



**CITY OF CORNING
CLOSED SESSION AGENDA**

**TUESDAY, MARCH 26, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

The City of Corning welcomes you to our meetings, which are regularly scheduled for the second and fourth Tuesdays of each month. Your participation and interest is encouraged and appreciated.

In compliance with the Americans with Disabilities Act, the City of Corning will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office (530/824-7033) to make such a request. Notification at least 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.

A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS:

D. ADJOURN TO CLOSED SESSION: 6:30 p.m.

1. CONTINUED PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Pursuant to Government Code 54957

Title: City Manager.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Pursuant to subdivision (A) of Section 54956.9 of the Government Code.

(2 potential cases)

3. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency Negotiator: William May, Labor Relations Consultant

Miscellaneous Bargaining Unit

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.

POSTED: FRIDAY, MARCH 22, 2013



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, MARCH 26, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

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

D. INVOCATION: Led by Councilman Cardenas.

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

- 1. Proclamation – April 2013 Child Abuse Prevention Month.** Present to accept the Proclamation is a representative of the Tehama County Child Abuse Prevention Council.
- 2. Proclamation – April 2013 Relay for Life Month.** Present to accept the Proclamation is Renee Beckley, representative of Corning Relay for Life.
- 3. Proclamation – April 14 - 20, 2013 as “Week of the Young Child” in the City of Corning.** Paula Brown-Almond, Early Childhood Education Project Director will be present to accept the Proclamation on behalf of the Tehama County Department of Education.

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, 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.

4. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
5. Waive the reading and approve the Minutes of the following meetings with any necessary corrections:
 - a. February 26, 2013 and March 12, 2013 Closed and Regular City Council Meetings; and
 - b. March 12, 2013 Closed and Regular City Council Meeting.
6. March 20, 2013 Claim Warrant - \$81,331.94.
7. March 20, 2013 Business License Report.
8. Adopt Resolution 03-26-2013-01 Establishing an Appropriations Limit for the City of Corning for Fiscal Year 2012-2013 at \$10,864,523.
9. Request authorization to solicit Bids for the Safe Routes to School (SR2S) Cycle 10 Project.
10. Accept Moule's Tehama County Glass Inc. quote of \$2,888.77 to provide and install ADA Automatic Electronic Door in the Finance Department.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

11. Adopt Resolution 03-26-2013-02 authorizing the City Manager, or his designee, to execute Agreements with the California Department of Transportation for the City of Corning's Bike and Pedestrian Transportation Improvement Plan.
12. Authorization to enter into Project FINISH Memorandum of Understanding (MOU) and appoint a member of the City Council to the Project FINISH Advisory Board.
13. Review League of California Cities Board of Directors Proposed Bylaw Amendments and provide voting direction for attached ballot.
14. Authorize Purchase of a 2001 Genie S40 Boomlift for \$14,000 from Corning Rentals, declare the Public Works 1978 Chevrolet Bucket Truck Surplus, and authorize its sale at auction.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Dickison:

Linnet:

Cardenas:

Smith:

Strack:

N. ADJOURNMENT!:

POSTED: FRIDAY, MARCH 22, 2013

PROCLAMATION
APRIL 2013
CHILD ABUSE PREVENTION MONTH

WHEREAS, the future of Corning will be shaped by our most valuable, precious resource, our children; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse and neglect; and

WHEREAS, the five protective factors listed here below have been proven to strengthen families and prevent child abuse and neglect:

Parental resilience;
Social connections;
Knowledge of parenting and child development;
Concrete support in times of need; and
Social and emotional competence of children; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among Social Service Agencies, Schools, Faith Communities, Civic Organizations, Law Enforcement Agencies, and the Business Community; and

WHEREAS, during the month of April, Citizens throughout the State and Nation are observing **CHILD ABUSE PREVENTION MONTH** in order to focus attention on the special needs of our children and their families;

NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO HEREBY PROCLAIM THE MONTH OF APRIL 2013 AS CHILD ABUSE PREVENTION MONTH IN CORNING. I urge the Community to join in the effort to eliminate the devastating effects of Child Abuse.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 26th day of March 2013.

GARY R. STRACK, MAYOR

LISA M. LINNET, CITY CLERK

PROCLAMATION
APRIL 2013 RELAY FOR LIFE MONTH
AND
APRIL 27, 2013 AS "PAINT OUR TOWN PURPLE DAY"
IN THE CITY OF CORNING

WHEREAS, the American Cancer Society is the nationwide, community-based, voluntary health organization dedicated to eliminating cancer as a major health problem through research, education, advocacy and service; and

WHEREAS, the color purple is the signature color of the American Cancer Society's Relay for Life events, signifying the passion that cancer survivors, their families and loved ones feel for the eradication of this disease; and

WHEREAS, by these efforts, the overall age-adjusted cancer mortality rate is declining for the first time in human history and will continue to do so; and

WHEREAS, people are alive today because the technology and knowledge gained has translated directly into programs for prevention, early detection and improved treatment, and

WHEREAS, "Relay for Life", as the national signature event of the American Cancer Society, has surpassed \$4 billion dollars in funds raised since the first Relay for Life was held in 1985; and

WHEREAS, the "Relay for Life" Program is unique in this community, in that it blends fundraising, cancer awareness and prevention activities, and fellowship along with support for cancer survivors and family members; and

WHEREAS, "Relay for Life" is a community based program that takes up the fight against cancer emphasizing the motto that "**There is no finish line until a cure is found**".

WHEREAS, the City of Corning's "Relay for Life" activities will take place on April 27th - 28th, 2013, in honor of over 100 local cancer survivors, and

NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO HEREBY PROCLAIM THE MONTH OF APRIL 2013 AS "RELAY FOR LIFE" MONTH IN THE CITY OF CORNING AS WE JOIN THE AMERICAN CANCER SOCIETY IN THE FIGHT AGAINST CANCER.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Corning to be affixed this 26th day of March 2013.

GARY R. STRACK, MAYOR

PROCLAMATION
APRIL 14-20, 2013
“WEEK OF THE YOUNG CHILD”

WHEREAS, the California Association for the Education of Young Children, Tehama County Local Child Care Planning Council, Child Care Referral & Education, and other local organizations in conjunction with the National Association for the Education of Young Children is sponsoring the **“Week of the Young Child”** on April 14-20, 2013; and

WHEREAS, by calling attention to the need for quality child care for all young children and their families within our community, these groups hope to improve the quality and availability of such services; and

WHEREAS, the quality of services is primarily determined by the individual teachers and care givers who perform this valuable work; and

WHEREAS, the work of early childhood professionals is not fully understood and is underappreciated; and

WHEREAS, quality child care services can provide the basis for a good beginning for children’s sound growth and development; and

WHEREAS, through cooperation and communication between the home, school, and the community, a vital and needed component is contributed enabling us to fulfill our responsibilities and ensure these children have this needed beginning.

NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO HEREBY PROCLAIM THE WEEK OF APRIL 14-20, 2013 AS “WEEK OF THE YOUNG CHILD” IN THE CITY OF CORNING.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Corning to be affixed on this 26th day of March 2013.

GARY R. STRACK, MAYOR



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, FEBRUARY 26, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

All members of the Council were present.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS: None.

D. ADJOURN TO CLOSED SESSION: 6:30 p.m.

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Pursuant to Government Code 54957

Title: City Manager.

2. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency Negotiator: William May, Labor Relations Consultant

Miscellaneous Bargaining Unit

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

Mayor Strack reported that Council met and completed a portion of the City Manager's Performance Evaluation and scheduled another closed session for March 26th to complete the evaluation by setting goals for the next year.

Mayor Strack reported that Council met with the City's Labor Negotiator Bill May and gave him direction in relation to the upcoming Miscellaneous Unit Negotiations.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, FEBRUARY 26, 2013
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A. CALL TO ORDER: 7:30 p.m.

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

All members of the City Council were present.

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

D. INVOCATION: Led by Councilman Cardenas.

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

F. BUSINESS FROM THE FLOOR:

Joyce and Jerry Lequia complemented the City and their employees on how well they take care of our City Parks.

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 12, 2013 regular City Council Meeting with any necessary corrections.**
- 3. February 20, 2013 Claim Warrant - \$150,049.91.**
- 4. February 20, 2013 Business License Report.**
- 5. Adopt Resolution 02-26-2013-01 authorizing the City Clerk, with written consent of the City Attorney, to purge City Records according to the adopted Records Retention Guidelines.**

6. Authorize the purchase of a \$5,503.97 towable Water Trailer from Dietz Equipment utilizing funds received from the sale of the City's 1980 International Water Truck.

Mayor Strack introduced each item on the Consent Agenda by title and asked if anyone from the audience or from the Council would like to pull any item for further discussion. Councilor Linnet responded requesting to pull Consent Item 6 for further discussion.

With no further discussion on the remaining Consent Agenda Items, Councilor Dickison moved to approve Consent Items 1-5. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

6. Authorize the purchase of a \$5,503.97 towable Water Trailer from Dietz Equipment utilizing funds received from the sale of the City's 1980 International Water Truck.

Councilor Linnet stated that he would like to see the City go with something new rather than used; and secondly he would like the City to ensure that we are able to pull the equipment with the vehicles the City currently has. Public Works Director Patrick Walker confirmed that the City currently has equipment that can pull the proposed trailer. Councilor Linnet stated that he would rather see the City invest in new equipment rather than piecing something together.

Other items discussed were issues relating to metal vs. plastic tank and concerns of whether the estimates received last September were still current. Mr. Walker stated that the estimate from Dietz is. Councilor Dickison stated that we should obtain new estimates if planning on going with something new. Councilor Cardenas suggested leaving it in the hands of Staff to decide what they believe would be best for the City and let them make their recommendation to the Council. If we can use the existing equipment wouldn't it be prudent to do that?

Councilor Dickison moved to authorize the purchase of a completed towable water trailer from Dietz Equipment Sales utilizing an existing City Utility Trailer in the amount of \$5,503.97, and utilize funds from the Public Works Equipment Replacement Fund for this purchase. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed: Linnet. Absent/Abstain: None. Motion was approved by a 4-1 vote with Linnet opposing.**

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

7. Presentation and Acceptance of Annual City Audit for Fiscal Year 2011-2012.

City Auditor, Mr. Donald Reynolds, CPA stated that the Staff Report provided by City Manager Brewer hits some of the highlights of the Financial Statements.

