated that she mows there side of the fence and trims there trees. Mrs. Landingham then introduced her caretakers, Mr. and Mrs. Kaye. Mr. Kaye addressed the Council, stating he had animals in his house that are better house broke than some of those Truck Drivers.

Mr. Brewer responded stating that Jack Alexander, City Building Official/Code Enforcement Officer spoke with the Manager of Flying J on the date that the City received the calls from Mrs. Landingham's Caretakers. Mr. Brewer stated the City has two Use Permits for this area, one for Mrs. Landingham and one for Flying J. He further stated that the mobile home lived in by Mr. Kaye located on the Landingham property is a Temporary Use Permit which is not conducive to an Industrial Zone. Mr. Brewer confirmed that the City did in fact receive her letter regarding a barrier wall and stated normally a masonry land use barrier would be constructed 6' high to separate residential and industrial use zones. Because of the grading and elevation, this was not possible in this case.

Councilor Hill asked if City Building Official Jack Alexander could possibly make sure that the weed abatement issues were taken care of. Mayor Strack asked if Mr. Brewer could possibly prepare something for the next Council Agenda regarding possibly requesting installation of fencing to separate the two properties.

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.

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 February 13, 2007 Meeting with any necessary corrections.**
3. **February 2007 Claim Warrant - \$199,457.69.**
4. **February 22, 2007 Business License.**
5. **Recommend Appointment of Daniel Salado to the Corning Airport Commission.**
6. **Annual Tehama County State Fair Exhibit Contribution from the City of Corning.**
7. **Recreation Commission Recommendation to the City Council for One-time Donation in the Amount of \$1,000 to Subsidize the Swim Team Assistant and Head Coach Salaries.**

Mayor Strack stated that Item 7 would be removed from the Consent Agenda for further discussion. Councilor Turner motioned approval of Consent Agenda Items 1-6, and 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.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **Recreation Commission Recommendation to the City Council for One-time Donation in the Amount of \$1,000 to Subsidize the Swim Team Assistant and Head Coach Salaries.**

Councilor Dickison stated that she felt approving this would set a precedent for any recreation or other program. Councilor Turner stated that he disagreed, he believed that each item would be considered on their own merit.

Shannon Boles addressed the Council informing them of the Swim Team finances and the reason behind this request. She stated that they have already decided to raise fees to cover expenses in order to continue the program; however even with the increased fees they will still need assistance to cover the expense of instructors.

City Manager Kimbrough asked the Council should they decide to approve this item, where should the funds be taken from and who will the City pay the \$1,000. He was informed to the Corning Swim Team with the understanding that it will be returned to the City should the program not take place.

Councilor Hill motioned approval of the one time donation of \$1,000 to the Corning Swim Team to subsidize the salaries of the Swim Team Head Coach and Assistant. Councilor Zuniga seconded the motion. **Ayes: Hill, Zuniga and Turner. Opposed: Strack and Dickison.**

Absent/Abstain: None. Motion was approved by a vote of 3-2.

- I. **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.**

8. **POSTPONED FOR FURTHER CONSIDERATION BY THE PLANNING COMMISSION:**

Salado Orchard Apartment Project; Rezone 2006-3; Planned Development Use Permit 2006-231; To Rezone from R-1 to P-D, Planned Development and a Use Permit to Authorize the Construction and Operation of a 48 Unit Apartment Complex; Tentative Parcel Map 07-01; Pacific West Communities, Inc.; Located southwest of the Toomes Avenue & Blackburn Avenue Intersection, APN 71-020-02; Approximately 10.28 Acres.

J. **REGULAR AGENDA:**

9. **Theatre Improvement Update: Discussion**

- a) **Theatre Ownership Structure – Oral Presentation by City Attorney Mike Fitzpatrick.**
- b) **Seek Authorization to Seek Formal Bids for New Roof at Rodgers Theatre and Provide Direction and Goals for the Rodger's Theatre Building.**

City Attorney Michael Fitzpatrick briefly informed the Council on the legalities of giving the Theatre Building to a non-profit organization. Councilor Turner asked who would assume financial liability for the building under these circumstances. Mayor Strack stated that the benefits one way or the other would need to be weighed.

Danny Dunnegan requested to leave the building in the hands of the City and move forward with having the Theatre roof repaired.

Mayor Strack requested that the Friends of the Theatre come back to the Council with a Plan clearly stating what the Committee wants, whether it be a Theatre or a Community Theatre/Center, etc. Councilor Turner asked Danny what the funding sources are and how much money have they raised to date. Mayor Strack responded stating that funding source information needs to be provided from City Staff.

City Manager Kimbrough confirmed that the City should maintain ownership of the Theatre. The Council stated yes. He then confirmed that the Council would recognize that the money would have to come from the Park Bond Act in order for the process to begin to obtain these funds. Mayor Strack stated that he thought Staff should prepare a Staff Report to Council. Mr. Kimbrough

stated that \$52,304.30 remains in the Theatre fund as of now. He stated that we still have approximately \$8,000 remaining for the Theatre Marquee, which leaves roughly a little over \$40,000. Mayor Strack stated he would like the Friends of the Theatre to present a plan and Mr. Kimbrough to prepare a Staff report for the Theatre proposed budget. Council agreed that Public Works should move forward with the roof repairs/replacement and should start the formal bid process in May of 2007.

10. Discuss Need for Commission Rules and Procedures Including Standards for Residency and Attendance.

Mayor Strack introduced this item by title. Councilor Dickison stated that when she came to work for the City in 1963 anyone within the High School District could be on a Commission. Mayor Strack stated that this was not in writing. Councilor Hill stated a request that these rules and procedures apply to all Commissions.

Councilor Turner stated that some audience members approached him after the Planning Commission meeting relating to the 6:30 p.m. meeting time. Mr. Turner made the suggestion that the time be changed back to the 7:30 p.m. start time.

Councilor Dickison stated that at one time she believed that it was understood if Commissioners missed more than three meetings they would be removed from the Commission. Mayor Strack stated that one of the items he would like discussed is he would like the majority of the Commissioners be a resident of the City. Councilor Turner stated that he would be fine with a 3-2 (3 members of the Commissioners must live within the City Limits and the remaining two must be within the High School District). The Council agreed this to. Councilor Turner stated he didn't think a member of the Planning Commission not in attendance should be allowed to vote. It was also agreed that Commissioners missing three consecutive meetings could be removed from the Commission.

Gena Bowen stated that one of the problems is communication. Mr. Bowen asked what constitutes attendance, especially when coming late and leaving early. Councilor Hill stated it means attending the entire meeting. City Manager Kimbrough suggested possibly reviewing yearly attendance in December. It was requested to add a statement that the Commissioners will review and set meeting times and number of meetings necessary. Councilor Zuniga suggested adding a clause stating with public consideration.

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: Mayor Strack announced that a letter had been received from the Union relating to the SDI issue.

M. REPORTS FROM MAYOR AND COUNCILMEMBERS:

11. Hill: None.

12. Dickison: None.

13. Zuniga: None.

14. Turner: Report on Attendance at the JPA meeting and announced the Grand Opening at Corning Disposal on March 9th.

14. Strack: Nothing.

N. ADJOURNMENT! 9:46p.m.



Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: March 7, 2007

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, March 13, 2007 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	02-27-07	\$	10,879.27
B.	Payroll Disbursements	Ending	02-23-07	\$	37,094.82
C.	Cash Disbursements	Ending	03-07-07	\$	39,873.58
D.	Payroll Disbursements	Ending	02-28-07	\$	38,469.43
GRAND TOTAL				\$	<u>126,317.10</u>

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
003194	02/26/07	UNI05	UNION BANK OF CALIF.N.A.	-2410.00	.00	-2410.00	061130u	CK# 003194 Reversed
003698	02/23/07	PRY02	PRYATEL, ROBERT	276.92	.00	276.92	273824	COMMUNICATIONS-FIRE
003699	02/26/07	ARA02	ARAMARK UNIFORM SRV.INC.	79.44	.00	79.44	3837555	Mat/Supplies-STR
				39.44	.00	39.44	3841135	Mat/Supplies-STR
			Check Total.....:	118.88	.00	118.88		
003700	02/26/07	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0701466	ProfServices Water Dept
003701	02/26/07	BEN03	LEXISNEXIS MATTHEW BENDER	959.89	.00	959.89	44522639	BOOKS/PERIODICS-LGL SVCS
003702	02/26/07	BUT04	BUTTE CTY CREDIT BUREAU	12.00	.00	12.00	8896	PROF. SVCS.-POLICE
003703	02/26/07	CHE02	CHEM QUIP, INC.	493.96	.00	493.96	2014951IN	MAT & SUPPLIES-WTR
003704	02/26/07	CHI05	CHICO SHRED	40.00	.00	40.00	16596	Equip.Maint. General City
003705	02/26/07	DPM01	DPM LANDSCAPING	65.00	.00	65.00	14754	LANDSCAPING-PARKS
				65.00	.00	65.00	14755	LANDSCAPING-TRANS. FAC.
			Check Total.....:	130.00	.00	130.00		
003706	02/26/07	GRA02	GRAINGER, W.W., INC	50.97	.00	50.97	929341650	MAT & SUPPLIES-FIRE
				81.30	.00	81.30	929750449	BLD MAINT-FIRE
			Check Total.....:	132.27	.00	132.27		
003707	02/26/07	LAD00	LADDER TECHNOLOGIES, LTD	40.50	.00	40.50	6607	VEH/OP MAINT-FIRE
003708	02/26/07	PGE2A	PG&E	53.57	.00	53.57	070220	ELECT-GEN. CITY
003709	02/26/07	REX01	REXEL NORCAL VALLEY	23.68	.00	23.68	230685-01	MAT & SUPPLIES-BLD. MAINT
003710	02/26/07	REY01	REYNOLDS, DONALD C.P.A	250.00	.00	250.00	20180	PROF SVCS-FINANCE
003711	02/26/07	EDD02	EMPLOYMENT DEVELOPMENT	1890.45	.00	1890.45	070222	UNEMPLOYMENT INS.-GEN. CI
003712	02/26/07	UNI05	UNION BANK OF CALIF.N.A.	2410.00	.00	2410.00	061130A	SWR DEPT/SWR IMPROV.
003713	02/27/07	CLA01	CLARKS DRUG STORE	107.25	.00	107.25	21775	MAT & SUPPLIES-CITY COUNC
003714	02/27/07	COM01	COMPUTER LOGISTICS, INC	3600.00	.00	3600.00	33350	Equip.Maint.-GEN. CITY
003715	02/27/07	DAV02	DAVIES, RHONDA	193.65	.00	193.65	070226	CONF/MTGS-CITY ADMIN.
003716	02/27/07	LIB03	LIBERTEL	350.00	.00	350.00	152604	COMMUNICATIONS-POLICE

REPORT.: Feb 28 07 Wednesday
 RUN....: Feb 28 07 Time: 14:48
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 02-07 Bank Account.: 1020

PAGE: 002
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
003717	02/27/07	ST11	STATE OF CALIFORNIA	85.00	.00	85.00	070215	TRAINING/ED-POLICE
003718	02/27/07	USB01	US BANCORP	2035.25	.00	2035.25	071506992	Rents/Leases-GEN. CITY

Cash Account Total.....: 10879.27 .00 10879.27

Total Disbursements.....: 10879.27 .00 10879.27

Cash Account Total.....: .00 .00 .00

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
2906	02/23/07	AFL01	AMERICAN FAMILY LIFE	1146.38	.00	1146.38	A70228	AFLAC INS.PRE TAX
2907	02/23/07	BLU02	BLUE SHIELD OF CALIFORNIA	10947.32	.00	10947.32	A70228	MEDICAL INSURANCE
2908	02/23/07	CIT01	CITY OF CORNING	6.00	.00	6.00	A70228	CHGS FOR WAGE ATCHMT
2909	02/23/07	OEU01	OPERATING ENGINEERS #3	21225.00	.00	21225.00	A70228	MEDICAL INSURANCE
2910	02/23/07	OEU02	OPERATING ENG. (DUES)	1548.00	.00	1548.00	A70228	UNION DUES
2911	02/23/07	PR104	PRINCIPAL	1515.21	.00	1515.21	A70228	DENTAL INSURANCE
				333.11	.00	333.11	1A70228	VISION INSURANCE
			Check Total.....	1848.32	.00	1848.32		
2912	02/23/07	TRA03	TRANSAMERICA WORKSITE MKT	373.80	.00	373.80	A70228	LIFE INSURANCE

Cash Account Total.....: 37094.82 .00 37094.82
 Total Disbursements.....: 37094.82 .00 37094.82
 =====

