



**CITY OF CORNING  
CITY COUNCIL AGENDA  
SPECIAL MEETING CLOSED SESSION  
7:00 p.m.**

**TUESDAY, MAY 22, 2012  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**NOTICE IS HEREBY GIVEN** that a Special Meeting of the Corning City Council is hereby called by Mayor Gary Strack and under the authority vested in him by Section 54956 of the Government Code of the State of California.

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

**B. ROLL CALL:**

**Council:**

**John Leach  
Toni Parkins  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

**The Brown Act prohibits the Council from consideration of any item not on the printed agenda at Special Meetings.**

The Corning City Council hereby provides the public with an 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:**

**PUBLIC EMPLOYEE APPOINTMENT (Pursuant to California Government Code Section 54957(b):**

**Title: Planning Director – Discuss Council's direction in reference to the approaching retirement of John Stoufer and the impending end to the part-time contract with the County for his Planning Services.**

**PUBLIC EMPLOYEE APPOINTMENT (Pursuant to California Government Code Section 54957 (b) (1):**

**Hiring a Budget Consultant vs. using an Independent Contractor**

**E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION:**

**F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL:**

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 (824-7033) to request such accommodation. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**POSTED: THURSDAY, MAY 17, 2012**

**THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER**



**CITY OF CORNING  
CITY COUNCIL AGENDA  
TUESDAY, MAY 22, 2012  
7:30 p.m.**

**CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

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

**D. INVOCATION: Led by Councilman John Leach.**

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:**

**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.

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 May 8, 2012 City Council Meeting with any necessary corrections:
3. May 16, 2012 Claim Warrant - \$232,679.66.
4. May 16, 2012 Business License Report.
5. Approve Agreement with the Tehama County Auditor-Controller to recover billing and collection costs in the amount of \$1.15 per parcel for collection of Special Assessments for City Landscaping and Lighting District 1, Zones 1, 3 and 4.

**H. ITEMS REMOVED FROM THE CONSENT AGENDA:**

**I. PUBLIC HEARINGS AND MEETINGS:**

**J. REGULAR AGENDA:**

6. Approve annual Agreement with 3CORE Economic Development District at a cost of \$5,000.
7. Approve appropriations of Ridell Funds for:
  - > Library Building Maintenance Improvements - not to exceed \$5,548.82; and
  - > Purchase of new books - not to exceed \$5,000.

**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).

**Parkins:**

**Leach:**

**Dickison:**

**Linnet:**

**Strack:**

**N. ADJOURNMENT!:**

**POSTED: THURSDAY, MAY 17, 2012**



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, MAY 8, 2012  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
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 Strack.**

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

**1. Proclamation – May 2012 as Mental Health Month.**

Mayor Strack presented the Proclamation to Cynthia Cook, representative from the Tehama County Chapter of the National Alliance on Mental Illness, and Tehama County Mental Health Board Chairperson Mike Gonzalez.

**2. Proclamation – May 13<sup>th</sup> through May 19<sup>th</sup> of 2012 as “Poppy Days” in the City of Corning.**

Mayor Strack presented the Proclamation to Delores May representative of the American Legion Auxiliary.

**3. Presentation of Business and Employer of the Month Awards:**

The Business of the Month Award was presented to Corning Lumber General Manager Sharon Rodriguez and the Employer of the Month Award to McDonalds Manager Amanda Kernan by Councilman Dave Linnet.

**4. Presentation of Toys for Tots Certificates of Appreciation sponsored by the Tehama County Marine Corps League by Al Bordeau, certificate recipients are:**

**Beverly and Jerry Martini, Java Lanes  
Jenny Barrett, Tower Gas Station  
Diane Piazza, Accent Care  
Corning City Council**

Mayor Strack announced that this presentation will take place later during the Agenda.

**5. Presentation of Good Citizen Certificate by Linda Lima Daniels, Corning Senior Center Manager to City Staff and the City’s Maintenance Department.**

Senior Center Manager Linda Lima Daniels, former Senior Center Board President Donna Walberg and Board Director Delores May presented Certificates of Award for Volunteerism to Corning City Office Staff, the City’s Maintenance Department and the City Council in appreciation of the support provided to the Senior Center.

**F. BUSINESS FROM THE FLOOR: Request from Willie Smith for an Ordinance to disallow four legged animals...dogs, etc. with the exception of aid animals (for blind, etc.) at downtown special events. She stated that she witnessed dog fights recently at a special event. Mayor Strack stated that the City Attorney has recently been asked to research the possibility of an Ordinance of this kind.**

**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.

6. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
7. **Waive the reading and approve the Minutes of the April 24, 2012 meeting with any necessary corrections:**
8. **May 2, 2012 Claim Warrant - \$117,745.74.**
9. **May 2, 2012 Business License Report.**
10. **April 2012 Wages and Salaries - \$309,305.69.**
11. **April 2012 Building Permit Valuation Report - \$603,495.**
12. **April 2012 Treasurer's Report.**
13. **City of Corning Wastewater Operations Summary Report – April 2012.**
14. **Waive Recreational Use Fee for the 5<sup>th</sup> Annual Westside American Legion Softball Tournament Fundraiser.**
15. **Adopt Resolution No. 05-08-2012-01 authorizing the examination of sales, use and transaction records by the City Manager and City Audit Consultant.**

Councilor Parkins moved to approve the Consent Agenda Items listed. Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet.**  
**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:**

16. **One Year Comprehensive Economic Development Strategy (CEDS) Update; update and establish priority projects to be included in the 3CORE Economic Development District's Comprehensive Economic Development Strategy.**

Mayor Strack introduced this item by title and explained that this is something the City does every year. City Manager Brewer stated that annually the City prepares a listing of important priority projects to have ready should funding become available. He then referred to Planning Director John Stoufer for further explanation.

Mr. Stoufer explained that the Priority Project Lists are split into three distinct levels:

1. **“Priority A”:** Projects that the Community would like moved forward in the near term;
2. **“Priority B”:** Projects the Community would like to see implemented within the next 5 years; and
3. **“Priority C”:** Projects that the Community would like to see move forward sometime in the future.

Mr. Stoufer explained that there has been a new project listed under Priority A (in bold lettering and formerly listed under Priorities B and C) and pertains to an increase in Public Facilities, i.e. Police and Fire Departments and related services.

Councilor Dickison moved to approve the CEDS Priority Project List as recommended by Staff. Councilor Linnet seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet.**  
**Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

17. **2012 City of Corning Long Range Capital Improvement Program and Priorities for Service.**

Mayor Strack introduced this item by title. City Manager Brewer stated that this is a coordination of three departments, Police, Fire and Public Works in which they list infrastructure equipment and items needed by the City.

**Public Works:** Mr. Brewer presented the Council with 5 pages of changes/corrections to the Public Works presentation of the Capital Improvement. These changes consisted of:

1. Correcting the "Near Term" expenditures dollar amount from \$10.88 million to \$10.08 million (Pg. 1),
2. Stating the correct fiscal year as 2011-2012 (second paragraph – Pg. 15, not 2008-2009),
3. Adding reconstruction of the restrooms to Rodgers Theater (Pg. 19, paragraph 7),
4. Replacing "on the following page (Pg. 23, paragraph 4) to state "shown on Exhibit "G"; and
5. Change dollar amount listed on Exhibit "F" under #6 Building Maintenance Near Term to \$608,500, not \$615,000.

Mr. Brewer then outlined all of his proposed priority projects for Public Works as listed in the Capital Improvement Plan.

