



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, MAY 28, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

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

A. CALL TO ORDER: 7:30 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 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: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Council will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Council from taking formal action on the issue, however, unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.

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

- 1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 2. Waive the reading and approve the Minutes of the May 14, 2013 City Council Meeting with any necessary corrections:**
- 3. May 22, 2013 Claim Warrant - \$191,043.63.**
- 4. May 22, 2013 Business License Report.**

5. Ordinance 652; An Ordinance amending Chapter 15.17 of the Corning Municipal Code regarding Flood Damage Prevention. (Second Reading & Adoption)
6. Authorize Fire Chief to negotiate rate increase for Fire Dispatch Services to other agencies.
7. Budget adjustment due to receipt of Insurance Damages Claim resulting from Transportation Center Fire.
8. Budget adjustment due to receipt of Proposition 30 Funds for Police Services.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

9. Designation of League of California Cities Voting Delegate and Alternate.
10. Authorization for Corning Chamber of Commerce to hold Farmers Market at Northside Park.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Dickison:

Linnet:

Cardenas:

Smith:

Strack:

N. ADJOURNMENT!:

POSTED: FRIDAY, MAY 24, 2013



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, MAY 14, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

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

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

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present.

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

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

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation – May 2013 Mental Health Month.** Tehama County Mental Health Board Chairperson Mike Gonzales was present to accept the Proclamation. Mr. Gonzales announced that the County now has a full-time Psychiatrist on staff and listed some of the various programs and services now available to County residents.

F. BUSINESS FROM THE FLOOR: None.

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

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes of the April 23, 2013 meeting with any necessary corrections.**
4. **May 8, 2013 Claim Warrant - \$352,462.60.**
5. **May 8, 2013 Business License Report.**
6. **April 2013 Wages and Salaries: \$335,912.30.**
7. **April 2013 Building Permit Valuation Report - \$2,094,217.66.**

8. **April 2013 Treasurer's Report.**
 9. **City of Corning Wastewater Operations Summary Report – April 2013.**
 10. **Award Bid for Safe Routes to School (SRTS) Cycle 10 Project to Thomas H. Williams in the amount of \$213,293.40.**
 11. **Authorize Public Works to seek Bids for a 3-year Janitorial Services Agreement.**
 12. **Authorize Public Works to seek Bids for a 3-year Landscape and Maintenance Agreement for service at 10 City Locations.**
 13. **Approve Progress Pay Estimate No. 1 in the amount of \$108,948.74 to Trent Construction for the Corning Community Park Phase 1 Construction.**
- Mayor Strack introduced each Consent Item by title. Councilor Dickison moved to approve Consent Items 2-13 and Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. **ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

I. **PUBLIC HEARINGS AND MEETINGS:** None.

J. **REGULAR AGENDA:**

14. **Approve Assignment and Assumption Agreement for Wastewater Treatment Plant (WWTP) Operations and Industrial Wastewater Monitoring with Severn Trent Services, Inc.**

Mayor Strack introduced this item by title and City Manager John Brewer explained that SouthWest Water, Inc. (SWWC) seeks to relinquish contractual provisions for operation & maintenance services to the City's Wastewater Treatment Plant (WWTP). Severn Trent Services seeks to assume the SWWC contract to provide these services at our Treatment Plant. He introduced Richard Clayton and Adam Rogensues from Severn Trent Services and stated that they are present to answer any questions. Mr. Brewer also stated that Council has a letter before them from Severn Trent Services stating their intention to retain the current employees at the WWTP. Mr. Clayton briefed the Council on their plans at the plant.

Councilor Dickison moved to approve the attached "Assignment and Assumption Agreement" regarding operation of the Wastewater Treatment Plant and Industrial Wastewater Compliance monitoring services and authorize the Mayor to sign the document on behalf of the City of Corning. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

15. **Introduction of Ordinance No. 652, Amending Chapter 15.17 of the Corning Municipal Code Regarding Flood Damage Prevention.**

Mayor Strack introduced this item by title. Building Official Terry Hoofard explained that this Ordinance is updated periodically and explained that the main change consists of accepting the changes to the new FEMA Flood Map.

