CITY OF CORNING
CITY COUNCIL MEETING AGENDA

TUESDAY, MAY 24, 2016
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**

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

D. INVOCATION: Led by Mayor 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. PUBLIC COMMENTS:

F. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation – May 2016 as National Drug Court Month.** Present to accept the Proclamation will be Patrice Tamp, Tehama County Drug and Alcohol Supervisor.

G. BUSINESS FROM THE FLOOR:

H. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request separate discussion and/or action.

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes with any necessary corrections for the following meetings:**
   a) **April 26, 2016 City Council Closed Session and Regular Meeting; and**
   b) **May 10, 2016 Regular City Council Meeting**
4. **May 18, 2016 Claim Warrant - $127,286.03.**
5. **May 18, 2016 Business License Report.**
6. **Award Bid to Ron DuPratt Ford for an amount not to exceed $25,407.42 to purchase one F-350 V-8 Truck for the Public Works Department.**

7. **Introduction of REZONE 2016-04 Ordinance 668, to rezone approximately 9.5 acres located along the north side of Blackburn Avenue at the northwest corner of the Blackburn Avenue/Hwy. 99W Intersection (APN's: 69-150-42 & 43) from R-1 to R-4-AH pursuant to Implementation Measure LU-3 from the City of Corning 2014-2034 General Plan. (2nd reading and adoption)**

I. ITEMS REMOVED FROM THE CONSENT AGENDA:

J. PUBLIC HEARINGS AND MEETINGS: None.

K. REGULAR AGENDA:

8. **Adopt Resolutions 05-24-2016-02 and 05-24-2016-03 consenting to the City's associate membership in the California Home Finance Authority and the inclusion of properties within the City's jurisdiction in the Authority's SB-555 and AB 811 PACE Programs for financing distributed Generation renewable energy sources, energy and water efficiency improvements and electric vehicle charging infrastructure.**

9. **Review and Adopt Resolution 05-24-2016-01, a Resolution adopting without revision the City's Conflict of Interest Code.**

L. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

M. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

N. 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:

O. ADJOURNMENT!:

Posted: Friday, May 20, 2016

PROCLAMATION

DESIGNATING MAY 2016 AS NATIONAL DRUG COURT MONTH

WHEREAS, over the past twenty-six (26) years Drug Courts have served over 1.4 million individuals nationwide and over 105 individuals in Tehama County over the past eight (8) years; and

WHEREAS, Drug Courts are now recognized as the most successful criminal justice intervention in our nation's history, they facilitate community-wide partnerships, bring together public safety, social service and public health professionals in the fight against drug abuse and criminality; and

WHEREAS, seventy-five (75%) of Drug Court graduates will never see another pair of handcuffs

WHEREAS, Drug Courts significantly improve substance abuse treatment outcomes, substantially reduce drug and crime, and do so at less expense than any other justice strategy; and

WHEREAS, Drug Courts are the cornerstone of criminal justice reform sweeping the nation with currently over 3,400 Drug Courts in the United States, including one in Tehama County; and

WHEREAS, Drug Courts demonstrate that when one person rises out of drugs and crime, we ALL RISE; and

WHEREAS, the time has come to put a Drug Court within reach of every eligible person in need.

NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING proclaim May 2016 as National Drug Court Month in the City of Corning in support of the dedicated work and great strides accomplished by the Tehama County Health Services Agency Drug & Alcohol Division, the Superior Court, the Probation Department, the District Attorney's Office, Sheriff's Office, Defense Attorneys and the Drug and Alcohol Advisory Board.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 24th day of May 2016.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MEETING MINUTES

TUESDAY, APRIL 26, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET

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: 6:00 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.

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. REGULAR AGENDA:

1. **CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6: Agency Negotiator: William May, Labor Relations Consultant Discussion and Direction on a contingency plan to Contract Police and Fire Dispatch Services should Measure A not be approved by the Electorate.**
2. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION PURSUANT TO SECTION 54956.9 (d)(4): Urgency Item Added. Escrow No.: 17686-DM – Claim to proceeds in Escrow.**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:40 p.m.

Mayor Strack reported that Council met in Closed Session with the Labor Negotiator and the City Attorney and gave them direction.

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Lisa M. Linnet, City Clerk

CITY OF CORNING
CITY COUNCIL MEETING MINUTES

TUESDAY, APRIL 26, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET

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: 6:42 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 Mayor 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. PUBLIC COMMENTS:
Julie Johnson apologized for her disruption at the last meeting.

F. PRESENTATIONS: Presentation of Employee Recognition Awards:

Tom Watson, Police Administrative Manager – Police Department: A Certificate was presented to Tom Watson by City Manager Kristina Miller on behalf of Police Chief Jeremiah Fears.

Lisa Linnet, Confidential Assistant/City Clerk – City Manager: A Certificate was presented to Lisa Linnet by City Manager Kristina Miller.

Wayne Jobe, Equipment Operator – Public Works: A Certificate was presented to Wayne Jobe by Public Works Director Dawn Grine.

Jared Smith, Fire Department Volunteer – Fire Department: Fire Chief Martin Spannaus stated that Mr. Smith was unable to attend tonight, he would ensure that Mr. Smith received his Certificate.

G. BUSINESS FROM THE FLOOR: None.

H. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request 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 April 12, 2016 City Council Closed Session and Regular Meeting with any necessary corrections:**
3. **April 20, 2016 Claim Warrant - $125,401.87.**
4. **April 20, 2016 Business License Report.**
5. **Award Bid for the 2016 Street Paving Project to Northwest Paving, Inc. in the amount of $170,812.**

Councilor Smith moved to approve Consent Items 2-6. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. This motion was approved by a 5-0 vote.**

I. ITEMS REMOVED FROM THE CONSENT AGENDA:

J. PUBLIC HEARINGS AND MEETINGS: None.

K. REGULAR AGENDA:

7. Provide Staff direction regarding the establishment of a Noise Ordinance.
Mayor Strack introduced this item by title and announced that the Police Chief stated that he felt that California Penal Code and the California Vehicle Code already address this. City Manager Kristina Miller briefed the Council on her research and concurs with the recommendation of the Police Chief. Mayor Strack asked if the referenced Codes respond to construction noise in residential neighborhoods or limit the hours when work can commence. He was informed no. The City Attorney responded with some suggestions should the City wish to move forward with an Ordinance. **By consensus, Council directed Staff to continue use of the existing Penal and Vehicle Codes and not establish a new Ordinance at this time.**

8. Provide Staff direction regarding the establishment of a Mural Ordinance.
Mayor Strack stated that he did drive through town and believes the City should limit the murals to possibly one wall or a quarter of the building and not allow them to be painted all over the building or over windows. During the discussion it was confirmed that existing murals would be "Grandfathered" in.

Councilor Cardenas stated that if we are going to address this, he believes that we should also encompass the other issues mentioned at the previous meeting in regards to the downtown business area. He also stated that he believes that any decision process enacted should include the businesses that would be affected. The City Attorney responded to some of the possible legalities and recommended to the Council that all potential legal issues be thoroughly researched. **By consensus, Council directed Staff not to proceed with a mural Ordinance.**

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

M. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

N. 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 attendance at the Community Action Tripartite Executive Board Meeting last Thursday, she also attended the Rodgers Theatre Board meeting that same day and updated the Council on the Theatre stating that the projector is on order and the seats are covered and are ready to be painted.

Linnet: Reported that 50 shopping carts had been returned and that there has been no new tagging. The May Madness Car Show will be held on May 6th and 7th with a pancake breakfast at the Fire Hall on the 7th.

Cardenas: Reported on his attendance at the 3CORE Meeting on April 22nd. He stated that he attended the Chamber of Commerce Car Show Meeting tonight prior to the Council meeting, they are moving ahead.

Smith: Reported that last Wednesday the Senior Center paid tribute to their Volunteers.

Strack: Reported that he has a Transportation Meeting on Thursday to discuss Unmet Needs.

O. ADJOURNMENT!: 7:27 p.m.,

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Lisa M. Linnet, City Clerk

CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MAY 10, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET

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 City Council were present.

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

D. INVOCATION: Led by Tony 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 – May 2016 as "Older Americans Month".** Elaine Benwell of Northern California Catholic Social Services Elder Services was present to accept the Proclamation.
2. **Proclamation – Wednesday, May 18, 2016 as Tehama County Peace Officers' Memorial Day.** No one was present to accept the Proclamation, it will be sent to Lesa Calloway at the Tehama County Sheriff's Office and a copy will be displayed at the Corning Police Department.

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 request separate discussion and/or action.

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **May 4, 2016 Claim Warrant - $293,990.77.**
5. **May 4, 2016 Business License Report.**
6. **April 2016 Wages & Salaries: $328,706.85.**
7. **April 2016 Treasurer's Report.**
8. **April 2016 City of Corning Wastewater Operations Summary Report.**
9. **April 2016 Building Permit Valuation Report in the amount of $448,811.38.**
10. **Adopt Resolution 05-10-2016-01 to ratify proposed Contingency Plan Agreement between the City of Corning and the City of Corning Dispatcher's Association Bargaining Unit.**
11. **Authorize Public Works to seek Bids for a three (3) year Janitorial Service Agreement for various City properties.**

An audience member asked to remove Consent Item 10 for further discussion and Councilor Linnet asked to remove Consent Item 11.

Councilor Dickison moved to approve Consent Items 3-9 and Councilor Linnet 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:

10. Adopt Resolution 05-10-2016-01 to ratify proposed Contingency Plan Agreement between the City of Corning and the City of Corning Dispatcher's Association Bargaining Unit.

Audience member Ross Turner complimented the City for moving forward with the Contingency Plan if Measure A does not pass. He then referenced the lay-off terms specified in Article 24 (Lay-Off Policy) of the City of Corning Dispatchers Association Memorandum of Understanding (1/1/2016-12/31/2016) and questioned the terms of the Contingency Plan Agreement as they relate to this section. He asked what the total Agreement costs would be to the City; City Manager Miller responded $9,000 total costs. He also asked whether the Union has the option to reopen/re-negotiate the Agreement in two years; he was informed no, it could not be reopened. City Manager Kristina Miller clarified that the Union could have quite easily delayed this Agreement process upward of six (6) months or more at a cost of up to $400,000 to the City to keep the Dispatchers.

Councilor Linnet stated he disagrees with firing employees, he believes that it should have been done by a seniority basis with the last person hired based upon all City employees.

Councilor Dickison moved to adopt Resolution 05-10-2016-01 approving a Contingency Plan Agreement between the City of Corning and the City of Corning Dispatcher's Association Bargaining Unit. Councilor Smith 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.**

11. Authorize Public Works to seek Bids for a three (3) year Janitorial Service Agreement for various City properties.

Councilor Linnet asked if the City has changed the Janitorial Contract and was informed that the Corning Community Park has been added to the Bid Specifications. Councilor Linnet stated that the Park was supposed to be locked at dark however Martini Plaza gets locked up almost every Saturday at 2:00 p.m. He also stated that upon closing they are supposed to pick up, however this is not being done, lights are not being turned off, etc.

Councilor Linnet moved to authorize Public Works to seek Bids for a three-year Janitorial Service Agreement to provide Janitorial Services to ten (10) City locations. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

I. PUBLIC HEARINGS AND MEETINGS:

12. Introduction of REZONE 2016-04 Ordinance 668, to rezone approximately 9.5 acres located along the north side of Blackburn Avenue at the northwest corner of the Blackburn Avenue/Hwy. 99W Intersection (APN's: 69-150-42 & 43) from R-1 to R-4-AH pursuant to Implementation Measure LU-3 from the City of Corning 2014-2034 General Plan. (1st Reading)

Following the Mayor's introduction by title, the public hearing was opened at 6:47 p.m. Planning Consultant John Stoufer briefed the Council on proposed Rezone 2016-04 and associated Ordinance 668. Mr. Stoufer reiterated that the City has no Alternative Housing Project currently before them for consideration and explained that the State mandates that the City designate a zone within the City Limits that would allow Alternative Housing. He confirmed that all property owners within 500 ft. of the proposed location had been notified of this proposed zoning addition and no objections have been received. Mr. Stoufer also confirmed that the property owner is in agreement with this zoning addition. With no comments, the Public Hearing was closed at 6:52 p.m.