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
003728	03/01/07	CAR03	CARDENAS, ANTHONY	400.00	.00	400.00	000A703011	ProfServices PoliceServic
003729	03/01/07	COR07	CORBIN WILLITS SYSTEMS	732.46	.00	732.46	000A703011	Finance Dept.
003730	03/01/07	COR09	CORNING CHAMBER OF COMM.	1500.00	.00	1500.00	000A703011	CngChamberComm. Economic
003731	03/01/07	DEM01	DEMO, MICHAEL	54.70	.00	54.70	000A703011	ProfServices FireDepartme
003732	03/01/07	DPM01	DPM LANDSCAPING	560.00	.00	560.00	000A703011	LANDSCAPE MAINT.-PARKS
003733	03/01/07	HAL05	HALL, ROBERT	104.70	.00	104.70	000A703011	ProfServices FireDepartme
003734	03/01/07	PAR01	PARAMOUNT JANITORIAL	1200.00	.00	1200.00	000A703011	Janitorial Srv.
003735	03/01/07	PIT01	PITNEY BOWES	241.84	.00	241.84	000A703011	Rents/Leases Finance Dept
003736	03/01/07	TLD01	TLDC	1000.00	.00	1000.00	000A703011	Economic Devel
003737	03/01/07	RUS01	RUSS, TOM	400.00	.00	400.00	070301A	Veh Opr/Maint-Sewer
003738	03/02/07	BAL01	BALDWIN CONTRACTING, INC	1108.86	.00	1108.86	72244	A/C CITYWIDE-STR PROJ
003739	03/02/07	COR03	CORNING RENTALS	105.00	.00	105.00	27741	MAT & SUPPLIES-PARKS
			Check Total.....	210.00	.00	210.00	27847	MAT & SUPPLIES-PARKS
003740	03/02/07	COR10	CORNING GLASS & MIRROR	273.14	.00	273.14	026963	BLD. MAINT-LIBRARY
003741	03/02/07	COR11	CORNING SAFE & LOCK	15.69	.00	15.69	1546	MAT & SUPPLIES-BLD. MAINT
			Check Total.....	96.04	.00	96.04	1548	MAT & SUPPLIES-WTR
				62.44	.00	62.44	1641	MAT & SUPPLIES-PARKS
003742	03/02/07	COR12	CORNING FORD MERCURY, INC	36.00	.00	36.00	100957	Veh Opr/Maint-POLICE
			Check Total.....	39.23	.00	39.23	100971	Veh Opr/Maint-POLICE
				416.31	.00	416.31	101074	Veh Opr/Maint-POLICE
003743	03/02/07	COR20	CORNING ELECTRONICS	8.56	.00	8.56	10063183	MAT & SUPPLIES-WTR
003744	03/02/07	GRA02	GRAINGER, W.W., INC	22.32	.00	22.32	929847448	MAT & SUPPLIES-PARKS
			Check Total.....	18.28	.00	18.28	930273695	MAT & SUPPLIES-BLD. MAINT
003745	03/02/07	HOL04	HOLIDAY MARKET #32	10.66	.00	10.66	10124	Mat/Supplies-POLICE
			Check Total.....	40.60	.00	40.60		

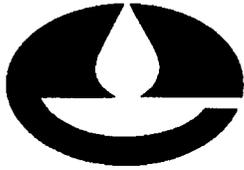
Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
003745	03/02/07	HOL04	HOLIDAY MARKET #32	17.22	.00	17.22	10126	Mat/Supplies-FINANCE
Check Total.....:				27.88	.00	27.88		
003746	03/02/07	LAR01	LARRY'S PEST & WEED,	4667.00	.00	4667.00	11653	WEED/TREE SPRAY-STR
003747	03/02/07	MEN02	MENDEZ AUTO BODY REPAIR	192.90	.00	192.90	6451	VEH OP/MAINT-POLICE
003748	03/02/07	MAP01	NAPA AUTO PARTS	77.46	.00	77.46	070225	Veh Opr/Maint-STR
003749	03/02/07	NOR25	NORTHERN LIGHTS ENRGY, INC	1605.03	.00	1605.03	73798	MAT & SUPPLIES-PARKS
003750	03/02/07	NOR31	NORM'S PRINTING	119.83	.00	119.83	002994	OFFICE SUPPLIES-FINANCE
003751	03/02/07	OFF01	OFFICE DEPOT	84.76	.00	84.76	376822913	OTS-DUI-SEMINAR
003752	03/02/07	VAL01	VALLEY INDUSTRIAL COMM.	134.06	.00	134.06	85726	EQUIP MAINT-POLICE
003753	03/02/07	WAT02	WATSON, THOMAS J.	109.47	.00	109.47	070227	PROF. SVCS-POLICE
003754	03/05/07	SUN11	SUNRISE EXCAVATING, INC.	10550.40	.00	10550.40	20653	GAS TAX 2105
003755	03/06/07	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	0701622	ProfServices Water Dept
003756	03/06/07	BAT01	BATTERIES PLUS	131.15	.00	131.15	311-58577	SAFETY ITEMS-POLICE
003757	03/06/07	COM01	COMPUTER LOGISTICS, INC	24.00	.00	24.00	33554	Equip.Maint.-GEN. CITY
Check Total.....:				48.00	.00	48.00		
003758	03/06/07	COR08	CORNING LUMBER CO INC	892.47	.00	892.47	070224	Mat/Supplies
003759	03/06/07	COR12	CORNING FORD MERCURY, INC	36.00	.00	36.00	101660	Veh Opr/Maint-POLICE
Check Total.....:				117.63	.00	117.63	255256	Veh Opr/Maint-POLICE
Check Total.....:				51.11	.00	51.11	255714	Veh Opr/Maint-ACO
Check Total.....:				204.74	.00	204.74		
003760	03/06/07	FIR00	FIRST BANKCARD	38.51	.00	38.51	070226	MAT & SUPPLIES-FINANCE
003761	03/06/07	FIR01	FIRST BANKCARD	946.55	.00	946.55	070226	PROF. SVCS.-WTR
003762	03/06/07	FIT01	FITZPATRICK LAW OFFICES	393.96	.00	393.96	070301	BOOKS/PERIODICS-LGL
003763	03/06/07	IMA01	IMAGE SALES	13.22	.00	13.22	10495	PROF. SVCS-POLICE
003764	03/06/07	INT01	INTERLAND BUSINESS SUPPLY	644.14	.00	644.14	070228	Office Supplies

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
003765	03/06/07	MET01	METRO-CALL	26.79	.00	26.79	Q0159912C	COMMUNICATIONS-POLICE
003766	03/06/07	NEX01	NEXTEL COMMUNICATIONS	471.28	.00	471.28	070301	COMMUNICATIONS-GEN. CITY
003767	03/06/07	NOR25	NORTHERN LIGHTS ENRGY, INC	426.66	.00	426.66	73768	VEH/OP MAINT-POLICE
003768	03/06/07	PAR01	PARAMOUNT JANITORIAL	300.00	.00	300.00	070301	SENIOR CENTER-GEN. CITY
003769	03/06/07	PRM00	PUBLIC RESOURCE MGMT GRP	750.00	.00	750.00	851	PROF. SVCS-GEN. CITY
003770	03/06/07	QUI02	QUILL CORPORATION	183.39	.00	183.39	4951049	EQUIP MAINT-FIRE
003771	03/06/07	RED07	REDDING OIL COMPANY	2214.41	.00	2214.41	070228	VEH/OP MAINT-POLICE
003772	03/06/07	SEI01	SEILER, ROY R., CPA	909.00	.00	909.00	21484	ProfServices Finance Dept
003773	03/06/07	SUB01	SUBURBAN PROPANE	565.19	.00	565.19	070228	PROPANE-AIRPORT
003774	03/06/07	TEH15	TEHAMA CO SHERIFF'S DEPT	24.50	.00	24.50	070301	PROF. SVCS-POLICE
003775	03/06/07	TRI02	TRI-COUNTY NEWSPAPERS	77.70	.00	77.70	5416	Print/Advert. City Clerk
003776	03/06/07	XER00	XEROX CORPORATION	150.87	.00	150.87	023534627	EQUIP MAINT-POLICE
003777	03/07/07	AND01	ED ANDERSON	2850.00	.00	2850.00	070306	SAFE RTS. TO SCHOOL
003778	03/07/07	COR01	CORNING VETERINARY	81.40	.00	81.40	8746	ProfServices ACO/CSO
				176.48	.00	176.48	9087	ProfServices ACO/CSO
				58.40	.00	58.40	8626A	ProfServices ACO/CSO
			Check Total.....	316.28	.00	316.28		
003779	03/07/07	COR10	CORNING GLASS & MIRROR	215.00	.00	215.00	026993	VEH OP/MAINT-POLICE
003780	03/07/07	NOR31	NORM'S PRINTING	160.88	.00	160.88	003037	PRINTING/ADV-POLICE
003781	03/07/07	PGE01	PG&E	269.75	.00	269.75	070301	Electricity-SEWER
003782	03/07/07	REA03	READER'S DIGEST	13.98	.00	13.98	070305	BOOKS/PERIODICS-LIBRARY
003783	03/07/07	WAS01	WASTE MANAGEMENT OF	451.80	.00	451.80	009776105	WEED ABATEMENT-FIRE
			Cash Account Total.....	39873.58	.00	39873.58		
			Total Disbursements.....	39873.58	.00	39873.58		
			Cash Account Total.....	.00	.00	.00		

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 03-07 Bank Account.: 1025

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
2914	02/28/07	BAN03	POLICE OFFICER ASSOC.	210.00	.00	210.00	A70228	POLICE OFFICER ASSOC
2915	02/28/07	EDD01	EMPLOYMENT DEVELOPMENT	2867.87	.00	2867.87	A70228	STATE INCOME TAX
				578.65	.00	578.65	1A70228	SDI
			Check Total.....	3446.52	.00	3446.52		
2916	02/28/07	ICM01	ICMA RETIREMENT TRUST-457	797.54	.00	797.54	A70228	ICMA DEF. COMP
2917	02/28/07	OEU03	OPERATING ENGINEERS	950.00	.00	950.00	A70228	CREDIT UNION SAVINGS
2918	02/28/07	PERS1	PUBLIC EMPLOYEES RETIRE	27286.25	.00	27286.25	A70228	PERS PAYROLL REMITTANCE
2919	02/28/07	PERS4	Cal Pers 457 Def. Comp	150.00	.00	150.00	A70228	PERS DEF. COMP.
2920	02/28/07	PRE03	PREMIER WEST BANK	4155.72	.00	4155.72	A70228	HSA DEDUCTIBLE
2921	02/28/07	STA04	STATE OF CALIFORNIA	373.40	.00	373.40	A70228	WAGEASN 549-82-6524
2922	02/28/07	VAL06	VALIC	1100.00	.00	1100.00	A70228	AIG VALIC P TAX

Cash Account Total.....: 38469.43
 Total Disbursements.....: 38469.43
 =====



ECO Resources, Inc.

**CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT**

FEBRUARY 2007

Below is a summary of the Monthly Operations Report that will be available for City review on March 13, 2007.

- 1) Filled out monthly reports.
- 2) Performed monthly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Ordered chlorine and So₂.
- 5) Dropped north RAS tube.
- 6) Cleaned sensor in lift station.
- 7) Craig Waller here working on chlorine analyzer.
- 8) Worked on Maintain it program.
- 9) Safety meeting.
- 10) Sent fax to Greg Cash State Water Board about analyzer.
- 11) Turned on decant from EQ to thickener.
- 12) Odered fish for bioassay test.
- 13) Turned on chlorine to EQ.
- 14) Unloaded chlorine truck.
- 15) Changed So₂.
- 16) Vic and Bob at Vac-Con Conference in Tennessee.
- 17) Exercised generator.

- 18) Cleaned So2 pump.
- 19) People next to plant called said they have been sick for months nad wanted us to take a soil sample from there residents and send to lab. Said we couldn't do that they would have to do it.
- 20) Took 2ed stormwater sample, and took it to lab.
- 21) Turned off decant from EQ.
- 22) Fixed dewatering pump in RAS pit.
- 23) Took out trash.
- 24) Raised OX ditch 1 turn.
- 25) Tested all chlorine and So2 sensors.
- 26) River samples.
- 27) Craig Waller here has chlorine analyzer work.
- 28) Repaired broken hose on Hydrojet.
- 29) Sewer call TA (2-15-07).
- 30) RAS meter not working called Aqua Sierra Controls.
- 31) Put Hazardous Material signs on waste oil barrels in shed.
- 32) Aqua Sierra Controls here to fix RAS meter. Found Mag meter shot to old to repair. Will get price for new one.
- 33) Worked on compliance list.
- 34) Picked up bioassay fish and started test.
- 35) Sewer call 2238 Moon. (2-20-07)
- 36) Vic took Vac-Con helped city workers with hook up.
- 37) Checked hot spots.
- 38) Turned on waste to EQ.
- 39) Sprayed some weeds around plant.