Councilor Cardenas moved to introduce and read by short title Ordinance 652, an Ordinance that adopts the updated FEMA maps by reference, amends chapter 15.17 of the Corning Municipal Code to update the City's Floodplain Management Regulations, and designates the City's Building Official as the "Floodplain Administrator" and defines the responsibilities associated with this title. Councilor Linnet seconded the motion. Mayor Strack then read the Ordinance title. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

16. **Comprehensive Economic Development Strategy (CEDs) One Year Plan Update: Establish priority projects to be included in the 3CORE Economic Development District's Strategy.**

Mayor Strack introduced this item by title stating that this is something the Council reviews every year. Mayor Strack then requested moving "Priority C - Seeking funds for the extension

of Fig Lane from Toomes Avenue to Houghton Avenue” to Priority B in third place behind extending water and sewer to Airport. He explained that we now have the right-of-way for this extension due to the new Park.

Councilor Dickison moved to approve the CEDS Priority Project List with the modification of “Seeking funds for the extension of Fig Lane from Toomes Avenue to Houghton Avenue” from Priority C to Priority B as suggested by the Mayor. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

17. Approve Contract for Construction Administration for Phase I of the Corning Community Park with Stantec Planning and Architecture, P.C.

Mayor Strack introduced this item by title. City Manager Brewer explained that Stantec is the original designers of the Skateboard Park and due to their expertise it is critical that the designers be available to complete inspections or otherwise consult with staff during construction. He also stated that City Attorney Mike Fitzpatrick is reviewing one section of the contract but suggested moving forward subject to final review and approval of the City Manager. Councilor Cardenas asked whether their contract requires payment from portal to portal, City Engineer Ed Anderson stated probably. City Manager Brewer cited sections of the contract that limits site visits as approved by the City which will assist in controlling costs.

Councilor Cardenas moved to approve the attached contract for construction administration with Stantec Planning and Architecture, P.C. and authorize the City Manager to sign on behalf of the City of Corning subject to final review by the City Attorney. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

18. 2013 City of Corning Long Range Capital Improvement Program (CIP) and Priorities for Service.

Mayor Strack introduced this item by title and City Manager Brewer presented the 2013 City Long Range Capital Improvement Program and Priorities for Service. He stated that the Department Heads from the Fire Department, Police Department and Public Works Director are present to answer any questions from the Council.

Councilor Linnet asked what the electric vehicle would be used for; Public Works Director Patrick Walker stated it would be incorporated for use in all the parks, but especially in the new park. Mr. Walker stated it didn't necessarily need to be an electric vehicle.

Mayor Strack asked City Manager Brewer, if during the preliminary stages of the Budget, whether it looks like the City can fund all of the priority items. Mr. Brewer stated some, but not all.

Councilor Cardenas confirmed that the \$100,000 projected reserve balance is in addition to the \$800,000. He also confirmed that the Police Department's continued lease agreement for computer aided dispatch and records management as mentioned in the Staff Report had been budgeted as it is not listed on the Police Departments CIP. Mr. Brewer stated that it has been incorporated into the budget.

Councilor Linnet asked about replacement of the bathrooms at Yost Park stating it isn't listed but was discussed last year. Mayor Strack stated he was approached by Little League about improving the bathrooms at Clark Park, suggesting that possibly we could utilize Park Grant funds for construction rather than maintenance for this. Mr. Brewer stated that some of these funds (bedroom tax & development impact fees collected) will be utilized for the offsite improvements on Toomes Avenue because Park Grant funds cannot be utilized for improvements outside of the Park. Mr. Brewer also stated that the City collects funds via the development impact fees is for acquisition of additional parkland to reach a ratio of 5 acres per 1,000. He stated that adding 18 acres of park, basically doubling our park size accomplishes that and maybe we need to review what our nexus study is for parkland and determine whether

or not we need to continue to collect money for additional parkland when in his opinion we are going to have enough parkland for a while.