Councilman Linnet stated that a while back building new bathrooms at Yost Park was discussed and this wasn't on the list in the Parks. Public Works Director John Brewer stated Mr. Linnet was correct and stated this could be inserted in the "Near Term" section.

**Mayor Strack stated that we would take a break at this time before Police and Fire introduce their Capital Improvement Programs for the Marine Corps League Toys for Tots Program.**

**4. Presentation of Toys for Tots Certificates of Appreciation sponsored by the Tehama County Marine Corps League by Al Bordeau, certificate recipients are:**

Al Bordeau, Mario Ysit and Milton Goings, on behalf of the Tehama County Marine Corps League Toys for Tots Program presented a Certificate of Appreciation to Beverly and Jerry Martini of Java Lanes for their tremendous support of the Toys for Tots Program in Tehama County.

**Police Department (by former Chief Tony Cardenas):** Mr. Cardenas stated that the current RIMS Computer System is being leased for \$25,981 (\$16,921 for the lease and \$9,060 for the additional support/maintenance agreement) and the City will own the system after 7 years. The second on the list is the body armor; the City needs to replace 11 vests at \$1,100 per year. Under vehicle replacement he stated that the Department is recommending selling as surplus vehicles, the two patrol vehicles having the highest mileage (Vehicles 216 & 219) and replacing them with one patrol vehicle. He also stated that the Department also recommends selling three service/support vehicles (200, 207 and 213) as surplus and replacing them with the purchase of one multi-purpose vehicle, possibly a truck with a camper, which could better serve the department by transporting equipment, evidence, etc. In essence, the department proposes to eliminate five vehicles and replace them with two.

**Fire Department:** Chief Spannaus briefed the Council on the Fire Departments wish list. Mayor Strack asked Chief Spannaus about the possibility of continuing the relationship with the Nomlaki Tribe for matching grant funds for a new Engine

Councilor Parkins moved to adopt the "2012 City of Corning Long-Range Capital Improvement Program and Priorities for Services". Councilor Dickison seconded the motion. **Ayes: Strack, Parkins, Leach, Dickison and Linnet. 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).

**Parkins:** Announced that she recently observed Public Works Staff and Sgt. Bassett of the Police Department working together on a project, it is wonderful how our City Staff works together. She also asked if City Staff could work together, in light of Mother's Day, to check on the Street Vendors to ensure that they have the proper permits.

**Leach:** Congratulated Chief Spannuas on the wonderful celebration of the 100 yr. Fire Department Centennial Event. He also stated his appreciation to Chamber of Commerce Manager Valanne Cardenas for her hard work on the events. He stated that he would be meeting with the Community Action Agency on Thursday, May 17<sup>th</sup>.

**Dickison:** Announced she would be attending the LAFco meeting tomorrow.

**Linnet:** Announced that he enjoyed the Fireman's Parade and announced that the "Pay it Forward" Group has completed another downtown building façade which now has a faux "Tony's Tavern" sign. The building is the former Leona's Italian Restaurant. He informed the Council that next they will be working on the faux "Book Store" frontage on the building next door.

**Strack:** Nothing.

N. **ADJOURNMENT!** 8:50 p.m.

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Lisa M. Linnet, City Clerk



# MEMORANDUM

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** LORI SIMS  
ACCOUNTING ASSISTANT

**DATE:** May 16, 2012

**SUBJECT:** Cash Disbursement Detail Report for the  
Tuesday, May 22, 2012 Council Meeting

**PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:**

A.	Cash Disbursements	Ending 05-09-12	\$76,798.31
B.	Cash Disbursements	Ending 05-10-12	\$55,140.46
C.	Cash Disbursements	Ending 05-14-12	\$90,536.65
D.	Cash Disbursements	Ending 05-15-12	\$9,379.49
E.	Cash Disbursements	Ending 05-16-12	\$824.75

**GRAND TOTAL** \$232,679.66

REPORT.: May 09 12 wednesday  
 RUN.....: May 09 12 Time: 11:29  
 RUN BY.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 05-12 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 #	Description	Payment Information
014379	05/03/12	NAT15	NATIONAL PLAYGROUND COMPL	56822.73	.00	56822.73	12-0503	PROP 84 CONSTRUCTION-PARK	
014380	05/07/12	FIR01	FIRST NATIONAL BANK	527.29	.00	527.29	120427	MAT & SUPPLIES-	
014381	05/07/12	FIR05	FIRST NATIONAL BANK OMAHA	241.16	.00	241.16	120427	CONF/MTGS-	
014382	05/08/12	ROB04	ROBBINS, RON	270.57	.00	270.57	120508	MAT / SUPPLIES - POLICE	
014383	05/09/12	AIR00	AIRGAS NCN	55.80	.00	55.80	102871610	MAT & SUPPLIES-FIRE	
014384	05/09/12	ARA02	ARAMARK UNIFORM SRV. INC.	41.89	.00	41.89	1579304	MAT & SUPPLIES-BLD MAINT	
				41.89	.00	41.89	1589246	MAT & SUPPLIES-BLD MAINT	
				41.89	.00	41.89	1599318	MAT & SUPPLIES-BLD MAINT	
				41.89	.00	41.89	1609377	MAT & SUPPLIES-BLD MAINT	
			Check Total.....	167.56	.00	167.56			
014385	05/09/12	ATT02	AT&T	1096.34	.00	1096.34	120425	COMMUNICATIONS-	
014386	05/09/12	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	120497	ProfServices Water Dept	
014387	05/09/12	BEN04	BEN TOILET RENTALS, INC.	22.88	.00	22.88	251832	MAT & SUPPLIES-PARKS	
014388	05/09/12	CME00	CMESA CONSULTING MADE EAS	910.00	.00	910.00	1009	PROP 84-NON CONSTR-PARK D	
014389	05/09/12	COR08	CORNING LUMBER CO INC	1046.93	.00	1046.93	120428	MAT & SUPPLIES-	
014390	05/09/12	CPS01	CPS HUMAN RESOURCE SVCS	390.00	.00	390.00	INV29990	TRAINING/ED-DISPATCH	
014391	05/09/12	DEP03	DEPT OF TRANS/CAL TRANS	245.58	.00	245.58	SL1212705	Equip.Maint. St&trf Light	
014392	05/09/12	DOD01	JAMES DODGE	1046.00	.00	1046.00	120517	ADVANCED DISABILITY PENSI	
014393	05/09/12	FLE01	FLEMING BOOKBINDING CO.	71.95	.00	71.95	18771	BOOKS/PERIODICS-LIBRARY	
014394	05/09/12	GRA02	GRAINGER, W.W., INC	270.78	.00	270.78	981654823	MAT & SUPPLIES-BLD MAINT	
				392.49	.00	392.49	981654824	MAT & SUPPLIES-SWR	
			Check Total.....	663.27	.00	663.27			
014395	05/09/12	KEL01	KELLY MOORE PAINTS	169.73	.00	169.73	17477546	BLD MAINT-FIRE	
014396	05/09/12	KIM02	KIMBROUGH, STEPHEN JARRET	4500.00	.00	4500.00	120531	PROF SVCS-FINANCE	
014397	05/09/12	MAY01	MAY, WILLIAM L.	3420.10	.00	3420.10	3/1-4/30-	EE RELATIONS-IGL SVCS	
014398	05/09/12	MUN03	MUNNELL & SHERRILL, INC.	87.25	.00	87.25	007740	MAT & SUPPLIES-	
				1.08	.00	1.08	005540A	MAT & SUPPLIES-	