Councilor Cardenas moved to adopt the five Factual Subfindings and Legal Findings as presented in the Staff Report, waive the first reading of Ordinance No. 668 and approve Rezone 2016-04. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

J. REGULAR AGENDA:

13. Approve three (3) month extension of City Landscape and Turf Maintenance Agreement with Ken Vaughan & Sons.

City Manager Kristina Miller stated that this extension would allow the City Staff time to include the new landscaped areas within the Streetscape Projecting and the newly accepted Landscape and Lighting District known as the Stonefox Subdivision into the future Landscape and Turf Maintenance scope of work.

Councilor Smith moved to approve Amendment #1 to the Landscape and Turf Maintenance Agreement with Ken Vaughan & Sons, extending Contract Services to expire on October 31, 2016. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

14. Downtown Solano Streetscape Project Update

City Engineer Ed Anderson presented this item. He stated that the City is going to delete 6th Street to West Street (Additive Bid) due to unforeseen additional costs. Mayor Strack confirmed that the bulb outs on both sides of 6th Street would be completed. Councilor Linnet confirmed that left turn or straight through on Third Street will be left open and the closure would last about a month. Closure should take place in a couple of weeks, and road will be closed heading west on Solano Street at Third Street through Sixth Street, and 4th, 5th and 6th Streets from Solano Street to alleys. Detour signage needs to be put up prior to closure sights.

15. Approve Partial Payment Estimate No. 1 in the amount of $49,989.40 to Trent Construction for the Solano Streetscape Project.

Councilor Linnet moved to authorize the Director of Public Works and the City Engineer to receive, inspect and process the necessary administrative forms required by Caltrans, District 2 for all Pay Requests and Contract Change Orders submitted by Trent Construction for the Streetscape Project. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

K. <u>ITEMS PLACED ON THE AGENDA FROM THE FLOOR</u>: None

L. <u>COMMUNICATIONS, CORRESPONDENCE AND INFORMATION</u>: None.

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

Dickison: Reported that the LAFCO meeting for tomorrow was canceled and announced that next Thursday is the Community Action Tripartite Board Meeting.

Linnet: Announced that the Corning Junior Rodeo is May 20th & 21st and Saturday, May 21st is the Young Eagles Flyin at the Corning Airport.

Cardenas: Reported Chamber of Commerce Meeting, the Car Show and stated that the Chamber had sent a memo to the City requesting to again utilize Northside Park for the Farmers Market. He stated that the Chamber is beginning work on the Olive Festival. He stated that the Board of Directors votes to be in support of Measure A.

Paulyne White commended the City's Police Department and Officers on their actions during the recent event that happened on Toomes Avenue.

Smith: Encouraged local Senior Citizens to go on a ride-along with the Police Department and stated that they are still working on fixing up the Senior Center and stated that it was fun playing in the rain at the Car Show.

Strack: Car Show turned out great.

N. <u>ADJOURNMENT</u>!: 7:24 p.m.

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Lisa M. Linnet, City Clerk

MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: May 18, 2016

SUBJECT: Cash Disbursement Detail Report for the Tuesday May 24, 2016 Council Meeting

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PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 05-17-16	$	74,571.66
B.	Payroll Disbursements	Ending 05-10-16	$	50,325.10
C.	Cash Disbursements	Ending 05-18-16	$	2,389.27
		GRAND TOTAL	$	127,286.03

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Payment Information Description
022116	05/05/16	NOR25	NORTHERN LIGHTS ENRGY,INC	1657.90	.00	1657.90	168125	MAT & SUPPLIES-
022117	05/12/16	AIR00	AIRGAS USA, LLC	69.65	.00	69.65	993615400	MAT & SUPPLIES-FIRE
022118	05/12/16	AME04	AMERICAN WATER WORKS ASSO	255.00	.00	255.00	700120095	MAT & SUPPLIES-WTR
022119	05/12/16	BAS01	BASIC LABORATORY, INC	126.00	.00	126.00	1604527	ProfServices Water Dept
022120	05/12/16	BIG02	BIG VALLEY SANITATION, IN	370.00	.00	370.00	25474	MAT & SUPPLIES-PARKS
022121	05/12/16	BUT05	BUTTE CO PUBLIC HEALTH	110.00	.00	110.00	10636	PROF SVCS-ACO
022122	05/12/16	COR11	CORNING SAFE & LOCK	4.84	.00	4.84	0119	MAT & SUPPLIES-WTR
022123	05/12/16	DEP12	DEPT OF JUSTICE	177.00	.00	177.00	161948	PROF SVCS-
022124	05/12/16	DM001	DM-TECH	119.90	.00	119.90	1782	COMMUNICATIONS-GEN CITY
022125	05/12/16	FIR05	FIRST NATIONAL BANK OMAHA	33.86	.00	33.86	160427	MAT & SUPPLIES-
022126	05/12/16	FIR06	FIRST NATIONAL BANK OMAHA	553.67	.00	553.67	160427	MAT & SUPPLIES-POLICE
022127	05/12/16	FIR08	FIRST NATIONAL BANK OMAHA	1927.81	.00	1927.81	160427	WTR METER REPLAC-WTR CAP
022128	05/12/16	KEL03	KELLER SUPPLY COMPANY	194.10	.00	194.10	S00956351	MAT & SUPPLIES-POOL
022129	05/12/16	MIS01	MISSION LINEN SUPPLY	233.28	.00	233.28	502264471	MAT & SUPPLIES-PARKS
				84.38	.00	84.38	502311002	MAT & SUPPLIES-
			Check Total.....:	317.66	.00	317.66		
022130	05/12/16	NOR10	NICOLINO CLEMENTE	227.86	.00	227.86	04608	CERT OF EXT-BLD MAINT
				183.79	.00	183.79	04622	BLD MAINT-TRANS FAC
				264.18	.00	264.18	04623	SAFETY ITEMS-POLICE
			Check Total.....:	675.83	.00	675.83		
022131	05/12/16	NOR31	NORM'S PRINTING	246.70	.00	246.70	016086	PRINTING/ADV-DISPATCH
022132	05/12/16	OFF01	OFFICE DEPOT	15.05	.00	15.05	836902462	OFFICE SUPPLIES-POLICE
022133	05/12/16	PGE04	PG&E	283.50	.00	283.50	160429	TranspFacility-
022134	05/12/16	PGE05	PG&E	1253.56	.00	1253.56	160429	FIRE-ELECT & GAS
022135	05/12/16	PGE2A	PG&E	34.19	.00	34.19	160429	ELECT-CLELAND PROP
022136	05/12/16	PUB03	PUBLIC SAFETY CENTER	239.74	.00	239.74	5670173	MAT & SUPPLIES-FIRE

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Description
022137	05/12/16	SCH01	LES SCHWAB TIRE CENTER	462.42	.00	462.42	611001934	VEH/OP MAINT-POLICE
				56.25	.00	56.25	611018912	VEH OP/MAINT-FIRE
			Check Total.....:	518.67	.00	518.67		
022138	05/12/16	TEH15	TEHAMA CO SHERIFF'S DEPT	49.00	.00	49.00	160504	PRPF SVCS-
022139	05/12/16	TRI02	TRI-COUNTY NEWSPAPERS	175.54	.00	175.54	189989	Print/Advert. City Clerk
				99.92	.00	99.92	190107	Print/Advert. City Clerk
				59.48	.00	59.48	190243	MAT & SUPPLIES-
				157.96	.00	157.96	190244	MAT & SUPPLIES-WTR
				361.94	.00	361.94	190343	Print/Advert. City Clerk
				99.92	.00	99.92	190550	Print/Advert. City Clerk
			Check Total.....:	954.76	.00	954.76		
022140	05/12/16	USA01	USA BLUE BOOK	88.99	.00	88.99	939463	MAT & SUPPLIES-WTR
022141	05/12/16	VAL04	VALLEY TRUCK & TRACTOR CO	8.79	.00	8.79	614959	MACH/EQUIP-
022142	05/12/16	VAL07	VALLEY VETERINARY CLINIC,	134.28	.00	134.28	142147	PROF SVCS-POLICE
022143	05/17/16	ACC00	ACCESS INFORMATION MANAGE	139.09	.00	139.09	1464980	EQUIP MAINT-GEN CITY
022144	05/17/16	ACI01	ACI SPECIALTY BENEFITS	336.96	.00	336.96	18116	WORKMENS COMP-GEN CITY
022145	05/17/16	ARA02	ARAMARK UNIFORM SERVICES	64.42	.00	64.42	634468086	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634482411	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634496871	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634511406	MAT & SUPPLIES-BLD MAINT
			Check Total.....:	257.68	.00	257.68		
022146	05/17/16	AUT00	AUTO ZONE	159.97	.00	159.97	409570023	VEH OP/MAINT-
				49.96	.00	49.96	409572377	VEH OP/MAINT-POLICE
			Check Total.....:	209.93	.00	209.93		
022147	05/17/16	BAS01	BASIC LABORATORY, INC	126.00	.00	126.00	1604830	ProfServices Water Dept
022148	05/17/16	BIC01	BICKLEY'S AIR CONDITIONIN	86.00	.00	86.00	2252	BLD MAINT-TRANS FAC
				361.71	.00	361.71	2253	BLD MAINT-BLD MAINT
			Check Total.....:	447.71	.00	447.71		
022149	05/17/16	CAR12	CARREL'S OFFICE MACHINES	3.33	.00	3.33	142940	MAT & SUPPLIES-LIBRARY
022150	05/17/16	COM06	COMCAST	28.92	.00	28.92	160509	COMMUNICATIONS-PW ADMIN

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Payment Information Description
022151	05/17/16	DEP03	DEPT OF TRANS/CAL TRANS	703.74	.00	703.74	16007332	Equip.Maint. St&Trf Light
022152	05/17/16	DEP12	DEPT OF JUSTICE	175.00	.00	175.00	167033	PROF SVCS-POLICE
022153	05/17/16	ENT01	ENTENMANN-ROVIN CO.	197.99	.00	197.99	0117894IN	UNIFORMS/CLOTH-POLICE
022154	05/17/16	GRA02	GRAINGER, W.W., INC	13.68	.00	13.68	910372064	MAT & SUPPLIES-POOL
				99.13	.00	99.13	910721826	BLD MAINT-FIRE
				53.02	.00	53.02	910721827	MAT & SUPPLIES-PARKS
				74.24	.00	74.24	910885196	MAT & SUPPLIES-BLD MAINT
			Check Total.....:	240.07	.00	240.07		
022155	05/17/16	HIN01	HINDERLITER, DE LLAMAS &	1002.01	.00	1002.01	0025370IN	PROF SVCS-FINANCE
022156	05/17/16	MAY01	MAY, WILLIAM L.	3169.32	.00	3169.32	5/15-2016	EE RELATIONS-LEGAL SVCS
022157	05/17/16	MOR02	RAY MORGAN COMPANY	543.48	.00	543.48	1225582	COMMUNICATIONS-
022158	05/17/16	QUI02	QUILL CORPORATION	214.95	.00	214.95	5736083	OFFICE SUPPLIES-
022159	05/17/16	REV01	REVIVAL ANIMAL HEALTH	625.93	.00	625.93	256710	MAT & SUPPLIES-ACO
022160	05/17/16	SEV00	SEVERN TRENT ENVIRONMENTA	54326.60	.00	54326.60	2084327	PROF SVCS-
022161	05/17/16	UNI02	UNIFORMS, TUXEDOS & MORE	6.40	.00	6.40	145341	UNIFORMS/CLOTH-POLICE
022162	05/17/16	USA01	USA BLUE BOOK	1396.10	.00	1396.10	947660	MAT & SUPPLIES-WTR
			Cash Account Total.....:	74571.66	.00	74571.66		
			Total Disbursements.....:	74571.66	.00	74571.66		
			Cash Account Total.....:	.00	.00	.00		