Councilor Dickison moved to adopt the "2013 City of Corning Long-Range Capital Improvement Program and Priorities for Services". Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Dickison: Reported on her attendance at the 5 minute LAFCO meeting last Wednesday in Red Bluff and the ribbon cutting last Wednesday at the new Antique Store located on Solano Street. She stated she would be attending the Community Action Meeting this Thursday.

Linnet: Reported that the Landfill meeting is tomorrow night in Red Bluff, and the Pay it Forward Committee is this Saturday and they are restaging Gary's faux gift shop next door to Mike's Locksmith on Solano Street across from its previous location.

Cardenas: Reported on his attendance at the Promise Neighborhood Meeting, everything is on track and the grant application is schedule for submittal July 30th and hopefully they will have a response in October. He also reported on his attendance at the Chamber of Commerce meeting tonight, they want to thank City Staff for assistance with the Car Show, they had no problems and it was a success. They are discussing moving the Farmers Market to Northside Park on Thursday nights beginning on June 20th and going through September. They are also discussing using "Corning Cash" sponsored by Rotary Club as prizes for the Olive Drop during the Olive Festival. The Corning Cash can only be spent in Corning. It will be funded by Rotary, the money will be given to the Chamber of Commerce and the merchants would turn the "Corning Cash" back into the Chamber to get their money back. He announced that tomorrow night is the Peace Officers Memorial at the Bethal Church in Red Bluff.

Smith: Reported on her attendance at the Senior Center Board meeting.

Strack: Asked City Manager John Brewer to report on the Landbridge Alliance meeting he attended today. Mr. Brewer stated they are trying to generate interest in a feasibility study for a rail line between Humboldt County (Eureka) and Tehama County (possibly in the Gerber area). He stated that they have accumulated many letters of support from various agencies, tribes, etc. Their main purpose is to generate a means of transporting goods from Eureka to the Sacramento Valley. They will be meeting tomorrow at 3:00 p.m. at M& M Restaurant in Red Bluff.

Mayor Strack also requested a public meeting to be scheduled to discuss the Solano Street Streetscape Project. Mr. Brewer responded stating that he expects to receive the environmental document tomorrow, explaining however that it still must go through a review process. He explained that he was planning on bringing it before Council sometime in June following all the review process.

N. ADJOURNMENT!: 8:20 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING ASSISTANT

DATE: May 23, 2013

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, May 28, 2013 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 05-13-13	\$27,806.40
B.	Cash Disbursements	Ending 05-15-13	\$105,222.17
C.	Payroll Disbursements	Ending 05-14-13	\$45,463.98
D.	Cash Disbursements	Ending 05-17-13	\$1,945.17
E.	Cash Disbursements	Ending 05-20-13	\$8,468.47
F.	Cash Disbursements	Ending 05-23-13	\$2,137.44

GRAND TOTAL **\$191,043.63**

REPORT.: May 13 13 Monday
 RUN....: May 13 13 Time: 14:06
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
016468	05/10/13	COR13	CORNING VOLUNTEER FIRE	17082.60	.00	17082.60	130509	RETURNING USDA FUNDS TO V
016469	05/10/13	SPR00	SPRINGHILL SUITES MARRIOT	1333.80	.00	1333.80	130509	TRAINING/ED-POLICE
016470	05/13/13	AND04	ANDERSON, IAN MATTHEW	220.00	.00	220.00	130513	TRAINING/ED-POLICE
016471	05/13/13	JOU00	JOURDAN, JUSTIN BRYANT	220.00	.00	220.00	130513	TRAINING/ED-POLICE
016472	05/13/13	LAN06	LANCE JONES CONSTRUCTION	8950.00	.00	8950.00	13-0513	THEATRE RESTORE-RODGERS T
Cash Account Total.....:				27806.40	.00	27806.40		
Total Disbursements.....:				27806.40	.00	27806.40		