REPORT.: May 09 12 Wednesday  
 RUN....: May 09 12 Time: 11:29  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 05-12 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
Check Total.....:				88.33	.00	88.33		
014399	05/09/12	PGE01	PG&E	525.92	.00	525.92	120501	CLARK PARK WELL-WTR
014400	05/09/12	PGE03	PG&E	21.73	.00	21.73	120512	Mat/Supplies Policeservic
014401	05/09/12	PGE04	PG&E	383.18	.00	383.18	120501	TranspFacility-
014402	05/09/12	PGE05	PG&E	1091.76	.00	1091.76	120501	FIRE-ELECT & GAS
014403	05/09/12	PGE2A	PG&E	216.04	.00	216.04	120430	ELECT-MCDONALD, CASSANDRA,
				47.83	.00	47.83	120501	ELECT-MARTINI PLAZA
				36.06	.00	36.06	120502	ELECT-CLELAND PROP
Check Total.....:				299.93	.00	299.93		
014404	05/09/12	REN02	RENTAL GUYS	169.62	.00	169.62	464559-3	MAT & SUPPLIES-STR
014405	05/09/12	REX01	REXEL INC.	193.24	.00	193.24	801553922	MAT & SUPPLIES-WTR
014406	05/09/12	SCH01	LES SCHWAB TIRE CENTER	1347.20	.00	1347.20	611000202	VEH/OP MAINT-
				164.88	.00	164.88	611000235	VEH/OP MAINT-POLICE
Check Total.....:				1512.08	.00	1512.08		
014407	05/09/12	SUN01	SUNRISE ENVIRONMENTAL	92.47	.00	92.47	14113	MAT & SUPPLIES-WTR
014408	05/09/12	UNI02	UNIFORMS, TUXEDOS & MORE	38.56	.00	38.56	113961	CADET PROGRAM-POLICE
014409	05/09/12	WAR05	WARREN, DANA KARL	577.60	.00	577.60	120507	REC INSTRUCTOR-REC
014410	05/09/12	WES15	WEST SACRAMENTO K-9 ASSOC	50.00	.00	50.00	120503	K-9 TRAINING-POLICE

Cash Account Total.....: 76798.31

Total Disbursements.....: 76798.31

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REPORT.: May 10 12 Thursday  
 RUN.....: May 10 12 Time: 12:37  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 05-12 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
014411	05/10/12	BAS01	BASIC LABORATORY, INC	1867.00	.00	1867.00	1204132	CLARK PARK WELL-WTR CIP
014412	05/10/12	BLU02	BLUE SHIELD OF CALIFORNIA	3984.00	.00	3984.00	120515	MEDICAL INSURANCE
014413	05/10/12	BLU04	BLUE BEACON INTERNATIONAL	23.50	.00	23.50	1208189	VEH/OP MAINT-POLICE
014414	05/10/12	MCD01	MCDANIEL SIGN COMPANY	48.26	.00	48.26	3294	K-9 PROGRAM-POLICE
014415	05/10/12	SWM00	SWMC SERVICES, INC.	49217.70	.00	49217.70	100003594	PROF SVCS-

Cash Account Total.....: 55140.46 .00 55140.46

Total Disbursements.....: 55140.46 .00 55140.46

REPORT.: May 14 12 Monday  
 RUN..... May 14 12 Time: 14:39  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 05-12 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
014416	05/14/12	ACC00	ACCESS INFORMATION	84.00	.00	84.00	N117227	EQUIP MAINT-GEN CITY
014417	05/14/12	BAC00	BACKGROUNDS AND MORE	1350.00	.00	1350.00	2982	PROF SVCS-POLICE
014418	05/14/12	BAS01	BASIC LABORATORY, INC	116.00	.00	116.00	1204311	ProfServices Water Dept
014419	05/14/12	BUT04	BUTTE CTY CREDIT BUREAU	28.00	.00	28.00	11686	PROF SVCS-DISPATCH
014420	05/14/12	BUT05	BUTTE CO PUBLIC HEALTH	100.00	.00	100.00	10129	PROF SVCS-ACO
014421	05/14/12	CLE04	CLEMENTI, MARK A., PH.D.	585.00	.00	585.00	5-10-12	ProfServices PoliceService
014422	05/14/12	DEP12	DEPT OF JUSTICE	142.00	.00	142.00	905946	PROF SVCS-
014423	05/14/12	FMR01	FM RICHELIEU ENGINEERING	1430.00	.00	1430.00	05-09-201	PROF SVCS-BLD & SAFETY
014424	05/14/12	MET05	METERGUARD, INC.	259.90	.00	259.90	0469	MAT & SUPPLIES-WTR
014425	05/14/12	NOR10	NICOLINO CLEMENTE	351.62	.00	351.62	2106	VEH/OP MAINT-POLICE
				37.33	.00	37.33	2108	CERT OF EXTING-BLD MAINT
				126.34	.00	126.34	2109	CERT OF EXTING-BLD MAINT
			Check Total.....	515.29	.00	515.29		
014426	05/14/12	NOR31	NORM'S PRINTING	90.71	.00	90.71	011276	OFFICE SUPPLIES-FINANCE
014427	05/14/12	ORL00	ORLAND VETERINARY HOSP.	70.00	.00	70.00	31925	SPAY/NEUTER PROGRAM-ACO
014428	05/14/12	SIM02	SIMPLEX GRINNELL	434.84	.00	434.84	67751324	SAFETY ITEMS-FIRE
014429	05/14/12	TEH15	TEHAMA CO SHERIFF'S DEPT	98.00	.00	98.00	120503	PROF SVCS-
014430	05/14/12	TRE00	TRENT CONSTRUCTION INC.	85187.95	.00	85187.95	12-0509	CLARK PARK WELL-WTR CIP
014431	05/14/12	WES02	WESTERN BUSINESS PRODUCTS	44.96	.00	44.96	033405	EQUIP MAINT-FIRE DISPATCH
			Cash Account Total.....	90536.65	.00	90536.65		
			Total Disbursements.....	90536.65	.00	90536.65		

REPORT.: May 15 12 Tuesday  
 RUN.....: May 15 12 Time: 14:54  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 05-12 Bank Account.: 1020