Mr. Reynolds explained that these financial statements are the City's financial statements, and are a work product of City Staff, and he puts it into the form of a financial statement. However, these numbers reflect the activities of the City of Corning and their employees for that fiscal year. He stated that he produced the three audit opinions, in prior years there has only been one, however this year one of the differences is that this year the City had a "Single Audit" which is required by law (under OMB Circular A-133) if you expend more than \$500,000 which differs from previous years. He then explained the need for the additional Auditor's opinions. Mr. Reynolds explained that the specific project that put the City over the top was the Clark Park Well Project.

Mr. Reynolds stated that the first opinion issued, which he believes is the most important by far, is the initial opinion on page one and two which states whether or not we believe that your financial statements fairly represent the financial position of the City of Corning for year ending June 30, 2012. He further stated that following the audit, he is happy to "report that they have issued an unqualified opinion on the financial statements that they do in fact believe that these statements do present the financial condition and the results of its operations for the twelve month period of July 1, 2011 through June 30, 2012.

He stated the City, in the General Fund, had a pretty good year with a \$750,000 increase in sales tax revenue over June 30, 2011. Even though the City had some shortfalls in other areas to the tune of \$250,000, the City still ended the year with about a \$500,000 more revenue than you originally anticipated which bodes well for the future if the sales tax trends continue. He further stated that the City budgeted expenditures based upon anticipated revenues, and the anticipated expenditures exceeded budget by a little over \$100,000, but even at that, the City's budget verses actual came in well over \$300,000 to the good allowing the City to recover some of the reserves.

Councilor Dickison moved to receive and accept the Annual Audit for Fiscal Year Ending June 30, 2012. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

8. Approve California Department of Transportation (Caltrans) Grant Application preparation by Diaz and Associates.

Mr. Stoufer stated that Staff is always aware of available grants/funds; this particular one is a Caltrans for transportation improvement planning and studies. We believe that there is one that would benefit the City currently and in the future which is the "Transportation" Section. It deals with bicycle plans/pathways and then pedestrian movement plans within the community and falls into certain planning laws such as sustainable communities. He further explained that this would be a plan, should we receive a grant, which would provide what we call a "shovel ready project" for an interior pedestrian/bicycle plan within the City. He stated that this grant provides for in-kind funding in the amount of \$7,500.

Councilor Cardenas moved to authorize the expenditure of up to \$2,000 and authorize City Staff to work with Diaz Associates to prepare the Grant Application and the City Council Resolution to be adopted at a later date. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

9. Approve Progress Pay Estimate No. 1 in the amount of \$44,500 to Lance Jones Construction for the Rodgers Theater, Phase 2 Improvements.

Mayor Strack introduced this item by title and explained that the dollar amount has changed from \$44,500 to \$38,790. Mr. Brewer explained that the amount was revised to reflect that the electrical work was only 80% complete following the latest inspection by the City's Building Official. He further explained that the revised amount is now \$43,100 less the retention of 10% which is \$4,310, leaving a balance due to the contractor of \$38,790.

Councilor Cardenas moved to approve Progress Pay Estimate No. 1 in the amount of \$38,790 to Lance Jones Construction for the Rodgers Theater, Phase 2 Improvement Project. City Manager Brewer stated that the amount to be approved should be \$43,100. Councilor Cardenas amended his recommendation to be \$43,100, not \$38,790. Councilor Dickison seconded the motion as amended. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Dickison: Reported on attendance at the Community Action Agency meeting last Thursday at which reports were provided on status of existing projects and was informed that all new members are now required to attend a work/training session to be held on March 6th. She also stated that she attended the Exchange Club dinner on Saturday.

Linnet: Pay it Forward Committee was interviewed by Channel 7 and was on the news this morning. He further stated that Gary's Gift Shop is now closed before it opened as the building has been rented out.

Cardenas: Reported that Friday (the 1st) will be the day all the groups get together to start working on the planning for the Promise Neighborhood Grant.

Smith: Reported on attendance at the Senior Center Meeting. She informed the Council that the stipend funded by a government bill used to pay Dot Linnet (Linda Lima's Assistant) is running out so they are currently seeking funding to pay for her expenses (vehicle fuel).

Strack: Reported on attendance at the Exchange Club and congratulated the members of the Corning Fire and Police Departments who received awards.

N. ADJOURNMENT!: 8:07 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CLOSED SESSION MINUTES
TUESDAY, MARCH 12, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

**Darlene Dickison
Dave Linnet
Tony Cardenas
Willie Smith
Gary Strack**

Mayor:

All members of the Council were present.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS: None.

D. ADJOURN TO CLOSED SESSION: 7:00 p.m.

- 1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Miscellaneous Bargaining Unit**

E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.

Mayor Strack reported that Council met in Closed Session with the City's Labor Negotiator and gave him direction.

F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MARCH 12 2013
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A. CALL TO ORDER: 7:30 p.m.

B. ROLL CALL:

Council:

**Darlene Dickison
Dave Linnet
Tony Cardenas
Willie Smith
Gary Strack**

Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Mayor Gary R. Strack.

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

F. BUSINESS FROM THE FLOOR: None.

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. March 6, 2013 Claim Warrant - \$ 217,451.02.
3. March 6, 2013 Business License Report.
4. February 2013 Wages and Salaries: \$339,322.48.
5. February 2013 Building Permit Valuation Report - \$101,467.
6. February 2013 Treasurer's Report.
7. City of Corning Wastewater Operations Summary Report – February 2013.

8. Adopt Resolution No. 03-12-2013-01 authorizing the Tehama County Sanitary Landfill Agency to submit Regional Household Hazardous Waste Grant Applications on behalf of the City.

Councilor Dickison moved to approve Consent Items 1-8 and Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

9. Approve Alignment and Engineering Cost Estimate for Airport Perimeter Fencing Project as Presented by City Engineer Ed Anderson.

Mayor Strack introduced this item by title and City Manager John Brewer stated that the City has been trying to obtain approval by the Federal Aviation Association (FAA) of an Airport perimeter fence for a number of years. This approval also includes an important component of FAA financing to the tune of 95%.

The City's initial plan was to fence completely around the perimeter of the Airport however the City encountered NEPA (National Environmental Policy Act) issues because part of the fence alignment would require construction of fence through wetland areas. Instead we reduced the scope of the project to replacing the security fences that run along the street frontages on Blackburn, Marguerite and Neva Avenues. In 2011 the reduced project was found to have little or no effect on the environment. Mr. Brewer then explained the exact locations where the proposed fencing would be installed and the height and type of fencing proposed.

Mr. Brewer informed the Council that Staff expects the overall cost to be \$ 85,000-\$95,000 and FAA typically pays 95% of those costs with the City responsible for 5% or \$4,250 - \$4,750. Before we can proceed with the project, FAA must approve the alignment, fence type and location. Fence plans and specifications must be prepared by an Engineer, and prior to completing the final fence design work, the FAA must approve the Engineers service proposal. City Engineer Ed Anderson was asked and has prepared this and has presented it (it is attached). The final cost for this is \$7,950 which includes contract administration, inspections, bid review and award recommendation.

Following some questions related to funding, and confirmation of fencing locations, Councilor Cardenas moved to approve the attached security fence alignment shown on the attached photo and drawing, and to approve the proposal and cost estimate presented by City Engineer Ed Anderson. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

10. Award Bid for Development and Construction of Phase 1 of the Corning Community Park Project in the amount of \$1,843,346.20 to Kendel Trent Construction.

Mayor Strack introduced this item by title stating this is the Company that installed our new well. Mayor Strack stated that this items presentation was delayed for a couple of weeks because Staff wanted to confirm that Additive Bids were added correctly to confirm the low bid. Engineer Ed Anderson stated that if awarded tonight, we could schedule the preconstruction meeting next week. Once we have that done then they can get the SWPPP (Stormwater Polution Prevention Plan) completed and approved by the Regional Board, that has to be in place before they can start moving dirt. In the meantime we can get the concrete out of there, get the well abandoned, complete demolition. He stated we are probably looking at starting the beginning of May with completion of this phase this season.

Councilor Cardenas moved to approve a line item budget increase of \$45,355.50 from Revenue Account 355 to Account No. 355-6337-9025 for the Toomes Avenue Offsite Improvements and award the Bid for Phase 1 of the Corning Community Park Project to Kendel Trent Construction in the amount of \$1,843,346.20. Councilor Smith seconded the motion. **Ayes: Strack, Dickison,**

Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.

11. Adopt Resolution 03-12-2013-02 permitting continued service of part-time City Attorney Michael Fitzpatrick.

Mayor Strack introduced this item by title. City Attorney Michael Fitzpatrick explained that for many years, a person retired and drawing retirement through PERS cannot go back and work for a PERS Agency at the same time they are drawing their retirement. These are rules that apply to employees. Although for a few years I was an employee, but I have been an independent contractor for most of the time I have worked for the City of Corning, and the last few years he stated he was still an independent contractor. He stated his concerns relating to the new pension laws, explaining that they are not clear on how these new laws apply to independent contractors as well as employees. This is why he is asking Council to adopt this Resolution which takes the position that he is needed for a limited period of time because of the skills that he has in training another person to do his work. This is an exception, and the law states that "if the Council, at a public meeting, agrees that the skills of that person are needed for a limited period of time" (the law doesn't specify a time limit though) they can make that point. Mr. Fitzpatrick explained that this will not only protect him and his retirement, but the City as well.

Mayor Strack explained that the proposed Resolution actually has listed a specific time period, January 1, 2013 through June 30, 2014.

Councilor Cardenas moved to approve Resolution 03-12-2013-02 making Findings concerning the position of City Attorney for the City of Corning. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

12. Annual Mid-Year Budget Review and General Discussion.

Mayor Strack introduced this item by title and City Manager John Brewer presented the Council with the Mid-Year Budget. Mr. Brewer provided the following information on how the City is faring at near the mid-point of the fiscal year, specifically 12-31-2012. He stated that now that the annual audit for 2011-2012 has been completed and accepted by the City, we can compare the Staff projection included in that budget, with the actual numbers. Using the actual numbers we have a better picture of where we are at mid-year.

