



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, MAY 26, 2015
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
Gary Strack**

Mayor:

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

D. INVOCATION: Led by Councilman 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:

F. BUSINESS FROM THE FLOOR:

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.

- 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 following City Council Meeting with any necessary corrections:
a) April 28, 2015; and
b) May 12, 2015**
- 3. May 20, 2015 Claim Warrant - \$102,467.85.**
- 4. May 20, 2015 Business License Report.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. REGULAR AGENDA:

- 5. Approve Annual Agreement with 3CORE Economic Development District at a cost of \$5,500.**
- 6. Introduction of Ordinance 659, an Ordinance allowing Insurance in lieu of Bonds. (First Reading)**
- 7. Introduction of Ordinance 660, an Ordinance declaring a Stage II Drought Condition and amending, in part, Chapter 13.14 of the Corning Municipal Code water use regulations effective during Stage II Drought Conditions.**
- 8. Approve Emergency Access to water for Paskenta Community Services, a District within the County of Tehama.**
- 9. Adopt Resolution 05-26-2015-01, a Resolution declaring a public nuisance on 37 properties within the City and authorizing the Fire Chief to initiate abatement procedures.**

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

L. 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:

M. ADJOURNMENT!:

POSTED: FRIDAY, MAY 22, 2015



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, APRIL 28, 2015
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
Gary Strack**

Mayor:

All members of the City Council were present.

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

D. INVOCATION: Led by Councilman 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 13, 2015, Tehama County Peace Officers' Memorial Day.** Police Chief Don Atkins accepted the Proclamation on behalf of the Police Department.
2. **Proclamation – May 2015, Older Americans Month.** Elaine Benwell from North Valley Catholic Social Services and Corning Healthcare District Elder Services was present to accept the Proclamation.

Mayor Gary Strack and City Manager John Brewer introduced the City's new Public Works Director, former Public Works Administrative Secretary Dawn Grine.

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. **Waive the reading and approve the Minutes of the April 14, 2015 City Council Meeting with any necessary corrections.**
5. **April 22, 2015 Claim Warrant - \$109,199.90.**
6. **April 22, 2015 Business License Report.**

Councilor Dickison moved to approve Consent Items 3-6; Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Oppose/Abstain: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None

I. REGULAR AGENDA:

7. **Approve the position of Adolescent Diversion Program Coordinator as part of the Byrne Criminal Justice Innovation Implementation Plan.**

Police Chief Atkins presented the associated Staff Report and Councilman Cardenas explained that the proposed position would be a "Contracted" position with no benefits and the selected applicant would be responsible for their own taxes. It was explained that the proposed position would last only as long as was needed/funded by the grant. The proposed salary of \$70,000 would be funded from the \$40,000 committed by the Tehama County Sheriff's Department and \$30,000 from the BJA Grant.

Chief Atkins, Councilman Cardenas and City Attorney Jody Burgess responded to various questions from the Mayor regarding the program such as method utilized for selecting juveniles participating in the program, etc.

Councilor Linnet moved to approve the proposed grant funded Adolescent Diversion Program Coordinator position and authorize Staff to work with the City Attorney to prepare an Employment Contract and recruit for the position. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Absent/Oppose/Abstain: None. Motion was approved by a 5-0 vote.**

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

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

L. 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: Announced that the April 16th Tehama County Tripartite Meeting was held here with not a very good turnout. April 30th she will be attending the Heritage Committee Meeting in Red Bluff.

Linnet: JPA-1 Meeting will be held in Red Bluff on May 20th. He stated that there is no graffiti to report at this time and reported on his attendance at the Relay for Life event held last Saturday.

Cardenas: Reported that he just left the last car show meeting at the Chamber of Commerce; he announced that the May Madness Car Show will take place on May 1st and 2nd; available during the festivities will be a barbecue and a Pancake Breakfast at the Fire Hall.

Smith: Announced that visitors at the Senior Center are learning to, and enjoying, bowling via utilizing the electronic game "Wii".

Strack: Reported on the Transportation Commission Meeting this last week. He stated that on June 27th the Friends of the Theater are planning to hold a "Crawdad Feed" fundraising event at the Theater.

M. ADJOURNMENT!: 6:53 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MAY 12, 2015
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
Gary Strack**

Mayor:

All members of the City Council were present except Councilor Smith.

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

D. INVOCATION: Led by Mayor Gary Strack.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation – Head Start/Early Head Start 50 Years of Opportunity.** Northern California Child Development, Inc. Family and Community Outreach Director Tina Robertson, Christina Robertson, and Head Start Parent Dago Bobadilla were present to accept the Proclamation.
2. **Presentation by Tehama County Landfill Agency Manager Kristina Miller – Discussion of the possible consolidation of the Tehama County Sanitary Landfill Agency (JPA-1) and the Tehama County/Red Bluff Landfill Management Agency (JPA-2).** Ms. Miller explained the reasoning for, and the process to complete the proposed consolidation. She stated that she would be back to present a formal proposal and Resolution for approval by the City Council prior to July 1, 2015.

F. BUSINESS FROM THE FLOOR:

Delores May: Inquired about the public walk around town scheduled for tomorrow. Planning Consultant John Stoufer explained that it is in relation to a City grant for bike and pedestrian trail improvements. He stated that the walk allows the public to participate and interact directly with the City's Consultant and relay their ideas, concerns and preferences.

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 7, 2015 Claim Warrant - \$199,415.75.**
5. **May 6, 2015 Business License Report.**
6. **April 2015 Wages and Salaries: \$359,916.96.**
7. **April 2015 Building Permit Valuation Report - \$504,714.**
8. **April 2015 Treasurer's Report.**
9. **April 2015 City of Corning Wastewater Operation Summary Report.**
10. **Approve Janitorial Scope of Service Amendment Increasing the Monthly Fee to \$3,115**

Councilor Dickison moved to approve Consent Agenda Items 3-10; Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, and Cardenas. Absent: Smith. Oppose/Abstain: None. Motion was approved by a 4-0 vote with Smith absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

11. Dollar General Store Determination of Public Convenience or Necessity for a Type 20 Off-Site Beer and Wine License for the Dollar General Store located at 530 Solano Street.

Planning Consultant John Stoufer explained that on the east side of the railroad tracks currently only 3 sites have a type 20 license so there isn't an over concentrated amount there. Type 20 is only beer and wine.

Cardenas moved that the issuance of a Type 20, Off-site beer and wine License at the Dollar General Store at 530 Solano Street will provide a "Public Convenience or Necessity". Councilor Dickison seconded the motion. **Ayes: Strack, Dickison and Cardenas. Opposed: Linnet. Absent: Smith. Motion was approved by a 3-1 vote with Linnet opposing and Smith absent.**

12. Approve Agreement with the Tehama County Auditor-Controller to recover billing and collection costs in the amount of \$1.19 per parcel for City Landscape and Lighting District 1, Zones 1, 3 & 4 Special Assessments.

City Manager John Brewer stated the proposed three-year Agreement allows the County Auditor-Controller to recover billing & collection costs for the annual Landscaping and Lighting District assessments for Zones 1, 3 and 4 by initiating a \$1.19 increase per parcel. He explained that the current assessments are: District 1, Zone 1 is \$63.09 per parcel, District 1, Zone 3 is \$142.10 per parcel, and District 1, Zone 4 is \$4,772.90.

Councilor Dickison moved to approve the Agreement with the Tehama County Auditor-Controller to recover billing and collection costs in the amount of \$1.19 per parcel for collection of Special Assessments for City Landscaping and Lighting District 1, Zones 1, 3 and 4. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison, Linnet, and Cardenas. Absent: Smith. Oppose/Abstain: None. Motion was approved by a 4-0 vote with Smith absent.**

13. Authorize Expenditure of \$15,958 to Telstar Instruments for the Corning Wastewater Treatment Plant (WWTP) from Capital Replacement/Sewer Improvements fund 380-9206-5250.

City Manager Brewer explained that this annunciator panel is an alarm system that alerts WWTP Staff when attention is required to specific issues relating to effluent treatment. It is basically an alarm system that notifies the Staff at the Wastewater Treatment Plant of problems. The proposed replacement system would alert and signal Staff of a problem and identify the issue allowing Staff to determine if the alert required an immediate action requiring them on site, or if the situation was less serious in nature. It will also provide an alert that WWTP Staff would be able to retrieve remotely on their cell phones. Mayor Strack confirmed that this instrument keeps us from being in violation by notifying Staff of problems.

Councilor Cardenas moved to authorize the expenditure of \$15,958 to Telstar Instruments for equipment purchase for the Corning Wastewater Treatment Plant from budget line number 380-9206-5250, Capital Replacement/Sewer Improvements. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, and Cardenas. Absent: Smith. Oppose/Abstain: None. Motion was approved by a 4-0 vote with Smith absent.**

14. Presentation regarding possible refinancing of Water and Sewer Debt; Placement Agent Services Agreement with Brandis Tallman, LLC.