PAGE: 001  
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
014432	05/15/12	ATT14	AT&T	182.03	.00	182.03	120423P	COMMUNICATIONS-POLICE
014433	05/15/12	BIC01	BICKLEY'S AIR CONDITIONIN	86.00	.00	86.00	00024869	BLD MAINT-TRANS FAC
014434	05/15/12	CAR12	CARREL'S OFFICE MACHINES	2.16	.00	2.16	108882	MAT & SUPPLIES-LIBRARY
014435	05/15/12	CHE02	CHEM QUIP, INC.	66.82	.00	66.82	5152489	MAT & SUPPLIES-POOL
014436	05/15/12	COM06	COMCAST	13.19	.00	13.19	120509	COMMUNICATIONS-PW ADMIN
014437	05/15/12	CON07	CONEXIS	30.00	.00	30.00	04120R348	MEDICAL INS-COBRA
014438	05/15/12	COR02	CORNING OBSERVER	54.70	.00	54.70	05-14-201	COMMUNICATIONS-GEN CITY
014439	05/15/12	COR22	CORNING MEDICAL ASSOC	132.00	.00	132.00	120426	PROF SVCS-POLICE
014440	05/15/12	COR23	CORNING CARPET STORE	320.05	.00	320.05	005692	MAT & SUPPLIES-BLD MAINT
014441	05/15/12	GEO01	GEO PLUS	2659.84	.00	2659.84	870	PROF SVCS-WTR
014442	05/15/12	GRA02	GRAINGER, W.W., INC	24.57	.00	24.57	898228595	MAT & SUPPLIES-WTR
014443	05/15/12	KIN01	KINNEY NURSERY & TOPSOIL	138.20	.00	138.20	7137	MAT & SUPPLIES-STR
014444	05/15/12	LOD00	LODI IRRIGATION, INC.	90.77	.00	90.77	8916	MAT & SUPPLIES-WTR
				190.74	.00	190.74	8929	MAT & SUPPLIES-WTR
				56.62	.00	56.62	8937	MAT & SUPPLIES-WTR
			Check Total.....	338.13	.00	338.13		
014445	05/15/12	OFF01	OFFICE DEPOT	64.24	.00	64.24	146731164	Office Supplies PoliceDis
				29.71	.00	29.71	146731165	Office Supplies PoliceDis
				65.25	.00	65.25	146795132	Office Supplies PoliceDis
				107.60	.00	107.60	607918711	Office Supplies PoliceDis
			Check Total.....	266.80	.00	266.80		
014446	05/15/12	PAT02	PATERSON ELECTRIC, INC.	65.00	.00	65.00	2716	MAT & SUPPLIES-PARKS
014447	05/15/12	PUR02	PURCHASE POWER	5000.00	.00	5000.00	120507	COMMUNICATIONS-GEN CITY
			Cash Account Total.....	9379.49	.00	9379.49		
			Total Disbursements.....	9379.49	.00	9379.49		

REPORT.: May 16 12 Wednesday  
 RUN....: May 16 12 Time: 14:57  
 Run By.: LORI

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 05-12 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 #	Description	Payment Information
014448	05/16/12	ACI01	ACI SPECIALTY BENEFITS	324.00	.00	324.00	13158	WorkmensComp. General Cit	
014449	05/16/12	LNCO1	LN CURTIS & SONS	111.93	.00	111.93	123565200	SAFETY ITEMS-FIRE	
014450	05/16/12	LOD00	LODI IRRIGATION, INC.	18.87	.00	18.87	9025	MAT & SUPPLIES-WTR	
				19.04	.00	19.04	9035	MAT & SUPPLIES-WTR	
				149.74	.00	149.74	9041	MAT & SUPPLIES-WTR	
			Check Total.....	187.65	.00	187.65			
014451	05/16/12	NOR10	NICOLINO CLEMENTE	153.84	.00	153.84	2104	BLD MAINT-FIRE	
				47.33	.00	47.33	2142	BLD MAINT-FIRE	
			Check Total.....	201.17	.00	201.17			
			Cash Account Total.....	824.75	.00	824.75			
			Total Disbursements.....	824.75	.00	824.75			

Date.: May 16, 2012  
Time.: 12:48 pm  
Run by: IORI

CITY OF CORNING  
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1  
List.: NEWS  
Group: WIFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
FAMILY YARD CARE	115 MCLANE AVE	CORNING, CA 96021	CORDRAY	SHERRI OUTDOOR YARD WORK...	05/07/12	(530)736-6340
KAUTZ LANDSCAPING	1860 BUTTE ST	CORNING, CA 96021	KAUTZ	EMERY LANDSCAPING	05/07/12	(530)736-3373
KENNY DOELKER BACKHO	22290 LANCELOT LANE	PALO CEDRO, CA 96073	DOELKER	KENNY CONTRACTOR	05/07/12	(530)223-6267

**ITEM NO: G-5  
APPROVE AGREEMENT WITH THE TEHAMA  
COUNTY AUDITOR-CONTROLLER TO RECOVER  
BILLING AND COLLECTION COSTS IN THE  
AMOUNT OF \$1.15 PER PARCEL FOR  
COLLECTION OF SPECIAL ASSESSMENTS  
FOR CITY LANDSCAPING AND LIGHTING  
DISTRICT 1, ZONES 1, 3 & 4**

May 22, 2012

**TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA**  
**FROM: JOHN L. BREWER, AICP; CITY MANAGER & PUBLIC WORK DIRECTOR**



**SUMMARY:**

Staff recommends the City Council authorize the City Manager to sign the agreements allowing the County Auditor-Controller to recover their costs for billing and collecting the annual assessments for the three Landscaping and Lighting District Zones in the City of Corning.

On May 3, 2012, we received the attached letter from the Tehama County Auditor-Controller, seeking the City's concurrence with agreements permitting the County to recover their costs for collecting the annual assessments. The County proposes agreements authorizing the "retention" of \$1.15 per parcel annually for this service.

The new Agreement shall be effective for the 2012/2013, 2013/2014 and 2014/2015 fiscal years.

**BACKGROUND:**

In 2005, the City began requiring the formation of Landscaping and Lighting Districts for the maintenance of common landscaping features, drainage improvements, and street and area lighting. To date three separate zones have been formed within the City of Corning. The annual assessments appear on the tax bills and are collected by the Tehama County Auditor-Controller and passed on to the City.

At the June 9, 2009 City Council Meeting Council approved the Landscaping and Lighting District 1, Zones 1, 3, and 4 Agreements for the 2009/2010, 2010/2011 and 2011/2012 fiscal years. At that time the agreed retention was for \$1.14 per parcel.

**ZONES:**

The three zones established for Landscaping and Lighting in Corning and their annual per parcel assessments are: District 1, Zone 1 (Blackburn Estates-14 parcels), \$63.09; District 1, Zone 3; (Blossom Avenue Development-30 parcels), \$142.10; and District 1, Zone 4 (Salado Orchard Apartments-1 parcel), \$4,772.90.

**RECOMMENDATION:**

**THAT THE MAYOR AND COUNCILMEMBERS APPROVE THE AGREEMENT WITH THE TEHAMA COUNTY AUDITOR-CONTROLLER TO RECOVER BILLING AND COLLECTION COSTS IN THE AMOUNT OF \$1.15 PER PARCEL FOR COLLECTION OF SPECIAL ASSESSMENTS FOR CITY LANDSCAPING AND LIGHTING DISTRICT 1, ZONES 1, 3 & 4.**

LEROY M. ANDERSON  
Auditor-Controller



KRISTA K. PETERSON  
Assistant Auditor-Controller

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TEHAMA COUNTY AUDITOR-CONTROLLER

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May 2, 2012

City of Corning Lighting and Landscape  
District 1, Zones 1, 3 and 4  
794 Third Street  
Corning, CA 96021

MAY 03 2012

Dear District,

Your District levies special taxes, special assessments, and/or property-related fees that are presently collected on Tehama County's secured property tax roll. Under California state law, the County may require that Districts enter into an agreement to reimburse the County for the costs of such collection as a condition of placing an assessment on the roll. In previous years, the County has been able to provide these collection services free of charge (i.e., at the County's expense). However, in these difficult economic times, the County's general fund can no longer subsidize this service for Districts. Consequently, beginning in the 2009-2010 fiscal year, the County required that each District wishing to place any special tax, special assessment, and/or property-related fee on the roll execute an agreement to reimburse the County for the costs of collection.