40) Sewer call TA (2-21-07)

41) Mowed lawn.

Total daily plant flow for the month of February 2007 was 736,786GPD.

Total daily plant flow for the previous month of January 2006 was 708,645 GPD

February 2007

Industrial Flow = 525,090 GPD
(Flow into the Bell Carter Ponds)

Domestic Flow = 736,786 GPD

January 2007

Industrial Flow = 602,776 GPD

Domestic Flow = 708,645 GPD

3/7/2007
11:37:14AM

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 2/1/2007 thru 2/28/2007

Owner and Address	Parcel Number	Issued On	Valuation
LUIS ALCALA 918 FOURTH STREET CORNING CA 96021 Permit Description: INSTALL STUCCO, ELECT. SERVICE, REPLACE }	7117306 Site Street Address: 918 FOURTH STREET	2/1/2007	7,800.00
ANDY HARROD 1430-1470 EAST STREET CORNING CA 96021 Permit Description: REMOVE AND REROOF WITH COMPS.	7316409 Site Street Address: 1430-1470 EAST STREET	2/1/2007	5,700.00
TROY MATTSON 615 FOURTH ST CORNING CA 96021 Permit Description: CHANGE PITCH\ REROOF	7111606 Site Street Address: 615 FOURTH ST	2/5/2007	5,000.00
RICH DOBBINS 2295 HIGHWAY 99W CORNING CA 96021 Permit Description: DEMO	7130005 Site Street Address: 2295 HIGHWAY 99W	2/5/2007	1,200.00
BRENT PITKIN 1262 FIG LN CORNING CA 96021 Permit Description: 200 AMP SERVICE CHANGE	7131021 Site Street Address: 1262 FIG LN	2/5/2007	500.00
WILLIAM ELLIOTT 1424 BUTTE ST CORNING CA 96021 Permit Description: INSTALL NEW FENCE.	7110522 Site Street Address: 1424 BUTTE ST	2/13/2007	300.00
TERRY SNOW 1127 SIXTH STREET CORNING CA 96021 Permit Description: INSTALL NEW VINYL SIDING.	7117208 Site Street Address: 1127 SIXTH STREET	2/14/2007	5,980.00

PERMITS ISSUED (sort by Permit #)

For the Period 2/1/2007 thru 2/28/2007

Owner and Address	Parcel Number	Issued On	Valuation
DONALD SCHNAPP 1666 SIXTH STREET CORNING CA 96021 Permit Description: INSTALL NEW VINYL SIDING.	7128040 Site Street Address: 1666 SIXTH STREET	2/14/2007	18,980.00
LYNDON JOHNSON MOTORS 2087 SOLANO STREET CORNING CA 96021 Permit Description: REPAIR WATER DAMAGE, DRYWALL REPLACE	7114004 Site Street Address: 2087 SOLANO STREET	2/14/2007	6,500.00
JOHN NELSON 1195 WEST STREET CORNING CA 96021 Permit Description: INSTALL NEW VINYL SIDING.	7123111 Site Street Address: 1195 WEST STREET	2/16/2007	12,450.00
MARK MONROE 407 SOUTH STREET CORNING CA 96021 Permit Description: INSTALL NEW HEATING UNIT.	7311310 Site Street Address: 407 SOUTH STREET	2/16/2007	4,937.00
TIM SCHROMM 259 MARGUERITE AVE. CORNING CA 96021 Permit Description: REMOVE AND REOOF WITH COMPS.	7324009 Site Street Address: 259 MARGUERITE AVE.	2/20/2007	2,200.00
ANTONIO MODESTO 2151 DONNOVAN AVE. CORNING CA 96021 Permit Description:	7120210 Site Street Address: 2151 DONNOVAN AVE.	2/26/2007	300.00
ARTENIO ROSELAS 1102-1108 TOOMES AVE. CORNING CA 96021 Permit Description: ELECTRICAL SERVICE CHANGE TWO SERVICE:	7118005 Site Street Address: 1102-1108 TOOMES AVE.	2/21/2007	1,000.00

3/7/2007
11:37:14AM

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 2/1/2007 thru 2/28/2007

Owner and Address	Parcel Number	Issued On	Valuation
VERA MURRAY 1301 SOLANO STREET CORNING CA 96021	7113209	2/22/2007	900.00
Permit Description: NEW 200 AMP. SERVICE, 2 SUB-PANLES. 2 PORC	Site Street Address: 1301 SOLANO STREET		

15 Permits Issued from 2/1/2007 Thru 2/28/2007 FOR A TOTAL VALUATION OF \$ 73,747.00
***** END OF REPORT *****

CITY OF CORNING

FEBRUARY 2007

TREASURERS REPORT

AGENCY	BALANCE	RATE	MATURES ON
LOCAL AGENCY INVESTMENT FUND	1,064,858.22	4.53	
PREMIER WEST BANK	179,769.91	4.02	03/28/07
PREMIER WEST BANK	160,803.21	4.12	04/20/07
SAVINGS ACCOUNT			
BANK OF AMERICA	5,650.32	.200	
BANK OF AMERICA TRUST ACCOUNTS	4,922.67	.200	
PREMIER WEST BANK RIDELL TRUST	186,172.60	4.75	06/13/07

Respectfully Submitted

Pala Cantrell
City Treasurer

**ITEM NO.: G-8
APPROVE RECOMMENDATION OF
SHANNON BOLES AND DARLENE
HASKINS AS RECREATION
COMMISSION REPRESENTATIVES
AND WINI PETERSON AS THEIR
ALTERNATE FOR THE RECREATION
AD-HOC COMMITTEE.
MARCH 13, 2007**

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER

SUMMARY:

At the City of Corning Recreation Commission meeting held on March 6, 2006, the Commission voted Shannon Boles and Darlene Haskins as the Commission representatives to serve on the Recreation Ad-Hoc Committee. Recreation Commission Chairman Wini Peterson was voted to serve as an alternate.

BACKGROUND:

At the February 27, 2007 City Council meeting it was suggested and approved to form a Recreation Ad-Hoc Committee to discuss recreations needs within the City and prioritize recreation goals. Council members Ross Turner and Yvette Zuniga volunteered to serve on this committee as representatives of the City Council. At this time the suggestion was made to seek two members of the Recreation Commission and two members from the public to complete this committee.

RECOMMENDATION:

MAYOR AND CITY COUNCIL APPROVE THE RECREATION COMMISSION RECOMMENDATION OF SHANNON BOLES AND DARLENE HASKINS, WITH WINI PETERSON AS AN ALTERNATE, TO SERVE ON THE RECREATION AD-HOC COMMITTEE.

**ITEM NO. I-9
REZONE NO. 2007-01; TO IMPLEMENT A
DENSITY BONUS AND AFFORDABLE
HOUSING INCENTIVE ORDINANCE
PURSUANT TO STATE LAW; ORDINANCE
NO. 627**

March 13, 2007

TO: CITY COUNCIL OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; PLANNING DIRECTOR

BACKGROUND:

State Law requires cities to adopt ordinances to provide certain "incentives" to encourage the development of affordable housing. The City of Corning has not previously adopted such an ordinance. The attached Ordinance No. 627, if adopted, would add a Development Agreement process to approve those "density bonuses or incentives" to the City Zoning Code and therefore comply with state law.

PLANNING COMMISSION & STAFF RECOMMENDATION:

The Planning Commission considered this item at a public hearing conducted on February 20, 2007. In a 4-0 vote with one absence, the Commission offered the following recommendation:

THAT THE CITY COUNCIL:

- 1. ADOPT THE FINDINGS.**
- 2. WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 627; AN ORDINANCE TO ADD CHAPTER 17.62 TO THE CORNING MUNICIPAL CODE TO PROVIDE STATE MANDATED INCENTIVES FOR AFFORDABLE HOUSING IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65915.**

FINDINGS:

1. A Negative Declaration was prepared, filed and distributed to all Responsible and Trustee agencies. Any comments regarding the Negative Declaration have been adequately responded to and the project will not have a significant effect on the environment.
2. Approval of Rezone No. 2007-01 is in the Public Interest and is consistent with the goals and objectives adopted in the General Plan for the City of Corning; especially Policy HP-9 of the Corning General Plan Housing Element.

3. Since Ordinance No. 627 will require separate CEQA review prior to approving "Density Bonuses or other incentives", this rezoning to enable a State mandated affordable housing policy will have no effect of Fish and Game Resources as defined in Section 711.4 of the Fish and Game Code.

HISTORY:

In 1979 the State of California enacted Government Code Section 65915; which provided for density bonuses for "affordable housing" projects. A Density Bonus allows a developer to create more housing units per acre than would normally be permitted. For example, the City's R-1 zone normally permits up to 7 dwelling units per acre. A density bonus could authorize development of more than 7 dwelling units per acre.

The law has been amended numerous times since its origination and now requires Cities to provide other "incentives"; i.e., exceptions to normal development standards to encourage affordable housing projects. In 1989 an amendment requiring Cities and Counties to adopt "enabling" ordinances was enacted.

Up to this point, no one has sought to utilize density bonuses or other incentives for affordable housing in the City of Corning, so there has been no immediate reason to adopt an ordinance. However, Self-Help Home Improvement Project (SHHIP) has submitted a letter seeking certain concessions for Phase 2 of their Blossom Avenue project. (As a side note, that issue will be presented at a subsequent meeting.) Until this ordinance or one similar to it is adopted, the City has no legitimate way to approve the requested exceptions-absent the current "Variance" process. Variances are not justified or appropriate for this purpose.

For that reason, the City must now act to implement an ordinance spelling out the specific process necessary to provide Density Bonuses and other incentives to facilitate affordable housing projects. A current Copy of Government Code Section 65915 is attached.

HOUSING ELEMENT:

The Planning and Zoning Law is also the body of law that requires Cities (and Counties) to prepare and adopt General Plans. Among the required elements is the Housing Element, that typically is updated every five years or so. Our current Housing Element was adopted in 2005. Included in the policies of the Housing Element is Policy HP-9 (attached)-that recommends adopted of a Density Bonus ordinance. So, adoption of this ordinance would directly implement that policy.

PROPOSED ORDINANCE 627:

The proposed ordinance is modeled after a similar ordinance that was adopted by the City of Chico. The Corning City Attorney has reviewed and approved the format and content of the proposed ordinance.

The ordinance, if adopted would authorize the City to enter into a "Development Agreement" with a developer who commits to provide affordable housing. The Development Agreement can specify just which "incentives", (or "exceptions to development standards) or Density Bonuses the City would grant in exchange for the developer's commitment to create "affordable" housing.

Development Agreements are subject to approval by the City Council, typically after review and recommendation by the Planning Commission.

ENVIRONMENTAL:

Because subsequent Development Agreement applications will automatically trigger CEQA environmental review, staff found that this rezone would have no effect on the environment and completed and filed a CEQA Negative Declaration. A copy of the one page Negative Declaration is attached.

Copies of the Negative Declaration were sent to all responsible and Trustee Agencies. No substantive comments regarding the Negative Declaration have been received.

City of Corning
Proposed Ordinance No. 627.

Chapter 17.62

AFFORDABLE HOUSING INCENTIVES/RESIDENTIAL DENSITY BONUSES

Sections:

17.62.010	Purpose
17.62.020	Applicability
17.62.030	Application and approval
17.62.040	Planning Commission recommendation
17.62.050	Determination of housing density bonus or incentives

17.62.010. Purpose.

The purpose of providing a housing density bonus or incentives is to contribute to the economic feasibility of low income and moderate income housing in housing developments proposed within the City.

17.62.020. Applicability.

When a developer enters into an agreement to provide a housing development that includes housing units for very low, low or moderate income households, as defined in the California Health and Safety Code, and pursuant to Government Code Section 65915, the developer shall be eligible for a housing density bonus or incentives if the housing development consists of five or more units.

17.62.030. Application and approval.

Any person requesting a housing density bonus or incentives shall apply for a development agreement. A housing density bonus or incentives shall be granted by approval of the development agreement which shall specify the density bonus and/or incentives, and any conditions attached to the approval of such bonus and/or incentive.

17.62.040. Planning Commission recommendation.

Prior to Council action on a development agreement providing a housing density bonus or incentives, the Commission shall consider the development agreement and make a recommendation to the Council.

17.62.050. Determination of housing density bonus or incentives.

The project developer may specify the housing density bonus or incentives requested; however, the City may agree to provide a housing density bonus or incentives other than those requested, so long as such housing density bonus or incentives meet the requirement set forth in the California Government Code.

CITY OF CORNING
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

DATE: February 1, 2007

SUBJECT: CEQA MITIGATED NEGATIVE DECLARATION: Rezone 2007-1-
Implementing Density Bonus and Development Incentive requirements pursuant to
Government Code Section 65915.