REPORT.: May 15 13 Wednesday
 RUN....: May 15 13 Time: 11:10
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016473	05/15/13	TRE00	TRENT CONSTRUCTION INC.	103501.30	.00	103501.30	13-0515	PROP 84 CONSTRUCTION-PARK
016474	05/15/13	AIR00	AIRGAS USA, LLC	58.05	.00	58.05	990930586	MAT & SUPPLIES-FIRE
016475	05/15/13	APP02	APPLIED TESTING CONSULT	415.00	.00	415.00	110538	PROP 84 CONSTRUCTION-PARK
016476	05/15/13	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1304392	ProfServices Water Dept
016477	05/15/13	BUT04	BUTTE CTY CREDIT BUREAU	14.00	.00	14.00	12081	PROF SVCS-POLICE
016478	05/15/13	CAR12	CARREL'S OFFICE MACHINES	5.70	.00	5.70	117377	MAT & SUPPLIES-LIBRARY
016479	05/15/13	COR02	CORNING OBSERVER	54.83	.00	54.83	130513	COMMUNICATIONS-GEN CITY
016480	05/15/13	DEP12	DEPT OF JUSTICE	105.00	.00	105.00	972084	PROF SVCS-POLICE
016481	05/15/13	FOR01	FOREMOST PROMOTIONS	133.15	.00	133.15	211977	SCHOOL PROG-POLICE
016482	05/15/13	GOL03	GSFM / WFM	209.63	.00	209.63	I-037716	MAT & SUPPLIES-WTR
016483	05/15/13	GRA02	GRAINGER, W.W., INC	56.70	.00	56.70	913741029	SENIOR CENTER-GEN CITY
016484	05/15/13	HOL04	HOLIDAY MARKET #32	12.36	.00	12.36	7321205/0	MAT & SUPPLIES-
016485	05/15/13	NOR10	NICOLINO CLEMENTE	304.71	.00	304.71	2871	SAFETY ITEMS-POLICE
016486	05/15/13	NOR18	NORTH VALLEY DISTRIBUTING	152.28	.00	152.28	S11267210	MAT & SUPPLIES-AIRPORT
016487	05/15/13	NOR31	NORM'S PRINTING	80.63	.00	80.63	12696	PROP 84 CONSTRUCTION-PARK
016488	05/15/13	QUI02	QUILL CORPORATION	4.83	.00	4.83	2409510	MAT & SUPPLIES-FINANCE
Cash Account Total.....:				105222.17	.00	105222.17		
Total Disbursements.....:				105222.17	.00	105222.17		
Cash Account Total.....:				.00	.00	.00		

REPORT.: May 15 13 Wednesday
 RUN....: May 15 13 Time: 11:10
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 05-13 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
5945	05/14/13	BAN03	POLICE OFFICER ASSOC.	250.00	.00	250.00	B30514	POLICE OFFICER ASSOC
5946	05/14/13	CAL37	CALIFORNIA STATE DISBURSE	481.38	.00	481.38	B30514	WITHHOLDING ORDER
5947	05/14/13	EDD01	EMPLOYMENT DEVELOPMENT	3594.57	.00	3594.57	B30514	STATE INCOME TAX
				1052.15	.00	1052.15	1B30514	SDI
			Check Total.....	4646.72	.00	4646.72		
5948	05/14/13	ICM01	ICMA RETIREMENT TRUST-457	3314.20	.00	3314.20	B30514	ICMA DEF. COMP
5949	05/14/13	PERS1	PUBLIC EMPLOYEES RETIRE	29914.92	.00	29914.92	B30514	PERS PAYROLL REMITTANCE
5950	05/14/13	PERS4	Cal Pers 457 Def. Comp	376.00	.00	376.00	B30514	PERS DEF. COMP.
5951	05/14/13	PRE03	PREMIER WEST BANK	4685.26	.00	4685.26	B30514	HSA DEDUCTIBLE
5952	05/14/13	STA04	STATE OF CALIFORNIA	571.50	.00	571.50	B30514	WAGEASN CS#549826524
5953	05/14/13	VAL06	VALIC	1224.00	.00	1224.00	B30514	AIG VALIC P TAX
			Cash Account Total.....	45463.98	.00	45463.98		
			Total Disbursements.....	45463.98	.00	45463.98		