In 2009-2010 you entered into an agreement with the county to pay the County a charge of \$1.14 per parcel to reimburse the County for these costs. That agreement is set to expire. The County cost has been recalculated and the new cost of **\$1.15** per parcel has been determined. The attached three-year agreement provides for that amount to be deducted from the assessment proceeds collected by the County on your District's behalf. (Each District is responsible to ensure that the County's charges are either covered within the existing approved assessment amount, or that an increase to cover the charge is approved in accordance with all applicable laws, including Proposition 218.)

Please review the agreement, and place it before your District's governing board for approval. Once your board has approved the agreement, please **return two signed originals** to the County Auditor-Controller's office. In order to ensure that your District's assessment is placed on the 2012-2013 roll, the signed agreement will need to be received by the Auditor-Controller no later than July 20, 2012. The agreement will then be forwarded to the Board of Supervisors for final approval and signature. One copy will be returned to you.

Please do not hesitate to contact us if you have any questions.

Very truly yours,

LeRoy M. Anderson  
Auditor - Controller

**AGREEMENT FOR COLLECTION OF SPECIAL  
TAXES, FEES, AND ASSESSMENTS**

This Agreement is made between the **COUNTY OF TEHAMA, ON BEHALF OF THE TEHAMA COUNTY AUDITOR-CONTROLLER** ("County") and the **City of Corning Lighting and Landscape District 1, Zones 1, 3 and 4** ("District"). This Agreement is made in reference to the following facts:

**RECITALS:**

- (a) District is located within Tehama County and desires to enter into an agreement whereby District's eligible special taxes, special assessments, and/or property-related fees are collected by County at the same time and in the same manner as County secured real property taxes are collected.
- (b) County is capable and willing to employ its usual collection procedures on District's behalf for eligible special taxes, special assessments, and/or property-related fees lawfully established and levied by District, and County is willing to attempt to collect them at the same time and in the same manner as County secured real property taxes are collected.
- (c) Government Code section 29304 provides for compensation to be paid to County for collecting special taxes, special assessments, and property-related fees for District and further provides that the amount of said compensation shall be fixed by agreement between County and District.

**THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

- 1. The above recitals are hereby incorporated into this Agreement.
- 2. When requested by District, County will collect the eligible special taxes, special assessments, and/or property-related fees of District on the Secured Tax Roll, and will distribute collections to District at the same time and in the same manner as Tehama County secured property taxes are collected and distributed. (Provided, however, that County does not buy-out (Teeter) unpaid taxes, special assessments, and/or property-related fees at the end of the fiscal year, but instead will transfer them to the delinquent tax roll for collection.) Notwithstanding the foregoing, County will not collect for District any special taxes, special assessments, and/or property-related fees levied upon any real property, including publicly-owned real property, not appearing on County's Secured Tax Roll. District will adhere to the policies and procedures established by the Tehama County Auditor-Controller.
- 3. On or before August 10th of each year, District shall certify and deliver to County's Auditor-Controller an assessment roll showing the Assessor's parcel number and the amount of each special tax, special assessment, and/or property-related fee to be collected. The amounts certified shall include the charges payable to County pursuant to Section 8 of this

Agreement. If this information is not received by the Auditor-Controller on or before August 10th, the Auditor-Controller may determine that the District's special taxes, special assessments, and/or property-related fees, shall not be collected hereunder for that fiscal year.

4. District is responsible for the validity and accuracy of the amount of the special tax, special assessment, or property-related fee, as well as the assessor parcel number to which it is being charged. District must review County's Secured Tax Roll when it is filed by the County Assessor for each applicable year of collection, and verify that the parcel numbers certified by District and delivered to the Auditor-Controller for collection accurately correspond to the parcel numbers on County's Secured Tax Roll.
5. District shall respond to taxpayers' inquiries in a timely manner and not refer taxpayers to County regarding the removal or correction of special taxes, special assessments, or property-related fees.
6. Special taxes, special assessments, or property-related fees will not be permitted to be placed on the secured tax bills of parcels without sufficient assessed values. If such special tax assessments are discovered by County to be levied by District, District gives the Auditor-Controller the authority to remove the special tax, special assessment, or property-related fee and relieve County from any further responsibility of collection, making District solely responsible for its collection.
7. District gives the Auditor-Controller the authority to process and handle, at his/her discretion, special situations and unusual items not addressed elsewhere in this Agreement. Such actions may include removal of the special tax, special assessment, or property-related fee from the tax bill and relieving County from any further responsibility of collection, making District solely responsible for its collection.
8.
  - A. Except as provided in Subsection B, District shall pay County a charge of **\$1.15** for each parcel upon which a special tax, special assessment, or property-related fee is levied. If District levies multiple special taxes, special assessments, and/or property-related fees upon the same parcel(s), a separate charge shall be paid for each special tax, special assessment, or property-related fee. This charge shall be included within the amounts certified to County pursuant to Section 3 of this Agreement. District is responsible to ensure that this charge is included in the amount of the special tax, special assessment, or property-related fee approved in accordance with applicable law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218). The total charges to be paid to the County hereunder will be deducted by the Auditor-Controller from the total amount of money collected for District before remittal of the balance to District. District hereby waives any right it may have under Government Code section 907 and to protest the deduction of the amounts specified in this Section.

District acknowledges and agrees that County will not be required to notify District of its intent to deduct such amounts except by execution of this Agreement.

- B. Notwithstanding Subsection A, no charge shall be paid for any parcel if the total amount of the special tax, special assessment, or property-related fee levied by District upon that parcel is \$1.15 or less.
9. District shall annually provide a copy of the District governing body's certified Resolution or Ordinance authorizing the special tax, special assessment, or property-related fee to be collected on the secured tax bill. Such Resolution or Ordinance will reference the legal authority for such levy, the legal authority to place the special tax, special assessment, or property-related fee on the secured tax bill, and the "order" to the Auditor-Controller to place the special tax assessment on the secured tax bill for the current tax year. District warrants and represents that the special taxes, special assessment and/or property-related fees imposed by District and collected pursuant to this Agreement comply with all requirements of state and federal law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).
10. District hereby releases and forever discharges the County of Tehama and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of District's responsibility under this agreement or other action taken by District in establishing the special tax, special assessment, or property-related fee and implementing collection of special taxes, special assessments and/or property-related fees as contemplated in this agreement.

Without limiting the generality of the foregoing, District shall hold harmless, defend, and indemnify County and its elected and appointed officers, officials, employees, and agents, from and against any claim or suit to determine the legality of the special tax, special assessment, or property-related fee, or arising from or related to the accuracy of the information provided by District, or any legal procedures employed by the Tax Collector in the collection of the special tax, special assessment, or property-related fee.

If any judgment is entered against any indemnified party as a result of action taken to implement this Agreement, District agrees that the County of Tehama may offset the amount of any judgment paid by the County of Tehama or by any indemnified party from any monies collected by the County of Tehama on District's behalf, including property taxes, special taxes, fees, or assessments. The County of Tehama shall notify District of its intent to implement any offset authorized by this paragraph.

11. This agreement supersedes all previous agreements and constitutes the entire understanding of the parties hereto.
12. This Agreement shall be deemed to be made in, and shall be governed by and construed in accordance with the laws of, the State of California (excepting any conflict of laws provisions which would serve to defeat

application of California substantive law). Venue for any action arising from this agreement shall be in Tehama County, California.

13. This Agreement shall be effective for the 2012-2013, 2013-2014 and 2014-2015 fiscal years, unless sooner terminated as provided herein.
14. If District fails to provide in any manner the information or documentation required under this Agreement, or violates any law, regulation, rule, or ordinance applicable to the performance herein, County may terminate this Agreement by giving five (5) calendar days notice to District.
15. Either party may terminate this Agreement for convenience for any fiscal year by giving written notice thereof prior to May 1st of the preceding fiscal year.