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Payment Information Description
7153	05/10/16	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	B60510	POLICE OFFICER ASSOC
7154	05/10/16	BAN06	BANNER BANK	6569.79	.00	6569.79	B60510	HSA DEDUCTIBLE
7155	05/10/16	CAL37	CALIFORNIA STATE DISBURSE	430.61	.00	430.61	B60510	WITHHOLDING ORDER
7156	05/10/16	EDD01	EMPLOYMENT DEVELOPMENT	3605.09	.00	3605.09	B60510	STATE INCOME TAX
				966.15	.00	966.15	1B60510	SDI
			Check Total.....:	4571.24	.00	4571.24		
7157	05/10/16	HEA05	HEALTHIEST YOU	36.00	.00	36.00	B60510	HEALTHIEST YOU
7158	05/10/16	ICM01	ICMA RETIREMENT TRUST-457	895.37	.00	895.37	B60510	ICMA DEF. COMP
				182.50	.00	182.50	1B60510	ICMA DEF. COMP ER PD
			Check Total.....:	1077.87	.00	1077.87		
7159	05/10/16	PERS1	PUBLIC EMPLOYEES RETIRE	33014.26	.00	33014.26	B60510	PERS PAYROLL REMITTANCE
7160	05/10/16	PERS4	Cal Pers 457 Def. Comp	1588.04	.00	1588.04	B60510	PERS DEF. COMP.
				292.50	.00	292.50	1B60510	PERS DEF. COMP. ER P
			Check Total.....:	1880.54	.00	1880.54		
7161	05/10/16	VAL06	VALIC	2073.26	.00	2073.26	B60510	AIG VALIC P TAX
				185.00	.00	185.00	1B60510	AIG VALIC P TAX ER P
			Check Total.....:	2258.26	.00	2258.26		
7162	05/10/16	WAT02	WATSON, THOMAS J.	161.53	.00	161.53	B60510	REVERSE WITHHOLDING ORDER
			Cash Account Total.....:	50325.10	.00	50325.10		
			Total Disbursements.....:	50325.10	.00	50325.10		

CITY OF CORNING
Cash Disbursement Detail Report
Check Listing for 05-16 Bank Account.: 1020

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Payment Information Description
022163	05/18/16	COM01	COMPUTER LOGISTICS, INC	270.00	.00	270.00	67478	MACH/EQUIP-
022164	05/18/16	NOR31	NORM'S PRINTING	12.36	.00	12.36	016092	OFFICE SUPPLIES-PLANNING
				584.26	.00	584.26	016121	MAT & SUPPLIES-WTR
			Check Total.....:	596.62	.00	596.62		
022165	05/18/16	OFF01	OFFICE DEPOT	71.42	.00	71.42	839384603	OFFICE SUPPLIES-DISPATCH
022166	05/18/16	VIE00	VIEVU	1451.23	.00	1451.23	17551	EQUIP REPL-POLICE
			Cash Account Total.....:	2389.27	.00	2389.27		
			Total Disbursements.....:	2389.27	.00	2389.27		

Date..: May 18, 2016
Time..: 11:30 am
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

List.: NEWB
Group: WTFMB

Business Name	Address		CITY/STATE/ZIP	Contact Name		Business Desc. #1	Business Start Date	Primary Teleph
ALLADIN ROOFING	11595	MILLER PEAK RD	OROVILLE, CA 95965	MATTOX	KEN	ROOFING	04/25/16	(530)533-2934
ALL COVERED ROOFING			CHICO, CA 95927		JULIO	ROOFING	04/25/16	(530)342-2483
BRENDA SHARP	23910	RICHFIELD RD	CORNING, CA 96021	SHARP	BRENDA	INDEPENDANT DRIVER	05/04/16	(530)953-6213
CHICO ROOFING, INC.	3030	THORNTREE DR. #2	CHICO, CA 95973	CRANE	WILLIAM	GENERAL CONTRACTOR/ROOFING	05/03/16	(530)892-9071
DERODA, INC. DBA OLI	2026	SOLANO ST	CORNING, CA 96021	KEYAWA	RON	AUTO PARTS STORE	05/12/16	(530)824-5494
HARDWICK FAMILY SERV	23794	BLACKBURN AVE	CORNING, CA 96021	HARDWICK	RANDY	CONTRACTOR	05/17/16	(530)209-6881
JG ELECTRIC	523	N SACRAMENTO ST	LODI, CA 95240	WELLS-BROWN	TERRY	ELECTRIC	04/27/16	(209)747-0481
JIM ARTHUR GENERAL C	1882	CAPAY RD	CORNING, CA 96021	ARTHUR	JAMES	GENERAL CONTRACTOR	05/03/16	(530)567-6156
MATT HOBLIN CONSTRUC			CHICO, CA 95927	HOBLIN	MATT	GENERAL CONTRACTOR	05/11/16	(530)521-5240
NANCY VILLANUEVA	710	SIXTH ST	CORNING, CA 96021	VILLANUEVA	NANCY	COSMETOLOGY	05/04/16	(530)824-0158
NORTH STATE JUNK-N-D	22645	LOLETA AVE	CORNING, CA 96021	SEPEDA	RAFAEL	HAULING SERVICE, MISC TRASH, FURNITURE	04/27/16	(530)513-8515
OLIVE CITY AUTO REPA	1116	YOLO ST	CORNING, CA 96021	MEZA	ALONSO	AUTO REPAIR & SMOG INSPECTION	04/28/16	(530)838-9064
TACOS DE BIRRIA LA M	1205	HWY 99W	CORNING, CA 96021	VAZQUEZ	ADAN	TACO TRUCK	05/04/16	(530)720-5879
VED'S ROOFING	1574	CAMINO DE FLORES	YUBA CITY, CA 95993	RATTI	VED	ROOFING	04/25/16	(530)751-1402

Item No.: H-5

ITEM NO.: H-6
AUTHORIZE PURCHASE OF A PICKUP TRUCK FOR PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF $25,407.42.

MAY 24, 2016

TO: **CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA**

FROM: **KRISTINA MILLER, CITY MANAGER**
DAWN GRINE, PUBLIC WORKS DIRECTOR

SUMMARY:

On Tuesday, May 17, 2016 the City received two (2) Formal Bids for a F-350 Ford pickup. A detailed Bid Summary is shown below:

Dealer	Bid Amount	Doc & Tire Fee	Delivery Charge	Sales Tax	Total
Corning Ford	**$24,590.00**	$88.75	-	$1,850.25	**$26,529.00**
Ron DuPratt Ford	**$23,552.25**	$88.75	-	$1,766.42	**$25,407.42**

The 2015-2016 Budget allocates $33,000 for vehicle replacement. Public Works intends to replace the 1997 Chevy pickup that currently serves as a sewer maintenance/repair vehicle with the new pickup.

BACKGROUND:

During December 2015, the Corning Police Department transferred a 2008 Ford Ranger to the Public Works Department. The Ford Ranger is currently being utilized by the Meter Reader. The Ford Ranger replaced a 1998 Ford pickup which was in poor condition and is no longer utilized.

The Public Works Department seeks authorization to declare the 1998 Ford pickup and the 1997 Chevy pickup as surplus and sell both vehicles at the Orland Public Auto Auction in Orland, CA.

FINANCING:

City Council approved financing of this purchase within the final 2015/2016 Budget under the following Budget Line Numbers:

- $11,000 from 001-9500-3000 – Vehicle Replacement / Streets
- $11,000 from 383-9500-7100 – Vehicle Replacement / Water and,
- $11,000 from 381-9500-5000 – Vehicle Replacement / Sewer

RECOMMENDATION:

That Mayor and Council:

1. **Authorize the purchase of a Ford F-350 pickup truck from Ron DuPratt Ford for a cost of $25,407.42 and,**

2. **Authorize the Public Works Department to surplus and sell the 1998 Ford and 1997 Chevy pickup trucks at the Orland Public Auto Auction.**

ITEM NO.: H-7
REZONE 2016-04 - ORDINANCE NO. 668; REZONE APPROXIMATELY 9.5 ACRES FROM R-1 TO R-4 –AH. THE AH-ALTERNATIVE HOUSING COMBINING DISTRICT IS INCLUDED IN THE ZONING PURSUANT TO IMPLEMENTATION MEASURE LU-3 FROM THE 2014-2034 CORNING GENERAL PLAN.
(Second Reading)

MAY 24, 2016

TO: HONORABLR MAYOR AND CITY COUNCIL MEMBERS

FROM: JOHN STOUFER, PLANNING CONSULTANT JS

PROJECT DESCRIPTION:

REZONE 2016-04, ORDINANCE 668
Rezone approximately 9.5 acres from R-1 to R-4-AH. The R-4 represents Multiple Family Residential and the AH, Alternative Housing Combining District will allow by right the construction of Emergency Shelters, Transitional Housing, and Supportive Housing as defined in Section 17.46.040 of the Corning Municipal Code. The parcels proposed for zoning R-4-AH are located along the north side of Blackburn Avenue at the northwest corner of the Blackburn Avenue/Hwy 99W Intersection. APN's: 69-150-42 & 43.

On May 10, 2016 the City Council adopted 5 Factual Subfindings and Legal Findings and waived the first reading and introduced Ordinance No. 668 an Ordinance implementing Rezone 2016-04. It is now appropriate to adopt Ordinance 668 that will implement Rezone 2016-04.

STAFF & PLANNING COMMISSION RECOMMENDATION:

THAT THE MAYOR AND CITY COUNCIL:

ADOPT ORDINANCE NO. 668, AN ORDINANCE TO IMPLEMENT REZONE NO. 2016-04; REZONING 9.5 ACRES REFERENCED AS ASSESSOR'S PARCEL NUMBERS 69-150-42 & 43 FROM R-1 TO R-4-AH.

ATTACHMENTS:

Ordinance No. 668 / Sectional District Map 213

ORDINANCE NO.: 668

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE

WHEREAS, the Zoning Ordinance of the City of Corning was adopted in 1959 (Ordinance 153) and subsequently amended; and

WHEREAS, on September 8, 2015 the Corning City Council certified the EIR prepared for, and adopted, the 2014-2034 Corning General Plan; and

WHEREAS, the present zoning of the parcels under consideration is, R-1-Single Family Residential; and,

WHEREAS, the property owners and individual that is purchasing the parcels subject to being zoned R-4-AH have been notified by mail of the proposed action and,

WHEREAS, the parcels proposed for a zoning designation of R-4-AH are designated as MFR, Multi-Family Residential on the Land Use Diagram of the 2014-2034 Corning General Plan, and

WHEREAS, pursuant to Ordinance 662 and Implementation Measure LU-(3) Chapter 17.46, Alternative Housing Combining District was added to the Corning Municipal Code; and

WHEREAS, the parcels proposed for rezoning to R-4-AH are listed in Appendix A of the 2014-2034 Corning General Plan; and

WHEREAS, the Planning Commission reviewed the proposed Zoning Ordinance Amendment at their regular meeting of April 19, 2016 and recommended that the City Council amend the Zoning Ordinance to reflect the proposed changes.

NOW, THEREFORE, the City Council of the City of Corning does ordain as follows:

1. This rezone is consistent with the 2014-2034 Corning General Plan; and
2. Ordinance 668 is exempt from CEQA pursuant to Section 15162 of CEQA and its Guidelines; and
3. The two parcels (APN's 69-150-42 & 43) are identified as MFR in Appendix A of the 2014-2034 Corning General Plan, and as depicted in green on the attached Sectional District Map No. 213, are hereby zoned R-4-AH, Multi-Family Residential – Alternative Housing Combining District.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **May 10, 2016,** and adopted at a regular meeting of the City Council of the City of Corning held on **May 24, 2016**, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

Gary R. Strack, Mayor

ATTEST:

_____

Lisa M. Linnet, City Clerk

STATE OF CALIFORNIA)

COUNTY OF TEHAMA) SS

CITY OF CORNING)

I, Lisa M. Linnet, City Clerk of the City of Corning, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 668, "An Ordinance of the City Council of the City of Corning Amending Title 17 Zoning of the City of Corning Municipal Code. This Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on May 10, 2016, and adopted by the City Council at a regular meeting of the Council held on May 24, 2016 by the votes listed on the attached copy of the Ordinance. Said Ordinance No. 668 was duly published in a newspaper of general circulation within the required legal time lines.

ATTEST:

_____

Lisa M. Linnet, City Clerk

City of Corning-Ordinance No. 668
Rezone No. 2016-04; Sectional District Map No. 213
Being a Portion of Corning City Code Section 17.080.020 (213)

R-4-AH – Multi-Family Residential – Alternative Housing Combining District

Approved and Adopted by action of the Corning City Council on
May 24, 2016.