To summarize, he stated that the point is that while we anticipated having a total of \$191,880, in fact what we are ending up with is just under half of that at \$89,566, that is only about 2% of the overall General Fund Revenue, he stated that his point is that we need to be very conservative with expenditures at this point. He stated that we are meeting our **Sales Tax Triple Flip** projections; with two quarters of the four quarters in, we are almost \$50,000 over our projection. **Sales Tax** presented does not include the \$210,878 recovered in December because it was accounted for in another manner in the Budget. **Fuel Sales:** Down by 5.7%, why is still unknown. **Transient Occupancy Tax:** Currently above expected and if trend continues through 1st quarter we will exceed our \$260,000 TOT budget projection by between \$63,000 and \$80,000. **Property Tax:** Currently just about right on target at about 60%, and **Vehicle License Fees:** Right in there. He stated that everything seems about right with the exception of Building Permit and Plan Check Fees; we will probably take a hit of \$30,000-\$35,000 there due to the downturn in construction. **Utility Fund Revenues:** In the Short term the sewer fees are right on target, water fees are a little ahead, however in the long term we have some shortfalls in primarily the Sewer Enterprise Fund so this Spring we will approach Council to increase the sewer utility rates, and it will have to be a little more than the 3% increases previously utilized. He stated that water will be a little short, but not as much as the Sewer Enterprise Fund.

Mr. Brewer closed by stating in summary that some funds were up a little, and some were down a bit. Expenditures are near what we projected when the budget was approved. Overall, barring any catastrophic event or condition, we believe we will finish the fiscal year without the need to "raid" our \$800,000 Operating Reserve and be positively positioned to go into next fiscal year.

Councilor Dickison moved to receive the Mid-Year Budget Report for information and discussion, and transfer \$3,960.02 from Fund 152, Flood Mitigation – FEMA to the General Fund. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Dickison: Reported on her March 1st attendance at the special meeting of the Community Action Agency and stated that the LAFCO meeting had again been cancelled.

Linnet: Reported the Pay it Forward Committee had a clean-up day last Saturday at which they collected Shopping Carts throughout town and returned them. He announced that the Committee would be meeting with the Realtor handling the former M & M Building on Wednesday to discuss whether the Committee could do something with the building.

Cardenas: Reported on his March 1st attendance of the Everett Freeman Promise Neighborhood Planning Meeting stating that they broke out into three groups; Pre-Kindergarten Group, the K-12th Grade Group, and the third Group – After 12th Grade. They have plans for several meetings between now and May at which point they will put it all together and submit. He also stated that Beth Birk contacted him regarding the SERRF Program on March 19th to invite the Council to attend and if interest help serve. He then reported on the Corning Chamber Meeting stating the Board of Directors expressed their thanks to the Council and Staff for the new Solano Street sign off I-5, and April 27th is Relay for Life and Sonya Ackers is this areas Chairperson for Relay for Life. She will be coming to our next Council Meeting to discuss what they would like to do for Relay for Life and seeking a Proclamation from the City.

Smith: Reported on the Corning Senior Center Meeting stating that the Senior Nutrition Program is still in trouble, they are about \$15,000 short of being able to feed the seniors. They are having a bunco day on Saturday the 23rd to raise money for the program. They are also seeking donations for prizes. She stated that all the money raised here will stay in Corning. She stated the importance of this program explaining that for some seniors, that is the only meal they have, and some of the seniors live on anywhere from \$500 to \$600 a month...that is all that they have.

Strack: Nothing.

N. ADJOURNMENT!: 8:10 p.m.

Lisa M. Linnet, City Clerk

**MEMORANDUM**

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING ASSISTANT

DATE: March 20, 2013

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, March 26, 2013 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

| | | | |
|--------------------|-----------------------|-----------------|---------------------------|
| A. | Cash Disbursements | Ending 03-14-13 | \$3,231.85 |
| B. | Cash Disbursements | Ending 03-15-13 | \$2,526.34 |
| C. | Cash Disbursements | Ending 03-18-13 | \$21,438.01 |
| D. | Payroll Disbursements | Ending 03-18-13 | \$46,056.87 |
| E. | Cash Disbursements | Ending 03-20-13 | \$8,078.87 |
| GRAND TOTAL | | | <u>\$81,331.94</u> |

REPORT.: Mar 14 13 Thursday
 RUN....: Mar 14 13 Time: 10:37
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 03-13 Bank Account.: 1020

PAGE: 001
 ID #: PY-DP
 CTL.: COR

| Check Number | Check Date | Vendor Number | Vendor Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information Description |
|--------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|---------------------------------|
| 015865 | 03/11/13 | SHA17 | SHASTA COUNTY FIRE DEPART | -1000.00 | .00 | -1000.00 | 1213012u | Ck# 015865 Reversed |
| 016128 | 03/08/13 | CPS01 | CPS HUMAN RESOURCE SVCS | 557.75 | .00 | 557.75 | TR105332 | PROF SVCS-PW ADMIN |
| 016129 | 03/14/13 | ACC00 | ACCESS INFORMATION | 84.00 | .00 | 84.00 | N149549 | EQUIP MAINT - GEN CITY |
| 016130 | 03/14/13 | AME04 | AMERICAN WATER WORKS ASSO | 238.00 | .00 | 238.00 | 13-0312 | MAT & SUPPLIES-WTR |
| 016131 | 03/14/13 | AME15 | AMERIGAS | 375.12 | .00 | 375.12 | 800974166 | NATURAL GAS-ACO |
| 016132 | 03/14/13 | BAS01 | BASIC LABORATORY, INC | 114.00 | .00 | 114.00 | 1302220 | ProfServices Water Dept |
| 016133 | 03/14/13 | CAR12 | CARREL'S OFFICE MACHINES | 2.28 | .00 | 2.28 | 115587 | MAT & SUPPLIES-LIBRARY |
| 016134 | 03/14/13 | CHI06 | CHICO POWER EQUIPMENT | 24.82 | .00 | 24.82 | 1659 | MAT & SUPPLIES- |
| 016135 | 03/14/13 | FAS02 | FASTENAL COMPANY | 25.71 | .00 | 25.71 | CAREB6698 | MAT & SUPPLIES- |
| 016136 | 03/14/13 | INT14 | INTERSTATE BATTERIES OF T | 229.94 | .00 | 229.94 | 30030449 | VEH/OP MAINT- |
| 016137 | 03/14/13 | JOH06 | JOHNSON'S TURBO CLEAN | 792.87 | .00 | 792.87 | 4712 | MAT & SUPPLIES-BLD MAINT |
| 016138 | 03/14/13 | MOR02 | RAY MORGAN COMPANY | 590.80 | .00 | 590.80 | 397954 | COMMUNICATIONS- |
| 016139 | 03/14/13 | NOR18 | NORTH VALLEY DISTRIBUTING | 28.25 | .00 | 28.25 | S11223902 | BLD MAINT-TRANS FAC |
| 016140 | 03/14/13 | OFF01 | OFFICE DEPOT | 105.08 | .00 | 105.08 | 648486688 | OFFICE SUPPLIES-POLICE |
| 016141 | 03/14/13 | PGE03 | PG&E | 68.59 | .00 | 68.59 | 130303 | MAT & SUPPLIES-POLICE |
| 016142 | 03/14/13 | RED15 | RED TRUCK ROCK YARD, LLC | 151.03 | .00 | 151.03 | 389 | MAT & SUPPLIES-PARKS |
| 016143 | 03/14/13 | SCH01 | LES SCHWAB TIRE CENTER | 67.48 | .00 | 67.48 | 611000615 | LANDSCAPE MAINT-PARKS |
| 016144 | 03/14/13 | TEH36 | TEHAMA COUNTY LOCK & SECU | 59.00 | .00 | 59.00 | 20345 | VEH/OP MAINT-POLICE |
| 016145 | 03/14/13 | TRIO2 | TRI-COUNTY NEWSPAPERS | 138.37 | .00 | 138.37 | 150890 | Print/Advert. City Clerk |
| | | | | 36.38 | .00 | 36.38 | 151341 | Print/Advert. City Clerk |
| | | | | 374.67 | .00 | 374.67 | 00149955 | PROF SVCS-PW ADMIN |
| | | | Check Total.....: | 549.42 | .00 | 549.42 | | |
| 016146 | 03/14/13 | XER00 | XEROX CORPORATION | 167.71 | .00 | 167.71 | 066913164 | EQUIP MAINT-POLICE |
| | | | Cash Account Total.....: | 3231.85 | .00 | 3231.85 | | |
| | | | Total Disbursements.....: | 3231.85 | .00 | 3231.85 | | |

REPORT.: Mar 15 13 Friday
 RUN....: Mar 15 13 Time: 11:31
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 03-13 Bank Account.: 1020

PAGE: 001
 ID #: PY-DP
 CTL.: COR

| Check Number | Check Date | Vendor Number | Vendor Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information Description |
|--------------------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|---------------------------------|
| 016147 | 03/15/13 | DEP12 | DEPT OF JUSTICE | 186.00 | .00 | 186.00 | 957312 | PROF SVCS-POLICE |
| | | | | 70.00 | .00 | 70.00 | 961507 | PROF SVCS-POLICE |
| Check Total..... | | | | 256.00 | .00 | 256.00 | | |
| 016148 | 03/15/13 | HER02 | HERNANDEZ, AGUSTIN | 268.54 | .00 | 268.54 | 130314 | TRAINING/ED-DISPATCH |
| 016149 | 03/15/13 | HOA03 | HOAG, NICK | 105.00 | .00 | 105.00 | 130314 | MAT & SUPPLIES-REC |
| 016150 | 03/15/13 | KNI00 | KNIFE RIVER CONSTRUCTION | 646.00 | .00 | 646.00 | 136420 | MAT & SUPPLIES-STR |
| 016151 | 03/15/13 | LON00 | LONG, CODY | 105.00 | .00 | 105.00 | 130314 | MAT & SUPPLIES-REC |
| 016152 | 03/15/13 | MAD03 | MADAY, CHAYCE | 105.00 | .00 | 105.00 | 130314 | MAT & SUPPLIES-REC |
| 016153 | 03/15/13 | MCD01 | MCDANIEL SIGN COMPANY | 261.66 | .00 | 261.66 | 3380 | SIGN REPLACEMENT-STR |
| 016154 | 03/15/13 | OLS00 | OLSEN, BRANDON JORDAN | 105.00 | .00 | 105.00 | 130314 | MAT & SUPPLIES-REC |
| 016155 | 03/15/13 | ROD08 | RODRIGUEZ, DURANTE JESUS | 105.00 | .00 | 105.00 | 130314 | MAT & SUPPLIES-REC |
| 016156 | 03/15/13 | SHO00 | SHOEMAKER, MICHAEL | 105.00 | .00 | 105.00 | 130314 | MAT & SUPPLIES-REC |
| 016157 | 03/15/13 | UNI15 | UNIVERSITY PARK INN & SUI | 329.67 | .00 | 329.67 | 130314 | TRAINING/ED-DISPATCH |
| 016158 | 03/15/13 | WAL07 | WALKER, PATRICK | 134.47 | .00 | 134.47 | 130315 | CONFMTGS-PW ADMIN |
| Cash Account Total..... | | | | 2526.34 | .00 | 2526.34 | | |
| Total Disbursements..... | | | | 2526.34 | .00 | 2526.34 | | |