Date: \_\_\_\_\_

**COUNTY OF TEHAMA**

By:

\_\_\_\_\_  
**Bob Williams, Chairman  
Tehama County Board of Supervisors**

\_\_\_\_\_  
**LeRoy M. Anderson, Auditor-Controller**

Date: \_\_\_\_\_

**City of Corning Lighting and Landscape  
District 1, Zones 1, 3 and 4**

By

\_\_\_\_\_  
**Authorized Signature**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Type or Print Name**

\_\_\_\_\_  
**Name of District's Governing Body**

**APPROVED AS TO FORM:**

Arthur Wylene  
**County Counsel  
County of Tehama**

**ITEM NO.: J-6  
APPROVE ANNUAL AGREEMENT WITH  
3CORE ECONOMIC DEVELOPMENT  
DISTRICT AT A COST OF \$5,000.  
MAY 22, 2012**

**TO: CITY COUNCIL OF THE CITY OF CORNING**  
**FROM: JOHN L. BREWER, CITY MANAGER**  
**LISA M. LINNET, CITY CLERK**

**SUMMARY:**

3CORE is the federally recognized Regional EDC for the Counties of Tehama, Glenn and Butte. 3CORE works with the City to include Corning's economic development priorities in the Regional strategy, by soliciting federal grant financing for planning purposes and actual economic development projects. Our agreement (contract) with 3CORE runs on the fiscal year and will expire on June 30th.

Please see the attached letter from 3CORE. It is now appropriate to consider a new contract.

This year, the 3CORE Board of Directors has determined the adjusted FY 2012-2013 cash match for the City of Corning is \$5,000, up from \$3,500 last year. This is the base membership and includes the following services:

- Development and updating of the Comprehensive Economic Development Strategy (CEDs) for the District and related priority projects.
- CEDs Advisory Board membership.
- Planning and execution of at least one (1) meeting held with your jurisdiction annually to update priorities and provide status reports of pending activities within the District.
- Management of the Economic Development District as required by the Economic Development Administration (EDA).
- Participate in the development of the recently approved Community Development Financial Institution (CDFI) designation to finance local businesses, provide business technical assistance, and to fund local infrastructure.
- Maintaining memberships in organization representing the Tri-County Region, including the National Association of Development Organizations, the California Association for Local Economic Development, the California Reinvestment Coalition, and the California Association for Microenterprise Opportunity, the Upstate California Economic Development Council, and the Team California.
- Identification of funding sources for various public sector projects identified as priorities within CEDs.
- Identification of funding sources for various private sector projects identified as priorities in the CEDs or as requested by the member jurisdiction.

Pre-Qualification Services, Grant Development and Application Preparation Services, and Financial Advisory Services are also available at an additional charge.

**FINANCIAL BACKGROUND:**

In previous years, the City's adjusted cash match was:

- 2011-2012 - \$3,500
- 2010-2011 - \$3,000
- 2009-2010 - \$2,850 (Recognizing the economic difficulties facing District Members, in 2009-2010 the Tri-County EDC Board of Directors agreed to an

across the board 5% decrease to the cash match fees which was \$150 less than the previous year's fees.

- 2008-2009 - \$3,000
- 2007- 2008 - \$3,700

**BACKGROUND:**

3CORE is a key part of Corning's economic development team. To help cover operating costs, 3CORE receives a federal grant which will total \$75,000. The Federal Government now requires a dollar for dollar local match.

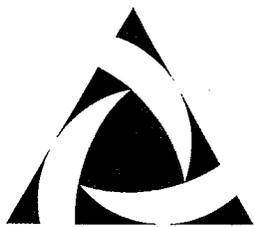
3CORE helps find "gap" financing for commercial and industrial development ventures. In the past their Staff prepared and submitted most of the City of Corning's Planning and Technical Assistance Grant at no additional cost to the City. They continue to be available for planning grant development for any future projects.

3CORE does not compete with the Tehama Economic Development Corporation. They limit their efforts to planning and financial services, whereas Tehama EDC focuses on business retention and development.

3CORE comes to the City each year in April for a review of the City's commitment because they must comply with Federal and State application requirements.

**RECOMMENDATION:**

**MAYOR AND CITY COUNCIL APPROVE THE ANNUAL PARTICIPATION IN 3CORE, AND COMMIT \$5,000 FROM THE CITY'S GENERAL FUND AS THE CITY'S SHARE OF THE LOCAL GRANT MATCH.**



**3CORE**

FINANCING • MENTORING • PERSPECTIVE

May 5, 2012

John Brewer  
City of Corning  
794 Third Street  
Corning, CA 96021

**RE: 3CORE Economic Development District – Membership Cash Match 2013**

Dear John:

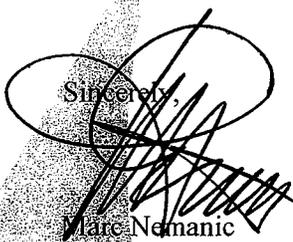
As required by the Economic Development Administration, the 3CORE Board of Directors and staff have established the final figures for the fiscal year 2013 District member cash match contributions.

Last year you paid \$3,500. **This year, the adjusted cash match for Fiscal Year 2013 for the City of Corning is \$5,000.**

Enclosed is a copy of the 2012-2013 cash match invoice and agreement for your review and signature. The agreement outlines the variety of services available to members of the 3CORE Economic Development District as well as those available on a fee-for-service basis. ***Please return one signed copy of the cash match agreement along with the cash match payment to 3CORE.***

If you have any questions, please contact me at (530) 893-8732, ext. 204. Thank you for your continued support!

Sincerely,

  
Marc Nemanic  
Executive Director

Cultivating Healthy Businesses Because People Matter

3120 Cohasset Road, Suite 1, Chico, CA 95973 voice 530.893.8732 fax 530.893.0820 [www.3coreedc.org](http://www.3coreedc.org)

**CONTRACT FOR SERVICES BETWEEN THE  
3CORE, Inc.  
AND THE CITY OF CORNING FOR ECONOMIC PLANNING AND COORDINATION  
ACTIVITIES**

In consideration of the provisions of the Economic Development Administration Planning Grant Program, the City of Corning hereby agrees to provide \$5,000 as consideration to the 3CORE, Inc. for the City of Corning annual District Membership, and to match any planning grant funds received by 3CORE from the Economic Development Administration.

As a District Member, the City of Corning shall have access to and may receive services through their district membership and cash match as described in Attachment A. The City of Corning shall also have access to and may receive additional services as those described in Attachment B on a Fee-for-Service basis or Attachment C through the execution of a Sub recipient Agreement. Members may leave the District subject to the conditions in Attachment D.

IN WITNESS WHEREOF, the parties hereto have executed this instrument or caused this Agreement to be executed by their duly authorized agent(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF CORNING**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

3CORE, Inc.