City Manager Brewer explained the reasoning behind the proposed refinance which is to save considerable City funds without extending the loan term. He stated the 3 loans proposed for the refinance are related to Water/Sewer improvements and the expansion at the Wastewater Treatment Plant and consist of:

- The 1999 A & B COPs from USDA to refinance the City's 1997 Loan Anticipation Notes issued to finance capital improvements to the City's water and sewer systems. The interest rate is 4.375% and the current balance is **\$3,465,100**;
- The 2005 A COPS-refinance of the 1997 Certificates of Participation at 5.65% interest rate/maturity date of 2027 and has a current balance of **\$1,745,000**;
- The 2005 A & B USDA Bonds with a balance of **\$3,827,000** at the interest rate of 4.25% and matures in 2045.

Mr. Brewer further explained that the City has the potential to save approximately \$819,000 through the proposed refinance if the market remains stable, however we will take on some processing costs estimated to be \$20,000. Jeff Land and Nicki Tallman of Brandis Tallman LLC were present to answer any questions related to the refinance.

Mayor Strack confirmed that once the credit rating is determined, and should the City fall below what is necessary for this refinance proposal to be beneficial should we proceed, would the City be out the \$20,000; the answer was yes.

Following additional questions and discussion, Councilor Dickison moved to authorize Kronick Moskovitz to proceed with the preparation of final consolidated refinancing documents, authorize City Staff to acquire credit rating for City's Water and Sewer Enterprise Systems, and present the consolidated refinancing document for Council consideration and approval at a subsequent City Council meeting. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, and Cardenas. Absent: Smith. Oppose/Abstain: None. Motion was approved by a 4-0 vote with Smith absent.**

15. City of Corning Long-Range Capital Improvement Program and Priorities for Service (CIP).

City Manager John Brewer provided a brief introduction of the Staff Report explaining that the CIP is basically a departmental wish list for the next year, Council will then prioritize funding based upon available resources. He then provided some early financial projections for fiscal year ending balances as well as financial concerns that could affect next fiscal year.

Staff members representing each Department then presented their departmental CIP's.

Fire: Chief Spannaus explained that the things on his list reflect basically the same as was requested in the previous years. He stated that although the Ladder Truck is now paid in full, he would like to continue receiving the \$21,000 previously used for the loan on the Engine to build a fund for Engine replacement as needed. Councilor Cardenas asked if that wasn't already addressed with Priority #2 for \$19,000; Chief Spannaus concurred, therefore the corrected total for the Fire Department CIP would be \$40,509, or \$42,509 if Council chose to allocate \$21,000 instead of the \$19,000.

Police: Chief Atkins also stated that his CIP is basically the same as the previous years with the exception of the addition of two body cameras. He stated his top priority is vehicle replacement. Mayor Strack confirmed that the Dispatch remodel is funded via a State Grant and it encompasses all equipment. He also discussed the K-9 Program and confirmed that the City's current K-9, Oso, possibly will only be able to work in this capacity for another year, possibly two.

Public Works: Public Works Director Dawn Grine corrected typos within her CIP such as funding related to the Clark Park restrooms/concession stand, Solano Streetscape Project, etc. Mayor Strack pointed out that the Pickleball Courts previously approved have not been completed and suggested looking into a reuse/recycling program for water rather than dumping into the river. He also, suggested checking into a possible reimbursement agreement for the contamination of the Petro Wells.

Mayor Strack stated that the City has a big shortage coming up and we are currently spending approximately \$820,000 for two Dispatch Centers, referencing costs paid by surrounding communities for this service. He stated that Police Dispatch currently is doing a remodel funded by a grant and suggested that maybe it was time to consider consolidating the Centers or contracting out the service. This would possibly save us the \$300,000 we might be short.

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Dickison: Announced that the LAFCo Meeting is scheduled for tomorrow however she hasn't received an Agenda yet. Announced Thursday, May 18th is the scheduled Community Action Tripartite Board Meeting.

Linnet: JPA-1 Meeting is next Wednesday night.

Cardenas: Reported on attendance at the Chamber Board Meeting and thanked, on behalf of the Chamber, Public Works, Police and Fire Department for their assistance with the Car Show. Reported on a presentation by Maywood School Principal David Cory and Rich Fitzpatrick on the "Positive Behavior Intervention and Systems" Program currently utilized at the School. They have found that it has reduced problems with students, especially at Maywood School by 70-80%. He explained that this is being done at all four Elementary Schools and consists of rewarding students for good behavior by giving them cards that benefit the students by allowing them for instance to be first in line at the cafeteria, not having to run in P.E., etc. They now want to involve the Community, i.e. businesses and City Hall and are providing cards for businesses to use to reward students when observing students displaying this positive behavior, behavior that should be rewarded. Chamber is scheduling a "customer service training" on a Tuesday morning in July possibly at the City Hall Council Chambers.

Smith: Absent.

Strack: Announced that the High School is currently using our Pool and paying for the Lifeguards. Reported that he participated along with John and Christina Meeds in handing out shoes to students and Staff at Maywood School and stated that the shoes were well received.

N. ADJOURNMENT!: 7:43 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: May 20, 2015

SUBJECT: Cash Disbursement Detail Report for the
Tuesday May 26, 2015 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 05-18-15	\$	32,635.18
B.	Payroll Disbursements	Ending 05-19-15	\$	40,890.05
C.	Cash Disbursements	Ending 05-20-15	\$	28,942.62
			GRAND TOTAL	<u>\$ 102,467.85</u>

REPORT.: May 19 15 Tuesday
 RUN....: May 19 15 Time: 08:02
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-15 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
020316	05/12/15	ADA02	ADAMSON POLICE PRODUCTS	2794.00	.00	2794.00	INV174417	SAFETY ITEMS - POLICE
020317	05/12/15	AIR00	AIRGAS USA, LLC	62.55	.00	62.55	992696292	MAT & SUPPLIES / FIRE
020318	05/12/15	AND03	ANDERS, JOANN	980.00	.00	980.00	15-108	PROF SERV / HOUSING REHAB
				1785.00	.00	1785.00	15-109	GEN PLAN UPDATE/ADM
			Check Total.....	2765.00	.00	2765.00		
020319	05/12/15	ARA02	ARAMARK UNIFORM SERVICES	64.42	.00	64.42	3708147	Mat/Supplies / BLDG MAINT
				64.42	.00	64.42	3722670	Mat/Supplies/BLDG MAINT
				64.42	.00	64.42	3739965	Mat/Supplies- BLDG MAINT
				64.42	.00	64.42	3754565	Mat/Supplies-BLDG MAINT
			Check Total.....	257.68	.00	257.68		
020320	05/12/15	BAS01	BASIC LABORATORY, INC	925.40	.00	925.40	1504201	ProfServices Water Dept
				126.00	.00	126.00	1504346	ProfServices Water Dept
			Check Total.....	1051.40	.00	1051.40		
020321	05/12/15	COR02	CORNING OBSERVER	54.82	.00	54.82	150507	COMMUNICATIONS / GEN CITY
020322	05/12/15	COR11	CORNING SAFE & LOCK	31.12	.00	31.12	4620	MAT & SUPPLIES / STR
020323	05/12/15	COR49	CORNING GLASS & AUTO	190.00	.00	190.00	412267	K-9 PROGRAM - POLICE
020324	05/12/15	DEP12	DEPT OF JUSTICE	435.00	.00	435.00	095467	PROF SRVCS-POLICE
020325	05/12/15	GAY02	GAYNOR TELESYSTEMS, INC	337.50	.00	337.50	INV000286	EQUIP MAINT - POLICE
020326	05/12/15	GOL03	GSFM / WFM	16.00	.00	16.00	I-043902	Mat/Supplies-WATER
020327	05/12/15	HOL04	HOLIDAY MARKET #32	19.96	.00	19.96	108321305	Mat/Supplies BuildingMain
				19.52	.00	19.52	177332120	Mat/Supplies
			Check Total.....	39.48	.00	39.48		
020328	05/12/15	INT01	INTERLAND BUSINESS SUPPLY	71.27	.00	71.27	851	MAT & SUPPLIES / STREETS
020329	05/12/15	MOR02	RAY MORGAN COMPANY	543.48	.00	543.48	909746	COMMUNICATIONS / GEN CITY
020330	05/12/15	OFF01	OFFICE DEPOT	8.80	.00	8.80	178153365	Office Supplies PoliceDis
				124.35	.00	124.35	769148873	Office Supplies PoliceDis
				17.59	.00	17.59	769149273	Office Supplies PoliceDis
			Check Total.....	150.74	.00	150.74		
020331	05/12/15	PAT02	PATTERSON ELECTRIC, INC.	237.22	.00	237.22	3828	MAT & SUPPLIES / PARKS