REPORT.: May 17 13 Friday
 RUN....: May 17 13 Time: 15:25
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016489	05/17/13	ACC00	ACCESS INFORMATION	89.88	.00	89.88	N155518	EQUIP MAINT-GEN CITY
016490	05/17/13	ACI01	ACI SPECIALTY BENEFITS	336.96	.00	336.96	14386	WorkmensComp. General Cit
016491	05/17/13	AUT00	AUTO ZONE	25.39	.00	25.39	409513554	VEH/OP MAINT-POLICE
016492	05/17/13	COR11	CORNING SAFE & LOCK	9.68	.00	9.68	3872	MAT & SUPPLIES-POLICE
				3.49	.00	3.49	3879	VEH/OP MAINT-POLICE
			Check Total.....:	13.17	.00	13.17		
016493	05/17/13	COR33	CORNING VETERAN'S HALL	21.00	.00	21.00	65	PRINTING/ADV-POLICE
016494	05/17/13	EXO00	EXOTIC CAR AUDIO OR	245.25	.00	245.25	A39731	VEH/OP MAINT-POLICE
016495	05/17/13	MOR02	RAY MORGAN COMPANY	661.68	.00	661.68	432662	MACH/EQUIP-FINANCE
016496	05/17/13	NOR31	NORM'S PRINTING	199.95	.00	199.95	12709	SOLANO STREETScape-STR PR
016497	05/17/13	OFF01	OFFICE DEPOT	39.94	.00	39.94	157493044	OFFICE SUPPLIES-POLICE
				62.10	.00	62.10	157573698	OFFICE SUPPLIES-POLICE
			Check Total.....:	102.04	.00	102.04		
016498	05/17/13	WAR05	WARREN, DANA KARL	249.85	.00	249.85	130516	REC INSTRUCTOR-REC
			Cash Account Total.....:	1945.17	.00	1945.17		
			Total Disbursements.....:	1945.17	.00	1945.17		
			=====	=====	=====	=====		

REPORT.: May 20 13 Monday
 RUN....: May 20 13 Time: 14:58
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
016499	05/20/13	APP02	APPLIED TESTING CONSULT	170.00	.00	170.00	110551	PROP 84 CONSTR-PARK DEV
016500	05/20/13	ATT13	AT&T	727.10	.00	727.10	130511	COMMUNICATIONS-DISPATCH
016501	05/20/13	BAS01	BASIC LABORATORY, INC	114.00	.00	114.00	1304635	ProfServices Water Dept
016502	05/20/13	BOB01	BOBCAT OF CHICO	1374.94	.00	1374.94	125069	CAP REPLACEMENT-SWR IMPRO
016503	05/20/13	BOB02	BOB'S TIRE CENTER	336.49	.00	336.49	233280	MAT & SUPPLIES-
016504	05/20/13	CAM02	FERGUSON ENTERPRISES INC.	99.14	.00	99.14	0900551	MAT & SUPPLIES-WTR
016505	05/20/13	COM06	COMCAST	23.73	.00	23.73	130509	COMMUNICATIONS-PW ADMIN
016506	05/20/13	CON07	CONEXIS	30.00	.00	30.00	04130R348	MEDICAL INS-COBRA
016507	05/20/13	COR11	CORNING SAFE & LOCK	12.09	.00	12.09	3870	MAT & SUPPLIES-WTR
016508	05/20/13	COR12	CORNING FORD MERCURY, INC	1213.84	.00	1213.84	T1CS16733	VEH/OP MAINT-POLICE
				38.30	.00	38.30	T1CS16772	VEH/OP MAINT-POLICE
			Check Total.....:	1252.14	.00	1252.14		
016509	05/20/13	HEN03	HENRY SCHEIN INC.,	96.43	.00	96.43	345559001	SAFETY ITEMS-FIRE
016510	05/20/13	HOL04	HOLIDAY MARKET #32	16.96	.00	16.96	15321205/	MAT & SUPPLIES-BLD MAINT
016511	05/20/13	HUN03	HUNTERS SERVICES INC.	1336.50	.00	1336.50	107592	PEST SPRAY-STR
016512	05/20/13	LNC01	LN CURTIS & SONS	1211.00	.00	1211.00	617185600	SAFETY ITEMS-FIRE
016513	05/20/13	MCC05	MCCURDY'S TRUCK REPAIR	225.13	.00	225.13	11578	VEH/OP MAINT-FIRE
016514	05/20/13	NOR10	NICOLINO CLEMENTE	64.59	.00	64.59	2865	CERT OF EXTNG-BLD MAINT
				921.98	.00	921.98	2867	CERT OF EXTNG-BLD MAINT
				35.00	.00	35.00	2869	BLD MAINT-TRANS FAC
			Check Total.....:	1021.57	.00	1021.57		
016515	05/20/13	PGE2A	PG&E	52.91	.00	52.91	130516	ELECT-BLUE HERON CT
016516	05/20/13	PRI05	PRIORITY DISPATCH	39.00	.00	39.00	80773	EQUIP MAINT-FIRE DISPATCH
				150.00	.00	150.00	85484	EQUIP MAINT-FIRE DISPATCH
			Check Total.....:	189.00	.00	189.00		
016517	05/20/13	S&W00	S & W HEALTHCARE CORPORAT	179.34	.00	179.34	181116	EQUIP MAINT-FIRE
			Cash Account Total.....:	8468.47	.00	8468.47		
			Total Disbursements.....:	8468.47	.00	8468.47		