REPORT.: Mar 18 13 Monday
 RUN....: Mar 18 13 Time: 15:43
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 03-13 Bank Account.: 1020

PAGE: 001
 ID #: PY-DP
 CTL.: COR

| Check Number | Check Date | Vendor Number | Vendor Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information Description |
|--------------|------------|---------------|--------------------------|--------------|-----------------|------------|-----------|---------------------------------|
| 016159 | 03/18/13 | AIR00 | AIRGAS USA, LLC | 54.57 | .00 | 54.57 | 990833601 | MAT & SUPPLIES-FIRE |
| 016160 | 03/18/13 | ATT13 | AT&T | 726.93 | .00 | 726.93 | 130311 | COMMUNICATIONS-DISPATCH |
| 016161 | 03/18/13 | BAS01 | BASIC LABORATORY, INC | 40.00 | .00 | 40.00 | 1302391 | ProfServices Water Dept |
| | | | | 114.00 | .00 | 114.00 | 1302466 | ProfServices Water Dept |
| | | | Check Total..... | 154.00 | .00 | 154.00 | | |
| 016162 | 03/18/13 | COM06 | COMCAST | 23.73 | .00 | 23.73 | 130309 | COMMUNICATIONS-PW ADMIN |
| 016163 | 03/18/13 | CON07 | CONEXIS | 30.00 | .00 | 30.00 | 02130R348 | MEDICAL INS-COBRA |
| 016164 | 03/18/13 | COR03 | CORNING RENTALS | 10.00 | .00 | 10.00 | 35958 | MAT & SUPPLIES-WTR |
| 016165 | 03/18/13 | DEP10 | DEPT OF MOTOR VEHICLES | 118.96 | .00 | 118.96 | 130315 | TRAINING/ED-POLICE |
| 016166 | 03/18/13 | JWW01 | J.W.WOOD CO., INC. | 191.38 | .00 | 191.38 | C111086 | SENIOR CENTER-GEN CITY |
| 016167 | 03/18/13 | LOD00 | LODI IRRIGATION, INC. | 31.53 | .00 | 31.53 | 15314 | LANDSCAPE MAINT-PARKS |
| 016168 | 03/18/13 | PGE01 | PG&E | 20096.91 | .00 | 20096.91 | 130313 | Electricity General Cit- |
| | | | Cash Account Total..... | 21438.01 | .00 | 21438.01 | | |
| | | | Total Disbursements..... | 21438.01 | .00 | 21438.01 | | |
| | | | Cash Account Total..... | .00 | .00 | .00 | | |

REPORT.: Mar 18 13 Monday
 RUN....: Mar 18 13 Time: 15:43
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 03-13 Bank Account.: 1025

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

| Check Number | Check Date | Vendor Number | Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information Description |
|--------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|---------------------------------|
| 5874 | 03/18/13 | BAN03 | POLICE OFFICER ASSOC. | 250.00 | .00 | 250.00 | B30318 | POLICE OFFICER ASSOC |
| 5875 | 03/18/13 | CAL37 | CALIFORNIA STATE DISBURSE | 498.46 | .00 | 498.46 | B30318 | WITHHOLDING ORDER |
| 5876 | 03/18/13 | EDD01 | EMPLOYMENT DEVELOPMENT | 3986.77 | .00 | 3986.77 | B30318 | STATE INCOME TAX |
| | | | | 1005.36 | .00 | 1005.36 | 1B30318 | SDI |
| | | | Check Total..... | 4992.13 | .00 | 4992.13 | | |
| 5877 | 03/18/13 | ICM01 | ICMA RETIREMENT TRUST-457 | 383.50 | .00 | 383.50 | B30318 | ICMA DEF. COMP |
| 5878 | 03/18/13 | PERS1 | PUBLIC EMPLOYEES RETIRE | 30559.82 | .00 | 30559.82 | B30318 | PERS PAYROLL REMITTANCE |
| 5879 | 03/18/13 | PERS4 | Cal Pers 457 Def. Comp | 376.00 | .00 | 376.00 | B30318 | PERS DEF. COMP. |
| 5880 | 03/18/13 | PRE03 | PREMIER WEST BANK | 8030.46 | .00 | 8030.46 | B30318 | HSA DEDUCTIBLE |
| 5881 | 03/18/13 | STA04 | STATE OF CALIFORNIA | 571.50 | .00 | 571.50 | B30318 | WAGEASN CS#549826524 |
| 5882 | 03/18/13 | VAL06 | VALIC | 395.00 | .00 | 395.00 | B30318 | AIG VALIC P TAX |
| | | | Cash Account Total..... | 46056.87 | .00 | 46056.87 | | |
| | | | Total Disbursements..... | 46056.87 | .00 | 46056.87 | | |

REPORT.: Mar 20 13 Wednesday
 RUN....: Mar 20 13 Time: 11:24
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 03-13 Bank Account.: 1020

PAGE: 001
 ID #: PY-DP
 CTL.: COR

| Check Number | Check Date | Vendor Number | Vendor Name | Gross Amount | Discount Amount | Net Amount | Payment Information | |
|--------------|------------|---------------|--------------------------|--------------|-----------------|------------|---------------------|----------------------|
| | | | | | | | Invoice # | Description |
| 016169 | 03/20/13 | GRA02 | GRAINGER, W.W., INC | 80.37 | .00 | 80.37 | 909129954 | MAT & SUPPLIES-PARKS |
| 016170 | 03/20/13 | HUN03 | HUNTERS SERVICES INC. | 4985.00 | .00 | 4985.00 | 94605 | TREE SPRAY- |
| | | | | 1697.50 | .00 | 1697.50 | 94857 | WEED SPRAY- |
| | | | Check Total..... | 6682.50 | .00 | 6682.50 | | |
| 016171 | 03/20/13 | NOR31 | NORM'S PRINTING | 570.43 | .00 | 570.43 | 12403 | MAT & SUPPLIES-WTR |
| | | | | 208.66 | .00 | 208.66 | 012463 | PRINTING/ADV-POLICE |
| | | | Check Total..... | 779.09 | .00 | 779.09 | | |
| 016172 | 03/20/13 | QUI02 | QUILL CORPORATION | 482.03 | .00 | 482.03 | 1157937 | OFFICE SUPPLIES- |
| 016173 | 03/20/13 | RON03 | RON DUPRATT FORD | 54.88 | .00 | 54.88 | 728999 | VEH/OP MAINT-FIRE |
| | | | Cash Account Total..... | 8078.87 | .00 | 8078.87 | | |
| | | | Total Disbursements..... | 8078.87 | .00 | 8078.87 | | |
| | | | ===== | ===== | ===== | ===== | | |

Date.: Mar 20, 2013
Time.: 11:45 am
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTPMB

| Business Name | Address | CITY/STATE/ZIP | Contact Name | Business Desc. #1 | Business Start Date | Primary Teleph |
|----------------------|--------------------|-------------------|--------------|------------------------------|---------------------|----------------|
| FLORES ROOFING | 9275 VENTURA AVE | GERBER, CA 96035 | FLORES | FORTINO CONTRACTOR - ROOFING | 03/14/13 | (530) 385-1920 |
| LOMELI, YASMEEN | 1706 SOLANO ST | CORNING, CA 96021 | LOMELI | YASMEEN HAIR, SKIN, NAILS | 03/14/13 | (530) 680-7565 |
| LOS AMIGOS AUTO REPA | 1809 SOLANO ST | CORNING, CA 96021 | HARO | EFRAIN USED AUTO SALES | 03/14/13 | (530) 923-5232 |
| MORALES HANDYMAN | 3859 SQUAW HILL RD | CORNING, CA 96021 | MORALES | MARCELI MOBILE HANDYMAN | 03/14/13 | (530) 586-2310 |

ITEM NO.: G-8
RESOLUTION NO. 03-26-2013-01
ESTABLISHING AN APPROPRIATIONS
LIMIT FOR THE CITY OF CORNING
FISCAL YEAR 2012 - 2013 AT
\$10,864,523.

MARCH 26, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
CITY OF CORNING, CALIFORNIA

FROM: JOHN L. BREWER, CITY MANAGER
LISA M. LINNET, CITY CLERK

JB

SUMMARY:

Annually the City must set its Appropriation Limit as required by Article XIII B of the California Constitution. The Appropriation Limit is also known as the "Gann Limit," named after the Initiative Proponent who sought a Constitutional Amendment to put limitations on the growth of Government. Unfortunately, Charles Gann, an associate of Howard Jarvis, failed to seek any limitations on State Government!

The City's outside Certified Public Accountant Roy R. Seiler produced a report regarding the limits last year that was subsequently adopted as Resolution No. 06-26-2012-02. Since that adoption, the State now requires the determination to be completed by an independent accountant/auditor. So, we need to reconfirm the appropriations limit.

We asked CPA Don Reynolds to complete the report which is attached for public review. Mr. Reynolds confirms the Appropriation Limit this Fiscal Year is \$10,864,523. This is the same figure that Mr. Seiler had offered that was incorporated into the previous resolution. Note the amount far exceeds the City's proposed General Fund Base Operating Budget of \$4,378,816.

RECOMMENDATION:

MAYOR AND COUNCIL RECEIVE THE REPORT OF THE CITY AUDITOR AND ADOPT RESOLUTION NO. 03-26-2013-01 ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE CITY OF CORNING FOR THE FISCAL YEAR 2012-2013 IN THE AMOUNT OF \$10,864,523.