Name: \_\_\_\_\_ Date: 5/4/12

Marc Nemanic

Title: Executive Director

## **AGREEMENT TO PROVIDE ECONOMIC DEVELOPMENT AND PLANNING SERVICES**

### **ATTACHMENT A – SERVICES PROVIDED TO JURISDICTIONS WITH ANNUAL SUSTAINING DISTRICT MEMBERSHIP AND CASH MATCH**

3CORE is to help implement activities necessary for City of Corning. The base membership is \$5,000 with population adjustments of -\$1,000 (5,000 and less), \$1,500 (20,000 and greater), or \$4,000 (50,000 or greater). Your base membership is \$5,000. This base membership includes the following:

#### **General District membership services for your base match**

- ◆ Development and update of the Comprehensive Economic Development Strategy (CEDs) for the District and related priority projects.
- ◆ CEDs Advisory Board membership.
- ◆ Planning and execution of at least one (1) meetings held with your jurisdiction annually to update priorities and provide status reports of pending activities within the District.
- ◆ Management of the Economic Development District as required by the Economic Development Administration (EDA).
- ◆ Participate in the development of the recently approved Community Development Financial Institution (CDFI) designation to finance local businesses, provide business technical assistance, and to fund local infrastructure.
- ◆ Maintaining memberships in organization representing the tri-county region including the National Association of Development Organizations, the California Association for Local Economic Development, the California Reinvestment Coalition, and the California Association for Microenterprise Opportunity, the Upstate California Economic Development Council, and Team California.
- ◆ Identification of funding sources for various public sector projects identified as priorities within the CEDs.
- ◆ Identification of funding sources for various private sector projects identified as priorities in the CEDs or as requested by the member jurisdiction.

## OPTIONAL SERVICES AVAILABLE TO MEMBERS UNDER ATTACHMENT A

Members may opt to choose from the following optional services with pricing based on the following:

### Optional Services

#### Pre-Qualification Services

3CORE can provide grant application consulting to determine strategy, eligibility and competitiveness for each member considering up to two (2) grant applications. This service will be additional **\$2,000** per year.

3CORE will provide the member with a competitiveness assessment with key competitiveness strengths and weaknesses requiring specific remediation.

3CORE and the member may, as part of these competitive recommendations, enter into a fee-for-service arrangement for a long-term remediation strategy.

#### Grant Development and Application Preparation Services

- ◆ Development of grant applications to the Economic Development Administration, the Community Development Block Grant Program, U.S. Department of Agriculture, or other agency or organization for specific projects identified as priorities within the CEDS and determined to meet the competitive thresholds noted under pre-qualification services.
- ◆ Members may elect two (2) options: 1) pay a fixed **\$4,000** for up to two (2) applications annually or, 2) pay per application with a pre-negotiated fee-for service agreement at the rates noted in Attachment B.

#### Financial Advisory Services

- ◆ Members may access assistance through 3CORE to review prospective projects and their financing needs. 3CORE will assist the Member in shifting through options and alternatives as well as exploring plausible financing structures best suited to the project at hand. This service will be an additional **\$2,500** per year.

Your base membership is:	\$ <u>5,000.00</u>
Pre-qualification Services	\$ _____
Grant Development Services	\$ _____
Financial Advisory Services	\$ _____
Total	\$ <u>5,000.00</u>

## ATTACHMENT B – SERVICES PROVIDED TO JURISDICTIONS ON A FEE-FOR-SERVICE BASIS

**Fee-for-Service** Contracts – Jurisdictions who decide to execute Fee-for-Service contracts are typically required to go through a competitive procurement process.

The Fee-For-Service rates, reviewed and updated on an annual basis, are as follows effective January 1, 2012:

Clerical	= \$80/hr
Technical	= \$100/hr
Professional	= \$125/hr
Executive	= \$150/hr

3CORE may provide City of Corning, on a **Fee-for-Service** basis, services outside of the optional membership packages in Attachment A:

- ◆ Assistance with identification of funding sources for various public sector projects that have not been specifically identified as priorities within the Comprehensive Economic Development Strategy (CEDS).
- ◆ Planning, organization, writing, and submittal of State Community Development Block Grant (CDBG) Over-the-Counter (OTC) grants, General/Native American Allocation grants, or Enterprise Grants.
- ◆ Development of grant applications to various State and Federal Agencies other than the Economic Development Administration for projects identified as priorities within the CEDS.
- ◆ Development of grant applications to various State and Federal Agencies **not** identified as priorities within the CEDS.
- ◆ Contract economic development staff.
- ◆ Grant/Project Management and/or Administration. Tasks could include such items as: overseeing subcontractors, tracking project budget, ensuring that project timelines are adhered to, preparation and submittal of various reporting documents, acting as a conduit between local jurisdiction and project consultants or project subcontractors, other project management related items.
- ◆ Grant/Project Implementation. Implementation of various grants including those related to community visioning, business needs assessments, general plan revisions, economic development plan preparation/implementation, various feasibility studies, and community development.
- ◆ Business Retention/Expansion Program planning, implementation, and management.

- ◆ Loan portfolio management for loan portfolios equal to or greater than \$500,000 including the following:
  - Loan payment billings and collections; including managing delinquencies, workouts and modifications.
  - On-going loan portfolio management including, collection and review of borrower financial statements.
  - Loan monitoring to include covenant compliance reviews, job creation/retention monitoring, quarterly financial assessment to determine financial trends, and long-term repayment ability of loans.
  
- ◆ Loan pre-qualification and underwriting including the following:
  - Eligibility review for available loan programs, credit worthiness, and appropriate financing structure to maximize public benefit and repayment.
  - Loan pre-qualification services include document gathering, review, and recommendation of specific financing through available public and private funding sources.
  - Loan Underwriting includes all phases of financial due diligence including loan structuring, cash flow analysis, collateral review and valuation, credit worthiness, guarantor validation, and debt service assessment. Loan closing and documentation includes all necessary loan documents and security-related actions needed to properly close and secure a loan made by a requesting jurisdiction. Cost is determined on a case-by-case basis based on the quality of underwriting documentation.
  
- ◆ Third party due diligence or needs assessment focusing on the economic impact of new or existing businesses;
  
- ◆ One-on-one business technical assistance and recommendations for additional support services and referrals;
  
- ◆ Business finance structuring and financing recommendations;
  
- ◆ Revolving Loan Fund (RLF) risk assessment; and,
  
- ◆ Revolving Loan Fund (RLF) consulting and technical support.

## **AGREEMENT TO PROVIDE ECONOMIC DEVELOPMENT AND PLANNING SERVICES**

### **ATTACHMENT C – SERVICES PROVIDED TO JURISDICTIONS UNDER AN EXECUTED SUBRECIPIENT AGREEMENT**

**Sub-recipient Agreements** – a Sub-recipient Agreement has a limited use and is used to carry out agreed-upon, eligible activities usually under CDBG funding. Sub-recipient agreements are typically used to contract with a consultant to implement a grant project that was created or written by the consultant. Sub-recipients are viewed as an extension of County or City staff and are therefore not subject to procurement procedures.

The Sub-recipient bill rate is at-cost which ranges from \$45 to \$80 per hour. The at-cost basis will be reviewed and adjusted annually.

3CORE may provide the City of Corning with the subsequent services executed through a **Sub-recipient Agreement** that may include but not be limited to the following:

- ◆ Grant/Project Implementation and/or Administration. Implementation of various grants including those related to community visioning, business needs assessments, general plan revisions, economic development plan preparation/implementation, various feasibility studies, and community development.

It will be the sole discretion of 3CORE to determine which contractual method is best suited for potential projects.

# **AGREEMENT TO PROVIDE ECONOMIC DEVELOPMENT AND PLANNING SERVICES**

## **ATTACHMENT D—MEMBERSHIP OPT-OUT POLICY**

The 3CORE Board of Directors has approved a membership opt-out policy for cities or counties who may consider leaving the District.