REPORT.: May 23 13 Thursday
 RUN...: May 23 13 Time: 11:10
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 05-13 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Description
016518	05/23/13	BIG02	BIG VALLEY SANITATION II	175.00	.00	175.00	857980	MAT & SUPPLIES-AIRPORT
016519	05/23/13	COR12	CORNING FORD MERCURY, INC	38.30	.00	38.30	FICS16792	VEH/OP MAINT-POLICE
016520	05/23/13	FMR01	FM RICHELIEU ENGINEERING	880.00	.00	880.00	2013-02	PLAN CHECK-BLD & SAFETY
016521	05/23/13	NAP01	NAPA AUTO PARTS	217.05	.00	217.05	130520	MAT & SUPPLIES-
016522	05/23/13	NOR10	NICOLINO CLEMENTE	5.00	.00	5.00	1868	CERT OF EXTNG-BLD MAINT
				70.00	.00	70.00	2866	BLD MAINT-FIRE
			Check Total.....:	75.00	.00	75.00		
016523	05/23/13	NOR31	NORM'S PRINTING	90.92	.00	90.92	012712	OFFICE SUPPLIES-FINANCE
016524	05/23/13	PET03	PETTY CASH	272.17	.00	272.17	13-0520	PETTY CASH-
016525	05/23/13	SVA01	SVABO	65.00	.00	65.00	13-0520	ASSOC DUES-BLD & SAFETY
016526	05/23/13	ULT10	ULTRAMAX AMMUNITION	324.00	.00	324.00	137195	SAFETY ITEMS-POLICE
			Cash Account Total.....:	2137.44	.00	2137.44		
			Total Disbursements.....:	2137.44	.00	2137.44		