Pursuant to the State of California Public Resources Code and the "Guidelines for
Implementation of the California Environmental Quality Act of 1970", as amended to
date, a Draft Negative Declaration is hereby made on the project listed below:

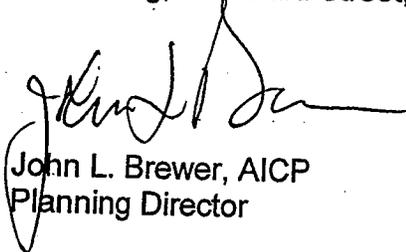
**The proposal is to amend the Corning Zoning Ordinance to implement the
Residential Density Bonus and incentive requirements of Government
Code Section 65915 et. seq. (State Law).**

The reason for the determination that a Negative Declaration is appropriate:

City staff has found that the proposed Rezoning project would not have a
significant effect on the environment, since subsequent residential projects that
are subject to the City's Density Bonus regulations will undergo separate
environmental review to determine if they pose any potential impacts to the
environment.

Written comments on the proposed Negative Declaration will be accepted until 5:00 PM
Tuesday, February 20, 2007.

The Planning Commission Public Hearing for a recommendation regarding the proposed
Negative Declaration of Environmental Impact and amendment to the Zoning Code is
scheduled for Tuesday, February 20, 2007 at 6:30 PM in the City Council Chambers, City
of Corning, 794 Third Street, Corning, California 90021.


John L. Brewer, AICP
Planning Director

February 1, 2007

FILED
FEB 2 2007
BEVERLY ROSS TEHAMA COUNTY CLERK & RECORDER By <u>CINDA FERRARI</u>

SELF-HELP HOME IMPROVEMENT PROJECT



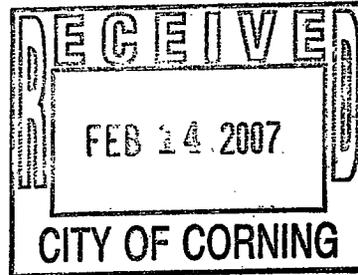
Established in 1973

SHHIP

A Private Non-Profit
Corporation

February 14, 2007

John Brewer
Director of Planning
City of Corning



Dear Mr. Brewer:

SHHIP is developing a 44-house affordable housing project. Mortgages are the USDA Rural Development Direct Sect. 502 subsidized mortgage. All of the homeowners must be of low-income (less than 80% of MHI) and at least 40% must be of very-low income. Participant's costs are kept affordable by the Payment Assistance subsidy, in which the homeowner's housing cost (PITI) is limited to no more than 26% of their income. This subsidy is partly recaptured by USDA upon sale.

The city continues to be supportive of SHHIP's efforts. Thirty-eight of these houses are on land with underlying lots of records that generally allow the city to approve smaller lots, increasing affordability. All of these lots, including two corner lots, are fifty feet in width. This is in accordance with the city practices for any developer regardless of housing cost.

One corner of the project is not part of the underlying plat and requires a subdivision map – referred to as phase 2. SHHIP proposes to develop phase 2 into eight lots, of about 50 ft. widths, nearly identical to the balance of the project. (An adjacent parcel has been acquired by SHHIP to provide better access to the project, which results in phase 2 lots actually being much larger than other lots.) In order to maintain affordability, SHHIP requests that the one corner lot created be allowed at a 50 foot width. SHHIP will set back this house 45 feet from the road (15 feet more than required) to ensure adequate sight clearance. SHHIP requests that the other lots in this tract be allowed as proposed.

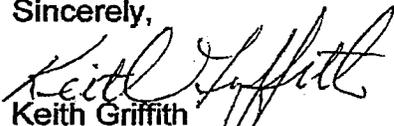
Also, SHHIP is considering building some two-story houses along the northern tier of houses (to accommodate four bedroom houses) and requests a concession of allowing five-foot side-yards.

The state's "density bonus" law provides substantial regulatory incentives for projects that include affordable housing. If at least 5% of the units are affordable to Very Low income households or 10% of the units are affordable to Low income households, then the project is eligible for a 20% density bonus. Additional affordability can increase the density to 35%. A project is also allowed "concessions or incentives" reducing development standards, depending on the percentage of affordable units provided. Any project that meets the minimum criteria for a density bonus is entitled to one concession, increasing up to a maximum of three concessions depending upon the amount of affordable housing provided.

In addition to requesting "incentives and concessions," applicants may request the waiver of an unlimited number of "development standards" by showing that the waivers are needed to make the project economically feasible. SHHIP estimates that the concessions requested will save about \$60,000, and is needed for feasibility.

SHHIP appreciates the city's continued support, and promises to provide quality housing assisting city residents most in need of affordable homeownership.

Sincerely,


Keith Griffith
Executive Director

HOUSING PRODUCTION (HP)

GOAL HP-1 - Provide adequate housing by location, price, type, and tenure, especially for those of low and moderate income and households with special needs.

Actions and Quantified Objectives

Implementing Policies	Responsible Agencies & Implementing Actions	Potential Funding Sources	Quantified Objective	Time Frame	Priority
HP-5 Ensure that the General Plan, all policies, implementation measures and standards provide a clear understanding of the City's development requirements.	City Planning Department - Biennially conduct a workshop with developers and interested individuals to review current development standards for clarity. Amend as necessary.	Department budget	Hold two workshops.	2005 2007	3
HP-6 Cooperate with Tehama County and its cities to carry out programs in which there is a mutual interest.	City Manager - Assist in the formation of, and participate in a housing needs assessment and planning group consisting of local service providers and non-profit agencies. City and county agencies, and individuals interested in addressing local and regional housing needs.	Department budget	If a need can be demonstrated, hold at least one annual meeting.	2008	2
HP-7 Monitor the supply of residentially zoned land to ensure that an adequate supply of low and moderate income housing sites exist to meet the projected housing needs of the City.	City Planning Department - Based on the December 13, 2002 Regional Housing Allocation Plan and subsequent allocations, verify that sufficient property zoned land is available to meet the projected need. Any deficiencies will be addressed by annexation or rezoning.	Department budget	Semi-annual review with corrective action as necessary.	2005 2007	1
HP-8 Facilitate the use by others any private, State or Federal assistance for development of affordable housing.	City Planning, Public Works, and Building & Safety Departments - Leverage private funding by applying for State or Federal grants/loans on behalf of affordable housing developers. Provide logistical support for affordable housing projects.	Department budgets, various State and Federal agencies and charitable organizations.	Assist at least one multi-family project and 20 single family units.	2008	1
HP-9 Adopt density bonus ordinance.	City Planning Department - Comply with Government Code 65915 by adopting a density bonus ordinance to assist in the development of affordable housing.	Department budget	Adopt by 2006.	2006	1
HP-10 Expedite processing of permits by developing standards and zoning requirements which simplify the permit process	City Planning and Building & Safety Departments - Expedite the process of permits through up-to-date information and by developing standards and zoning requirements which will simplify the permit process.	Department budgets.	Continuous review of permit process.	Ongoing	3
HP-11 Revise the second unit policy to promote the development of second units per Government Code Section 65852.1 and 65852.2.	City Planning Department - Continue to allow companion units in single family residential areas. Although the Zoning Ordinance contains a definition of second units, it will be amended to specifically define the process for adding second units.	Department budget.	Amend Zoning Ordinance.	2006	3



HOUSING ELEMENT

GOVERNMENT CODE

SECTION 65915



65915. (a) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall provide the applicant incentives or concessions for the production of housing units and child care facilities as prescribed in this section. All cities, counties, or cities and counties shall adopt an ordinance that specifies how compliance with this section will be implemented.

(b) (1) A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (g), and incentives or concessions, as described in subdivision (d), when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:

(A) Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code.

(B) Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code.

(C) A senior citizen housing development as defined in Sections 51.3 and 51.12 of the Civil Code, or mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

(D) Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the Civil Code for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

(2) For purposes of calculating the amount of the density bonus pursuant to subdivision (f), the applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), or (D) of paragraph (1).

(c) (1) An applicant shall agree to, and the city, county, or city and county shall ensure, continued affordability of all low-and very low income units that qualified the applicant for the award of the density bonus for 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the lower income density bonus units shall be set at an affordable rent as defined in Section 50053 of the Health and Safety

Code. Owner-occupied units shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code.

(2) An applicant shall agree to, and the city, county, or city and county shall ensure that, the initial occupant of the moderate-income units that are directly related to the receipt of the density bonus in the common interest development, as defined in Section 1351 of the Civil Code, are persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code. The local government shall enforce an equity-sharing agreement, unless it is in conflict with the requirements of another public funding source or law. The following apply to the equity-sharing agreement:

(A) Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller's proportionate share of appreciation. The local government shall recapture any initial subsidy and its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote homeownership.

(B) For purposes of this subdivision, the local government's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

(C) For purposes of this subdivision, the local government's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.

(d) (1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of either of the following:

(A) The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the

physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a common interest development.

(B) Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development.

(C) Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a common interest development.

(3) The applicant may initiate judicial proceedings if the city, county, or city and county refuses to grant a requested density bonus, incentive, or concession. If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. Nothing in this subdivision shall be interpreted to require a local government to grant an incentive or concession that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Nothing in this subdivision shall be interpreted to require a local government to grant an incentive or concession that would have an adverse impact on any real property that is listed in the California Register of Historical Resources. The city, county, or city and county shall establish procedures for carrying out this section, that shall include legislative body approval of the means of compliance with this section. The city, county, or city and county shall also establish procedures for waiving or modifying development and zoning standards that would otherwise inhibit the utilization of the density bonus on specific sites. These procedures shall include, but not be limited to, such items as minimum lot size, side yard setbacks, and placement of public works improvements.

(e) In no case may a city, county, or city and county apply any development standard that will have the effect of precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. An applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards and may

request a meeting with the city, county, or city and county. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

(f) The applicant shall show that the waiver or modification is necessary to make the housing units economically feasible.

(g) For the purposes of this chapter, "density bonus" means a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, county, or city and county. The applicant may elect to accept a lesser percentage of density bonus. The amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b).

(1) For housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
17	30.5
18	32
19	33.5
20	35

(2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

(3) For housing developments meeting the criteria of subparagraph (C) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent.

(4) For housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Moderate- Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19

25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35

(5) All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. As used in subdivision (b), "total units" or "total dwelling units" does not include units permitted by a density bonus awarded pursuant to this section or any local law granting a greater density bonus. The density bonus provided by this section shall apply to housing developments consisting of five or more dwelling units.

(h) (1) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county as provided for in this subdivision, the applicant shall be entitled to a 15-percent increase above the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan for the entire development, as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18

14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

(2) This increase shall be in addition to any increase in density mandated by subdivision (b), up to a maximum combined mandated density increase of 35 percent if an applicant seeks both the increase required pursuant to this subdivision and subdivision (b). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:

- (A) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.
- (B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.
- (C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of

the very low income housing units on the transferred land, except that the local government may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the local government prior to the time of transfer.

(D) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with paragraphs (1) and (2) of subdivision (c), which shall be recorded on the property at the time of dedication.

(E) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.

(F) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.

(i) (1) When an applicant proposes to construct a housing development that conforms to the requirements of subdivision (b) and includes a child care facility that will be located on the premises of, as part of, or adjacent to, the project, the city, county, or city and county shall grant either of the following:

(A) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.

(B) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

(2) The city, county, or city and county shall require, as a condition of approving the housing development, that the following occur:

(A) The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).

(B) Of the children who attend the child care facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).

(3) Notwithstanding any requirement of this subdivision, a city, county, or a city and county shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

(4) "Child care facility," as used in this section, means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.

(j) "Housing development," as used in this section, means one or more groups of projects for residential units constructed in the planned development of a city, county, or city and county. For the purposes of this section, "housing development" also includes a subdivision or common interest development, as defined in Section 1351 of the Civil Code, approved by a city, county, or city and county and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

(k) The granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. This provision is declaratory of existing law.

(l) For the purposes of this chapter, concession or incentive means any of the following:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.

(2) Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable, financially sufficient, and actual cost reductions. This subdivision does not limit or require the provision of direct financial incentives for the housing development, including the

provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(m) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code.

(n) Nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.

(o) For purposes of this section, the following definitions shall apply:

- (1) "Development standard" includes site or construction conditions that apply to a residential development pursuant to any ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation.
- (2) "Maximum allowable residential density" means the density allowed under the zoning ordinance, or if a range of density is permitted, means the maximum allowable density for the specific zoning range applicable to the project.

(p) (1) Upon the request of the developer, no city, county, or city and county shall require a vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of subdivision (b), that exceeds the following ratios:

- (A) Zero to one bedrooms: one onsite parking space.
- (B) Two to three bedrooms: two onsite parking spaces.
- (C) Four and more bedrooms: two and one-half parking spaces.