ITEM NO.: K-8
ADOPT RESOLUTION 05-24-2016-02 and RESOLUTION 05-24-2015-03 CONSENTING TO THE CITY'S ASSOCIATE MEMBERSHIP IN THE CALIFORNIA HOME FINANCE AUTHORITY AND THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE AUTHORITY'S SB 555 AND AB 811 PACE PROGRAMS FOR FINANCING DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

May 24, 2016

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: KRISTINA MILLER, CITY MANAGER

BACKGROUND:

California Home Finance Authority ("CHF"), which is in the process of formally changing its name to Golden State Finance Authority ("GSFA"), is a Joint Powers Authority established pursuant to Government Code Section 6500 et seq. (the "Act"). There are currently dozens of Counties and Cities throughout the State who participate in CHF (see the GSFA Fact Sheet, attachment #3 to this report). A copy of CHF's Joint Exercise of Powers Agreement, as originally entered into on July 1, 1993 and amended various times over the years, is attached as Exhibit "A" to the SB 555 Pace Program Resolution.

CHF PACE Financing Programs:

CHF has established two Property Assessed Clean Energy ("PACE") Financing Programs for residential, commercial, industrial and agricultural properties to address high up-front costs for property owners who wish to improve their properties through installation of measures that will generate renewable energy or reduce their energy and water use. By offering low cost financing, CHF's PACE Programs allow construction of these projects to proceed and, in the process, stimulate building activity and the overall local economy, reduce peak energy demand, increase property values and generate savings on utility bills for property owners.

CHF contracts with Ygrene Energy Fund CA LLC (Ygrene) to serve as its Program Administrator and to operate the Ygrene Works for California PACE Financing Programs.

CHF's two PACE Programs are developed using different legislative authority:

<u>SB 555 PACE Community Facilities District</u>:

Senate Bill 555 amended the Mello-Roos Community Facilities Act, set forth in sections 53311 through 53368.3 of the California Government Code, to add sections 53313.5(l) and 53328.1(a) to allow for the creation of Community Facilities Districts ("CFDs") for the purpose of financing or refinancing the acquisition, installation and improvement of energy efficiency, water conservation, renewable energy and electric vehicle charging infrastructure improvements permanently affixed to private or publicly-owned real property.

Individual properties can be annexed into a CFD and be subject to the special tax that is imposed to repay project financing <u>only if</u>: (i) the Council adopts a Resolution consenting to the inclusion of parcels in the incorporated areas of the City within the CFD; and (ii) the owner of the individual property provides its written approval to annex its property into the CFD.

AB 811 PACE Contractual Assessment Program:

Assembly Bill 811 added Chapter 29 to the Improvement Bond Act of 1911 (Division 7 of the California Streets and Highways Code) to authorize cities and counties to establish voluntary contractual assessment programs for the purpose financing private property improvements that promote renewable energy generation, energy and water efficiency and electric vehicle charging infrastructure.

Again, individual properties can be annexed into an AB 811 program and be subject to the property tax assessment that is imposed to repay project financing only if: (i) the Council adopts a Resolution consenting to the inclusion of parcels in the incorporated areas of the City within the program; and (ii) the owner of the individual property provides its written approval to annex its property into the program.

CHF chose to form and maintain both the SB 555 and AB 811 PACE Programs. In fact, both have been processed through civil validation actions in the Sacramento Superior Court, and thus judgments have been issued essentially finding that they are legal, valid and binding programs.

As of August 25, 2015, the CHF SB 555 PACE program is fully operational. Although CHF is not actively implementing its AB 811 PACE Program at this time, it is available for financing seismic strengthening improvements (currently, the SB 555 program cannot finance such improvements), and is made operational as needed for jurisdictions with significant demand.

Having both programs available also allows CHF to maximize the benefits of both program offerings. Should market conditions, consumer demand and/or legislative changes affect one PACE Program more than the other, CHF has the flexibility to offer the Program that best supports the CHF vision of service without any interruption to participating counties, cities and their property owners.

Attached Resolutions – CHF JPA Membership & PACE Program Authorization

To participate in the PACE Programs, the City must first become an Associate Member of CHF (see JPA Agreement attached as Exhibit "A" to the SB 555 Pace Program Resolution). Associate membership requires no dues or other costs to the City, but permits participation in all CHF Programs, including the PACE Programs.

As with the California HERO Program approved by the City Council on April 12, 2016, becoming a member of CHF and participating in the PACE Programs will not result in any financial liability for the City. Thus, the City will not be responsible for the conduct of any assessment or special tax proceedings, the levy and collection of any assessments or special taxes, any required remedial action in the case of delinquencies in any payments of assessments or special taxes, or the issuance, sale or administration of any bonds issued in connection with the Programs.

Thus, the Council is being asked to pass the following two Resolutions that would approve the following actions:

SB 555 Pace Program Resolution:

The first Resolution authorizes the City to join the CHF as an associate member. Once the City is a member, the City can then elect to participate in any of the Programs offered by CHF. Thus, this first Resolution also permits property owners within the incorporated areas of the City to participate in the CHF SB 555 PACE Program and thus obtain financing through the CFD.

AB 811 Pace Program Resolution:

The second Resolution permits property owners within the incorporated areas of the City to participate in the CHF AB 811 PACE Program.

Each Resolution also authorizes CHF to: (1) accept applications from property owners within the City's incorporated area to finance authorized improvements; and (2) conduct proceedings and levy special taxes or contractual assessments, as applicable, on the property of participating owners.

Additional PACE Program Considerations:

CHF and Ygrene also wish to point-out the following additional considerations and benefits of giving property owners within Corning the opportunity to participate in the PACE Programs:

- The Programs support development of renewable energy sources, installation of energy and water efficiency improvements, reduction of greenhouse gases, and protection of the environment (see attachment #4 to this report).
- Only property owners who voluntary choose to participate in the Programs will be subject either to assessments or special taxes.
- Program financing provides an affordable method for many property owners to reduce their energy costs and improve their properties.
- While early payment premiums may apply in some circumstances, property owners can choose to pay off the program financing at any time.
- Ygrene has established many consumer protection standards, including lending practices (see attachment #5 to this report).
- The City incurs no financial obligations as a result of program participation.
- Once the Council passes the Resolutions, the City will incur no costs, and no staff time is required for administration or funding of the PACE Program.

FISCAL AND STAFF IMPACTS:

There are no negative fiscal impacts to the City's general fund incurred by consenting to the inclusion of properties within the City limits in the CHFA Ygrene Works Program. As with the PACE Program approved by Council on April 12, 2016, the City will have no administrative responsibilities, no marketing obligations, and no financial obligations associated with the PACE Program.

RECOMMENDED ACTION:

- **ADOPT THE ATTACHED RESOLUTION 05-24-2016-02, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY OF CORNING'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE CHF JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO ("SB 555 PACE PROGRAM RESOLUTION"); AND**
- **ADOPT THE ATTACHED RESOLUTION 05-24-2016-03, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY OF CORNING'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY AB 811 PACE PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE ("AB 811 PACE PROGRAM RESOLUTION").**

ATTACHMENTS

1. Resolution 05-24-2016-02 (SB 555 Pace Program Resolution) & Exhibit A, JPA Agreement
2. Resolution 05-24-2016-03 (AB 811 Pace Program Resolution)
3. GSFA Fact Sheet (Including Membership)
4. Ygrene Traction and Impact Report (March 2016)
5. Ygrene Consumer Protections Summary

RESOLUTION 05-24-2016-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO ("SB 555 PACE PROGRAM RESOLUTION")

WHEREAS, the California Home Finance Authority, a California Joint Powers Authority, (the "Authority") has established the Community Facilities District No. 2014-1(Clean Energy) in accordance with the Mello-Roos Community Facilities Act, set forth in sections 53311 through 53368.3 of the California Government Code (the "Act") and particularly in accordance with sections 53313.5(l) and 53328.1(a) (the "District"); and

WHEREAS, the purpose of the District is to finance or refinance (including the payment of interest) the acquisition, installation, and improvement of energy efficiency, water conservation, renewable energy and electric vehicle charging infrastructure improvements permanently affixed to private or publicly-owned real property (the "Authorized Improvements"); and

WHEREAS, the Authority is in the process of amending the Authority Joint Powers Agreement (the "Authority JPA") to formally change its name to the Golden State Finance Authority; and

WHEREAS, the City of Corning is committed to development of renewable energy generation and energy efficiency improvements, reduction of greenhouse gases, and protection of the environment; and

WHEREAS, in the Act, the Legislature has authorized a parcel within the territory of the District to annex to the District and be subject to the special tax levy of the District only (i) if the City or County within which the parcel is located has consented, by the adoption of a Resolution by the applicable City Council or County Board of Supervisors, to the inclusion of parcels within its boundaries in the District and (ii) with the unanimous written approval of the owner or owners of the parcel when it is annexed (the "Unanimous Approval Agreement"), which, as provided in section 53329.6 of the Act, shall constitute the election required by the California Constitution; and

WHEREAS, the City wishes to provide innovative solutions to its property owners to achieve energy efficiency and water conservation and in doing so cooperate with Authority in order to efficiently and economically assist property owners the City in financing such Authorized Improvements; and

WHEREAS, the Authority has established the District, as permitted by the Act and the Authority JPA, originally made and entered into July 1, 1993, as amended to date; and

WHEREAS, the City, desires to become an Associate Member of the JPA by execution of the JPA Agreement, a copy of which is attached as Exhibit "A" hereto, so that the City may participate in the programs of the JPA and assist property owners within the incorporated area of the City in financing the cost of installing Authorized Improvements; and

WHEREAS, the City will not be responsible for the conduct of any special tax proceedings; the levy and collection of special taxes or any required remedial action in the case of delinquencies in the payment of any special taxes in connection with the District.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORNING AS FOLLOWS:

SECTION 1. This City Council of the City of Corning, California, finds and declares that properties in the City's incorporated area will be benefited by the availability of the Authority CFD No. 2014-1 (Clean Energy) to finance the installation of the Authorized Improvements.

SECTION 2. This City Council consents to inclusion in the Authority CFD No. 2014-1 (Clean Energy) of all of the properties in the incorporated area within the City and to the Authorized Improvements, upon the request of and execution of the Unanimous Approval Agreement by the owners of such properties when such properties are annexed, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction thereover by Authority for the purposes thereof.

SECTION 3. The consent of this City Council constitutes assent to the assumption of jurisdiction by Authority for all purposes of the Authority CFD No. 2014-1 (Clean Energy) and authorizes Authority, upon satisfaction of the conditions imposed in this Resolution, to take each and every step required for or suitable for financing the Authorized Improvements.

SECTION 4. This City Council hereby approves joining the JPA as an Associate Member and authorizes the execution by appropriate City Officials of any necessary documents to effectuate such membership.

SECTION 5. City Staff is authorized and directed to coordinate with Authority Staff to facilitate operation of the Authority CFD No. 2014-1 (Clean Energy) within the City, and report back periodically to this City Council on the success of such program.

SECTION 6. This Resolution shall take effect immediately upon its adoption. The City Clerk is directed to send a certified copy of this Resolution to the Secretary of the Authority Executive Committee.

Ayes:
Nays:
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 05-24-2016-03 was adopted by the City Council of the City of Corning at a regular meeting of said Council held on May 24, 2016 by the votes listed above.

Lisa M. Linnet, City Clerk

EXHIBIT "A"

CALIFORNIA HOME FINANCE AUTHORITY

AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
(Original date July 1, 1993 and as last amended and restated December 10, 2014)

THIS AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT ("Agreement") is entered into by and among the counties listed on Attachment 1 hereof and incorporated herein by reference. All such counties are referred to herein as 'Members' with the respective powers, privileges and restrictions provided herein.

RECITALS

A. WHEREAS, the California Rural Home Mortgage Finance Authority ("CRHMFA") was created by a Joint Exercise of Powers Agreement dated July 1, 1993 pursuant to the Joint Exercise of Powers Act (commencing with Article 1 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act"). By Resolution 2003-02, adopted on January 15, 2003, the name of the authority was changed to CRHMFA Homebuyers Fund. The most recent amendment to the Joint Exercise of Powers Agreement was on January 28, 2004.