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CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-15 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
020332	05/12/15	PGE03	PG&E	41.33	.00	41.33	150503	Mat/Supplies PoliceServic
020333	05/12/15	PGE04	PG&E	419.98	.00	419.98	150501	TranspFacility
020334	05/12/15	PGE05	PG&E	1103.73	.00	1103.73	150501	ELECT - FIRE
020335	05/12/15	PGE2A	PG&E	31.77	.00	31.77	150501	ELECT - CLELAND PROP
020336	05/12/15	PUR02	PURCHASE POWER	5252.83	.00	5252.83	150603	COMMUNICATIONS / GEN CITY
020337	05/12/15	QBE00	QBE THE AMERICAS	90.00	.00	90.00	150507	GEN INS - GEN CITY
020338	05/12/15	SCH01	LES SCHWAB TIRE CENTER	16.47	.00	16.47	611001527	MAT & SUPPLIES / STREETS
020339	05/12/15	TEH15	TEHAMA CO SHERIFF'S DEPT	73.50	.00	73.50	150505	PROF SRVC - POLICE
020340	05/12/15	WES02	WESTERN BUSINESS PRODUCTS	44.99	.00	44.99	048039	Equip.Maint. FIRE DISPATCH
020341	05/18/15	ACC00	ACCESS INFORMATION MANAGE	135.05	.00	135.05	0986985	EQUIP MAINT-GEN CITY
020342	05/18/15	ACI01	ACI SPECIALTY BENEFITS	336.96	.00	336.96	16795	WorkmensComp. General Cit
020343	05/18/15	ATT13	AT&T	740.09	.00	740.09	150511	COMMUNICATIONS-DISPATCH
020344	05/18/15	BAS01	BASIC LABORATORY, INC	126.00	.00	126.00	1504604	ProfServices Water Dept
020345	05/18/15	BIG02	BIG VALLEY SANITATION, IN	315.00	.00	315.00	17602	MAT & SUPPLIES-PARKS
020346	05/18/15	BRE01	BREWER, JOHN	421.55	.00	421.55	150518	CONF/MTGS-PW ADMIN
020347	05/18/15	COM01	COMPUTER LOGISTICS, INC	1955.00	.00	1955.00	65029	EQUIP MAINT-
020348	05/18/15	COM06	COMCAST	26.91	.00	26.91	150509	COMMUNICATIONS- PW ADMIN
020349	05/18/15	CON07	CONEXIS	40.00	.00	40.00	04150R348	MEDICAL INS-COBRA
020350	05/18/15	COR11	CORNING SAFE & LOCK	27.84	.00	27.84	4628	MAT & SUPPLIES-PARKS
020351	05/18/15	COR13	CORNING VOLUNTEER FIRE	9500.00	.00	9500.00	150518	AnnualFire/Fee FireDepart
020352	05/18/15	DEP12	DEPT OF JUSTICE	140.00	.00	140.00	099943	PROF SVCS-POLICE
020353	05/18/15	DOU05	DOUBLE TREE HOTEL	96.45	.00	96.45	2015-0518	CONF/MTGS-PW ADMIN
020354	05/18/15	FAS02	FASTENAL COMPANY	122.62	.00	122.62	CAREB8277	MAT & SUPPLIES-SWR
020355	05/18/15	HIN01	HINDERLITER, DE LLAMAS &	1004.47	.00	1004.47	0023706IN	PROF SVCS-FINANCE
020356	05/18/15	KNI00	KNIFE RIVER CONSTRUCTION	592.79	.00	592.79	158787	MAT & SUPPLIES-STR

REPORT.: May 19 15 Tuesday
 RUN....: May 19 15 Time: 08:02
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-15 Bank Account.: 1020

PAGE: 003
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
020357	05/18/15	MCC05	MCCURDY'S TRUCK REPAIR	45.00	.00	45.00	14360	VEH OP/MAINT-
020358	05/18/15	NOR25	NORTHERN LIGHTS ENRGY, INC	3.42	.00	3.42	00181090	MAT & SUPPLIES-STR
020359	05/18/15	SON03	SONSRAY MACHINERY, LLC	48.56	.00	48.56	P01920-06	VEH OP/MAINT-
020360	05/18/15	SOU02	S.B.R.P.S.T.C.	115.00	.00	115.00	150513	Traing/Educ. PoliceServic
020361	05/18/15	SUN01	SUNRISE ENVIRONMENTAL	486.06	.00	486.06	49687	MAT & SUPPLIES-FIRE
020362	05/18/15	SWR02	SWRCB-DWCP	65.00	.00	65.00	15-0513	TRAINING/ED-WTR
020363	05/18/15	WAR05	WARREN, DANA KARL	179.55	.00	179.55	150514	REC INSTRUCTOR-REC
Cash Account Total.....:				32635.18	.00	32635.18		
Total Disbursements.....:				32635.18	.00	32635.18		
Cash Account Total.....:				.00	.00	.00		

REPORT.: May 19 15 Tuesday
 RUN....: May 19 15 Time: 08:02
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 05-15 Bank Account.: 1025

PAGE: 004
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
6735	05/12/15	AME20	AMERICAN WEST BANK	7299.06	.00	7299.06	B50511	HSA DEDUCTIBLE
6736	05/12/15	BAN03	POLICE OFFICER ASSOC.	225.00	.00	225.00	B50511	POLICE OFFICER ASSOC
6737	05/12/15	CAL37	CALIFORNIA STATE DISBURSE	430.61	.00	430.61	B50511	WITHHOLDING ORDER
6738	05/12/15	EDD01	EMPLOYMENT DEVELOPMENT	4080.34	.00	4080.34	B50511	STATE INCOME TAX
				994.98	.00	994.98	1B50511	SDI
			Check Total.....:	5075.32	.00	5075.32		
6739	05/12/15	ICM01	ICMA RETIREMENT TRUST-457	487.87	.00	487.87	B50511	ICMA DEF. COMP
				62.50	.00	62.50	1B50511	ICMA DEF. COMP ER PD
			Check Total.....:	550.37	.00	550.37		
6740	05/12/15	PERS1	PUBLIC EMPLOYEES RETIRE	24022.53	.00	24022.53	B50511	PERS PAYROLL REMITTANCE
6741	05/12/15	PERS4	Cal Pers 457 Def. Comp	1170.24	.00	1170.24	B50511	PERS DEF. COMP.
				112.50	.00	112.50	1B50511	PERS DEF. COMP. ER P
			Check Total.....:	1282.74	.00	1282.74		
6742	05/12/15	STA04	STATE OF CALIFORNIA	608.50	.00	608.50	B50511	WAGEASN 1107012828
6743	05/12/15	VAL06	VALIC	1308.42	.00	1308.42	B50511	AIG VALIC P TAX
				87.50	.00	87.50	1B50511	AIG VALIC P TAX ER P
			Check Total.....:	1395.92	.00	1395.92		
			Cash Account Total.....:	40890.05	.00	40890.05		
			Total Disbursements.....:	40890.05	.00	40890.05		

REPORT.: May 20 15 Wednesday
 RUN....: May 20 15 Time: 11:59
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-15 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
020364	05/19/15	ZOP00	ZOPPI, NOAH	75.00	.00	75.00	150519	MAT & SUPPLIES-REC
020365	05/20/15	COM01	COMPUTER LOGISTICS, INC	1786.33	.00	1786.33	64629	EQUIP MAINT-
				1632.63	.00	1632.63	65076	COMPUTER REPL-POLICE
			Check Total.....	3418.96	.00	3418.96		
020366	05/20/15	MCD01	MCDANIEL SIGN COMPANY	375.13	.00	375.13	3564	SIGN REPLAC-STR
020367	05/20/15	PAT02	PATTERSON ELECTRIC, INC.	521.74	.00	521.74	3846	MARQUEE-RODGERS THEATRE
020368	05/20/15	PGE01	PG&E	24011.79	.00	24011.79	150513	Electricity General City-
020369	05/20/15	SEV00	SEVERN TRENT ENVIRONMENTA	540.00	.00	540.00	2078928	PROF SVCS-WWTP
			Cash Account Total.....	28942.62	.00	28942.62		
			Total Disbursements.....	28942.62	.00	28942.62		

Date.: May 20, 2015
Time.: 12:03 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
CAMILA'S	1403 SOLANO ST	CORNING, CA 96021	ROMO	ERIKA RESALE OF USED CLOTHES, TOOLS & ELECTRON	05/13/15	(530)718-6433
DDP CONSTRUCTION SER 1234	TECH BLVD.	TAMPA, FL 33619	SUNDERLAND	MICHAEL GENERAL CONTRACTOR	05/12/15	(813)712-2539
NATION'S ROOF OF CAL 920	ARMORLITE DR.	SAN MARCOS, CA 92069	BUTCH	PETE ROOFING, GENERAL BUILDING CONTRACTOR, SH	05/12/15	(619)760-7663
ZINKS REMODEL		GRIDLEY, CA 95948	ZAHNO	RICHARD GENERAL BUILDING CONTRACTOR	05/12/15	(530)228-3580

Item No.: G-4

ITEM NO.: I-5
APPROVE ANNUAL AGREEMENT WITH
3CORE ECONOMIC DEVELOPMENT
DISTRICT AT A COST OF \$5,500.
MAY 26, 2015

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

SUMMARY:

3CORE is the federally recognized Regional Economic Development Corporation (EDC) for the Counties of Tehama, Glenn and Butte. 3CORE works with the City to include Corning's economic development priorities in the Regional strategy, by soliciting federal grant financing for planning purposes and actual economic development projects.

EDA has issued changes this year to the Comprehensive Economic Development Strategy process. In response, 3CORE will develop a local and regional Economic Resiliency Strategy by mapping out a local S.W.O.T. (Strengths, Weaknesses, Opportunities & Threats) analysis to identify the strengths, weaknesses, opportunities and threats affecting community economic health and prosperity.

Rather than assist with compiling a "wish list", 3CORE and partners will convene people, groups and organizations to create relationships around a shared economic strategy. They will then act as a facilitator to identify community needs and establish effective paths to meet those needs.