RESOLUTION NO.: 03-26-2013-01

**A RESOLUTION ESTABLISHING AN APPROPRIATIONS LIMIT
FOR THE CITY OF CORNING
FISCAL YEAR 2012-2013**

WHEREAS, Article XIIIB of the California Constitution requires that an appropriations limit be established,

BE IT RESOLVED, that the City Council of the City of Corning declares that the appropriation limit for the City of Corning, subject to correction and adjustment, is \$10,864,523. This appropriations limit is for the fiscal year 2012-2013 pursuant to the provisions of Sections 36936.1 and 36937 of the Government Code of California.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be published at least once in the Corning Observer, a newspaper of general circulation, printed, published and circulated in the City of Corning.

This Resolution was introduced and adopted by the City Council of the City of Corning on the 26TH day of March 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

City of Corning

Corning, California

*Independent Accountants' Report on
Agreed-Upon Procedures Applied to
Appropriations Limit Schedule*

For the year ending June 30, 2013

Donald R Reynolds

Certified Public Accountant

INDEPENDENT ACCOUNTANTS' REPORT ON LIMITED PROCEDURES REVIEW OF APPROPRIATIONS LIMIT UNDER ARTICLE XIII-B OF THE CALIFORNIA CONSTITUTION

To the Honorable Mayor and Members of
City Council of the City of Corning
Corning, California

We have performed the procedures enumerated below to the accompanying Appropriations Limit Schedule of the City of Corning (City) for the year ending June 30, 2013. These procedures, which were agreed to by the City and the League of California Cities (as presented in the publication entitled *Agreed-upon Procedures Applied to the Appropriations Limitation Prescribed by Article XIII-B of the California Constitution*), were performed solely to assist you in meeting the requirements of Section 1.5 of Article XIII-B of the California Constitution. The City management is responsible for the Appropriations Limit Schedule. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

The procedures performed and our findings were as follows:

1. We obtained the completed worksheets used by the City to calculate its appropriations limit for the year ending June 30, 2013 and determined that the limit and annual calculation factors were adopted by resolution of the City Council. We also determined that the population and inflation options were selected by a recorded vote of the City Council.

Finding: No exceptions were noted as a result of our procedures.

2. For the accompanying Appropriations Limit Schedule, we added the prior year's limit to the total adjustments, and agreed the resulting amount to the current year's limit.

Finding: No exceptions were noted as a result of our procedures.

3. We agreed the current year information presented in the accompanying Appropriations Limit Schedule to corresponding information in worksheets used by the City.

Finding: No exceptions were noted as a result of our procedures.

4. We agreed the prior year appropriation limit presented in the accompanying Appropriations Limit Schedules to the prior year appropriations limit adopted by the City Council during the prior year.

1438 Oregon Street, P.O. Box 994508 Redding, CA 96099-4508 (530) 246-2834 fax (530) 244-0331

To the Honorable Mayor and Members of City Council of the City of Corning
Corning, California
Page 2

Finding: No exceptions were noted as a result of our procedures.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the accompanying Appropriation Limit Schedule. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by Article XIII-B of the California Constitution.

This report is intended solely for the information and use of the City Council and management of the City and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

Donald R. Reynolds, CPA
Certified Public Accountant
Redding, California
February 20, 2013

City of Corning
Appropriations Limit Schedule For
the year ending June 30, 2013

| | Amount | Source |
|-----------------------------------------------------------|----------------------|-----------------------------|
| A. Appropriations limit for the year ended June 30, 2012 | \$ 10,465,777 | Prior year schedule |
| B. Calculation factors: | | |
| 1. Population increase % | 1.0004 | State Department of Finance |
| 2. Per Capital Personal Income change factor % | 1.0377 | State Department of Finance |
| 3. Total adjustment factor % | 1.0381 | B1 * B2 |
| C. Annual adjustment increase | 398,746 | [(B3-1)*A] |
| D. Other adjustments: | | |
| Loss responsibility (-) | - | N/A |
| Transfers to private (-) | - | N/A |
| Transfers to fees (-) | - | N/A |
| Assumed responsibility (+) | - | N/A |
| E. Total adjustments | 398,746 | (C+D) |
| F. Appropriations limit for the year ending June 30, 2013 | <u>\$ 10,864,523</u> | (A+E) |

City of Corning
Notes to Appropriations Limit Schedule
For the year ending June 30, 2013

1. PURPOSE OF LIMITED PROCEDURES REVIEW

Under Article XIII-B of the California Constitution (the Gann Spending Limitation Initiative), California governmental agencies are restricted as to the amount of annual appropriations from proceeds of taxes. Effective for years beginning on or after July 1, 1990, under Section 1.5 of Article XIII-B, the annual calculation of the appropriations limit is subject to a limited procedures review in connection with the annual audit.

2. METHOD OF CALCULATION

Under Section 10.5 of Article XIII-B, for fiscal years beginning on or after July, 1990, the appropriations limit is required to be calculated based on the limit for the fiscal year 1986-87, adjusted for the inflation and population factors discussed in Notes 3 and 4 below.

3. POPULATION FACTORS

A California governmental agency may use as its population factor either the annual percentage change of the jurisdiction's own population or the annual percentage change in population of the County where the jurisdiction is located. The factor adopted by the City for fiscal year 2013 represents the annual percentage change in population for the County.

4. INFLATION FACTORS

A California governmental agency may use as its inflation factor either the annual percentage change in the 4th quarter per capita personal income (which percentage is supplied by the State Department of Finance) or the percentage change in the local assessment roll from the preceding year due to the change of local nonresidential construction. The factor adopted by the City for fiscal year 2013 represents the percentage change in the 4th quarter per capita personal income (which percentage is supplied by the State Department of Finance).

5. OTHER ADJUSTMENTS

A California government agency may be required to adjust its appropriations limit when certain events occur, such as the transfer of responsibility for municipal services to, or from, another government agency or private entity. The City had no such adjustments for the fiscal year ending June 30, 2013.

**ITEM NO.: G-9
AUTHORIZE STAFF TO SOLICIT BIDS FOR
THE SAFE ROUTES TO SCHOOL (SR2S),
CYCLE 10 PROJECT**

MARCH 26, 2013

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

**FROM: PATRICK WALKER, PUBLIC WORKS DIRECTOR *PW*
ED ANDERSON, CITY ENGINEER
JOHN L. BREWER, AICP; CITY MANAGER *JLB***

SUMMARY:

Our "Fig Lane" Safe Routes to School (SR2S) Cycle 10 Project has been approved for funding. City Engineer Ed Anderson has prepared the plans and specifications which are now available for review at Corning City Hall. The project includes new curb, gutter and sidewalk and street widening on the north side of Fig Lane, between Marguerite Avenue and Centennial High School. See the attached drawing that generally summarizes the project. Staff is now seeking the Council's authorization to seek bids for the project.

While not an eligible component of the SR2S project, note that we'll include an asphalt overlay of Marguerite Avenue, from Fig Lane to the City Limits (Moon Rd.) as an additive bid item.

BACKGROUND:

We were informed by Caltrans that our project had been approved for funding last fall. City Council authorized Staff to create funding accounts for the SR2S-Cycle 10 Project at the November 13, 2012 City Council Meeting.

TIMING:

Our tentative schedule is then to open bids on May 8th and to have an award recommendation at the May 14th City Council meeting. That will provide plenty of time to complete the work prior to school resuming on Wednesday August 21st.

RECOMMENDATION:

That the City Council:

- **AUTHORIZE STAFF TO SOLICIT BIDS FOR THE SAFE ROUTES TO SCHOOL (SR2S), CYCLE 10 PROJECT**

CHESTNUT STREET

PRUNE STREET

ALMOND STREET

PEACH STREET

HICKORY STREET

PEAR STREET

FIG STREET

HICKORY STREET

MARGUERITE AVENUE

CASSANDRA CIRCLE

Previous Sidewalk Improvements per SR25 Cycle 6.

Olive View Elementary School

Previous Sidewalk Improvements per SR25 Cycle 6.

Maywood Middle School

Proposed Sidewalk

Proposed Curb, Gutter & Sidewalk

Centennial High School

Early Head Start Pre-School

Adult Education

City Limits

End of Street

FIG LANE

235' 640' 1245' 300' 70'

Proposed Sidewalk

Proposed Curb, Gutter & Sidewalk

Not to Scale

Mobilehome Park

Clark Park

City Limits



SAFE ROUTES TO SCHOOL-CYCLE 10
CENTENNIAL HIGH SCHOOL
HEAD START & ADULT EDUCATION
FIG LANE SIDEWALK ADDITION
FEBRUARY 2012

**ITEM NO: G-10
ACCEPT MOULE'S TEHAMA COUNTY GLASS
INC. QUOTE OF \$2,888.77 TO PROVIDE AND
INSTALL ADA AUTOMATIC ELECTRONIC
DOOR IN THE FINANCE DEPARTMENT**

MARCH 26, 2013

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: JOHN L. BREWER, AICP, CITY MANAGER
TERRY HOOFARD, BUILDING OFFICIAL**



SUMMARY:

Following assessment of the problematic entry/exit issues currently experienced by customers in the Finance Department, Staff recommends installing an ADA compliant wireless automatic door opener with associated switches in the City's Finance Department.

BACKGROUND:

Employees of the City's Finance Department have informed City Manager John Brewer of numerous complaints expressed by customers in wheelchairs regarding their difficulties in entering and exiting the Department due to the existing door.

As a possible solution to the existing problem, Mr. Brewer and Mr. Hoofard inspected the wireless automatic door system utilized at the Corning Medical Building. They agreed that a system such as this would be the solution to the difficulties currently experienced by our customers.

The door will swing outward-into the sidewalk and pedestrian path of travel. To prevent accidental collision, we'll also install a three foot long section of wrought iron rail and a post to indicate the door swing. The style would replicate the rail we placed along Fourth Street at the sidewalk. See the attached drawing.