B. WHEREAS, the Members of CRHMFA Homebuyers Fund desire to update, reaffirm, clarify and revise certain provisions of the joint powers agreement, including the renaming of the joint powers authority, as set forth herein.

C. WHEREAS, the Members are each empowered by law to finance the construction, acquisition, improvement and rehabilitation of real property.

D. WHEREAS, by this Agreement, the Members desire to create and establish a joint powers authority to exercise their respective powers for the purpose of financing the construction, acquisition, improvement and rehabilitation of real property within the jurisdiction of the Authority as authorized by the Act.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Members individually and collectively agree as follows:

1. Definitions

Unless the context otherwise requires, the following terms shall for purposes of this Agreement have the meanings specified below:

'Act' means the Joint Exercise of Powers Act, commencing with Article 1 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California, including the Marks-Roos Local Bond Pooling Act of 1985, as amended.

'Agreement' means this Joint Exercise of Powers Agreement, as the same now exists or as it may from time to time be amended as provided herein.

"Associate Member" means a county, city or other public agency which is not a voting member of the Rural County Representatives of California, a California nonprofit corporation ("RCRC"), with legal power and authority similar to that of the Members, admitted pursuant to paragraph 4.d. below to associate membership herein by vote of the Board.

"Audit Committee" means a committee made up of the nine-member Executive Committee.

"Authority" means California Home Finance Authority ("CHF"), formerly known as CRHMFA Homebuyers Fund or California Rural Home Mortgage Finance Authority.

"Board" means the governing board of the Authority as described in Section 7 below.

"Bonds" means bonds, notes, warrants, leases, certificates of participation, installment purchase agreements, loan agreements and other securities or obligations issued by the Authority, or financing agreements entered into by the Authority pursuant to the Act and any other obligation within the meaning of the term "Bonds" under the Act.

"Delegate" means the Supervisor designated by the governing board of each Member to serve on the Board of the Authority.

"Executive Committee" means the nine-member Executive Committee of the Board established pursuant to Section 10 hereof.

"Member" means any county which is a member of RCRC, has executed this Agreement and has become a member of the Authority.

"Obligations" means bonds, notes, warrants, leases, certificates of participation, installment purchase agreements, loan agreements and other securities or obligations issued by the Authority, or financing agreements entered into by the Authority pursuant to the Act and any other financial or legal obligation of the Authority under the Act.

"Program" or "Project" means any work, improvement, program, project or service undertaken by the Authority.

"Rural County Representatives of California" or "RCRC" means the nonprofit entity incorporated under that name in the State of California.

"Supervisor" means an elected County Supervisor from an RCRC member county.

2. Purpose

The purpose of the Authority is to provide financing for the acquisition, construction, , improvement and rehabilitation of real property in accordance with applicable provisions of law for the benefit of residents and communities. In pursuit of this purpose, this Agreement provides for the joint exercise of powers common to any of its Members and Associate Members as provided herein, or otherwise authorized by the Act and other applicable laws, including assisting

in financing as authorized herein, jointly exercised in the manner set forth herein.

3. Principal Place of Business

The principal office of the Authority shall be 1215 K Street, Suite 1650, Sacramento, California 95814.

4. Creation of Authority; Addition of Members or Associate Members

a. The Authority is hereby created pursuant to the Act. As provided in the Act, the Authority shall be a public entity separate and distinct from the Members or Associate Members.

b. The Authority will cause a notice of this Agreement or any amendment hereto to be prepared and filed with the office of the Secretary of State of California in a timely fashion in the manner set forth in Section 6503.3 of the Act.

c. A county that is a member of RCRC may petition to become a member of the Authority by submitting to the Board a resolution or evidence of other formal action taken by its governing body adopting this Agreement. The Board shall review the petition for membership and shall vote to approve or disapprove the petition. If the petition is approved by a majority of the Board, such county shall immediately become a Member of the Authority.

d. An Associate Member may be added to the Authority upon the affirmative approval of its respective governing board and pursuant to action by the Authority Board upon such terms and conditions, and with such rights, privileges and responsibilities, as may be established from time to time by the Board. Such terms and conditions, and rights, privileges and responsibilities may vary among the Associate Members. Associate Members shall be entitled to participate in one or more programs of the Authority as determined by the Board, but shall not be voting members of the Board. The Executive Director of the Authority shall enforce the terms and conditions for prospective Associate Members to the Authority as provided by resolution of the Board and as amended from time to time by the Board. Changes in the terms and conditions for Associate Membership by the Board will not constitute an amendment of this Agreement.

5. Term and Termination of Powers

This Agreement shall become effective from the date hereof until the earlier of the time when all Bonds and any interest thereon shall have been paid in full, or provision for such payment shall have been made, or when the Authority shall no longer own or hold any interest in a public capital improvement or program. The Authority shall continue to exercise the powers herein conferred upon it until termination of this Agreement, except that if any Bonds are issued and delivered, in no event shall the exercise of the powers herein granted be terminated until all Bonds so issued and delivered and the interest thereon shall have been paid or provision for such payment shall have been made and any other debt incurred with respect to any other financing program established or administered by the Authority has been repaid in full and is no longer outstanding.

6. Powers; Restriction upon Exercise

a. To effectuate its purpose, the Authority shall have the power to exercise any and all powers of the Members or of a joint powers authority under the Act and other applicable provisions of law, subject, however, to the conditions and restrictions herein contained. Each Member or Associate Member may also separately exercise any and all such powers. The powers of the Authority are limited to those of a general law county.

b. The Authority may adopt, from time to time, such resolutions, guidelines, rules and regulations for the conduct of its meetings and the activities of the Authority as it deems necessary or desirable to accomplish its purpose.

c. The Authority shall have the power to finance the construction, acquisition, improvement and rehabilitation of real property, including the power to purchase, with the amounts received or to be received by it pursuant to a bond purchase agreement, bonds issued by any of its Members or Associate Members and other local agencies at public or negotiated sale, for the purpose set forth herein and in accordance with the Act. All or any part of such bonds so purchased may be held by the Authority or resold to public or private purchasers at public or negotiated sale. The Authority shall set any other terms and conditions of any purchase or sale contemplated herein as it deems necessary or convenient and in furtherance of the Act. The Authority may issue or cause to be issued Bonds or other indebtedness, and pledge any of its property or revenues as security to the extent permitted by resolution of the Board under any applicable provision of law. The Authority may issue Bonds in accordance with the Act in order to raise funds necessary to effectuate its purpose hereunder and may enter into agreements to secure such Bonds. The Authority may issue other forms of indebtedness authorized by the Act, and to secure such debt, to further such purpose. The Authority may utilize other forms of capital, including, but not limited to, the Authority's internal resources, capital markets and other forms of private capital investment authorized by the Act..

d. The Authority is hereby authorized to do all acts necessary for the exercise of its powers, including, but not limited to:

(1) executing contracts,
(2) employing agents, consultants and employees,
(3) acquiring, constructing or providing for maintenance and operation of any building, work or improvement,
(4) acquiring, holding or disposing of real or personal property wherever located, including property subject to mortgage,
(5) incurring debts, liabilities or obligations,
(6) receiving gifts, contributions and donations of property, funds, services and any other forms of assistance from persons, firms, corporations or governmental entities,
(7) suing and being sued in its own name, and litigating or settling any suits or claims,
(8) doing any and all things necessary or convenient to the exercise of its specific powers and to accomplishing its purpose
(9) establishing and/or administering districts to finance and refinance the acquisition, installation and improvement of energy efficiency, water

conservation and renewable energy improvements to or on real property and in buildings. The Authority may enter into one or more agreements, including without limitation, participation agreements and implementation agreements to implement such programs.

e. Subject to the applicable provisions of any indenture or resolution providing for the investment of monies held thereunder, the Authority shall have the power to invest any of its funds as the Board deems advisable, in the same manner and upon the same conditions as local agencies pursuant to Section 53601 of the Government Code of the State of California.

f. All property, equipment, supplies, funds and records of the Authority shall be owned by the Authority, except as may be provided otherwise herein or by resolution of the Board.

g. Pursuant to the provisions of Section 6508.1 of the Act, the debts, liabilities and obligations of the Authority shall not be debts, liabilities and obligations of the Members or Associate Members. Any Bonds, together with any interest and premium thereon, shall not constitute debts, liabilities or obligations of any Member. The Members or Associate Members hereby agree that any such Bonds issued by the Authority shall not constitute general obligations of the Authority but shall be payable solely from the moneys pledged to the repayment of principal or interest on such Bonds under the terms of the resolution, indenture, trust, agreement or other instrument pursuant to which such Bonds are issued. Neither the Members or Associate Members nor the Authority shall be obligated to pay the principal of or premium, if any, or interest on the Bonds, or other costs incidental thereto, except from the revenues and funds pledged therefor, and neither the faith and credit nor the taxing power of the Members or Associate Members or the Authority shall be pledged to the payment of the principal of or premium, if any, or interest on the Bonds, nor shall the Members or Associate Members of the Authority be obligated in any manner to make any appropriation for such payment. No covenant or agreement contained in any Bond shall be deemed to be a covenant or agreement of any Delegate, or any officer, agent or employee of the Authority in an individual capacity, and neither the Board nor any officer thereof executing the Bonds or any document related thereto shall be liable personally on any Bond or be subject to any personal liability or accountability by reason of the issuance of any Bonds.

7. Governing Board

a. The Board shall consist of the number of Delegates equal to one representative from each Member.

b. The governing body of each Member shall appoint one of its Supervisors to serve as a Delegate on the Board. A Member's appointment of its Delegate shall be delivered in writing (which may be by electronic mail) to the Authority and shall be effective until he or she is replaced by such governing body or no longer a Supervisor; any vacancy shall be filled by the governing body of the Member in the same manner provided in this paragraph b..

c. The governing body of each Member of the Board shall appoint a Supervisor as an alternate to serve on the Board in the absence of the Delegate; the alternate may exercise all the

rights and privileges of the Delegate, including the right to be counted in constituting a quorum, to participate in the proceedings of the Board, and to vote upon any and all matters. No alternate may have more than one vote at any meeting of the Board, and any Member's designation of an alternate shall be delivered in writing (which may be by electronic mail) to the Authority and shall be effective until such alternate is replaced by his or her governing body or is no longer a Supervisor, unless otherwise specified in such appointment. Any vacancy shall be filled by the governing body of the Member in the same manner provided in this paragraph c..

d. Any person who is not a member of the governing body of a Member and who attends a meeting on behalf of such Member may not vote or be counted toward a quorum but may, at the discretion of the Chair, participate in open meetings he or she attends.

e. Each Associate Member may designate a non-voting representative to the Board who may not be counted toward a quorum but who may attend open meetings, propose agenda items and otherwise participate in Board Meetings.

f. Delegates shall not receive compensation for serving as Delegates, but may claim and receive reimbursement for expenses actually incurred in connection with such service pursuant to rules approved by the Board and subject to the availability of funds.

g. The Board shall have the power, by resolution, to the extent permitted by the Act or any other applicable law, to exercise any powers of the Authority and to delegate any of its functions to the Executive Committee or one or more Delegates, officers or agents of the Authority, and to cause any authorized Delegate, officer or agent to take any actions and execute any documents for and in the name and on behalf of the Board or the Authority.

h. The Board may establish such committees as it deems necessary for any lawful purpose; such committees are advisory only and may not act or purport to act on behalf of the Board or the Authority.

i. The Board shall develop, or cause to be developed, and review, modify as necessary, and adopt each Program.

8. Meetings of the Board

a. The Board shall meet at least once annually, but may meet more frequently upon call of any officer or as provided by resolution of the Board.

b. Meetings of the Board shall be called, noticed, held and conducted pursuant to the provisions of the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part I of Division 2 of Title 5 of the Government Code of the State of California.

c. The Secretary of the Authority shall cause minutes of all meetings of the Board to be taken and distributed to each Member as soon as possible after each meeting.

d. The lesser of twelve (12) Delegates or a majority of the number of current Delegates shall constitute a quorum for transacting business at any meeting of the Board, except

that less than a quorum may act to adjourn a meeting. Each Delegate shall have one vote.

e. Meetings may be held at any location designated in notice properly given for a meeting and may be conducted by telephonic or similar means in any manner otherwise allowed by law.