Any member may leave the District. If a member leaves the District, then no services will be provided to the departing city or county as outlined in this agreement nor will the city or county priority projects be included in the current or any subsequent CEDS.

A city or county may re-enter the District if:

1. The city or county pays back what cash match obligations they would have paid during the opt-out period up to two (2) years;
2. Pay a 50% re-entry fee based on the unpaid cash match obligation in #1 above; and,
3. Pay the current year cash match obligation.

The 3CORE Board of Directors, in their sole discretion, may modify the terms of re-entry for any member to encourage full participation by all eligible members, and to maintain reasonable and proportional member cost sharing based on objective standards established by the Board from time-to-time.

ITEM NO. : J-7  
APPROVE APPROPRIATION OF RIDELL FUNDS  
FOR LIBRARY BUILDING MAINTENANCE  
IMPROVEMENTS IN AN AMOUNT NOT TO  
EXCEED \$5,548.82 AND APPROVE  
APPROPRIATION OF RIDELL FUNDS IN AN  
AMOUNT NOT TO EXCEED \$5,000 FOR THE  
PURCHASE OF NEW BOOKS

MAY 22, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS  
OF THE CITY OF CORNING

FROM: MEMBERS OF THE LIBRARY COMMISSION  
JOHN L. BREWER, AICP; PUBLIC WORKS DIRECTOR & CITY MANAGER



**SUMMARY:**

At the January 4, 2012 Library Commission Meeting and again at a Special Meeting on May 4, 2012 the Library Commissioners requested that staff research the feasibility of using the Ridell Funds to complete certain improvements at the Library. Among those desired are: 1.) painting the interior walls, 2.) application of a moisture barrier to the exterior walls, and 3.) the purchase of new computers and books.

City Manager John Brewer posed the question to City Attorney Mike Fitzpatrick. Please see the attached letters from the City Attorney indicating that the proposed improvements can be paid for with the Ridell Funds.

Staff gathered preliminary cost estimates for the proposed projects/purchase. (Note that to protect the integrity of future bid processes, we have not provided the actual proposal amounts, but "cost ranges".) The following information is provided:

Interior Wall: The Interim County Librarian, Sally Ainsworth advised that the County Library in Red Bluff was recently repainted by the "Experience Works" program students of the Job Training Center. She proposed that we do the same and has agreed to make the arrangements with the Job Training Center in Red Bluff to have the job completed by their. Ms. Ainsworth provided the attached cost estimate of \$548.82 for the paint.

Exterior Wall: We have obtained a preliminary estimate of between \$2,500 and \$5,000 to pressure wash, apply two coats of sealant and one coat of an anti-graffiti solution to the exterior wall of the Corning Library. To satisfy our purchasing procedures, we'll need to obtain at least two other cost proposals

Computers: There are nine computers in the Library; one for the Librarian and eight available for public use. The computers are old and need replaced. The City Attorney reported that the Ridell Funds could be utilized for the purchase of new computers,

However, since that report, Interim Librarian Sally Ainsworth reported at the Special Meeting on May 2, 2012 that the Tehama County, Red Bluff, Friends of the Library had authorized a generous donation of \$30,000 at their meeting on April 30, 2012 to purchase new computers for both the Red Bluff and Corning Branches. So, no expenditure for computers is necessary.

Book Replacement: Ms. Ainsworth reports that she has begun a "weeding out" project that is leaving the shelves desperately in need of new books. Books that are being removed from circulation are books that have not been checked out by a patron in over 20 years! Ms. Ainsworth requested, and the Commissioners have recommended that that the Ridell Fund be used to expend \$5,000 to purchase new books for the Library's shelves

### **RIDELL TRUST:**

Staff reported the Ridell Trust Fund had a balance of \$212,812.09 at the January 2012 Library Commission Meeting. For many years now Staff and the Library Commissioners have tried to come up with an affordable way to expand the Corning Library using the Ridell Trust Funds. Due to the poor economy and the unsuccessful search to find matching grant funds, an expansion is not practical at this time.

In the meantime, building maintenance is crucial in keeping patrons comfortable and the books safe from moisture damage. Expenditure of the Ridell Funds has not been taken lightly by City Staff or the Library Commissioners after much discussion it was decided that a fresh coat of paint, new computers and books should be purchased for the Corning Library.

### **RECOMMENDATION:**

That the Mayor and Councilmembers:

1. Approve the appropriation of Ridell Funds in the amount of \$548.82 to purchase paint for the Corning Library,
2. Approve the appropriation of Ridell Funds in the amount not to exceed \$5,000 for the purchase new books for the Corning Library with the stipulation that the new books will remain at the Corning Branch, and,
3. a.) Direct staff to acquire additional proposals for pressure washing, sealant and anti-graffiti coating application, and,  
  
b.) Approve the appropriation of Ridell Funds in the amount not to exceed \$5,000 to pressure wash, apply two coats of sealant and one coat of an anti-graffiti solution to the exterior wall of the Corning Library, and authorize the City Manager to award the work in accordance with the City's Purchasing Procedures.

To: John Brewer, Public Works Director

From: Mike Fitzpatrick, City Attorney

Re: Library Commission question concerning Ridell Trust

Date: January 10, 2012

**ISSUE:** Can the Ridell Trust Account funds be used to complete some major building purchases, including new HVAC, carpeting, painting the interior of the building, and treating the exterior of the building to prevent moisture intrusion?

**ANSWER:** Yes.

**DISCUSSION:** The key language needed to answer this question is contained in City of Corning Resolution 11-26-91-1 which establishes the basis for the City's acceptance of this gift from the William W. Ridell Estate. That language is "WHEREAS, the funds are directed to be used exclusively for the Corning Library for major expenditures, not operating expenses..."

It is my opinion that none of the proposed expenditures of funds outlined in the question raised would be considered "operating expenses." Although the building itself is owned by the City of Corning, it has for years been used exclusively for library purposes and expenditures made to preserve the integrity of the building and protect its contents are justifiably solely for "library" purposes.

"Operating expenses," in my opinion, would be payment of salaries for staffing the library, payment of utility expenses, and these kind of recurring expenditures needed to keep the library running month to month. There is no question in my mind that protecting the integrity of the building where the Corning library is housed would be entirely consistent with the donor's intent and therefore a legal use of Ridell Trust Account funds if the County Librarian and the Corning Library Commission both approve these expenditures.

To: John Brewer, City Manager

From: Mike Fitzpatrick, City Attorney

Re: Library Commission question concerning Ridell Trust

Date: April 17, 2012

**ISSUE:** Can the Ridell Trust Account funds legally be used to replace the outdated public access computers in the Corning library?

**ANSWER:** Yes.

**DISCUSSION:** The key language needed to answer this question is contained in City of Corning Resolution 11-26-91-1 which establishes the basis for the City's acceptance of this gift from the William W. Ridell Estate. That language is "WHEREAS, the funds are directed to be used exclusively for the Corning Library for major expenditures, not operating expenses..."

It is my opinion that the use of some of the Ridell account funds for replacement of public access computers would not be considered use of funds for regular "operating expenses."

"Operating expenses," in my opinion, would be payment of salaries for staffing the library, payment of utility expenses, and similar kinds of recurring expenditures needed to keep the library running month to month. I am confident that use of Ridell funds to update and replace such a "major" component of the library system would be entirely consistent with the donor's intent and therefore a legal use of Ridell Trust Account funds if the County Librarian and the Corning Library Commission both approve these expenditures.