(2) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide "onsite parking" through tandem parking or uncovered parking, but not through onstreet parking.

(3) This subdivision shall apply to a development that meets the requirements of subdivision (b) but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this section, subject to subdivision (d).

**ITEM NO. J-10
RESOLUTION NO. 03-13-07-01; A
RESOLUTION OF INTENT TO VACATE
UNCONSTRUCTED PORTIONS OF
BLOSSOM AND ORANGE AVENUES
WITHIN AND ADJACENT TO THE SHASTA
VIEW TRACT**

MARCH 13, 2007

TO: CITY COUNCIL OF THE CITY OF CORNING

FROM: TOM RUSS; DIRECTOR OF PUBLIC WORKS *Tom*
JOHN L. BREWER, AICP; PLANNING DIRECTOR *JB*

PROJECT SUMMARY:

Self-Help Home Improvement Project (SHHIP) intends to develop affordable single family housing on the lots created by the Shasta View Tract that recorded in 1901 and eight additional lots as shown on Exhibit "A". The developed lots will be served by Blossom and Orange Avenues, which are currently unconstructed in this area.

If developed in its current location, the Blossom/Toomes Avenue intersection would be unsafe due to the nearness of the Toomes Avenue bridge over Jewett Creek. So, the primary purpose of this abandonment is to relocate the Blossom Avenue right of way to provide additional separation, and sight distance from the Jewett Creek bridge, thereby creating a safer intersection at Toomes Avenue. Another purpose is to abandon the segment of Orange Avenue lying south of Blossom Avenue, since the right of way dead ends at Jewett Creek and there are no plans to bridge the creek or acquire additional right of way across the creek or beyond.

The street segments proposed for abandonment (or vacation) are crosshatched on the attached drawing marked "Proposed Right of Way" (Exhibit "A").

VACATION PROCESS:

The process for vacating streets is defined in the State Streets and Highways Code. That law requires consideration of the matter at a duly noticed public hearing. Resolution No. 03-13-07-01, if adopted, sets that public hearing date at the Council Meeting of April 10th. This provides ample time to satisfy the noticing (15 day minimum) requirements of the Streets and Highways Code.

PLANNING COMMISSION AND STAFF RECOMMENDATION:

The Planning Commission considered this matter at their February 20, 2007 meeting. The recommendation of the Planning Commission and staff follows:

THAT THE CITY COUNCIL MAKE THE FOLLOWING EIGHT (8) FINDINGS AND ADOPT RESOLUTION NO. 03-13-07-01, A RESOLUTION OF INTENT TO

SCHEDULE A PUBLIC HEARING FOR THE PURPOSE OF VACATING CERTAIN UNCONSTRUCTED BLOSSOM AND ORANGE AVENUE RIGHT OF WAY.

1. Blossom and Orange Avenues are currently not constructed through the undeveloped Shasta View Tract, and,
2. Development of Blossom Avenue in its current location would pose a significant risk of collision to the public due to the proximity and vertical alignment of the Toomes Avenue bridge over Jewett Creek that limits site distance, and,
3. Relocation of the Blossom Avenue right of way and its intersection with Toomes Avenue to provide additional separation from the Jewett Creek bridge at Toomes Avenue as shown on Exhibit "A" would improve public safety, and,
4. The segment of Orange Avenue lying south of Blossom Avenue is not necessary to facilitate circulation in the neighborhood or the City, but a 20' wide public services easement shall be retained for emergency and pedestrian access and drainage facilities, and,
5. Appropriate access to the adjacent properties will be provided by the relocated Blossom Avenue as shown on Exhibit "A", and alternative streets or driveways, and,
6. This cross-hatched segments of Blossom Avenue and Orange Avenue right of ways appearing on Exhibit "A" are excess public property, and
7. To avoid confusion with similar named streets in the Corning area, Orange Avenue should be renamed as a Condition of Subdivision Map or Use Permit approval and appropriately signed, and,
8. In accordance with Government Code Section 65402, the abandonment of the crosshatched segments of Blossom Avenue and Orange Avenue right of ways appearing on Exhibit "A" does not conflict and is consistent with the Corning General Plan.

BACKGROUND:

Self-Help Home Improvement Project (SHHIP) and their individual clients own the undeveloped portion of the Shasta View Tract. The tract map was recorded in 1901, yet remained essentially undeveloped until 2005 when the homes along the south side of Donovan Avenue were constructed, also by SHHIP. The original tract map created the 25' wide lots that appear on the Assessor's Map (Exhibit "B"). Since the tract map is of record, the City has limited discretion regarding its development. Similar to what they did along Donovan Avenue, SHHIP proposes to merge pairs of those 25' wide lots and to develop Single-Family Homes on the resultant 50' wide parcels. Those "Lot pairs" appear on Exhibit "A" as Lots 1 through 14 and 23 through 44.

In addition to the existing "lot pairs", SHHIP proposes to create eight (8) additional lots through the normal tentative subdivision map process. Those lots appear on Exhibit "A" as Lots 15 through 22. All told, SHHIP proposes to construct 44 new residences in this area.

The Shasta View Tract Map dedicated the right of ways for Blossom and Orange Avenues that were to serve as ingress and egress for the subdivision to the City. Except for short segments at their respective western and northern ends, neither Blossom nor Orange Avenues have been constructed.

BLOSSOM AVENUE RIGHT OF WAY RELOCATION

SHHIP will construct the streets and utilities to serve the 44 new residences. During early discussions about this development, City representatives expressed concern with the location of the Toomes Avenue-Blossom Avenue intersection. See the copy of the Aerial photo (Exhibit "C"). Note that the aerial photo was taken before the southside Donovan Avenue homes were constructed. The intersection, if developed in its record location, would be quite close to the Toomes Avenue bridge over Jewett Creek. The vertical alignment of the Jewett Creek bridge limits sight distance. Staff believes construction of the intersection would create a collision hazard to northbound Toomes Avenue vehicles and vehicles making left turns between the two streets. For that reason, staff suggested relocation of the intersection to the north to increase the separation and site distance to/from the bridge, while holding the existing north-south alignment of Toomes Avenue. SHHIP responded with a plan to relocate the intersection as shown on Exhibit "A". The realigned portion will sweep along two long-radius curves to a (centerline) position some 85 feet north of the existing position. This additional 85 feet of separation from the bridge will provide additional sight distance and make for a safer intersection. See the letter from Kevin E. Handley, P.E., dated December 15, 2006 and attached as Exhibit "D".

Exhibit "A" shows the portions of the unconstructed right of ways that are proposed for abandonment as well as the proposed additional Blossom Avenue right of way that SHHIP will offer as the properties develop.

As a side note, you'll notice Exhibit "A" includes a new culdesac bulb that appears at the western end of the SHHIP property at Blossom Avenue. That too is a public safety measure suggested by staff. See the copy of the aerial photo (Exhibit "C"). Currently a short segment of Blossom Avenue serves a mobilehome park and a commercial property immediately east of the old Highway. If Blossom Avenue were constructed from the old Highway to Toomes Avenue, it would greatly increase vehicle trips onto the old Highway at the Blossom Avenue intersection. Like the bridge at Toomes Avenue, the Jewett Creek bridge at the old Highway is quite close to the Blossom Avenue intersection. Adding the vehicle trips from this development to that existing intersection would greatly increase the potential for traffic collisions. For that reason, staff recommends Blossom Avenue terminate at a culdesac bulb. There would however, be an emergency access route provided through to on the old highway.

ORANGE AVENUE:

Staff also believes there's no need for Orange Avenue Right of Way south of Blossom Avenue, since the street will not be extended over Jewett Creek. However, staff does recommend retention of a public service easement within the right of way for use as pedestrian and emergency access, and as a potential storm drainage line route.

"Orange Avenue" is a duplicate of similar street names in other parts of the County. According to the County and City Road Indexes, in the Corning Area, there's already a private "Orange Avenue"; an "Orangewood Road", and a neighborhood with a number of streets named for fruit and nut trees. To avoid confusion, staff recommends that Orange Avenue be renamed. This can be accomplished as a condition of subdivision map or use permit approval.

PLANNING AND ZONING LAW:

The State Planning and Zoning Law (Government Code Section 65402, attached as Exhibit "G") requires the "planning agency" to present a report regarding conformity with the adopted general plan prior to abandoning any street.

Please refer to the map marked "General Plan Land Use Diagram" (Exhibit "E"). You will note that the properties adjoining the subject rights of way are designated "Residential".

Please see the attached copy of the zoning map (Exhibit "F"). The properties adjoining the subject street rights of way are zoned "R-1-2"; Single Family Residential. This zoning has been in place for many years and is consistent with the Residential Land Use designation.

In regards to the Circulation Element, a street abandonment could be inconsistent if it somehow isolated a property. In this particular case, since the street segment is unconstructed and since a relocated and constructed Blossom Avenue will offer alternative access, no inconsistency will occur.

The street abandonment will have no effect on Noise, Open Space, Housing or Conservation Elements. Since there is no conflict with the General Plan, the abandonment of the alley right of way is consistent with the Corning General Plan. State Law (Government Code Section 65402-Exhibit "G") requires the Planning Agency to report to the City Council regarding the General Plan Consistency of any proposed street vacations. This action will facilitate residential development of the site; just as the Corning General Plan envisions for the SHHIP properties.

RESOLUTION NO. 03-13-07-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
DECLARING ITS INTENTION TO VACATE A PORTION OF BLOSSOM AND
ORANGE AVENUES WITHIN SHASTA VIEW TRACT**

The City Council of the City of Corning hereby resolves as follows:

1. It intends to vacate unconstructed portions of Blossom and Orange Avenues within the Shasta View Tract in the City of Corning.
2. The procedure the City will be following is set forth in the California Streets and Highways Code, Section 8320 et. seq.
3. Interested persons may examine the City of Corning map which designates streets and rights of way at the Corning City Hall, 794 Third Street, Corning, California, during normal business hours.
4. All persons interested in the vacation or abandonment of this alley and who wish to be heard may attend a public hearing at the City Council Chambers, Corning City Hall, 794 Third Street, Corning, California, during a regular meeting of the Corning City Council at 7:30 p.m. on April 10, 2007.
5. The vacated Blossom Avenue right of way will be relocated and widened as part of the Self Help Home Improvement (SHHIP) Blossom Avenue Project. The Orange Avenue right of way between Blossom Avenue and Jewett Creek is unnecessary for public use.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on March 13, 2007, by the following vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

City Clerk

RECEIVED

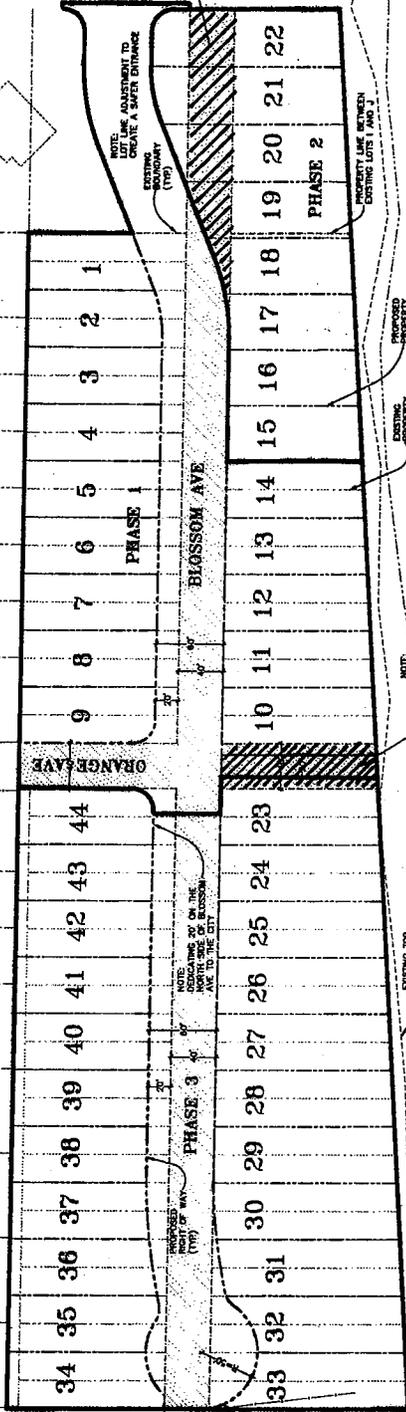
FEB - 8 2007

CITY OF CORNING

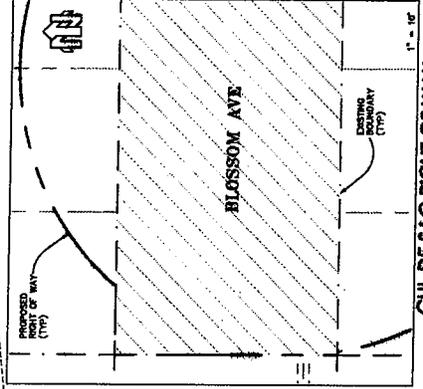
DONNOVAN AVE

DONNOVAN SUBDIVISION

DONNOVAN SUBDIVISION



OLD HWY 99



CUL-DE-SAC RIGHT OF WAY

PROPOSED RIGHT OF WAY
BLOSSOM AVENUE BELF HELP INFL PROJECT

SI-HIP
3777 MEADOWVIEW DR #100
REDDING, CALIFORNIA

111 Mission Ranch Blvd, Ste 100
Chico, California 95926
Phone: (530) 893-1600 Fax: (530) 893-2113
Web Site: www.northstareng.com