Our Agreement with 3CORE runs on the fiscal year and will expire on June 30th; it is now appropriate to consider a new contract. This year, the adjusted FY 2015-2016 cash match for the City of Corning is \$5,500, up from the \$5,000 of the past few years. This is the base membership and includes the following services within the Agreement:

- Development and annual updates of the Comprehensive Economic Development Strategy (CEDS) for the City and District and related priority projects.
- Map a local S.W.O.T. analysis and a consensus scope of work detailing Partner priorities, timelines, budget and responsibilities of 3CORE and Partner.
- Planning and execution of at least two (2) meetings held with our jurisdiction annually to update priorities and provide status reports of pending activities within the District.
- Identification of funding sources for S.W.O.T. priorities within the CEDS.
- Exploring the potential and parameters of an Enhanced Infrastructure Financing District.
- Developing a Business Retention and Expansion Strategy for existing City of Corning businesses.
- Development of overall Economic Development Strategy.
- Staff hours spent managing the Economic Development Administration Planning District as required by EDA.
- Maintaining key memberships in National, State, and Regional Organizations representing the Tri-County Region.

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

FINANCIAL BACKGROUND:

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

- 2011-2012 - \$3,500
- 2012-2013 - \$5,000
- 2013-2014 - \$5,000
- 2014-2015 - \$5,000

BACKGROUND:

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

3CORE helps find "gap" financing for commercial and industrial development ventures. In the past their Staff prepared and submitted most of the City of Corning's Planning and Technical Assistance Grant at no additional cost to the City. Most recently they assisted the City by providing a revolving loan to assist with the Rodgers Theater renovations.

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

In 2014, 3CORE provided Corning with a \$75,000 line of credit. This loan allowed the City to complete enough work at the Rodgers Theatre to satisfy requirements of the State Department of Parks and Recreation, administrators of the City's State Park Bond Funds. This enabled the release of the 20% (\$44,000) retention funds held to be released back to the City to be used on additional work at the Theater. This line of credit protected the City's General Fund while providing a new tool to complete priority community development projects with the City and will continue to be available to assist in other Corning projects over the next two (2) years.

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

RECOMMENDATION:

MAYOR AND CITY COUNCIL APPROVE THE ANNUAL PARTICIPATION IN 3CORE, AND COMMIT \$5,500 FROM THE CITY'S GENERAL FUND AS THE CITY'S SHARE OF THE LOCAL GRANT MATCH.



3CORE

FINANCING • MENTORING • PERSPECTIVE

April 20, 2015

RECEIVED

APR 23 2015

CORNING CITY CLERK

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

RE: 3CORE Economic Development District – 2015-2016 Partnership Investment

Dear John,

Thank you for taking the time to meet with us recently to discuss the upcoming year and your involvement in the 3CORE District. 3CORE strives to identify resources for your area through grants, collaboration and partnerships to further economic development in our communities.

The 3CORE Board of Directors and staff have established the final figures for the fiscal year 2015-2016 District Partnership investment.

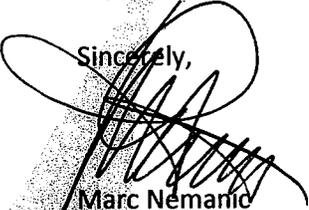
Last year the City paid \$5,000. This year, the adjusted Fiscal Year 2015-2016 Partnership Investment for the City of Corning is \$5,500.

Enclosed is a copy of the 2015-2016 invoice and Partnership Agreement for your review and signature. The agreement outlines the variety of services available to members of the 3CORE Economic Development District as well as those available on a fee-for-service basis.

Please return one signed copy of the Partnership Agreement along with the Partnership Investment payment to 3CORE.

If you have any questions, please contact me at (530) 893-8732 ext. 204. Thank you for your continued support and we look forward to our continued partnership.

Sincerely,


Marc Nemanic
Executive Director

Cultivating Healthy Businesses Because People Matter

3120 Cohasset Road, Suite 5, Chico, CA 95973 voice 530.893.8732 fax 530.893.0820 www.3coreedc.org

2015-2016 Partnership Agreement

EDA issued changes this year to the Comprehensive Economic Development Strategy process. These revisions signal that the environment is changing.

The economic development funding is limited and competitive; federal & state funding agencies are demanding communities to be ready, competitive, & have skin in the game.

These changes require a new approach—one based on a partnership, rather than a laundry list of good ideas; a new agreement that will help your community to thrive & succeed in this new environment.

The partnership agreement goal is to identify key projects—game changers to be exact—that move the community's economic development, job creation and business expansion forward. And each 3CORE partner must be prepared politically, financially, and institutionally to make these game changer projects a reality.

3CORE will develop a local & regional Economic Resiliency Strategy. Our approach is to map out a local S.W.O.T analysis identifying the strengths, weaknesses, opportunities and threats affecting community economic health & prosperity.

Rather than a wish list of projects, 3CORE and our partners will, convene people, groups and organizations and create relationships around a shared economic strategy. 3CORE's role is to act as a facilitator to identify community needs and establish effective paths to meet those needs.

3CORE would like to extend an invitation for you to become a partner. As a partner, 3CORE will work with you to perform an assessment of your needs and help to identify partnerships, resources and funding opportunities that are new to you. Our role will be to walk side-by-side with your organization and act as an extension of your staff.



**PARTNERSHIP AGREEMENT BETWEEN
3CORE, Inc.
AND THE CITY OF CORNING**

The City of Corning hereby agrees to provide \$5,500 as consideration to the 3CORE, Inc. for the City of Corning annual partnership under the Economic Development Administration Planning Grant Program.

As a Partner the City of Corning shall have access to and may receive services as described in Attachment A. The City of Corning shall also have access to and may receive additional services as those described in Attachment B on a Fee-for-Service basis.

IN WITNESS WHEREOF, the parties hereto have executed this instrument or caused this Agreement to be executed by their duly authorized agent(s) this _____ day of _____, 2015.

City of Corning

Name: _____
John Brewer

Date: _____

Title: City Manager

3CORE, Inc.

Name: _____
Marc Nemanic

Date: 4/20/15

Title: Executive Director

PARTNERSHIP AGREEMENT

ATTACHMENT A – ANNUAL or CONTINUING SERVICES THROUGH A S.W.O.T. SCOPE OF WORK

3CORE is to help implement activities necessary or appropriate for the City of Corning.

- ◆ Development and annual update of the Comprehensive Economic Development Strategy (CEDS) for the District and related priority projects.
- ◆ Map a local S.W.O.T. analysis and a consensus scope of work detailing Partner priorities, timelines, budget, and responsibilities of 3CORE and Partner
- ◆ Planning and execution of at least two (2) meeting held with your jurisdiction annually to update priorities and provide status reports of pending activities within the District.
- ◆ Identification of funding sources for S.W.O.T. priorities within the CEDS.
- ◆ Exploring the potential and parameters of an Enhanced Infrastructure Financing District
- ◆ Developing a Business Retention and Expansion Strategy for existing City of Corning businesses.
- ◆ Development of overall Economic Development Strategy
- ◆ Staff hours spent managing the Economic Development Administration Planning District as required by EDA.
- ◆ Maintaining key memberships in national, state, and regional organization representing the tri-county region.
- ◆

PARTNERSHIP AGREEMENT

ATTACHMENT B – SERVICES ON A FEE-FOR-SERVICE BASIS

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

The Fee-For-Service rate is Sixty-Five Dollars an hour (\$65.00).

3CORE may provide the City of Corning with services on a **Fee-for-Service** basis that may include but not be limited to the following:

- ◆ Identification of funding sources for various public sector projects outside the local S.W.O.T. scope of work or the Comprehensive Economic Development Strategy (CEDS).
- ◆ Planning, organization, writing, and submittal of State Community Development Block Grant (CDBG) Over-the-Counter (OTC) grants.
- ◆ Development of grant applications to various State and Federal Agencies not identified as priorities within the CEDS.
- ◆ Contract economic development staff.
- ◆ Grant/Project Management and/or Administration. Tasks could include such items as: overseeing subcontractors, tracking project budget, ensuring that project timelines are adhered to, preparation and submittal of various reporting documents, acting as a conduit between local Partner and project consultants or project subcontractors, other project management related items.
- ◆ Grant/Project Implementation. Implementation of various grants including those related to community visioning, business needs assessments, general plan revisions, economic development plan preparation/implementation, various feasibility studies, and community development.
- ◆ Business Retention/Expansion Program planning, implementation, and management.
- ◆ Loan portfolio management
- ◆ Loan pre-qualification and underwriting

**ITEM NO.: I-6
INTRODUCE ORDINANCE 659
ALLOWING INSURANCE IN
LIEU OF BONDS (First
Reading)**

May 26, 2015

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: CITY MANAGER JOHN L. BREWER, AICP JLB
JODY BURGESS, CITY ATTORNEY
LISA LINNET, CITY CLERK**

SUMMARY:

The proposed Ordinance would permit the City to use insurance protection against dishonesty/crime in lieu of the Bonds now required by our Municipal Code.

BACKGROUND:

California law (Government Code Section 36518) requires City Clerks and City Treasurers to post Bonds, in amounts set by the City, before taking office. Corning's Municipal Code also requires our City Manager and Finance Director to post Bonds. State law (Government Code Section 1463) allows Cities to use "a Government Crime Insurance Policy or Employee Dishonesty Insurance Policy, including faithful performance" in lieu of Bonds if such policy is approved by the "presiding Judge of the Superior Court" and is filed and recorded.