FINANCIAL:

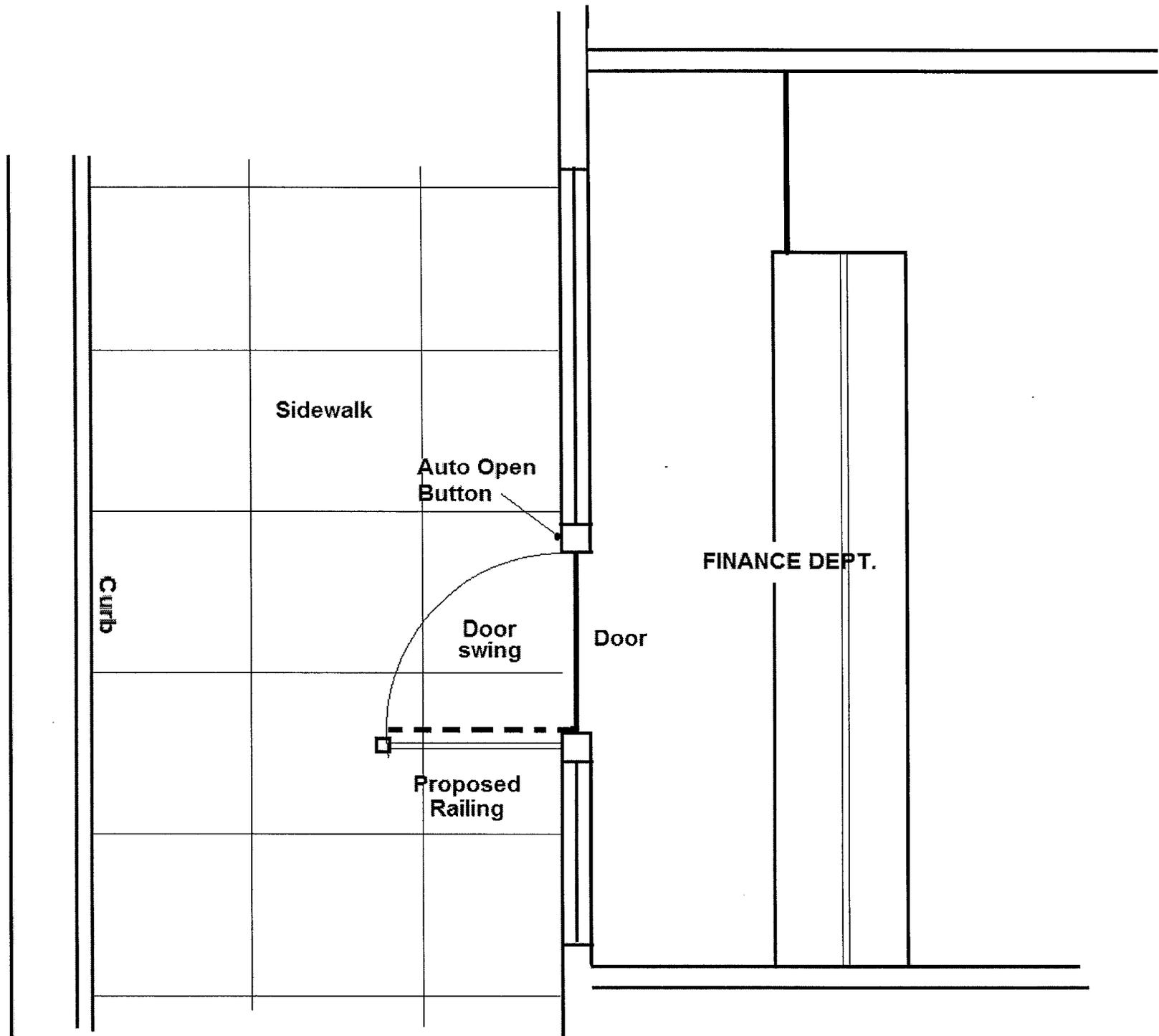
The City has obtained three quotes to provide and install a door opening system similar to the Corning Medical Building at the City's Finance Department. Of the three quotes, Moule's Tehama County Glass provided the low bid of \$2,888.77 to provide and install a wireless automatic opener, the ADA EZ Operator and associated switches.

Although this item was not included in this year's budget, funding is available in Materials & Supplies, Building Maintenance (001-6150-3600). Staff recommends financing this purchase in the amount of \$2,888.77 from this account.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **ACCEPT THE QUOTE FROM MOULE'S TEHAMA GLASS, INC. IN THE AMOUNT OF \$2,888.77, TO PROVIDE AND INSTALL AN ADA COMPLIANT AUTOMATIC ELECTRONIC DOOR SYSTEM IN THE CITY'S FINANCE DEPARTMENT; AND**
- **AUTHORIZE EXPENDITURE FROM BUILDING AND MAINTENANCE ACCOUNT 001-6150-3600.**



MOULE'S TEHAMA COUNTY GLASS, INC.
515 SYCAMORE STREET
RED BLUFF CA 96080
(530)529-0260 Fax:(530)529-1741
Tax# 52-2456407

Quote: 5205
Date:03/04/2013

Customer:
 CITY OF CORNING
 794 3RD STREET
 CORNING CA 96021

Ph:(530)824-7029 Fax:(530)824-2489

| Csr/CSR | Tech: | PO | Terms:NET 15 | | |
|---------|-----------------------------------------------------------------------------------------------------------------|------------|--------------|--------|------------|
| Qty | Part / Description | List Price | Material | Labor | Item Total |
| 1.0000 | MEASURE - QUOTE TO INSTALL AUTOMATIC OPENER INTERESTED IN WIRELESS SIMILAR TO ONE INSTALLED AT MEDICAL BUILDING | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.0000 | ADA EZ OPERATOR - | | 2,175.00 | 0.00 | 2,175.00 |
| 2.0000 | SWITCHES - ONE MOUNTED INSIDE OTHER MOUNTED EXTERIOR | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.0000 | INSTALL - | 0.00 | 0.00 | 550.00 | 550.00 |

Notes:PLEASE SIGN BELOW TURN AROUND TIME 7 BUSINESS DAYS
 Contact: Terry Heetard 530-624-8936

Job Location Mobile
 794 3RD ST
 CITY HALL BUILDING
 CORNING CA

Your auto invoice message here.

Signature

| Material | Labor | Tax | Total | Deductible | Payments | Balance |
|----------|--------|--------|----------|------------|----------|----------|
| 2,175.00 | 550.00 | 163.77 | 2,888.77 | 0.00 | 0.00 | 2,888.77 |

vers:8.0.71 Page: 1 of 1





Miller GLASS

745 Cherry St.
Chico, CA 95928
(530) 343-7934
BAR # ARD124495

5999 Foster Rd.
Paradise, CA 95969
(530) 877-9300
BAR # ARD124496

116 Walker St.
Orland, CA 95963
(530) 865-9839
BAR # ARD170872

Oroville
(530) 533-9300

SEND PAYMENT TO:
745 Cherry St.
Chico, CA 95928



State Contractors Lic. #424495

Quote: 3-50913

Date: 03/14/2013

Bill To:

CITY OF CORNING
794 THIRD ST
CORNING CA 96021

Customer:

BUILDING DEPT. OFFICE
794 3RD ST.
CORNING CA 96021

Ph:(530)824-7028 Fax:(530)824-2489

Csr:BRIAN Tech: PO Terms:NET 30 Bill-To Terms:NET 30

Authorized:TERRY 624-8936

Bill-To Acct:CIOFCO

Qty Part / Description

1 POWER ACCESS 4300 OPENER
1 TOTAL MATERIALS

Notes:BID 2)

POWER ACCESS MODEL 4300 DOOR OPENER, WORKS AGAINST A STANDARD CLOSURE WITH WHEELED ARM NOT ATTACHED TO THE DOOR. HAS EXTERNAL ON/OFF SWITCH AND ADJUSTABLE TIMED HOLD OPEN FEATURE FROM 0-30 SECONDS. OPERATOR REQUIRES POWER, 115 VAC 60 HZ 3 AMP PLUG IN AT HEAD.

ELECTRICAL POWER SUPPLIED BY OTHERS

ADD \$180.00 LABOR IF PREVAILING WAGE APPLIES

Quote valid for 30 days from date listed above.

RECEIVED

MAR 14 2013

CITY OF CORNING

Signature _____

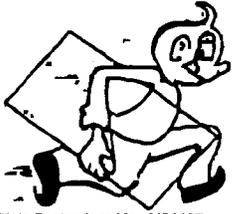
| <u>Tax</u> | <u>Total</u> | <u>Payments</u> | <u>Balance</u> |
|------------|--------------|-----------------|----------------|
| 146.74 | 2,553.30 | 0.00 | 2,553.30 |

vers:8.0.74 Page: 1

AUTHORIZATION TO PAY - I hereby authorize and empower the above-named insurance company to pay this invoice in full settlement, satisfaction and discharge of all loss under the above policy. Upon such payment, all rights I may have for claim and demand for loss and damage described above against the above named insurance company shall be thereby forever discharged. In the event that the above-named insurance company does not make timely and/or full payment of this invoice according to its terms, I hereby accept responsibility for such payment and agree to pay all charges reflected on this invoice to the above-named glass company subject to and according to all terms and conditions on this invoice.

CUSTOMER'S SIGNATURE

TERMS: NET 30 DAYS, SERVICE CHARGE OF 1% PER MONTH (12% PER ANNUM) WILL BE CHARGED ON OVERDUE ACCOUNTS.



Miller GLASS

SEND PAYMENT TO:
745 Cherry St.
Chico, CA 95928

745 Cherry St.
Chico, CA 95928
(530) 343-7934
BAR # ARD124485

5989 Foster Rd.
Paradise, CA 95969
(530) 877-9300
BAR # ARD124486

116 Walker St.
Orland, CA 95963
(530) 865-8839
BAR # ARD170972

Oroville
(530) 533-9300



State Contractors Lic. #424485

Quote: 3-50793
Date: 03/05/2013

Bill To:

CITY OF CORNING
794 THIRD ST
CORNING CA 96021

Customer:

BUILDING DEPT. OFFICE
794 3RD ST.
CORNING CA 96021

Ph:(530)824-7028 Fax:(530)824-2489

CsrBRIAN Tech: PO TermsNET 30 Bill-To TermsNET 30

Authorized:TERRY 624-8936

Bill-To AcctCIOFCO

Qty Part / Description

- 1 ADA EZ AUTO WIRE FREE (INTERNAL BATTERY)
- 4 WIRELESS PUSH BUTTON TO MEET ADA REQUIREMENTS
- 1 TOTAL MATERIALS

Notes:BID 1)

ADA EZ AUTO OPENER AS PER REQUEST.

ADD \$140.00 LABOR IF PREVAILING WAGE APPLIES

Quote valid for 30 days from date listed above.