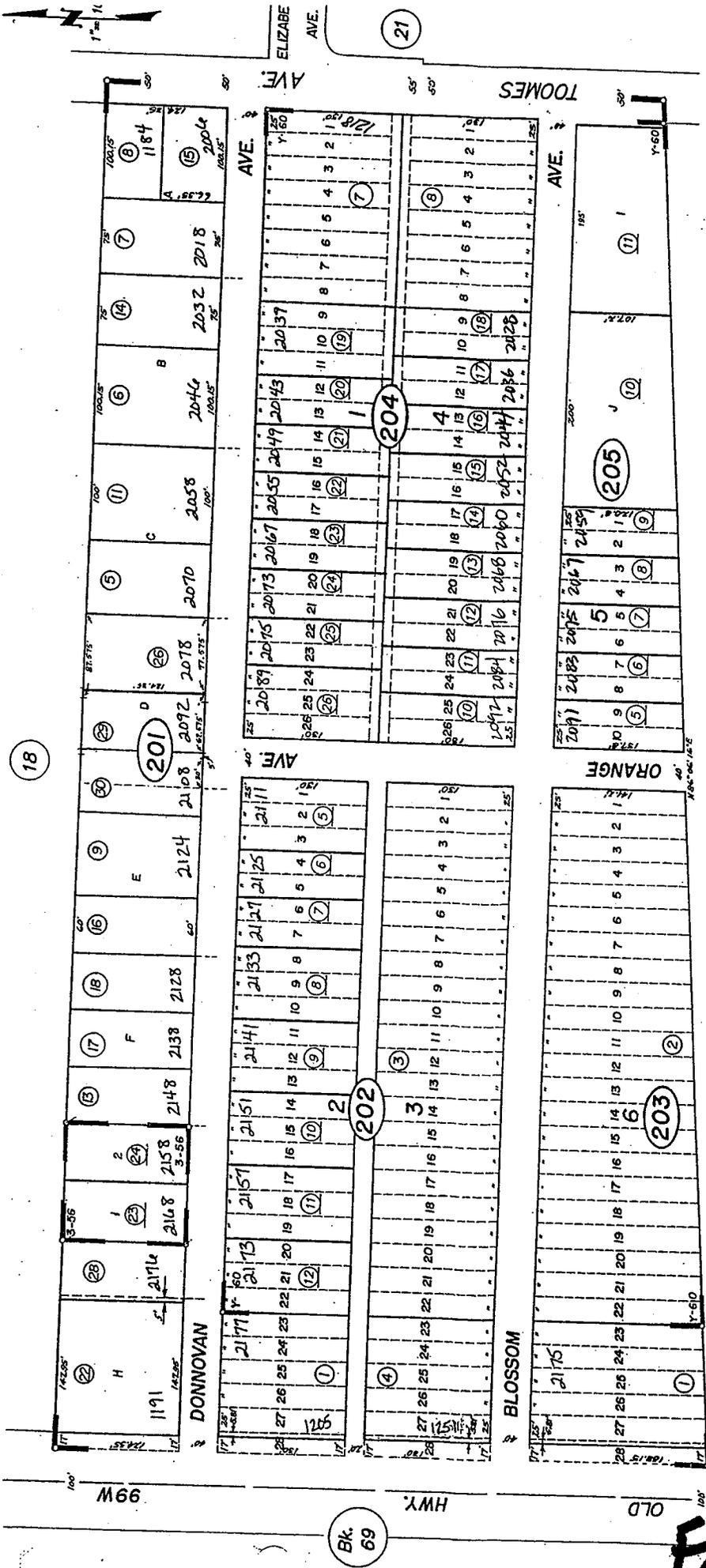
NorthStar
Civil Engineers, Surveyors
Chico, California

Revision	Date	By

Designed: LOL
Drawn By: RJK
Approved: [Signature]
Date: 2/8/07



EXHIBIT "A"



P.M. Bk. 3, Pg. 56-P.M. No. 767
 R.M. Bk. B, Pg. 9-Shasta View Tract
 R.M. Bk. L, Pg. 2-Southwesterly ptn. Corning
 R.S. Bk. Y, Pg. 60

NOTE-Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 71 -Pg. 20
 County of Tehama, Calif.

EXHIBIT "B"

Bk. 69

SEC. 21
 SEC. 22

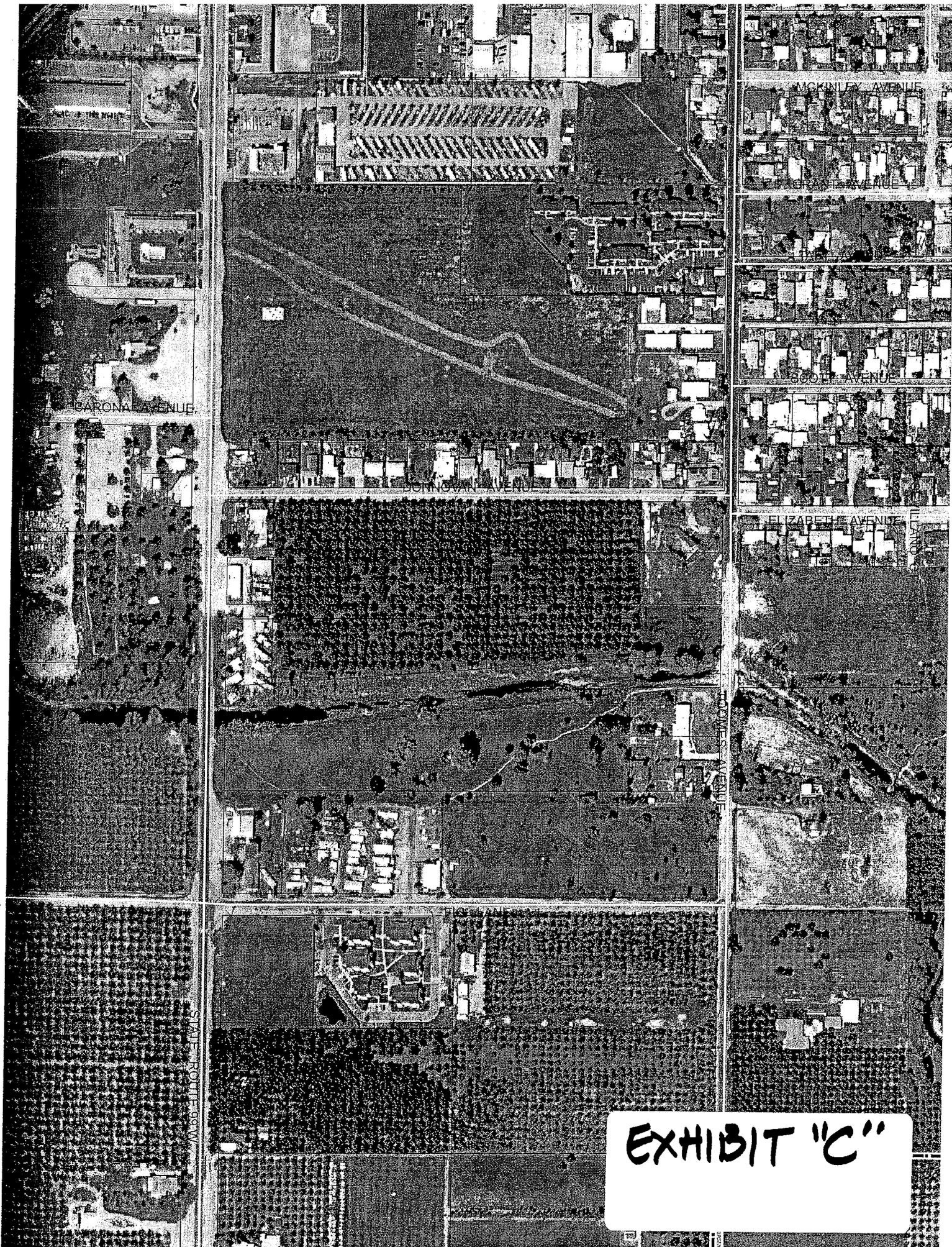
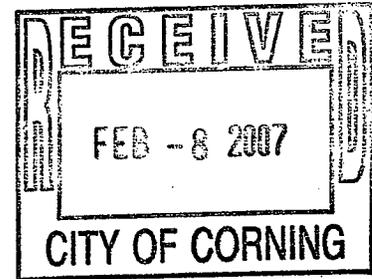


EXHIBIT "C"

Kevin E. Hanley, P.E.

December 15, 2006

Jay Lowe, P.E.
NorthStar Engineering
111 Mission Ranch Boulevard, Suite 100
Chico, CA 95926



Jay:

An analysis of the egress and access elements for the proposed SHHIP project has been undertaken and is now complete. The project in question is located in the City of Corning, California, on Toomes Avenue between Fig Avenue and Donovan Avenue.

The proposed location of Blossom Avenue at its intersection with Toomes Avenue will allow access and egress to and from the project site without limitation. Similarly, the proposed location of Orange Avenue at its intersection with Donovan Avenue will not require any access/egress restrictions.

These determinations were made after conducting turning movement counts on the adjacent roadway network, performing operational analyses for existing and future conditions (with a 20-year horizon using a growth rate of 1.5% per year) after adding project-related traffic, and then analyzing intersection sight distance requirements at Blossom Avenue associated with the proposed layout.

Attached please find a preliminary plan and profile sheet detailing the proposed locations of Blossom Avenue on which the above analyses were based.

Sincerely,

A handwritten signature in black ink that reads "Kevin E. Hanley".

Kevin E. Hanley, P.E.
Registered Professional Traffic Engineer #2099

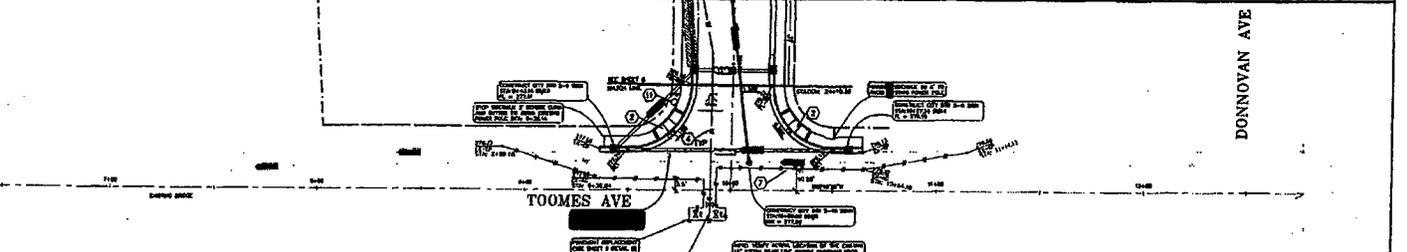
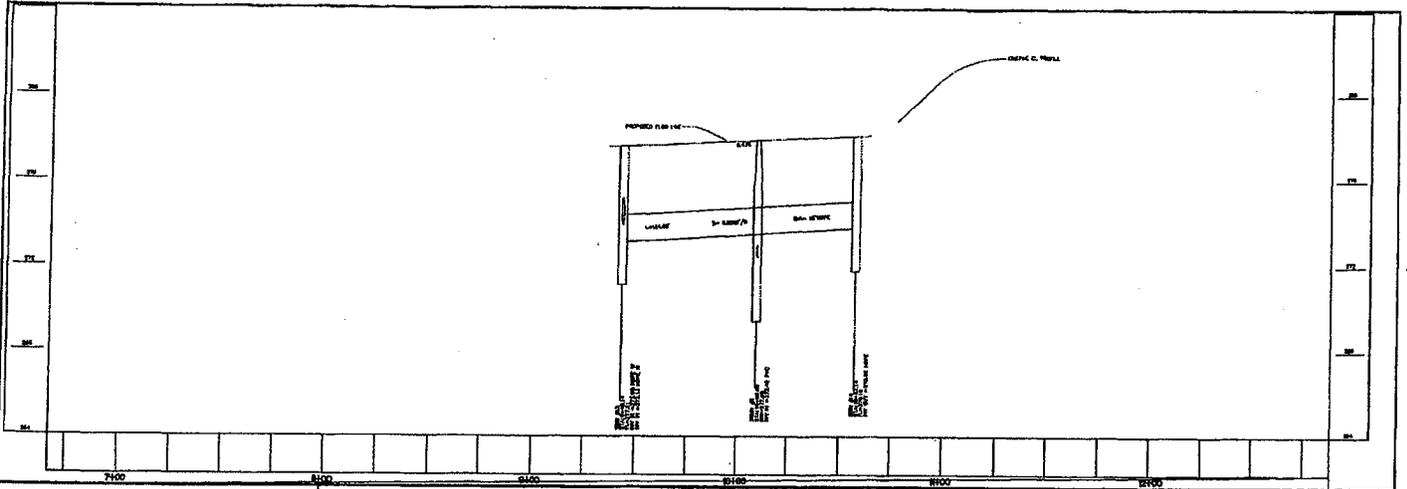