The Municipal Code of the City of Corning for years required that Bonds be posted for certain public officials. A review of the costs of acquiring Bonds has been compared with the premiums the City would pay for a more comprehensive insurance policy and the insurance premiums were significantly less than the cost of Bonds. That is what prompted the action before the Council tonight which proposes that the City Municipal Code be amended to allow Insurance to be used in lieu of Bonds.

RECOMMENDATION:

MAYOR AND CITY COUNCIL:

- **HAVE THE CITY CLERK READ THE ORDINANCE 659 BY SHORT TITLE.**
- **MOVE TO INTRODUCE THE ORDINANCE PROPOSING TO ALLOW THE USE OF INSURANCE IN LIEU OF POSTING BONDS; AND**
- **SET JUNE 9, 2015 AS THE DATE FOR THE SECOND READING AND PROPOSED ADOPTION OF THIS ORDINANCE.**

ORDINANCE NO. 659

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING ALLOWING INSURANCE TO BE USED IN LIEU OF BONDS FOR CERTAIN CITY OFFICIALS

The City Council of the City of Corning does ordain as follows:

SECTION 1 –AMENDMENT

Sections 2.16.050 and 2.44.050 of the Corning Municipal Code are modified as set forth below in the underlined language:

- **2.16.050 - Director-Bond.**

The Director of Finance shall execute a Bond to the City in the same amount as required of the City Clerk by the provisions of Section 36518 of the Government Code of the State of California in the amount fixed by the process described therein. Subject to the requirements set forth in Government Code Section 1463, an Insurance Policy or Policies approved by the City Attorney and by the presiding Judge of the Tehama County Superior Court may be used as an alternative to the posting of an Official Bond.

- **2.44.050 - Bond.**

The City Manager and/or Acting City Manager, if any, shall furnish a Corporate Surety Bond to be approved by the City Council in such sum as may be determined by the City Council, and shall be conditioned upon the faithful performance of the duties imposed upon the City Manager and Acting City Manager as prescribed in this chapter. Any premium for such bond shall be a proper charge against the City. Subject to the requirements set forth in Government Code Section 1463, an Insurance Policy or Policies approved by the City Attorney and by the presiding Judge of the Tehama County Superior Court may be used as an alternative to the posting of a Corporate Surety Bond.

Section 2.08.060 is added to the Corning Municipal Code as set forth below in the underlined language:

- **2.08.060 – City Clerk and City Treasurer-Bond.**

The City Clerk and the City Treasurer shall each execute a Bond to the City as required by the provisions of Section 36518 of the Government Code of the State of California in the amounts fixed by the process described therein. Subject to the requirements set forth in Government Code Section 1463, an Insurance Policy or Policies approved by the City Attorney and by the presiding Judge of the Tehama County Superior Court may be used as an alternative to the posting of Official Bonds.

SECTION 2 – PURPOSE AND AUTHORITY

The purpose of this Ordinance is to permit the City to save money by acquiring insurance at a better rate in lieu of Bonds and, at the same time, to expand the scope of protection (coverage) provided to the City.

SECTION 3 – PUBLICATION AND EFFECTIVE DATE

Pursuant to Government Code Section 36933, this Ordinance, or a summary hereof, shall be published at least five (5) days prior to adoption and within fifteen (15) days after its adoption together with the names of the Council Members voting for and against it, in a newspaper of general circulation published and printed in Tehama County and circulated in the City of Corning. This Ordinance shall take effect thirty (30) days after its adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning on May 26, 2015, and adopted at a regular meeting of the City Council of the City of Corning held on June 9, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

FIDELITY BONDS/DISHONESTY BOND							
Term	Cost	Type	Coverage	Company Name			
10/26/13 - 10/26/14	\$125	Fidelity Bond Mgr. John Brewer City	\$10,000	Jones Ins. - Great America Bond # MS 1-35-64-46-01			
10/14/13 - 10/14/14	\$125	Fidelity Bond Acct. Tech. Lori Sims	\$10,000	Jone Ins. - Great America Bond # MS 5-36-54-34-09			
8/1/13 - 8/1/14	\$1,450	Position Fidelity Bond 80%/20% Wtr. & Swr. Line Rplcmt.	\$454,437	Jones Ins. - Great America Bond # MS 5-61-57-60-13 USDA Farmers Home Adm., 2 Sutter St., Ste. B, Red Bluff, CA			
1/7/13 - 1-7-14	\$125	Fidelity Bond Acct. Tech. Pala Cantrell	\$10,000	Jones Ins. - Great America Bond # FS 5-86-08-34-09			
1/7/13 - 1/7/14	\$125	Fidelity Bond Clerk Lisa Linnet City	\$10,000	Jones Ins. - Great America Bond # FS 5-86-08-31-09			
11/3/2012 - 11/3/13	\$362	Employee Dishonesty Bond	\$30,063	Jones Ins. - Great America Policy # CRP 2-45-46-10-02 USDA Rural Dev. Loan Clark Park Well (Must maintain coverage for life of loan)			
Total	\$2,312						
5/2015 Current Rate (plan for possible 5% rate increase)	\$800	Gov't Crime Policy Ins. (Replaces above listed Bonds)	\$1,000,000	NCCSIF - Alliant Ins. Serv. Nat'l Union Fire Ins. of Pittsburgh, PA Broker: Susan Adams, Assist. V. Pres.			
	\$1,512	Savings					

**ITEM NO.: I-7
ORDINANCE NO. 660, AN ORDINANCE
AMENDING CHAPTER 13.14 OF THE
CORNING MUNICIPAL CODE (IN PART),
DECLARING STAGE TWO DROUGHT
CONDITIONS AND ESTABLISHING STAGE
TWO WATER USE REGULATIONS.**

MAY 26, 2015

TO: MAYOR AND CITY COUNCILMEMBERS, CORNING CALIFORNIA

FROM: JOHN L. BREWER, AICP; CITY MANAGER 
DAWN GRINE, PUBLIC WORKS DIRECTOR 

SUMMARY:

Due to the continuing drought conditions, the recent request by the Governor, and actions by the State Water Resources Control Board, staff recommends implementing Stage II of the Water Conservation Program, with some revisions modeled after the state's Emergency Regulations. To accomplish that, staff recommends adoption of the attached Ordinance No. 660.

If adopted the ordinance will amend our current Stage II Water Conservation regulations to limit watering of ornamental landscaping such as lawns and shrubs to not more than two days per week. The ordinance would eliminate the current intricate provisions requiring determinations of "base" and "monthly" water allotments for each water customer in favor of simpler watering frequency limits.

BACKGROUND:

It's no secret we're in the midst of a prolonged drought in California. The Governor himself, and a number of state agencies have recently taken actions to illustrate the water shortage and to impose water conservation measures.

CORNING WATER UTILITY SYSTEM:

We rely on eight municipal wells that pump groundwater as our sole source of water for the City. The aquifer from which we draw water is recharged by rainfall. Short rainfall accumulations mean less groundwater recharge and additional drawdown to the aquifer. When that occurs over several years, the groundwater levels are naturally lowered.

We track and chart the standing water levels in those wells and, despite seasonal fluctuations, have noted lowering groundwater levels over the recent drought period. For that reason and to comply with the State's directives, we should implement additional measures to conserve water.

STATE WATER CONSERVATION ACTIONS:

On May 5, 2015 the California State Water Resources Control Board adopted Resolution No. 2015-0032 that imposed certain Emergency Regulations for mandatory water use restrictions in California (attached as Exhibit "A"). For "Non-Urban Water Suppliers" like Corning, those restrictions target a 25% reduction in water use from that used in 2013. They include limiting watering of decorative landscaping with potable water to not more than two days per week, or other such measures to achieve the intended water savings (Exh. "A", page 5).

The proposed ordinance includes that limit, as well as provisions for time of watering to reduce loss from evaporation and a section that deals with enforcement.

CORNING WATER CONSERVATION PROGRAM:

In 1994 the City adopted Ordinance No. 545 that added a Water Conservation Program to the Municipal Code (Chapter 13.14-attached as Exhibit "B"). The Water Conservation Program has 4 implementation stages. Stage 1, implementing a voluntary 15% reduction in water usage was adopted by the City Council on February 11, 2014.

In light of the continued drought conditions and the State actions, it is appropriate to "ramp up" our efforts to conserve water. The next logical step would be to implement Stage II of the Water Conservation Program. However, our existing Water Conservation ordinance includes some complicated rationing formulas to determine each customer's base and then monthly allotments. The shortcomings of those formulas were discussed at length at the April 14th City Council meeting.

Ordinance 660 would remove those allotment formulas in favor of frequency and time of day watering limitations that are the crux of the Water Resources Control Board Resolution No. 2015-0032 as it applies to "Non-urban Water Suppliers", i.e. water suppliers with fewer than 3,000 customers. The ordinance will also implement Stage 2 of our Water Conservation program.

EXCEPTIONS:

The City will be obligated to follow the same standards imposed on residents and business owners. However, the proposed ordinance does include provisions (Section "C") for exceptions to the standards for some public facilities. Among the exceptions cited are landscape maintenance districts, parks and cemeteries. Staff believes we can generally comply with the limitations. However, in the specific case of the new park; Phase 2 of Corning Community Park, staff recommends the Council provide an exemption to the standards, to allow sufficient watering as necessary to ensure the establishment and propagation of the turf for the soccer fields and adjacent grass areas.