9. Officers; Duties; Official Bonds

a. The Board shall elect a chair and vice chair from among the Delegates at the Board's annual meeting who shall serve a term of one (1) year or until their respective successor is elected. The chair shall conduct the meetings of the Board and perform such other duties as may be specified by resolution of the Board. The vice chair shall perform such duties in the absence or in the event of the unavailability of the chair.

b. The Board shall contract annually with RCRC to administer the Agreement and to provide administrative services to the Authority, and the President and Chief Executive Officer of RCRC shall serve *ex officio* as Executive Director, Secretary, Treasurer, and Auditor of the Authority. As chief executive of the Authority, the Executive Director is authorized to execute contracts and other obligations of the Authority, unless prior Board approval is required by a third party, by law or by Board specification, and to perform other duties specified by the Board. The Executive Director may appoint such other officers as may be required for the orderly conduct of the Authority's business and affairs who shall serve at the pleasure of the Executive Director. Subject to the applicable provisions of any indenture or resolution providing for a trustee or other fiscal agent, the Executive Director, as Treasurer, is designated as the custodian of the Authority's funds, from whatever source, and, as such, shall have the powers, duties and responsibilities specified in Section 6505.5 of the Act. The Executive Director, as Auditor, shall have the powers, duties and responsibilities specified in Section 6505.5 of the Act.

c. The Legislative Advocate for the Authority shall be the Rural County Representatives of California.

d. The Treasurer and Auditor are public officers who have charge of, handle, or have access to all property of the Authority, and a bond for such officer in the amount of at least one hundred thousand dollars ($100,000.00) shall be obtained at the expense of the Authority and filed with the Executive Director. Such bond may secure the faithful performance of such officer's duties with respect to another public office if such bond in at least the same amount specifically mentions the office of the Authority as required herein. The Treasurer and Auditor shall cause periodic independent audits to be made of the Authority's books by a certified public accountant, or public accountant, in compliance with Section 6505 of the Act.

e. The business of the Authority shall be conducted under the supervision of the Executive Director by RCRC personnel.

10. Executive Committee of the Authority

a. <u>Composition</u>

The Authority shall appoint nine (9) members of its Board to serve on an Executive Committee.

b. Powers and Limitations

The Executive Committee shall act in an advisory capacity and make recommendations to the Authority Board. Duties will include, but not be limited to, review of the quarterly and annual budgets, service as the Audit Committee for the Authority, periodically review this Agreement; and complete any other tasks as may be assigned by the Board. The Executive Committee shall be subject to all limitations imposed by this Agreement, other applicable law, and resolutions of the Board.

c. Quorum

A majority of the Executive Committee shall constitute a quorum for transacting business of the Executive Committee.

11. Disposition of Assets

Upon termination of this Agreement, all remaining assets and liabilities of the Authority shall be distributed to the respective Members in such manner as shall be determined by the Board and in accordance with the law.

12. Agreement Not Exclusive; Operation in Jurisdiction of Member

This Agreement shall not be exclusive, and each Member expressly reserves its rights to carry out other public capital improvements and programs as provided for by law and to issue other obligations for those purposes. This Agreement shall not be deemed to amend or alter the terms of other agreements among the Members or Associate Members.

13. Conflict of Interest Code

The Authority shall by resolution adopt a Conflict of Interest Code as required by law.

14. Contributions and Advances

Contributions or advances of public funds and of personnel, equipment or property may be made to the Authority by any Member, Associate Member or any other public agency to further the purpose of this Agreement. Payment of public funds may be made to defray the cost of any contribution. Any advance may be made subject to repayment, and in that case shall be repaid in the manner agreed upon by the advancing Member, Associate Member or other public agency and the Authority at the time of making the advance.

15. Fiscal Year; Accounts; Reports; Annual Budget; Administrative Expenses

a. The fiscal year of the Authority shall be the period from January 1 of each year to and including the following December 31, except for any partial fiscal year resulting from a change

in accounting based on a different fiscal year previously.

b. Prior to the beginning of each fiscal year, the Board shall adopt a budget for the succeeding fiscal year.

c. The Authority shall establish and maintain such funds and accounts as may be required by generally accepted accounting principles. The books and records of the Authority are public records and shall be open to inspection at all reasonable times by each Member and its representatives.

d. The Auditor shall either make, or contract with a certified public accountant or public accountant to make, an annual audit of the accounts and records of the Authority. The minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the Government Code of the State of California, and shall conform to generally accepted auditing standards. When an audit of accounts and records is made by a certified public accountant or public accountant, a report thereof shall be filed as a public record with each Member (and also with the auditor of Sacramento County as the county in which the Authority's office is located) within 12 months after the end of the fiscal year.

e. In any year in which the annual budget of the Authority does not exceed five thousand dollars ($5,000.00), the Board may, upon unanimous approval of the Board, replace the annual audit with an ensuing one-year period, but in no event for a period longer than two fiscal years.

16. Duties of Members or Associate Members; Breach

If any Member or Associate Member shall default in performing any covenant contained herein, such default shall not excuse that Member or Associate Member from fulfilling its other obligations hereunder, and such defaulting Member or Associate Member shall remain liable for the performance of all covenants hereof. Each Member or Associate Member hereby declares that this Agreement is entered into for the benefit of the Authority created hereby, and each Member or Associate Member hereby grants to the Authority the right to enforce, by whatever lawful means the Authority deems appropriate, all of the obligations of each of the parties hereunder. Each and all of the remedies given to the Authority hereunder or by any law now or hereafter enacted are cumulative, and the exercise of one right or remedy shall not impair the right of the Authority to any or all other remedies.

17. Indemnification

To the full extent permitted by law, the Board may authorize indemnification by the Authority of any person who is or was a Board Delegate, alternate, officer, consultant, employee or other agent of the Authority, and who was or is a party or is threatened to be made a party to a proceeding by reason of the fact that such person is or was such a Delegate, alternate, officer, consultant, employee or other agent of the Authority. Such indemnification may be made against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding, if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Authority and, in the case of a criminal

proceeding, had no reasonable cause to believe his or her conduct was unlawful and, in the case of an action by or in the right of the Authority, acted with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

18. Immunities

All of the privileges and immunities from liabilities, exemptions from law, ordinances and rules, all pension, relief, disability, workers' compensation and other benefits which apply to the activity of officers, agents or employees of any of the Members or Associate Members when performing their respective functions, shall apply to them to the same degree and extent while engaged as Delegates or otherwise as an officer, agent or other representative of the Authority or while engaged in the performance of any of their functions or duties under the provisions of this Agreement.

19. Amendment

This Agreement may be amended by the adoption of the amendment by the governing bodies of a majority of the Members. The amendment shall become effective on the first day of the month following the last required member agency approval. An amendment may be initiated by the Board, upon approval by a majority of the Board. Any proposed amendment, including the text of the proposed change, shall be given by the Board to each Member's Delegate for presentation and action by each Member's board within 60 days, which time may be extended by the Board.

The list of Members, Attachment 1, may be updated to reflect new and/or withdrawn Members without requiring formal amendment of the Agreement by the Authority Board of Directors.

20. Withdrawal of Member or Associate Member

If a Member withdraws as member of RCRC, its membership in the Authority shall automatically terminate. A Member or Associate Member may withdraw from this Agreement upon written notice to the Board; provided however, that no such withdrawal shall result in the dissolution of the Authority as long as any Bonds or other obligations of the Authority remain outstanding. Any such withdrawal shall become effective thirty (30) days after a resolution adopted by the Member's governing body which authorizes withdrawal is received by the Authority. Notwithstanding the foregoing, any termination of membership or withdrawal from the Authority shall not operate to relieve any terminated or withdrawing Member or Associate Member from Obligations incurred by such terminated or withdrawing Member or Associate Member prior to the time of its termination or withdrawal.

20. Miscellaneous

a. Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

b. Construction. The section headings herein are for convenience only and are not to

be construed as modifying or governing the language in the section referred to.

c. **Approvals.** Wherever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

d. **Jurisdiction; Venue.** This Agreement is made in the State of California, under the Constitution and laws of such State and is to be so construed; any action to enforce or interpret its terms shall be brought in Sacramento County, California.

e. **Integration.** This Agreement is the complete and exclusive statement of the agreement among the parties hereto, and it supersedes and merges all prior proposals, understandings, and other agreements, whether oral, written, or implied in conduct, between and among the parties relating to the subject matter of this Agreement.

f. **Successors; Assignment.** This Agreement shall be binding upon and shall inure to the benefit of the successors of the parties hereto. Except to the extent expressly provided herein, no Member may assign any right or obligation hereunder without the consent of the Board.

g. **Severability.** Should any part, term or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms or provisions hereof shall not be affected thereby.

The parties hereto have caused this Agreement to be executed and attested by their properly authorized officers.

AS ADOPTED BY THE MEMBERS:

Originally dated July 1, 1998
Amended and restated December 10, 1998
Amended and restated February 18, 1999
Amended and restated September 18, 2002
Amended and restated January 28, 2004
Amended and restated December 10, 2014

[*SIGNATURES ON FOLLOWING PAGES*]

ATTACHMENT 1
CALIFORNIA HOME FINANCE AUTHORITY MEMBERS

As of December 10, 2014

Alpine County
Amador County
Butte County
Calaveras County
Colusa County
Del Norte County
El Dorado County
Glenn County
Humboldt County
Imperial County
Inyo County
Lake County
Lassen County
Madera County
Mariposa County
Mendocino County
Merced County
Modoc County
Mono County
Napa County
Nevada County
Placer County
Plumas County
San Benito County
Shasta County
Sierra County
Siskiyou County
Sutter County
Tehama County
Trinity County
Tuolumne County
Yolo County
Yuba County

SIGNATURE PAGE FOR NEW ASSOCIATE MEMBERS

CITYOF CORNING

By: _____ _____
Gary R. Strack, Mayor **Date**

ATTEST:

By: _____
Lisa M. Linnet, City Clerk

Golden State Finance Authority
1215 K Street, Suite 1650 · Sacramento, California 95814
Phone: (855) 740-8422 · Fax: (916) 444-3219 · www.gsfahome.org

FACT SHEET

Identity	Golden State Finance Authority (GSFA) is a joint powers authority and a duly constituted public entity and agency, existing under and by virtue of Articles 1 through 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California.
Founded	1993
Headquarters	Sacramento, California

Joint Powers Authority (JPA) Membership

Member Counties (33)

Alpine County	Lake County	Plumas County
Amador County	Lassen County	San Benito County
Butte County	Madera County	Shasta County
Calaveras County	Mariposa County	Sierra County
Colusa County	Mendocino County	Siskiyou County
Del Norte County	Merced County	Sutter County
El Dorado County	Modoc County	Tehama County
Glenn County	Mono County	Trinity County
Humboldt County	Napa County	Tuolumne County
Imperial County	Nevada County	Yolo County
Inyo County	Placer County	Yuba County

Associate Member Counties (21)

Alameda County	Riverside County	Santa Cruz County
Contra Costa County	Sacramento County	Solano County
Fresno County	San Bernardino County	Sonoma County
Kern County	San Diego County	Stanislaus County
Kings County	San Francisco County	Tulare County
Marin County	San Joaquin County	Ventura County
Monterey County	San Luis Obispo County	
Orange County	San Mateo County	

Associate Member Joint Powers Authority (JPA) (1)

Independent Cities Finance Authority (ICFA)

Associate Member Cities (95)