RECEIVED

MAR 14 2013

CITY OF CORNING

Signature _____

| Tax | Total | Payments | Balance |
|--------|----------|----------|----------|
| 196.98 | 3,243.34 | 0.00 | 3,243.34 |

vers:8.0.74 Page: 1

AUTHORIZATION TO PAY - I hereby authorize and empower the above-named insurance company to pay this invoice in full settlement, satisfaction and discharge of all loss under the above policy. Upon such payment, all rights I may have for claim and demand for loss and damage described above against the above named insurance company shall be thereby forever discharged. In the event that the above-named insurance company does not make timely and/or full payment of this invoice according to its terms, I hereby accept responsibility for such payment and agree to pay all charges reflected on this invoice to the above-named glass company subject to and according to all terms and conditions on this invoice.

CUSTOMER'S SIGNATURE

TERMS: NET 30 DAYS. SERVICE CHARGE OF 1% PER MONTH (18% PER ANNUM) WILL BE CHARGED ON OVERDUE ACCOUNTS.

LASH'S GLASS
CONT LIC # 690891 C17 HIC
2242 PARK AVENUE
CHICO CA 95928
(530)894-6446 Fax:(530)894-8820
Tax# 71-0921899

RECEIVED

MAR 19 2013

CITY OF CORNING

Quote: 22852

Date:03/01/2013

Scheduled:03/04/2013 1:00

Customer

CITY OF CORNING
794 3RD STREET
CORNING CA 96021

Cell:(530)624-9305

Csr:TERRIE B Tech:MIKE PO Terms:NET 30

| <u>Qty</u> | <u>Part / Description</u> | <u>Item Total</u> |
|------------|-------------------------------------------------------------------------|-------------------|
| 1 | QUOTE AN AUTOMATIC DOOR OPENER men needed _____ ladder needed? _____ | 0.00 |
| 1 | COMMERCIAL DOOR SERVICE 2 men 1 day | 1,520.00 |
| 1 | automatic door opener for existing door, | 1,200.00 |
| 1 | guide rails | 500.00 |
| 1 | FREIGHT /SHIPPING | 150.00 |

Job Site: 794 3RD STREET
FINANCE DEPT
CORNING
contact is Terry 624-8936

Your flat invoice message here.

Signature _____
Thank you for the opportunity to quote your job.

| <u>Tax</u> | <u>Total</u> | <u>Payments</u> | <u>Balance</u> |
|------------|--------------|-----------------|----------------|
| 127.50 | 3,497.50 | 0.00 | 3,497.50 |

ITEM NO. J-11
ADOPT RESOLUTION 03-26-2013-02; A
RESOLUTION AUTHORIZING THE CITY
MANAGER, OR HIS DESIGNEE, TO
EXECUTE AGREEMENTS WITH THE
CALIFORNIA DEPARTMENT OF
TRANSPORTATION FOR THE CITY OF
CORNING'S BIKE AND PEDESTRIAN
TRANSPORTATION IMPROVEMENT
PLAN.

March 26, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JOHN STOUFER, PLANNING CONSULTANT *JS*
JOHN BREWER AICP, CITY MANAGER *JB*

BACKGROUND:

At the February 26th Council meeting, Staff was authorized to prepare a grant application through the Caltrans Community-Based Transportation Planning Program. This grant would fund the preparation of Bike and Pedestrian Enhancement Plans that would increase mobility within the City for non-motorized travel, while at the same time advance the City's efforts to reduce greenhouse gases. This project will be known as the City of Corning Bike and Pedestrian Transportation Improvement Plan. It will identify the City's existing network of pedestrian and bicycle routes, any existing facilities, and provide the framework for future facilities. Policies will be developed towards making bicycling and walking an integral part of transportation and daily life within the City.

SUMMARY:

A local Resolution stating the name and title of the individual authorized to sign and execute a contract with Caltrans on behalf of the applicant is required and a critical part of the grant application. This Resolution is strongly encouraged to be adopted prior to the grant application deadline which is April 2, 2013. Staff has prepared Resolution 03-26-2013-02 naming the City Manager, or his designee, as the authorized person to enter into the contract and execute all fund transfer agreements.

ACTION:

Move to adopt Resolution 03-26-2013-02 authorizing the City Manager, or his designee, as the authorized person to enter into the contract and execute all fund transfer agreements and any amendments thereto with the California Department of Transportation.;

OR,

Take no action

ATTACHMENTS:

Resolution 03-26-2013-02

RESOLUTION NO.: 03-26-2013-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE
AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
FOR THE CITY OF CORNING'S BIKE AND PEDESTRIAN TRANSPORTATION
IMPROVEMENT PLAN.**

WHEREAS, the City Council for the City of Corning is eligible to receive Federal and/or State funding for certain transportation planning related plans through the California Department of Transportation; and

WHEREAS, a Fund Transfer Agreement is required to be executed with the California Department of Transportation before such funds can be claimed through the Transportation Planning Grant Programs; and

WHEREAS, the City of Corning wishes to delegate authorization to execute these agreements and any amendments thereto;

NOW, THEREFORE, BE IT RESOLVED that the Corning City Council authorizes the City Manager, or his designee, to execute all Fund Transfer Agreements and any amendments thereto with the California Department of Transportation.

The foregoing resolution was passed by the City Council of the City of Corning, this 26th day of March 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

GARY R. STRACK, MAYOR

ATTEST:

LISA M. LINNET, CITY CLERK

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Resolution was duly introduced, approved and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 26th day of March, 2013 by the votes listed above.

Lisa M. Linnet, City Clerk

ITEM NO: J-12
AUTHORIZATION TO ENTER INTO
PROJECT FINISH MEMORANDUM
OF UNDERSTANDING
MARCH 26, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
OF THE CITY OF CORNING

FROM: JOHN L. BREWER, CITY MANAGER
TONY CARDENAS, COUNCILMEMBER



SUMMARY:

The Tehama County Department of Education, as the Lead Educational Agency, is applying to the U.S. Department of Education for a Carol M. White Physical Education Program Grant (PEP Grant) to implement an integrated physical activity and nutrition program for students of the Corning Union Elementary School District and the Corning Union High School District.

A competitive preference priority will be given to PEP Grant applicants that include as part of their application an agreement that details the participation of the grant required partners. One of the required partners is the head of local government, or an appropriate designee.

The Tehama County Department of Education is seeking the City of Corning's participation in the PEP Grant partnership by executing the local government section of the attached Memorandum of Understanding. The deadline to apply for funding under this program is April 12, 2013.

BACKGROUND:

The Carol M. White Physical Education Program provides grants to local educational agencies and community-based organizations to initiate, expand, and improve physical education for students in grades K-12. Grant recipients must implement programs that help students make progress toward meeting State physical education standards by undertaking instruction in healthy eating habits, good nutrition and at least one of the authorized physical fitness activities. Grantees must show how the proposed project will align with local wellness policies and coordinate project activities to complement rather than duplicate existing ongoing efforts.

The Tehama County Department of Education in collaboration with the project partners will implement the **Fitness Integrated with Nutrition Instruction and Student Health (FINISH)** Project to develop quality physical education and nutrition education programs for both school districts. The project will enable the school districts to update and enhance their wellness policies. The project will assist in developing district-wide physical education and nutrition curriculum aligned with California standards.

As a partner of **Project FINISH**, the City would ensure that its recreational resources and activities are coordinated with the project school-based programs. This would include the use of City Parks and buildings, when available, at no cost for larger public events supporting health and nutrition. Additionally, a member of the City Council will actively participate in the Project FINISH Advisory Board.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE MAYOR TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING AND APPOINT A MEMBER OF THE CITY COUNCIL TO THE PROJECT FINISH.

TEHAMA COUNTY DEPARTMENT OF EDUCATION

1135 Lincoln Street/P.O. Box 689
Red Bluff, CA 96080
(530) 527-5811 • Fax: (530) 529-4120

MEMORANDUM OF UNDERSTANDING

This Agreement is entered into by and between the Lead Educational Partner: **Tehama County Department of Education**, DUNS #826198483, herein called **DEPARTMENT**, and Head of Local Government: **City of Corning—City Council**, herein called **CITY**. The parties agree as follows:

The term of this agreement is **October 1, 2013** through **September 30, 2016**.

LEA Authorized Representative: Tehama County Department of Education

Roles and Responsibilities: The **DEPARTMENT** is serving as the lead educational partner for The **Fitness Integrated With Nutrition Instruction and Student Health (FINISH)** Project. **DEPARTMENT** will provide fiscal and administrative oversight of the project. It will coordinate resources from Corning Elementary School District, Corning High School District, government agencies, and non-profit organizations to meet the stated outcomes of the project. It will provide curricular and instructional support and will integrate federal, state, and local funding streams to maximize sustainability of project programs. The **DEPARTMENT** will convene and actively participate in the Project FINISH Advisory Board.

Contribution to the Project: **DEPARTMENT** is coordinating its existing physical education, health, and nutritional resources with Project FINISH. The **DEPARTMENT**, which oversees the Everett Freeman Promise Neighborhood Initiative, will provide administrative oversight of the project including payment of 60% of the Project Director's salary as an in-kind resource. Similarly, the **DEPARTMENT** will provide fiscal oversight at no cost to the project.

Head of Local Government (or designee):

Roles and Responsibilities: The **CITY** will ensure that its recreational resources and activities are coordinated with Project FINISH school-based programs. This will include the use of city parks and buildings, when available, at no cost for larger public events supporting health and nutrition. A sitting council member will actively participate in the Project FINISH Advisory Board.

Contribution to the Project: The **CITY** is committed to the project. Mayor Gary Strack or his designee is going to ensure that city recreation programs are coordinated with Project FINISH and will make available, when possible, city resources including parks and buildings.

Each party hereto agrees to hold harmless and to indemnify the other party, its officers and employees, against liability for damages for death or bodily injury to persons, injury

with Project FINISH and will make available, when possible, city resources including parks and buildings.

Each party hereto agrees to hold harmless and to indemnify the other party, its officers and employees, against liability for damages for death or bodily injury to persons, injury to property, or any other loss, damage, or expense arising from the negligence, willful misconduct or omission of the party which committed the act, and while acting under the terms and conditions of the Agreement.

Each party agrees this contract is conditioned upon the continuance of availability of categorical funds specified for these purposes. Any reduction or termination of such funds during the period of this Agreement will entitle the Tehama County Superintendent of Schools to terminate or modify this Agreement.