STAFF RECOMMENDATION:

That the City Council:

- **WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 660, AN ORDINANCE AMENDING CHAPTER 13.14 OF THE CORNING MUNICIPAL CODE (IN PART); DECLARING STAGE TWO DROUGHT CONDITIONS AND IMPLEMENTING STAGE TWO WATER USE REGULATIONS IN THE CITY OF CORNING.**
- **FIND AND DECLARE THAT THE PROPERTY AT PHASE 2 OF CORNING COMMUNITY PARK, ALSO KNOWN AS LENNOX FIELDS, IS TEMPORARILY EXEMPT FROM WATERING DAYS AND HOURS LIMITATIONS OF ORDINANCE NO. 660. THIS EXEMPTION SHALL EXPIRE SIX MONTHS AFTER IMPLEMENTATION OF ORDINANCE NO. 660, UNLESS EXTENDED BY ACTION OF THE CITY COUNCIL.**

ORDINANCE No. 660

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING CITY COUNCIL DECLARING A STAGE TWO DROUGHT CONDITION AND AMENDING, IN PART, CHAPTER 13.14 OF THE CORNING MUNICIPAL CODE ESTABLISHING WATER USE REGULATIONS TO BE EFFECTIVE DURING A STAGE TWO DROUGHT CONDITION

The City Council of the City of Corning does ordain as follows:

SECTION 1-AMENDMENT

Section 13.14.030 entitled, "Stage II – Mandatory twenty-five percent reduction" is amended to read in its entirety as follows:

13.40.030 Stage II – Mandatory Reduction of Outdoor Irrigation of Ornamental Landscapes or Turf with Potable Water

- A. All customers must reduce their consumption in accordance with the following provisions:
1. All customers must limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week;
 2. Outdoor irrigation shall be limited to between the hours of 8:00 p.m. and 8:00 a.m.
 3. Upon a customer's violation of Section 13.04.030 (A)(1) or (2) the Public Works Director for the City of Corning shall provide an advisory letter of the violation. Every subsequent violation occurring in the following 12-month period shall be assessed a penalty of \$50.00 per day for each violation.
- B. New water service connections may be granted by the Public Works Director upon the condition that the water shall be used for internal purposes only, and that the landscaping must be delayed until drought conditions are lifted. The following consumption conditions will be applicable:
1. New service will be limited to eleven thousand gallons of water per month, and such water will be charged at the current rates in effect.
 2. A penalty of \$50.00 per day for each and every day the eleven thousand gallon allotment is exceeded and where water usage continues to occur by the customer in that given month;
- C. Water service to landscape maintenance districts, parks, cemeteries and other services which fall in this category will be required to comply with the same restrictions as the other customers. Notwithstanding this directive, the City Council for the City of Corning may find and declare that a particular property is temporarily exempt from compliance with the provision of this Section where the following is determined:
1. That the property is presently bound to abide by the water conservancy measures imposed by the City of Corning;
 2. That the property is accessible to the general public; and
 3. That by granting a temporary exemption of the water conservation measures imposed in this Section, a substantial benefit is derived to the general public accessing such property.

- D. Water service for construction projects will be handled on a case-by-case basis. A written request detailing the needs, time of use, etc., will be required and reviewed by staff. Final approval for services in this category (construction projects) will be granted by the Director of Public Works. Services in this category will be monitored on a project basis.

SECTION 2-IMPLEMENTING STAGE TWO WATER CONSERVATION CONDITIONS

BE IT FURTHER ORDAINED that the City of Corning declares the current situation to be a Stage II water conservancy period, and to the extent the terms and provisions of this Ordinance are inconsistent or in conflict with the terms and provisions of any prior City ordinance, resolution, rule or regulation, the terms of this Ordinance shall prevail, and inconsistent and conflicting provisions of prior ordinances, resolutions, rules and regulations shall be suspended during the effective period of this Ordinance.

SECTION 3-REPORTING

BE IT FURTHER ORDAINED that the City Corning, California shall report, in a form satisfactory to the State confirms compliance that the distributor limited outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week (23 California Code Regulations § 865(f)(2)), or other mandatory measures intended to achieve a 25% reduction in water consumption relative to the amount consumed in 2013;

SECTION 4-ADDITIONAL MEASURES BY THE STATE OF CALIFORNIA

BE IT FURTHER ORDAINED that in the event the State adopts mandatory water conservation measures requiring implementation by the City during a water shortage emergency, and such State mandate measures require additional water conservation actions beyond the City's currently enforceable conservation measures, such State-mandated measures shall automatically be deemed to be fully incorporated and part of this Ordinance and enforceable by the City.

BE IT FURTHER ORDAINED that if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be unconstitutional or invalid.

SECTION 5-ADDITIONAL PURPOSE AND AUTHORITY

The purpose of this Ordinance is to modify the Water Conservation Ordinance to amend Chapter 13.14 (in part) of the Corning Municipal Code and to implement the Emergency Drought Regulations imposed by State Water Resources Control Board Resolution 2015-0032. This Ordinance is necessary to protect the supply of water for human consumption, sanitation and fire protection.

SECTION 6-PUBLICATION AND EFFECTIVE DATE

Pursuant to Government Code Section 36933, this Ordinance, or a summary hereof, shall be published at least five (5) days prior to adoption and within fifteen (15) days after its adoption together with the names of the Council Members voting for and against it, in a newspaper of general circulation published and printed in Tehama County and circulated in the City of Corning. This Ordinance shall take effect thirty (30) days after its adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning on May 26, 2015, and adopted at a regular meeting of the City Council of the City of Corning held on _____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

ADOPTED TEXT OF EMERGENCY REGULATION

Article 22.5. Drought Emergency Water Conservation.

Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(5) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(6) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, and 275, Water Code;

Light v. State Water Resources Control Board (2014) 226 Cal.App.4th 1463.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians; and

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through February 2016 as compared to the amount used from those sources for the same months in 2013.

(d) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivisions (b) or (c), is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this section:

(1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) "R-GPCD" means residential gallons per capita per day.

- (3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.
- (4) "Urban water supplier" means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's April 1, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available may, submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified in subdivision (c).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

"A"

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:

(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(B) Reduce by 25 percent reduction its total potable water production relative to the amount produced in 2013.

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by December 15, 2015, on a form provided by the Board, that either confirms compliance with subdivision (f)(1)(A) or identifies total potable water production, by month, from June through November, 2015, and total potable water production, by month, for June through November 2013.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the board or an officer or employee of the board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Chapter 13.14 - PROPOSED WATER CONSERVATION PROGRAM

Sections:

13.14.010 - Purpose.

The purpose of this chapter is to establish a proposed water conservation program to equitably distribute the available water to the city's customers and to ensure an adequate supply for human consumption, sanitation and fire protection. The purposes of this plan are met by the establishment of a four stage plan of management.

(Ord. 545 §1(part), 1994).

13.14.020 - Stage I-Volunteer conservation program-Fifteen percent reduction in normal usage.

The following represent the elements of Stage I of the proposed water conservation program:

- A. Notification to customers by direct mailing, news-letters, press releases, public meetings, educational materials (handouts) and/or meetings in the local schools explaining that a drought condition exists and that the city must reduce its water consumption. Local grade schools may be encouraged to hold water conservation poster contests. The posters could be displayed by local merchants in their windows for a period of time;
- B. Provide educational literature for conservation practices regarding waste, over watering, leaks, etc.

Provide information and assistance to customers on reading their water meters and monitoring water usage;

- C. Encourage the use of native plants or other water conserving vegetation;
- D. Encourage the use of efficient landscaping systems (drip, timed sprinkler, etc.). Encourage evening and early morning watering to reduce evaporation;
- E. Discourage the emptying and refilling of swimming pools, ponds, etc;
- F. Informational/educational warnings for waste, overwatering and leaks;
- G. Encourage water-reducing methods in household use (full loads for dishwasher and clothes washer, low-flow showerhead, patio sweeping, use shut-off valve on hose for car washing and watering, patio cleaning, etc.).

(Ord. 545 §1(part), 1994).

→ 13.14.030 - Stage II -Mandatory twenty-five percent reduction.

All Stage I requirements apply, plus the following:

- A. All customers must reduce their consumption in accordance with the following provisions:
 - 1. For all customers (residential, commercial, retail and industrial) a base allotment will be determined. That base allotment will be the lesser of the following:
 - (1) the four-year average usage for the winter months of November through March; or (2) the four-year average usage for that month. Customer's monthly allotment will consist of the base allotment plus seventy-five percent of the difference between the previous four-

EXHIBIT "B"

5/21/2015

year average usage for that month and the base allotment. That corresponds to a twenty-five percent reduction of the previous four-year average for the month usage over the base allotment. Such water will be charged at the current rates in effect.