Alturas (Modoc County)
Angels Camp (Calaveras County)
Antioch (Contra Costa County)
Arcata (Humboldt County)
Avenal (Kings County)
Bakersfield (Kern County)
Beaumont (Riverside County)
Bell (Los Angeles County)
Bellflower (Los Angeles County)
Benicia (Solano County)
Brentwood (Contra Costa County)
Buena Park (Orange County)
Carlsbad (San Diego County)
Carson (Los Angeles County)
Chino (San Bernardino County)
Citrus Heights (Sacramento County)
Clovis (Fresno County)
Colton (San Bernardino County)
Concord (Contra Costa County)
Corcoran (Kings County)
Crescent City (Del Norte County)
Danville (Contra Costa County)
Del Mar (San Diego County)
Dunsmuir (Siskiyou County)
Elk Grove (Sacramento County)
Encinitas (San Diego County)
Escondido (San Diego County)
Eureka (Humboldt County)
Fairfax (Marin County)
Fairfield (Solano County)
Firebaugh (Fresno County)
Fort Bragg (Mendocino County)
Fresno (Fresno County)
Galt (Sacramento County)
Hanford (Kings County)
Hawthorne (Los Angeles County)
Hayward (Alameda County)
Huron (Fresno County)
Imperial Beach (San Diego County)
Irwindale (Los Angeles County)
La Mesa (San Diego County)
Lafayette (Contra Costa County)
Lake Forest (Orange County)
Lancaster (Los Angeles County)
Larkspur (Marin County)
Lemon Grove (San Diego County)
Lomita (Los Angeles County)
Los Angeles (Los Angeles County)
Madera (Madera County)
Malibu (Los Angeles County)
Mill Valley (Marin County)
Montclair (San Bernardino County)
Mount Shasta (Siskiyou County)
National City (San Diego County)
Newport Beach (Orange County)
Novato (Marin County)
Oakland (Alameda County)
Oceanside (San Diego County)
Orland (Glenn County)
Palmdale (Los Angeles County)
Placerville (El Dorado County)
Poway (San Diego County)
Rancho Cordova (Sacramento County)
Reedley (Fresno County)
Rialto (San Bernardino County)
Rolling Hills Estates (Los Angeles County)
San Anselmo (Marin County)
San Diego (San Diego County)
San Jose (Santa Clara County)
San Marino (Los Angeles County)
San Rafael (Marin County)
San Ramon (Contra Costa County)
Santa Ana (Orange County)
Santa Fe Springs (Los Angeles County)
Santee (San Diego County)
Shasta Lake (Shasta County)
Solana Beach (San Diego County)
Suisun City (Solano County)
Tehama (Tehama County)
Thousand Oaks (Ventura County)
Tiburon (Marin County)
Torrance (Los Angeles County)
Tracy (San Joaquin County)
Trinidad (Humboldt County)
Twentynine Palms (San Bernardino County)
Union City (Alameda County)
Upland (San Bernardino County)
Vacaville (Solano County)
Vallejo (Solano County)
Vista (San Diego County)
Waterford (Stanislaus County)
Westminster (Orange County)
Williams (Colusa County)
Willits (Mendocino County)
Willows (Glenn County)

**Data current as of 12/31/15*

Mission	To provide a source of financing for individuals and families without the down payment resources to purchase a home or make energy efficiency improvements.
What We Do	Offer a variety of affordable housing programs, including but not limited to mortgage loan programs with low down payment requirements and competitive interest rates, down payment assistance in the form of grants or second mortgages, mortgage credit certificate tax credit programs for homebuyers, and competitive financing options for residential energy efficiency improvement projects. Programs are available within GSFA Member and Associate Member regions, as well as statewide, depending on the individual program.
Californian's Served	Over the past 22 years GSFA has helped more than 62,200 individuals and families purchase homes and 1,316 homeowners make energy efficiency home upgrades*.
Market Leadership	From January 1993 to the present, GSFA has*: • Assisted 62,299 individuals and families to purchase homes in California; • Provided $87 million in down payment assistance grants; • Participated in over $9.1 billion in loan financing of first and second mortgages; • Issued over $2.7 billion in tax exempt and taxable mortgage revenue bonds; and • Helped 1,316 homeowners energy upgrade their residential property(ies).

**Data current as of 12/31/15*

Ygrene ENERGY FUND

Traction and Impact

California, March 2016

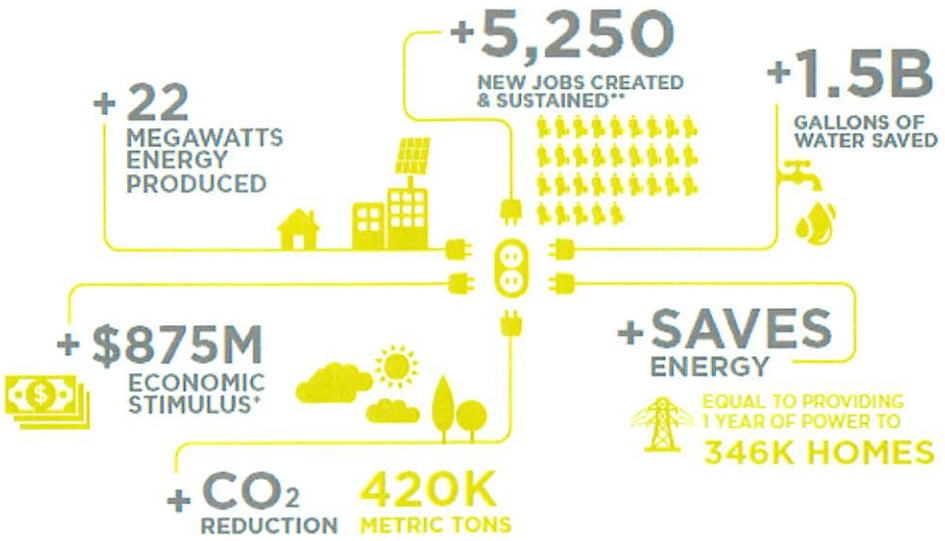
Ygrene Traction in the United States

3,000+ Contractors trained and certified

235+ Municipalities participating in YgreneWorks

14,000+ Properties benefiting from clean energy upgrades

What does $350,000,000* in completed water and energy efficiency home improvements look like?



* Represents total dollar amount of PACE projects funded by YgreneWorks as of March 2016.

** Estimated annual Economic Impact/Stimulus includes both local impact (e.g., labor costs) as well as manufacturing, distribution, materials, etc., that may occur outside the local economy but that are a part of the national economy.

*** Depending on the Improvement, CO_2 reduction and annual job creation may vary.

California Jurisdictions

OPERATIONAL IN
162 CITIES + 29 COUNTIES = 19.8M PEOPLE

ON AGENDA
14 CITIES + 1 COUNTIES = 1.7M PEOPLE

UNDER REVIEW
80 CITIES + 10 COUNTIES = 6.1M PEOPLE

256 CITIES + 40 COUNTIES = 28M PEOPLE

What can $1 million of YgreneWorks PACE funding do for your community?

$2.5M
ECONOMIC STIMULUS*

100 kW
ENERGY PRODUCED

$2M
ENERGY SAVINGS

15
JOBS CREATED & SUSTAINED**

1,200 Mtons
CO_2 AVOIDED**

4.3M
GALLONS OF WATER SAVED

* Economic stimulus includes both local impact (i.e. labor costs) as well as manufacturing, distribution, materials, etc., that may occur outside the local economy but are part of the national economy.

** Based on the improvement, CO_2 reduction and annual job creation may vary.

Figures current as of March 2016

Consumer Protections

ygreneWORKS for your community

Ygrene Energy Fund strives to do what's right for property owners and is committed to ensuring the highest level of consumer protections and lending practices in the industry.

Our Consumer Protection Policy includes:

- Contractor Registration, Training and Certification
- Payment Protection for Property Owners
- Safer, More Flexible Financing Platform
- Consumer Disclosures
- Three-day Right to Cancel
- Energy-efficient Product Verification
- Pricing Controls
- Permit Verification
- Consumer Identity Confirmation
- Protections for Seniors and ESL
- Privacy
- Dispute Resolution

Consumer Disclosures

We have established policies and procedures to ensure property owners are fully informed of the nature of the financial transaction they are entering into. The following special notices help educate property owners of their legal rights and protections, every step of the way:

- Notice to Lender of Proposed Special Tax Lien
- Property Owner's Acknowledgment of Sole Responsibility to Deal with Lenders
- Notice of Special Tax Lien
- Financing Agreement/Unanimous Approval Agreement
- Closing Statement (includes all fees, APR/APY, capitalized interest and amortization table)
- Assignment of Rights to Receive Proceeds

Quality Assurance and Control

Ygrene is committed to actively managing the internal processes and protocols necessary to maintain the integrity of our Program and providing property owners with the highest level of oversight and protection.

We have incorporated a layered review system that begins with an extensive evaluation of the contractor company and personnel, extends to transaction level due diligence, and is followed by post closing quality control. Our goal is to mitigate any risk associated with our business model as early as possible, and to diligently address any potential findings that may create risk for consumers, our government partners or our company.

1. Contractor Approval and Training: Before contractors can become active within the Program, they must apply, register and meet all Program requirements before receiving Ygrene Certified Contractor status. This process includes a review of current and historical information on the individual contractor's company and key employees, adherence to industry standards and practices, and validation of all licensures, including bonding, workers' compensation and other active licenses. All contractors undergo Ygrene Certified Training to ensure they can accurately support and represent the Program to property owners. Post approval, we periodically review the status of all Certified Contractors to determine they remain in good standing.

2. Contract Eligibility Review: After the property owner has approved the project but before Ygrene has provided project authorization, our Operations team obtains, reviews and approves the contract and the measures under application for financing. The contract (signed by the property owner) must note the specific improvement and specifications, the related components and scope of work to be completed, and the associated costs. Once the contract meets acceptable guidelines for clean energy upgrades and/or protections, the project scope and eligibility can be approved and a Notice to Proceed is issued to the property owner and the contractor.

3. Building Department Review: We require that the contractor obtain all required building permits prior to beginning a project. Upon project completion, a final inspection and sign off of the permitted work is obtained prior to the project funding. All documents are reviewed and signed by Ygrene Funding team as part of our pre-funding due diligence.

4. Property Owner Approval: When the work is completed and the contractor submits a payment request, we provide the property owner with an Estimated Closing Statement to affirm their approval and satisfaction, and we require the property owner to sign the statement by electronic signature. The property owner's acknowledgement by e-signature indicates satisfaction of project completion and authorizes Ygrene to pay the contractor.

5. Funding Review and Approval: The Ygrene Funding team conducts a final review of all contract documents, site inspections and property owner payment authorizations before proceeding with funding.

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Frequently Asked Questions

YgreneWORKS™ for your community

What is YgreneWorks™?

Ygrene Energy Fund's award winning YgreneWorks program provides zero money down PACE financing for property owners to enable energy efficiency, renewable generation and water conservation improvements to homes and businesses, conveniently repaid through property taxes.

What is PACE financing?

PACE (property assessed clean energy) enables residential and commercial property owners to finance a wide range of energy and water conserving improvements and renewable energy generation systems. Because payments are made through property taxes, PACE participants enjoy long financing terms, reasonable rates and quick approvals.

What kinds of projects can be financed using YgreneWorks?

YgreneWorks provides funding for home or commercial property improvements that save energy, conserve water or generate renewable energy. In certain locations financing also can be used for electric vehicle charging stations, seismic upgrades and hurricane protection. Literally thousands of products and services, along with associated installation costs, qualify for the program. The most commonly financed projects are solar systems, heating and air conditioning systems, windows, doors, roofing, insulation and duct work, pool pumps, water heaters, and water-saving measures.

What is the Golden State Finance Authority?

The Golden State Finance Authority (GSFA) is a California public entity and agency formerly known as California Home Finance Authority (CHF). As a joint powers authority formed under California state law, GSFA has the power to form PACE special districts consisting of member counties and cities that unite to fulfill authority goals. By the unanimous vote of its 33 member counties the GSFA Board of Directors formed the statewide PACE district through which YgreneWorks operates.

What is Ygrene Energy Fund?

Ygrene is a private company based in Santa Rosa, California. The firm operates in several states, offering property tax secured financing that allows owners to fund environmentally beneficial improvements to homes, commercial and agricultural properties.

Why are GSFA and YEF offering YgreneWorks?

There are many advantages that accrue from the statewide scope of YgreneWorks. With GSFA as the sponsor, cities and counties can achieve the many benefits of PACE—economic development, job creation, sustainability goals—without taking on the district formation and administration oversight associated with operating a PACE district. For property owners, especially larger commercial participants, the potential for improving their facilities throughout the state while utilizing a single financing program is very attractive. Contractors appreciate the ability to bring YgreneWorks financing to customers throughout their operating territories. The structure is a win-win for all.

How does YgreneWorks benefit my community?

YgreneWorks allows your city or county to bring best-in-class PACE financing to its constituents by providing 100 percent, no money down project funding with some of the lowest rates and fees to residential, multifamily and commercial property owners. Not only does YgreneWorks ensure property owners have greater choice in energy efficiency and water conservation financing options, it also generates more local green jobs, stimulates local economies and helps achieve mandated CO2 reduction targets, producing and a safer, healthier environment for everyone.