Attachment

5121 Euclid Ave.
Sacramento, CA 95822

k_hanley@comcast.net
(530) 864-0318

EXHIBIT "D"



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	DESG
C1	278	800	89°57'	PC
C2	574	800	185°57'	PT

- 1 INSTALL CITY OF CORNING STANDARD 3'-1" ROLLED CURB, GUTTER AND SIDEWALK
- 2 INSTALL CITY OF CORNING STANDARD 5'-0" PARALLEL RAMP
- 3 INSTALL SEWER LATERAL PER CITY OF CORNING STANDARD 5'-0"
- 4 PROPOSED 4" CROWD WATER LINE
- 5 WATER SERVICE PER CITY OF CORNING STANDARD 8"-10"
- 6 INSTALL FIRE HYDRANT WITH MINIMUM 1500GPM FOR 2 HOURS SANGUIT
- 7
- 8 INSTALL CALTRANS TYPE "A" DMC
- 9 PROPOSED 8" CROWD WATER LINE
- 10 5' TRANSITION FROM ROLLED TO VERTICAL CURB
- 11 INSTALL STREET LIGHT CORNA 160-100W 1P2
- 12 30" STEEL POTLE, 6" MAST ARM
- 13 INSTALL CITY OF CORNING STANDARD 2'-0" SEWER CLEANOUT BOX



Drawn by:	LCL	Checked by:		Date:	12/4/06
Approved:	RLC	Checked by:		Date:	

NorthStar
Civil Engineers, Surveyors
Chico, California

SH.H.P.
3777 MEADOWVIEW DR. #100
REDDING, CALIFORNIA

PLAN AND PROFILE TOOMES AVE.
BLOSSOM AVENUE - PHASE 1

Job Number: 016
Date: 12/4/06
Scale: 1"=40'
Sheet 2 of 2

D-2

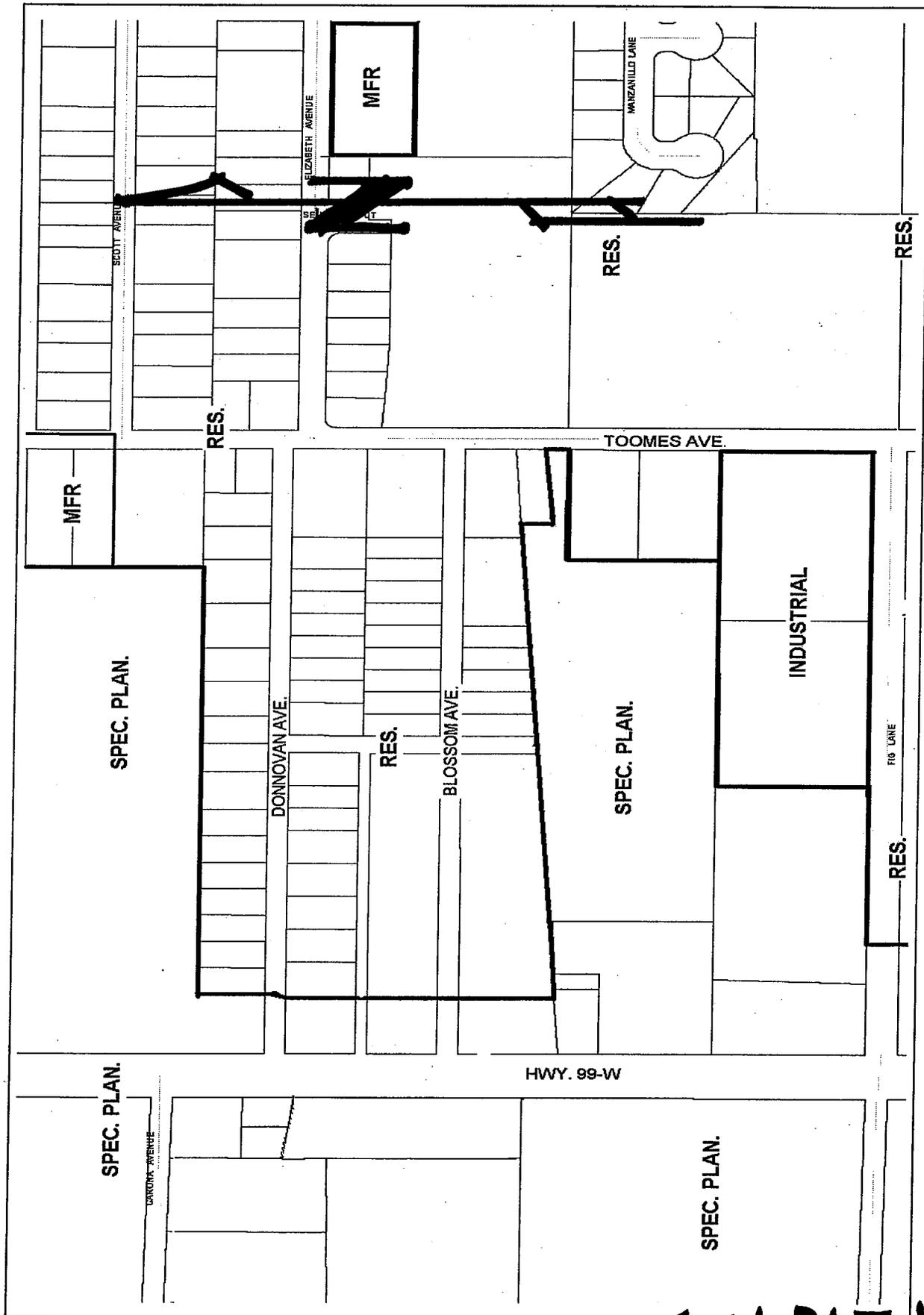


EXHIBIT "E"
GEN. PLAN LAND USE



EXHIBIT "F"
ZONING

65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, ~~no street shall be vacated or abandoned~~, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

(b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof.

Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.

(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency.

Local agency as used in this paragraph (c) means an agency of the state for the local performance of governmental or proprietary functions within limited boundaries. Local agency does not include the state, or county, or a city.

EXHIBIT "G"

**ITEM NO.: J-11
DISCUSSION OF COMPLAINT BY JOANN
LANDINGHAM AND REQUEST FOR
INSTALLATION OF SEPARATION FENCE
BETWEEN HER PROPERTY AND FLYING J
MARCH 13, 2007**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING**

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
LISA LINNET, CITY CLERK**

BACKGROUND:

JoAnn Landingham addressed the Council at the February 27, 2007 City Council meeting regarding problems with truckers at the neighboring property, Flying J Truck Center. The concerns stated in her complaint relate to:

1. Garbage, bottles and rotten food tossed into the field by truckers parking at the north end of the parking area adjacent to her property. These items accumulate along her wire stock fence and into her yard. Some of the food items could possibly be responsible for causing her and her caretaker's animals to become sick.
2. Truckers urinating down the bank.
3. Transients entering her property; one was found in her washroom and was removed.
4. Grass at the north end of the parking area adjacent to Mrs. Landingham's property not mowed regularly and trees not pruned.
5. Alleged newly established ponds adjacent to her property and possible threat of West Nile Virus.

Mrs. Landingham offers three suggestions as a possible solution to the existing problem and her complaint, they are:

1. Close the last 20 feet of the Flying J parking lot and put garbage receptacles there.
2. Build bathrooms for the drivers at the back of the parking area.
3. Construct the fence that she requested during the public hearing phase of the Flying J permit rather than the Oleanders that are currently there. (Mrs. Landingham suggested a fence similar to that of McCoy's Hardware).

RECOMMENDATION:

**MAYOR AND CITY COUNCIL CONSIDER THE INFORMATION PROVIDED AND
PROVIDE STAFF DIRECTION.**

Tues Feb. 27, 2007

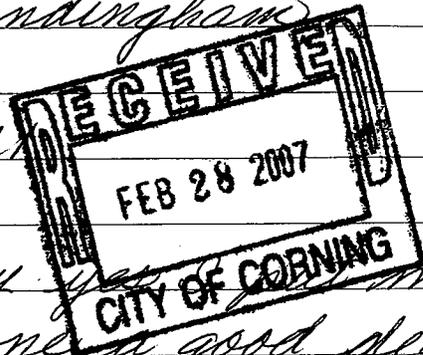
POB

Honorable City Council -

I have photos to show you after I finish
My name is Marlene Johnson Sandingham

2791 Hwy 99W

Corning Ct. 9602



My complaint is prefaced by years of my house up for sale as I am gone a good deal of the time from 1990 when we lived out at the farm and cared for my mother until Bill and my mother died and I have lived overseas until 2005

My caretakers have lived there since 1997 or 98 because I found I wanted a place to come home to. I thought I would sell it because I have the farm and just live here and there or wherever I chose and spend my money.

BUT Flying J is not a good neighbor. Their manager is very good and she has been very good about cleaning up the litter but she like me can't win the battle

When Flying J was having hearings I wrote from Kazakhstan and I had no objection to it I only wanted an access road to the back field and a solid wall at the back of their parking lot - I got access and cleaner screen hopefully in my lifetime I am 71 now so in the next two decades maybe!

But the futility of this is at least now the junk can be seen - If those bushes were huge bushy and thick - they would be not only an environmental hazard but a health hazard.

I do not know about the east side of the lot but on the north the drivers crawl out of the sleepers and urinate down the bank and are too lazy to walk to the garbage containers. They throw bottles and rotten or (poison) food into the field and my dogs have been sick twice in the last two weeks.

The dogs are not dangerous but at 4AM in the morning they have intercepted people trying to break into my home or sleeping in the wash house.

Which brings us to another problem these transients breach my fences that have 4 point barbed wire or chain link and all gates are locked so we put a padlock on the wash room - at 4AM my caretaker found the lock picked and a man in the wash room - he called the police they or he (no name or badge No) took the man presumably to jail. I called the next morning to prefer charges of breaking and entering against him. No record on the police books! No Satisfaction yet!

A second call a day later by my caretaker because a man was throwing food over the fence to the dogs - Two policemen came - talked to him - left and he continued to do it.

The dogs were taken in and they became sick. (Badge No and Names available) Then the animal officer was sent out to advise that the dogs should be kennelled - They are on 1 1/3 acres around my home and property.

I really don't consider the police any help at this time.

Then John Brewer called my Caretaker I am the property owner and I resent this I will give you telephone and e-mail for contact - and I always answer my phone! 824-3331 it is not given out or in At. No. 384-1361 the phone book
joannfwn@yahoo.com

I don't need to sell so I have taken my property off the market - it is no longer for sale

And - a suggestion - Close the last 20 ft of the parking lot and put garbage cans there - or better yet build bathrooms for the lazy drivers BACK THERE! Better yet the fence I suggested in the beginning AND Emphasize the Police are to serve and protect!

Flying J,

Enclosed is my resume not to impress you but to make you aware I do know Environmental and Water quality rules and littering laws.

I do not want to make any trouble or be forced to do something drastic to get you to clean up your mess.

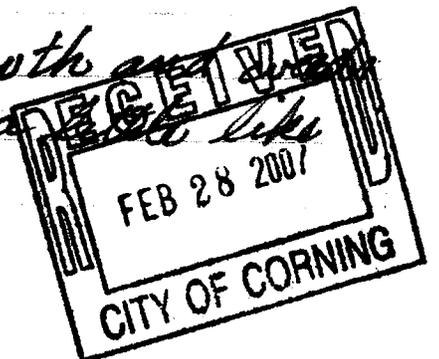
Actually I wanted a really high solid fence but you wanted an Oleander Screen. Maybe it will work before I die but I seriously doubt it. I have no problem with being next to a business and I even keep your trees and grass in good shape next to my access gate but you as a HUGE Company are not doing your part.

Photo 1 is grass on the 99W side - Why does the city force me to mow my property or they will and bill me? My field #2 mowed two times and will do it again. (it is kept clean with no help from you!)

#3 is before the first cleanup.