Either party not intending to continue or intending to revise this Agreement for the succeeding year shall give written notice of such intent no later than 30 days before the end of the fiscal year.

Should any action be brought to enforce any of the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees.

This agreement is in support of Project FINISH – a PEP project. It was developed after timely and meaningful consultation between the required partners.

Both parties as certified by the signatures below agree to the provisions of this agreement:

LARRY CHAMPION, Superintendent
Tehama County Department of Education

Authorized Representative
City of Corning

Date

Date

**ITEM NO. J-13
REVIEW LEAGUE OF CALIFORNIA
CITIES BOARD OF DIRECTORS
PROPOSED BYLAW AMENDMENTS
AND PROVIDE VOTING DIRECTION
FOR ATTACHED BALLOT**

March 26, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY MANAGER JOHN L. BREWER, AICP
LISA M. LINNET, CITY CLERK



lmv

BACKGROUND:

At the February meeting, the League of California Cities Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more Cities or by City Officials from at least five or more Cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The Board's intent in submitting the first proposed amendment is to encourage members to seek concurrence of other Cities and City Officials that the subject of a proposed Resolution is a substantial one and of broad interest and importance to Cities. Their intent in submitting the second proposed amendment is to ensure that when the Board considers a position on possibly controversial statewide ballot measures, the Board's ultimate decision represents a broad consensus of the Directors.

The language of the proposed amendments is provided in the attached Resolution. To be approved, the Bylaws require each amendment must receive a 2/3rd vote those members voting. As provided in the League's Bylaws, the Board of Directors has submitted these amendments to the membership, to which the City of Corning belongs, for approval by mail ballot. This completed ballot is to be signed by an authorized City Official and returned by April 19, 2013.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **REVIEW THE LEAGUE OF CALIFORNIA CITIES PROPOSED BYLAW AMENDMENTS AND ASSOCIATED RESOLUTION; AND**
- **PROVIDE VOTING DIRECTION TO COMPLETE AND SUBMIT BALLOT**

March 5, 2013

To: League Membership
From: Chris McKenzie, Executive Director
Re: Proposed Amendments to League Bylaws

RECEIVED
WWW.CACITIES.ORG

MAR 08 2013

CORNING CITY CLERK

At its February meeting, the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The Board's purpose in submitting the first proposed amendment is to encourage members to seek concurrence of other cities and city officials that the subject of a proposed resolution is a substantial one and of broad interest and importance to cities. The Board's purpose in submitting the second proposed amendment is to ensure that when the Board considers a position on possibly controversial statewide ballot measures, the Board's ultimate decision represents a broad consensus of the Directors.

The language of the proposed amendments is provided in the attached Resolution. To be approved, the Bylaws require each amendment must receive a 2/3rd vote of those members voting. To consult the League's Bylaws: go to www.cacities.org. The link is at the bottom of the page.

As provided in the League's Bylaws, the Board of Directors is submitting these amendments to the membership for approval by mail ballot. Please return the enclosed ballot, signed by an authorized city official, **by April 19, 2013**.

Ballots may be submitted by email to: ballots@cacities.org.

By mail to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

Or by fax to: **(916) 658-8240**

Thank you for your attention to this important matter concerning the League's governance. If you have questions, please direct them to Patrick Whitnell, General Counsel at pwhitnell@cacities.org.

RECEIVED

MAR 08 2013

CORNING CITY CLERK

PROPOSED RESOLUTION RELATING TO LEAGUE BYLAWS AMENDMENTS

WHEREAS, the League of California Cities is a nonprofit mutual benefit corporation under California law and, as such, is governed by corporate bylaws; and

WHEREAS, the League's Board of Directors periodically reviews the League's bylaws for issues of clarity, practicality, compliance with current laws, and responsiveness to membership interests; and

WHEREAS, the League Board of Directors at its February 7-8, 2013 meeting approved submitting the following amendments to the League's bylaws to the League's membership by mailed ballot:

1. Article VI, section 2 of the League's bylaws is amended to read as follows:

"Resolutions may originate from city officials, city councils, regional divisions, functional departments, policy committees, or the League Board or by being included in a petition signed by designated voting delegates of ten percent of the number of Member Cities. Except for petitioned resolutions, all other resolutions must be submitted to the League with documentation that at least five or more cities, or city officials from at least five or more cities, have concurred in the resolution."

2. A new Article VII, section 16 is added to the League's bylaws to read as follows:

"Section 16: Positions on Statewide Ballot Measures.

Notwithstanding any other provision of these bylaws, the League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present."

Now, therefore, be it

RESOLVED, that the League Board of Directors at its April 24-25, 2013 meeting in Sacramento, California, after a canvass of mailed ballots, has determined that the above amendments to the League bylaws have been approved by a 2/3rd vote of those Member Cities voting. These amendments shall take effect 60 days after the approval of this resolution.

////////

Ballot on Bylaws Amendments

RECEIVED

MAR 08 2013

City of _____

CORNING CITY CLERK

Does your city vote to approve the amendment of article VI, section 2 of the League's bylaws relating to submission of resolutions to the League's General Assembly as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Does your city vote to approve the addition of article VII, section 16 to the League's bylaws relating to the League Board vote threshold for taking positions on statewide ballot measures as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Ballot returned by:

_____ City Official Name

_____ City Official Title

Please return this ballot by **April 19, 2013** to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

or by email to: ballots@cacities.org

or by fax to: (916) 658-8240

Thanks in advance for your participation in this important decision.

**ITEM NO: J-14
AUTHORIZE PURCHASE OF A 2001
GENIE S40 BOOMLIFT FOR \$14,000
FROM CORNING RENTALS.**

MARCH 26, 2013

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: JOHN L. BREWER, AICP, CITY MANAGER 
PATRICK WALKER, DIRECTOR OF PUBLIC WORKS 

SUMMARY:

Staff seeks Council authorization to purchase a 2001, S40 Genie Boomlift for \$14,000 from Corning Rentals utilizing funds from the Public Works Equipment Replacement Pooled Fund, 078-1020-9999. Staff further seeks to declare the 1978 Chevrolet Bucket Truck currently used by the Public Works Department as surplus Property and schedule it to sell at auction.

BACKGROUND:

The Public Works Department rents a boom truck for approximately 14 days a year at a cost of \$275 per day for an annual cost of \$3,850. This use consist of 8 days during the Holiday Season to install and remove the Christmas trees, banners and lights on Solano Street annually for a total of \$2,200. The equipment is rented for an additional 6 days throughout the calendar year to change lights in the park and to access different buildings safely at an additional cost of \$1,650.

Currently Public Works has a 1978 bucket truck in the fleet that is old and repeatedly has mechanical problems difficult to fix due to the vehicle's age; the bucket's hydraulics show serious wear from age. Staff recommends that this vehicle be considered surplus property and auctioned.

On March 11, 2013 Corning Rentals closed for business. Staff has talked to owner Louis Davies about the possibility of acquiring the Genie S40 Boomlift. Mr. Davies has provided Staff with a verbal quote of \$14,000 to purchase the Boomlift. This unit is a dual fuel unit that uses gasoline and propane and has only 1741 hours used on the machine. This is low compared to the other used units shown below. This piece of equipment would not fall under the diesel fuel regulations.

Staff has found 2 quotes for other used Genie S40 Boomlifts (attached). The equipment listed on the attached quotes differ from the Boomlift owned by Mr. Davies in that they are 4 wheel drive and use diesel fuel. The quotes are as follows:

| <u>Equipment</u> | <u>Company/Type</u> | <u>Amount</u> |
|-------------------------|---------------------------------------------------------------|----------------------|
| 2001 Genie S40 | Corning Rentals, (2WD, Gas/Propane, 1741hrs.) | \$14,000 |
| 2001 Genie S40 | Constructionequipmentguide.com, (4WD,Diesel, 4310hrs.) | \$14,030 |
| 2001 Genie S40 | Machinerytrader.com, (4WD,Diesel,4651hrs) | \$16,500 |

FINANCIAL:

The Public Works Department currently has \$73,159.67 in their Equipment Replacement Pooled Fund. Of that \$5,503.97 will be used when the Water Trailer is finished. This leaves a balance of \$67,655.70 remaining that could fund this purchase. Staff recommends utilizing \$14,000 from this fund to purchase the boomlift for Corning Rentals.

RECOMMENDATION:

Mayor and Council approve the purchase of a Boomlift from Corning Rentals in the amount of \$14,000, funded by Public Works Equipment Replacement Fund 078-1020-9999; and declare the 1978 Public Works Chevrolet Bucket Truck as Surplus Property and authorize its sale at auction.



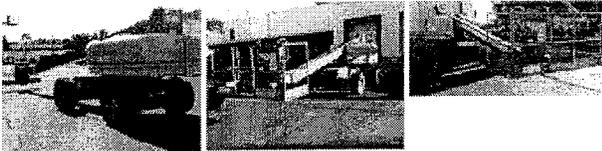
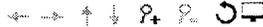
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2001 GENIE S40



| Equipment Specifications | |
|--------------------------|-------------------------------------------|
| Year | 2001 |
| Manufacturer | GENIE |
| Model | S40 |
| Price | \$16,500 <input type="text" value="USD"/> |
| Location | Bristol, Pennsylvania |
| Condition | Used |
| Stock Number | 95511 |
| Hours | 4,651 |



General Information

Diesel, 4WD, 8' Basket, Boom Length 40 (ft.)

Detailed Description

Diesel, 4WD, 8' Basket, Boom Length 40 (ft.)

Say you saw this 2001 GENIE S40 On MachineryTrader.com!

[Send NATIONAL LIFT EQUIP INC A Message](#)

Contact:

NATIONAL LIFT EQUIP INC

Machine is located in:

Bristol, Pennsylvania

Phone: (800)424-7625

Fax: (215)781-2909

> [Click here to return to the Construction Equipment Guide homepage.](#) This site can also be read in

| | | | | | |



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Used Aerial Lifts For Sale

Genie S40 For Sale

Year: 2001

4310 Hours

Serial/Stock Number: S405992

4-WD Diesel 40''-69'' - Location: STARKVILLE, MS

\$14,030

Call United Rentals at 800-UR-RENTS

Email United Rentals at EquipmentSales@ur.com

Contact Info:

United Rentals

[Click here for more info about United Rentals](#)

Equipment Manager

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