- 2. A penalty of two dollars and fifty cents per one thousand gallons, or any part thereof, will be charged on any water used above the amount allocated.
- B. New water service applications may be granted by the public works director upon the condition that the water shall be used for internal purposes only, and that land-scaping must be delayed until drought conditions are lifted. The following consumption conditions will be applicable:
 - 1. New service will be limited to eleven thousand gallons of water per month, and such water will be charged at the current rates in effect.
 - 2. A penalty of two dollars and fifty cents per one thousand gallons, or any part thereof, in addition to the current rate, will be charged on any water used above the maximum stated in Section 13.14.030(B)(1).
- C. Water service to landscape maintenance districts, parks, cemeteries or other services which fall in this category will be required to comply with same restrictions as the other customers.
- D. Water service for construction projects will be handled on a case-by-case basis. A written request detailing water needs, time of use, etc., will be required and reviewed by staff. Final approval for service in this category will be granted by the director of public works. Services in this category will be monitored on a project basis.

(Ord. 545 §1(part), 1994).

13.14.040 - Stage III-Mandatory thirty-five percent reduction.

All Stage I requirements apply, plus the following:

- A. All customers must reduce their consumption in accordance with the following provisions:
 - 1. For all customers (residential, commercial, retail and industrial) a base allotment will be determined. That base allotment will be the lesser of the following: (1) the four-year average usage for the winter months of November through March; or (2) the four-year average usage for that month. Customers' monthly allotment will consist of the base allotment plus sixty-five percent of the difference between the previous four-year average usage for that month and the base allotment. That corresponds to a thirty-five percent reduction of the previous four-year average for the month usage over the base allotment. Such water will be charged at the current rates in effect.
 - 2. A penalty of five dollars per one thousand gallons, or any part thereof, will be charged on any water used above the amount allocated.
- B. New water service applications may be granted by the public works director upon the condition that the water shall be used for internal purposes only, and that land-scaping must be delayed until drought conditions are lifted. The following consumption conditions will be applicable:
 - 1. New services will be limited to eleven thousand gallons of water per month, and such water will be charged at the current rates in effect.
 - 2.

"B"

A penalty of five dollars per one thousand gallons, or any part thereof, in addition to the current rate, will be charged on any water used above the maximum stated in Section 13.14.040(B)(1).

- C. Water service to landscape maintenance districts, parks, cemeteries or other services which fall in this category will be required to comply with same restrictions as the other customers.
- D. Water service for construction projects will be handled on a case-by-case basis. A written request detailing water needs, time of use, etc., will be required and reviewed by staff. Final approval for service in this category will be granted by the director of public works. Services in this category will be monitored on a project basis.
- E. Water mains will only be flushed to solve severe water quality problems.
- F. Watering of parks, cemeteries, etc., will be restricted to nights.

(Ord. 545 §1(part), 1994).

13.14.050 - Stage IV-Mandatory fifty percent reduction.

All Stage I requirements apply, plus the following:

- A. All customers must reduce their consumption in accordance with the following provisions:
 - 1. For all customers (residential, commercial, retail and industrial) a base allotment will be determined. That base allotment will be the lesser of the following: (1) the four-year average usage for the winter months of November through March; or (2) the four-year average usage for that month.
 - 2. Customers' monthly allotment will consist of the base allotment plus fifty percent of the difference between the previous four-year average usage for that month and the base allotment. That corresponds to a fifty per-cent reduction of the previous four-year average for the month usage over the base allotment. Such water will be charged at the current rates in effect. A penalty of seven dollars and fifty cents for one thousand gallons, or any part thereof, will be charged on any water used above the amount allocated.
- B. New service applications granted under Section 13.14.030(B) and 13.14.040(B) will continue to receive service under the following provisions:
 - 1. New services will be limited to seven thousand gallons of water per month, and such water will be charged at the current rates in effect.
 - 2. A penalty of seven dollars and fifty cents per one thousand gallons, or any part thereof, in addition to the current rate, will be charged on any water used above the maximum stated in Section 13.14.050(B)(1).
- C. Any additional new service applications must be reviewed and approved by the city council.
 - 1. If accepted for service, they will be limited to seven thousand gallons of water per month, and such water will be charged at the current rates in effect.
 - 2. A penalty of seven dollars and fifty cents per one thousand gallons or any part thereof, in addition to the current rate, will be charged on any water used above the base amount allowed in Section 13.14.050(C)(1).
- D. Water service to landscape maintenance districts, parks, cemeteries or other services which fall in this category will be required to comply with same restrictions as the other customers.
- E.

"B"

Water service for construction projects will be handled on a case-by-case basis. A written request detailing water needs, time of use, etc., will be required and reviewed by staff. Final approval for service in this category will be granted by the director of public works. Services in this category will be monitored on a project basis.

(Ord. 545 §1(part), 1994).

13.14.060 - Special conditions.

A. Special Conditions:

1. During drought years, city wells will be closely monitored in respect to groundwater level. When the groundwater drops significantly, the city council will be notified to implement Stage I. Should groundwater continue to drop, council would be notified to implement further reduction measures. Conservation measures shall be in effect until such time that staff notifies council that groundwater levels have recovered sufficiently to remove water use restrictions.
2. When available, actual previous four-year average usage will be used to determine allocations. For any situations when a full four years of data is not available, the available data will be used. If previous data is not available, the allocation will be based on histories of a comparable type customer
3. Previous four-year average consumptions will be used to determine allocations available to each service address (customer). When a new customer transfers a service address into their name, the four-year average consumption for that address will be used to determine their allocations.
4. No transfer of water will be allowed between billing cycles, customers or service addresses.
5. Any customer who wilfully neglects to adhere to the provisions of the mandatory stages of this proposed water conservation program will be issued a written warning. Continued negligence will be reviewed by the director of public works for corrective action necessary to insure compliance. Compliance measures may include the installation of a flow restrictor at the meter.

(Ord. 545 §1(part), 1994).

13.14.070 - Exceptions, variances and appeals.

- A. For hardship cases only, variances may be granted for any of the regulations in this chapter upon application in writing stating, in detail, the circumstances warranting special consideration. Appeals of decisions made by the director of public works may be taken to the city council by written request.
- B. It must be recognized that in times of water shortage emergencies, the city has very limited discretion to grant exceptions and/or variances to this drought management plan.

(Ord. 545 §1 (part), 1994).

"B"

ITEM NO.: I-8

**APPROVE EMERGENCY ACCESS TO WATER FOR
PASKENTA COMMUNITY SERVICES; A DISTRICT
WITHIN THE COUNTY OF TEHAMA**

MAY 26, 2015

TO: MAYOR AND CITY COUNCILMEMBERS, CORNING CALIFORNIA

FROM: JOHN L. BREWER, AICP; CITY MANAGER JD
DAWN GRINE, PUBLIC WORKS DIRECTOR Da

SUMMARY:

Staff recommends that the City Council authorize the Public Works Department to provide water haulers hired by Paskenta Community Services District access to water from the City water system during the continued drought conditions.

BACKGROUND:

July 22, 2014 Corning City Council authorized the Paskenta Community Services District (PCSD) to collect and transport up to 20,000 gallons of water per day from a metered hydrant connection at the rate of \$5 per 1,000 gallons. This arrangement is due to expire on June 30, 2015.

Paskenta District Secretary Janet Zornig has presented staff with a request to continue water collection and transport from the City of Corning water system once their own surface water source can no longer provide water to its consumers.

Last year, staff surmised that the 65 Paskenta water connections (residences) would average about 300 gallons per day per connection totaling 19,500 gallons per day. Corning Council authorized up to a 20,000 gallon per day limit water draw from its municipal water system.

When calculating the average daily outtake of water to the PCSD over the 143 days of 2014, PCSD purchased 12,104 gallons of water per day. Their ability to conserve water resulted in a 40% reduction of the water authorized per day/per connection as the Community was approved to collect up to 20,000 per day.

On average, we pumped just over 3 million gallons of water each day during the month of June 2014. If we provide 20,000 gallons/day for emergency use, it would amount to an increase of less than 7/100's of 1% (.0007). That amount is not significant. In addition, the State Water Resources Control Board has stated that water provided as emergency water assistance (such as this case) will not be counted towards an entities State conservation standard.

Tehama County Public Works Director Gary Antone and Tehama County Director of Environmental Health Tim Potanovic have expressed their support concerning the extension of water transport services to the PCSD.

RECOMMENDATION:

Mayor and Councilmembers approve emergency access to water for Paskenta Community Services during the California drought conditions for up to 20,000 gallons of water per day. Said water to be collected via metered hydrant connection at the regularly charged rate for Construction Water. Unless extended or revoked by action of the City Council, this approval shall expire on June 30, 2016.

Paskenta Community Services District



P.O. BOX 182
Paskenta, CA 96074
(530) 833-8540 5480
(530) 824-9341

RECEIVED
MAY 05 2015
CITY OF CORNING

May 05, 2015

John Brewer, City Manager
City of Corning

Mr. Brewer,
Our Community of Paskenta may be facing another drought.

I am asking for help again from the City of Corning.

I hope you will consider my request and present my letter to the City Council for approval.

We continually check the water level in Thomes Creek.

At this time we are showing water at 9 ft. above the intake line.
Last year the pump quit at 3 ft.

If the weather continues to stay hot with no rain in sight that level will diminish quickly.

The Residents of Paskenta have been excellent at conserving water.

If they continue to do so, we would not need the same amount of gallons we received from you last year.

Would you let me know the City's decision regarding this matter as soon as possible.

We appreciate all you did for us last year.