Is it easy to join YgreneWorks?

Yes. Joining YgreneWorks is simple. There are no costs, no ongoing staff time, and no legal or financial risks to your community. By offering YgreneWorks to your constituency, you make available the most flexible and affordable PACE program available. The community will benefit from new jobs, increased economic activity, reduced energy and water use and achieve sustainability goals.

My community already has PACE financing, so why should we add YgreneWorks?

Expanding the number of PACE programs in your community increases competition among providers, which ensures your constituents have access to the lowest rates and fees, the longest terms and other features and benefits you would not otherwise receive if the provider pool were limited. Ygrene is the only PACE provider offering 100% financing for all eligible property types—residential, multifamily, commercial, industrial and agricultural.

My jurisdiction is not a member of GSFA. Do we have to join GSFA to participate in YgreneWorks?

If your county is not a member or associate member of GSFA, the opt-in resolutions passed by your Board of Supervisors will include associate membership in GSFA. Similarly, for cities that are not already members of GSFA, the opt-in resolutions passed by your City Council will include associate membership in GSFA. There is no cost in either case.

What is the process for my community to join the YgreneWorks program?

Joining YgreneWorks is fast and simple. The resolutions necessary to opt-in to the program can be approved at a single City Council or Board of Supervisors meeting and, if desired, included on your consent agenda. GSFA and Ygrene will provide samples of all required documents including sample staff reports and resolutions. Call **707-236-6655** to speak with a Ygrene government reletions representative who will walk you through the process.

Is taxpayer money used to fund YgreneWorks?

No. YgreneWorks does not rely on or use any public funding. Ygrene's financial partners provide all project funding for the program.

How quickly can the YgreneWorks program be up and running in my community?

YgreneWorks can start operating in your community soon after your Board or Council approves the program. The program can launch within one week of your approval.

Can our city or county work with YgreneWorks to develop a program tailored to our community?

Yes, we work with local partners to understand how your community is unique and welcomes your suggestions for how we can best reach your constituents. Program materials can be cobranded with your city or county, and communities can include program information on their websites and other pertinent materials. YgreneWorks is easily integrated with other energy efficiency and water conservation programs and utility rebate programs.

Are there any costs or risks to my community by participating in YgreneWorks?

No. There is zero cost and no legal or financial risk to your city or county as a result of offering YgreneWorks in your community. Ygrene pays all costs of program administration, staffing, and marketing, and provides all project funding. No taxpayer funds of any kind are involved. Only those owners who voluntarily elect to utilize YgreneWorks to finance improvements to their property incur any costs.

How much staff time is required for my community to join the program, and what are our obligations after the program launches?

YgreneWorks is designed to provide a true turnkey operation with no ongoing administrative responsibilities for your city or county staff. GSFA and Ygrene provide sample reports and opt in resolutions for use by staff in putting the item before your City Council or Board of Supervisors. Once YgreneWorks is operating in your community, Ygrene administers all aspects of the program.

Some of this content is specific to the California market only. For questions about Florida, Georgia or other states, please call 707.236.6655.

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RESOLUTION NO.: 05-24-2016-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY AB 811 PACE PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE ("AB 811 PACE PROGRAM RESOLUTION")

WHEREAS, the California Home Finance Authority ("Authority") is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Act") and the Joint Power Agreement entered into on July 1, 1993, as amended from time to time (the "Authority JPA"); and

WHEREAS, the Authority is in the process of amending the Authority JPA to formally change its name to the Golden State Finance Authority; and

WHEREAS, Authority has established a property-assessed clean energy ("PACE") Program (the "Authority PACE Program") to provide for the financing of renewable energy generation, energy and water efficiency improvements and electric vehicle charging infrastructure (the "Improvements") pursuant to Chapter 29 of the Improvement Bond Act of 1911, being Division 7 of the California Streets and Highways Code ("Chapter 29") within counties and cities throughout the State of California that elect to participate in such program; and

WHEREAS, City of Corning (the "City") is committed to development of renewable energy generation and energy and water efficiency improvements, reduction of greenhouse gases, and protection of the environment; and

WHEREAS, in Chapter 29, the Legislature has authorized cities and counties to assist property owners in financing the cost of installing Improvements through a voluntary contractual assessment program; and

WHEREAS, installation of such Improvements by property owners within the jurisdictional boundaries of the counties and cities that are participating in the Authority PACE Program would promote the purposes cited above; and

WHEREAS, the City wishes to provide innovative solutions to its property owners to achieve energy and water efficiency, and in doing so cooperate with Authority in order to efficiently and economically assist property owners within the City in financing such Improvements; and

WHEREAS, Authority has established the Authority PACE Program, which is such a voluntary contractual assessment program, as permitted by the Act and the Authority JPA, originally made and entered into July 1, 1993, as amended to date; and

WHEREAS, the City has, through the adoption of a companion Resolution at this meeting, become an Associate Member of the JPA so that the City may participate in the programs of the JPA and assist property owners within the jurisdiction of the City in financing the cost of installing Improvements; and

WHEREAS, the City will not be responsible for the conduct of any assessment proceedings; the levy and collection of assessments or any required remedial action in the case of delinquencies in the payment of any assessments or the issuance, sale or administration of any bonds issued in connection with the Authority PACE Program.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORNING AS FOLLOWS:

SECTION 1. This City Council finds and declares that properties in the City's incorporated area will be benefited by the availability of the Authority PACE Program to finance the installation of the Improvements.

SECTION 2. This City Council consents to inclusion in the Authority PACE Program of all of the properties in the jurisdictional boundaries of the City and to the Improvements, upon the request by and voluntary agreement of owners of such properties, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction thereover by Authority for the purposes thereof.

SECTION 3. The consent of this City Council constitutes assent to the assumption of jurisdiction by Authority for all purposes of the Authority PACE Program and authorizes Authority, upon satisfaction of the conditions imposed in this Resolution, to take each and every step required for or suitable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance and enforcement of bonds to represent such contractual assessments.

SECTION 5. City staff is authorized and directed to coordinate with Authority staff to facilitate operation of the Authority PACE Program within the City, and report back periodically to this City Council on the success of such program.

SECTION 6. This Resolution shall take effect immediately upon its adoption. The City Clerk is directed to send a certified copy of this Resolution to the Secretary of the Authority Executive Committee.

Ayes:
Nays:
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 05-24-2016-03 was adopted by the City Council of the City of Corning at a regular meeting of said Council held on May 24, 2016 by the votes listed above.

Lisa M. Linnet, City Clerk

ITEM NO: K-9
REVIEW AND ADOPT RESOLUTION 05-24-2016-01 A RESOLUTION ADOPTING WITHOUT REVISION THE CITY'S CONFLICT OF INTEREST CODE

May 24, 2016

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: KRISTINA MILLER, CITY MANAGER
LISA M. LINNET, CITY CLERK
JODY BURGESS, CITY ATTORNEY

SUMMARY:

Upon review of the existing City of Corning Conflict of Interest Codes, the City Manager, City Attorney, City Clerk and Staff deem that no revisions are necessary at this time to ensure that the City's Code conforms to State.

BACKGROUND:

State Law requires Public Agencies to review and update their Conflict of Interest Codes during even numbered years. At this time these Codes are discussed and the City Council adopts the existing Codes without changes, or initiates and adopts any changes deemed necessary.

This Code affects the following positions within the City:

Mayor and City Councilors	Police Chief	Assistant Public Works Director
City Treasurer	Fire Chief	Recreation Director
City Clerk	Deputy City Clerk	Consultants
City Manager	Public Works Director	Planning Commissioners
Finance Officer	Building Inspector	Planning Director
City Attorney	Wastewater Treatment Plant Operator (SOCI)	

RECOMMENDATION:

MAYOR AND COUNCIL REVIEW THE CITY'S EXISTING CONFLICT OF INTEREST CODE AND MOVE TO ADOPT RESOLUTION NO. 05-10-2016-01 TO APPROVE WITHOUT ANY REVISIONS THE CITY OF CORNING CONFLICT OF INTEREST CODE.

RESOLUTION NO.: 05-24-2016-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING ADOPTING WITHOUT REVISION THE CITY'S CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code Section 81000 et. Seq. requires State and Local Government Agencies to adopt Conflict of Interest Codes and to review those Codes in even-numbered years to ensure that they are current; and

WHEREAS, the Conflict of Interest Code currently in effect in the City of Corning requires no new revisions to reflect current law as it currently reflects the Fair Political Practices Commission adopted regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED that the designated employees shall file Statements of Economic Interest with the City Clerk who will then make such statements available for public inspection and reproduction (Gov. Code Section 81008); and

BE IT FURTHER RESOLVED that, should the requirements of State Law with regard to the matters set forth above be amended or be found to be in conflict with the foregoing provisions set forth in this Resolution, such State Laws shall prevail and govern; and

BE IT FURTHER RESOLVED that the list of designated employees required to file Statements of Economic Interest shall include all those Officers and Employees as set forth in "Appendix A" which is attached hereto and incorporated herein by this reference. The General Provisions and Disclosure Categories set forth in "Appendix B" attached hereto are also incorporated herein by this reference

PASSED AND ADOPTED by the City Council of the City of Corning on this **24th** day of **May 2016** by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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, Resolution No. 05-24-2016-01, 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 24th day of May, 2016 by the votes listed above.

ATTEST:

Lisa M. Linnet, City Clerk

APPENDIX A

Category Position	Disclosure
City Manager	Note 1, below
City Attorney	Note 1, below
City Treasurer	Note 1, below
City Clerk	1
Deputy City Clerk	1
Finance Officer	Note 1, below
Public Works Director	2, 3, 4
Assistant Public Works Director	2, 3, 4
Planning Director	2, 3, 4
Building Inspector	2, 3, 4
Wastewater Treatment Plant Operator (SWWC Incorp.)	2, 3, 4
Police Chief	2, 3
Fire Chief	2, 3
Recreation Supervisor	2, 3
Mayor	Note 1, below
City Council Members	Note 1, below
Planning Commissioners	Note 1, below
Consultants	Note 2, below

1. Although listed here, this position does not fall into the category of "designated employee" because it is a position identified in Government Code, Section 87200 and the Government Code itself specified the filing requirements for this position.

2. Consultants shall be included in the lists of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

   The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirement. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX B

General Provisions

When a designated employee is required to disclose investments and sources of income, he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within tow miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

DISCLOSURE CATEGORIES:

Category 1: Officials and employees whose duties are broad and indefinable:

Investments, business positions, and income from sources located in or doing business in the City.

Interests in real property located in the jurisdiction, including property located within a two mile radius of any property owned or used by the City.

Category 2: Officials and employees whose duties involve contracting or purchasing:

Investments, business positions, and sources of income of the type which:

- Provide services, supplies, materials, machinery or equipment of the type utilized by the City.

Category 3: Agencies with regulatory powers:

Investments, business positions, and sources of income of the type which:

- Are subject to the regulatory, permit or licensing authority of the City.

Category 4: Designated employees whose decisions may affect real property interests:

Investments, business positions, and sources of income of the type which:

- Engage in land development, construction or the acquisition or sale of real property.
- Interests in real property located within the City, including property located within a two mile radius of any property owned or used by the City.

Category 5: Agencies which provide pooled self-insurance benefits:

Interests in real property located within the City, including property located within a two mile radius of any property owned or used by the City.

Investments, business positions, and sources of income of the type which:

- The City is empowered to invest its funds.
- Provide services, supplies, materials, machinery or equipment of the type utilized by the City.

- Engaged in the business of insurance including, but not limited to, insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers and actuaries.
- Financial institutions including, but not limited to; Banks, Savings and Loan Associations and Credit Unions.
- Have filed a claim, or have a claim pending, against the City.

Category 6: **Joint Power Authorities:**

Interests in real property located within the City including property located within a two mile radius of any property owned or used by the City.

Investments, business positions, and sources of income from the type which:

- The City is empowered to invest its funds.
- Contracted with the City to provide services supplies, materials or equipment.
- Are Insurance Companies, carriers, holding companies, underwriters, agents, solicitors, or brokers.
- Have filed a claim or have a claim pending, against the City.