#4-5-6 were sent to Sysco trucking with a few suggestions

#7 one year of oleander growth and it really does not look even a little like the public side.



#8-9-10 are the "vernal pools" you have created and the mosquito vector at a time when "west nile virus" is in Tehama County.

Check Chico Enterprise Record - Thursday Aug 17 - headlines West Nile Virus 5 cases and one death, 28 miles away.

There have never been ponds and tules even down in the little creek to the north, bamboo-yes - but not a swamp.

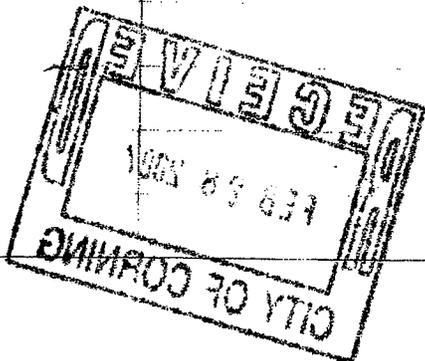
If something is not done or at least started in the next few weeks I guess I will just have to figure another way to get your mess cleaned up.

I know the corner was one of the larger environmental problems and your company has surely done a good job so far but you need to finish it.

Thank you so much
for your attention

Jo Ann

July 17, 2006



Sysco Trucking,

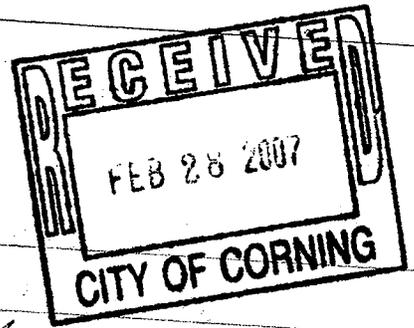
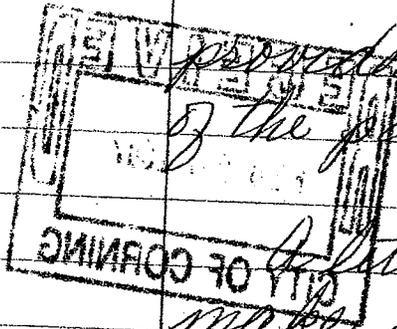


Photo No 1. a bag hanging on my fence with your address in it.
No 2 the north edge of Corning Flying J. that built next to my South fence during the two years I was in Peace Corps in Kazakhstan. I am a 70 year old widow and retired from 36 years of teaching. 8 yrs on Corning City Council and Mayor of Corning and five years on Tehama County Board of Supervisors and Chairman of the board.

That is my background and because you I am taking Flying J. to task for littering as well as creating an environmental problem of ponds for mosquitos that may pose a West Nile Virus problem - so you are not done in my complaints.

Your driver Rose is not a good advertisement for your company. I do not want him fired but I would really prefer an educational program and information on how to use the dumpster.



presented by Flying J. on the premises
of the parking lot.

A little exercise of the legs would
make me happier than the drivers
exercising their throwing arm.

I realize you have no control
of them on the road but I really
don't want things like this in
my yard.

Thank you for your
time - I hope you
can help me

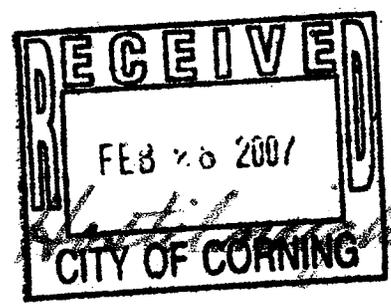
John Landingham
August 17, 2006

There's really no special reason
to send this greeting your way,
just wanted to let you know
you're in my thoughts today.

Thought I would send
this greeting in case
you junk my letter as
you Block my e-mail
your technique of out of
sight out of mind won't
work - Johann Sandingham

Meet with County Environmental Health
Wed. Feb. 21 at 2:00 PM at my yellow
house in Corning





Flying J from your now

M. Jo Ann Sandingham

I am seriously considering filing a nuisance lawsuit and blocking the last 40 feet of your parking lot that borders the south side of my property -

I have lived and owned that property since 1955 and never had problems one until Flying J came. Now the place is like a fortress prison - and the straw that broke the camels back was last night!

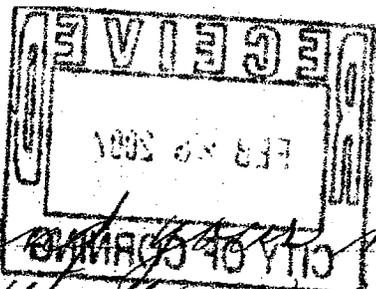
A truck driver placed a container of spoiled or poisoned food down the slope against the fence for my dogs to get it.

They did and fortunately only became sick and threw up the stuff!

I have asked repeatedly for a fence from the first - A WALL but it has not happened - so I guess I have no recourse but to fight thru the court system - You are not good neighbors.

I do not bother you and did not object to your business but you have taken advantage -

you do not mow the property

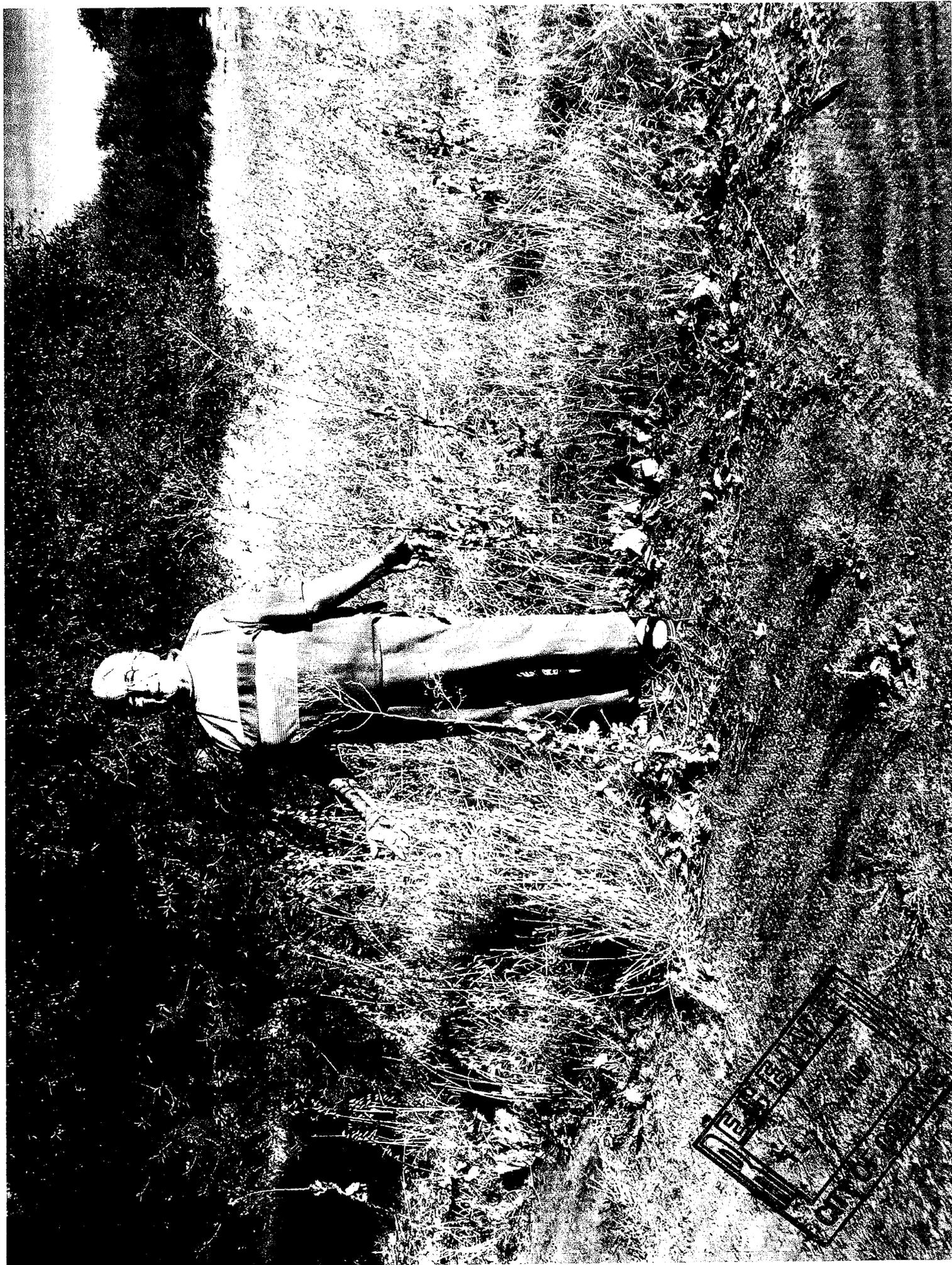


~~your~~ manager is a good person
but your company stinks!

Hope you enjoy the articles I am
going to do for the news papers and
T.V. stations for a starter —

and the calls I am going to make to
environmental Health and the health
department in the county

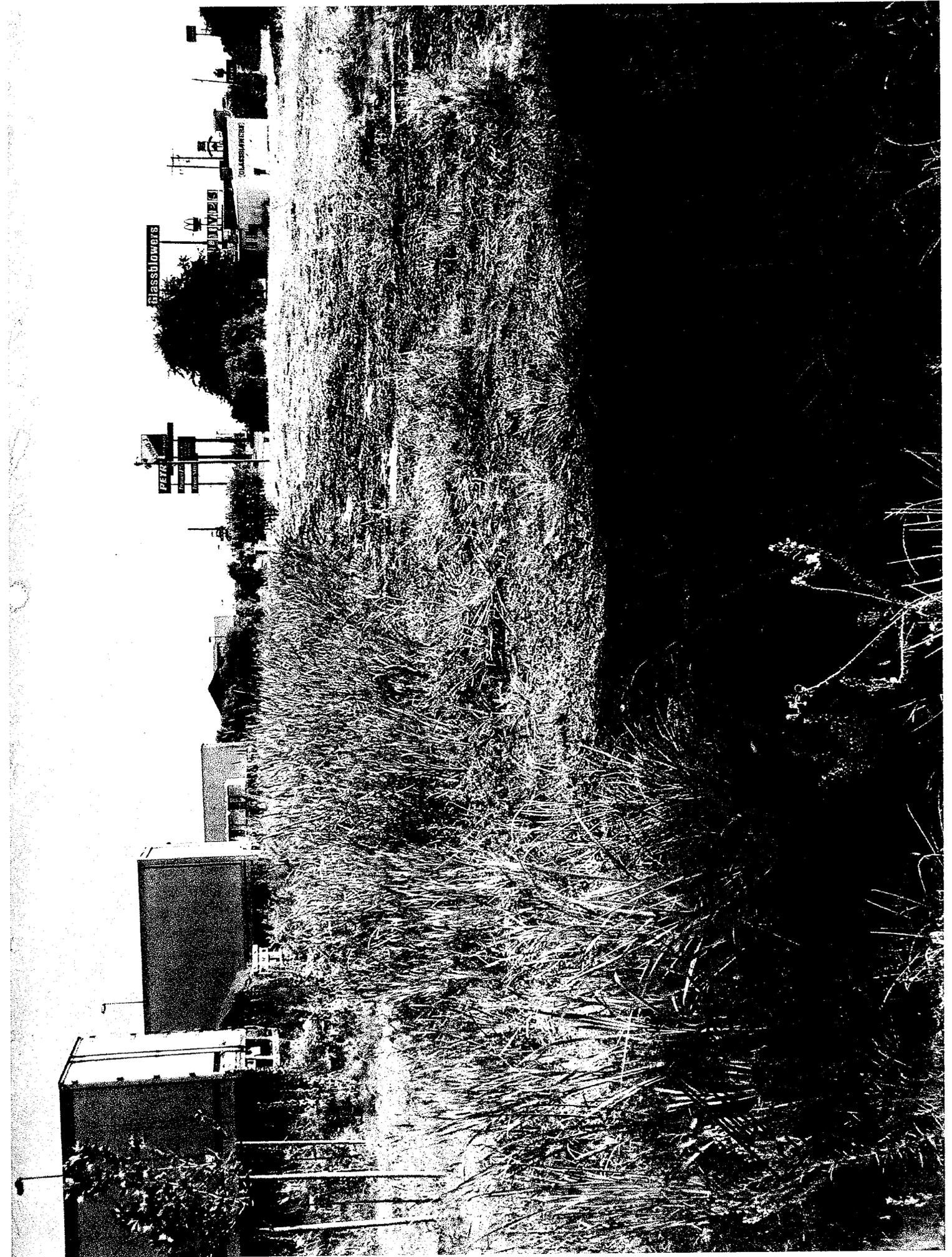








116 G E W E
MAR 28 2007
CORCORNING





McCoy's Hardware