Thank You,


Janet Zornig, District Secretary

ITEM NO: I-9
ADOPT RESOLUTION 05-26-2015-01, A
RESOLUTION DECLARING A PUBLIC
NUISANCE ON 37 PROPERTIES WITHIN
THE CITY AND AUTHORIZING THE FIRE
CHIEF TO INITIATE ABATEMENT
PROCEDURES.

MAY 26, 2015

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JOHN L. BREWER, CITY MANAGER *JB*
MARTIN SPANNAUS, FIRE CHIEF
LISA M. LINNET, CITY CLERK *lml*

SUMMARY:

A declaration of "Public Nuisance" is being requested from the City Council in reference to the various properties listed on the attached Exhibit "A" based upon the conditions listed in Chapter 8.14, Weed Abatement of the City's Municipal Code. Staff is also requesting authorization for the City's Fire Chief to initiate nuisance abatement procedures.

BACKGROUND:

Pursuant to Municipal Code Chapter 8.14, the City's Weed Abatement Officer, in this case the Fire Chief has identified thirty seven (37) properties within the City Limits as being a public nuisance. The Corning Municipal Code provides the following direction relating to Weed Abatement:

Section 8.14.010: Addresses the recurring health and safety problems arising out of weeds and rubbish on property within the City of Corning and are designed to alleviate those problems and protect the citizen's health, safety and property.

Section 8.14.020: Defines Weeds as:

- (a) "Weed Abatement Officer" means the Corning Fire Chief or other public officer designated by the City Council to perform the duties imposed by this article upon the superintendent.
- (b) "Weeds" means weeds which when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds", as used in this article also include any of the following:
 - 1) Weeds which bear seeds of a downy or wingy nature.
 - 2) Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
 - 3) Weeds which are otherwise noxious or dangerous.
 - 4) Poison Oak or Poison Ivy when the conditions of growth are such as to constitute a menace to the public health.
 - 5) Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Section 8.14.030: Authorizes the City Council to periodically, by Resolution, declare as public nuisances and abate all weeds, rubbish, sidewalks, parkways, and dirt upon streets or private property in the City.

Section 8.14.050: Authorizes the City Council, when adopting the Resolution mentioned, to also find and declare that weeds on specified parcels of property are seasonal and recurrent nuisances. Such nuisances shall be abated as provided herein, provided, that upon the second and any subsequent occurrence of such nuisance on the same parcel or parcels within the same calendar year, no further hearings need be held and it shall be sufficient to mail a post card notice to the owners of the property as they and their addresses appear upon the current assessment roll.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION 05-26-2015-01 DECLARING THE FOLLOWING:

- **A PUBLIC NUISANCE EXISTS ON THE PROPERTIES LISTED ON THE ATTACHED EXHIBIT "A",**
- **FIND THAT SUCH CONDITIONS ARE SEASONAL AND RECURRENT NUISANCES;**
- **AND AUTHORIZE THE FIRE CHIEF TO INITIATE ABATEMENT PROCEDURES ON THESE PROPERTIES/PARCELS AS OUTLINE IN THE CITY'S MUNICIPAL CODE.**

RESOLUTION 05-26-2015-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
DECLARING A PUBLIC NUISANCE ON THE VARIOUS PROPERTIES
LISTED ON THE ATTACHED
EXHIBIT "A"**

WHEREAS, the Corning Municipal Code Chapter 8.14, Weed Abatement, Section 8.14.010 explains that these regulations are intended to address the recurring health and safety problems arising out of weeds and rubbish on property within the City of Corning and are designed to alleviate those problems and protect the citizen's health, safety and property.

Whereas, Section 8.14.020 defines "Weeds" as weeds that when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds," as used in this article, also includes any of the following:

1. Weeds which bear seeds of a downy or wingy nature.
2. Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
5. Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Whereas, the City's Weed Abatement Officer/Fire Chief has identified the following thirty seven (37) properties listed on the attached Exhibit "A" as a public nuisance.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CORNING DOES HEREBY DECLARE AND FIND AS FOLLOWS:

1. A public nuisance exists on each of the thirty seven (37) properties identified in Exhibit "A" hereto.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on May 26, 2015 by the following vote:

AYES:

OPPOSED:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

EXHIBIT "A"

5-26-2015 Weed Abatement Listing

APN NO.'s	Physical Address	Owner/Responsible Party	APN Mailing Address
69-210-18	Hwy. 99 W	Wold, Steven N ETAL TR	10819 Baird Ave. Northridge, CA 91326
71-010-08	Northside of South St. west of railroad	Southern Pacific Trans. Co. c/o Union Pacific Railroad Co.	1400 Douglas Stop 1640 Omaha, NE 68179-1640
71-020-01	Blackburn & Edith	Burghardt, John L. ETAL CO-TRS	14916 Eagle Ridge Dr. Forest Ranch, CA 95942
71-044-08	1522 Colusa St.	Vandoorn, Charles B. & Toni K.	19680 Maette Dr. Corning, CA 96021
71-045-21	1400 Tehama St.	Parson, Matthew D. & Jessica J.	1400 Tehama St. Corning, CA 96021
71-113-01	1223 Colusa St.	Graves, Brendan	1059 San Ramon Dr. Chico, CA 95973
71-134-09	1214 Marin Street	Frank & Lisa Muto	541 Jefferson St. Red Bluff, CA 96080
71-140-48	Toomes Avenue	Dennis, James A. Sr.	10550 Silent Grove Ct. Stockton, CA 95209
71-151-18	1905 Solano St.	Wold, Steven N ETAL TRS	10819 Baird Ave. Porter Ranch, CA 91326
71-152-06	1909 McKinley	Pineda, Adelita	1909 McKinley Ave. Corning, CA 96021
71-156-09	975, 979, 985 & 987 Fairview Avenue	Mansfield, Jason J.	P.O. Box 264 Forest Ranch, CA 95942
71-173-08	1216 South St.	Jolley, Keith A. & Patricia K.	3513 Beacon Dr. Anderson, CA 96007-2404
71-191-03	1958 Taft Avenue	Mansour, Anton ETAL TRS	21365 Gyle Rd. Corning, CA 96021
71-191-14	1826 Taft Avenue	Boone, Gladys c/o Johnson, Terry	1826 Taft Avenue Corning, CA 96021
71-192-35	1013 Toomes Avenue	Wold. Michael C. & Patricia	1900 Hwy. 1, #100 Moss Landing, CA 95039
71-225-01	1587 Kaufman	Ashburn, Frank	1587 Kaufman Avenue Corning, CA 96021
71-232-10	1443 Center St.	Hill, Victoria Lynn	1443 Center Street Corning, CA 96021
71-243-01	1134 4th Avenue	Barragan, Joel Salazar & Rosa Valdez	6831 Cabernet Ave. Newark, CA 94560-2408
71-273-23	1587 4th St.	Haywood, Thomas W. & Ronda J.	P.O. Box 1214 Corning, CA 96021

APN NO.'s	Physical Address	Owner/Responsible Party	APN Mailing Address
71-280-34	1409 Fig Lane	Judy Bohme	916 6th Street Corning, CA 96021
71-291-11	Woodson Avenue	Young, LeRoy A. & Patricia J.	945 Lincoln Avenue Napa, CA 94558
71-291-14	1691 6th St.	Peters, Tina	P.O. Box 7378 Chico, CA 95927
71-300-03	Toomes Avenue	Juniper Ridge Property, LLC c/o Meister, Greg	715 Gateshead Ct. Foster City, CA 94404
71-300-63	Palm Avenue	Engle, Noble	1850 Luning St. Red Bluff, CA 96080
73-061-06	702 2nd St.	Level 3 Communications LLC c/o Property Tax	1025 El Dorado Blvd. Broomfield, CO 80021
73-063-05	715 2nd St.	Brown, Kenneth Romaine II	23400 Fig Lane Corning, CA 96021
73-084-29	Alley between Marin/Solano St.	Chavez, Lorenzo & Tina	3431 Helen St., Oakland, CA 94608
73-162-03	906 Hickory St.	Trimm, Nina	906 Hickory St. Corning, CA 96021
73-200-31	526 Stanmar Dr.	Mathisen, Martin Harvey & Loyette Gay	P.O. Box 876 Corning, CA 96021
73-220-28	728 El Paso Ave.	Holtzinger, Michael J. & Jeannine H.	P.O. Box 420 Corning, CA 96021
73-230-20	1080 McDonald Ct.	Tannous, Andoni	1027 Fassier Pacifica, CA 94044
73-240-07	271 Marty Ct.	Holloway, Sherri L.	271 Marty Ct. Corning, CA 96021
87-040-73	Hwy. 99 W	Birk, Harvinder S. ETAL TRS	P.O. Box 991121 Redding, CA 96099-1121
87-040-74	Hwy. 99 W	Birk, Harvinder S. ETAL TRS	P.O. Box 991121 Redding, CA 96099-1121
87-050-01	2441 & 2551 Hwy. 99 W	Hardy, Lewis & Hardy, Kathryn Myers	243 Lost Horizon Oroville, CA 95959
87-050-02	2761 Hwy. 99 W	Coryell, Donnie Ray DECD ETAL, c/o Santander, Brenda	4805 Onate Ave. San Diego, CA 92117
87-050-03	Hwy. 99 W	King, Verna Alice Trustee	1996 Poppy View Terrace Chico, CA 95928
Total Properties: 37			