Date.: May 23, 2013
 Time.: 11:18 am
 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
CONROY CONSTRUCTION,	1357 E. 8TH ST	CHICO, CA 95928	CONROY	PAT CONTRACTOR	05/23/13	(530)891-1204
FLYING BOAT CHINESE	1522 SOLANO ST	CORNING, CA 96021		WEI KAN CHINESE RESTAURANT - DINE IN & TAKE OUT	05/13/13	(530)824-4085
FOUNTAIN OF HEALTH	1415 SOLANO ST	CORNING, CA 96021	WILFONG	ROSIE F WOMENS CIRCUIT TRAINING GYM	05/13/13	(530)689-0222
HOLTZINGER HOME REP	5350 EDITH AVE	CORNING, CA 96021	HOLTZINGER	MICHAEL HANDYMAN SERVICE -NON CONTRACTOR REPAIRS	05/13/13	(530)824-6086
MARISCOS PLAYA AZUL	1809 SOLANO ST	CORNING, CA 96021	MERAZ	ANTONIA VENDING FROM VEHICLE (EDIBLES)	05/23/13	(530)838-0722
MOJAVE ELECTRIC		RED BLUFF, CA 96080	CHAIN SR	LARRY CONTRACTOR	05/16/13	(530)528-0433
MORENO HANDYMAN,	519 ANTELOPE BLVD	RED BLUFF, CA 96080	MORENO	LUIS HANDYMAN - GENERAL LABOR	05/23/13	(650)814-6132
PAINT REGLAZING COMP	240 EDITH AVE	CORNING, CA 96021	GOMEZ	MARTHA PAINT REGLAZING OF TUBS, SHOWERS, ETC	05/23/13	(530)230-7402
RUBIO' HANDY MAN	1744 PALM AVE	CORNING, CA 96021	RUBIO	EDGAR HANDY MAN	05/13/13	(530)501-5963
SIERRA STRIPING, INC	6141 ANGELO COURT	LOOMIS, CA 95650	JOHNSON	RON CONTRACTOR	05/23/13	(916)652-0430
SIERRA TRAFFIC MARKI	3139 SWETZER RD	LOOMIS, CA 95650	JOHNSON	RON CONTRACTOR	05/23/13	(916)652-9080

**ITEM NO.: G-5
ADOPT ORDINANCE 652, AN
ORDINANCE AMENDING CHAPTER
15.17 OF THE CORNING MUNICIPAL
CODE REGARDING FLOOD DAMAGE
PREVENTION
MAY 28, 2013**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JOHN L. BREWER, AICP; CITY MANAGER
TERRY HOOFARD, BUILDING OFFICIAL 

SUMMARY:

At the May 14, 2013 Staff introduced and read by short title Ordinance 652, an Ordinance that rescinds Chapter 15.17 of the Corning Municipal Code in its entirety and replaces it with new language thus updating the City's existing Floodplain Management Regulations. The proposed Ordinance adopts the updated FEMA maps by reference, identifies areas of special flood hazards within the City of Corning, and provides mitigating regulations to ensure that flood hazard areas within the City are governed by rules that protect against loss of life and property in case of flood events.

BACKGROUND:

The City of Corning entered the National Flood Insurance Program and adopted a Flood Insurance Program Ordinance in 1982 setting standards of construction in all areas of special flood hazards. The City has periodically reviewed and amended their Municipal Code via new Ordinances to maintain compliance with current Floodplain Management regulations.

Proposed Ordinance 652 includes regulations to:

1. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
4. Control filling, grading, dredging, and other development which may increase flood damage;
5. Prevent or regulate the construction of flood barriers which may increase flood damage;
6. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

The proposed Ordinance also adopts FEMA maps by reference, identifying areas of special flood hazard with the City of Corning and re-designates the City's Building Official as the "Floodplain Administrator" and outlines the responsibilities associated with this title.

RECOMMENDATION:

HAVING PREVIOUSLY INTRODUCED AND READ BY SHORT TITLE, STAFF NOW RECOMMENDS ADOPTION OF ORDINANCE 652, AN ORDINANCE THAT:

- **ADOPTS THE UPDATED FEMA MAPS BY REFERENCE,**
- **AMENDS CHAPTER 15.17 OF THE CORNING MUNICIPAL CODE TO UPDATE THE CITY'S FLOODPLAIN MANAGEMENT REGULATIONS; AND**
- **DESIGNATES THE CITY'S BUILDING OFFICIAL AS THE "FLOODPLAIN ADMINISTRATOR" AND DEFINES THE RESPONSIBILITIES ASSOCIATED WITH THIS TITLE.**

CITY OF CORNING

FLOOD DAMAGE PREVENTION ORDINANCE NO. 652 SUMMARY

The City of Corning is updating its floodplain management regulations to ensure that flood hazard areas within the City limits are governed by rules which protect against loss of life and property in case of flooding events. Uses allowed within areas of the City subject to periodic inundation must be subject to requirements for adequate elevations for buildings and other requirements to protect public health and safety. The purpose of this Ordinance is to minimize public and private losses due to flood conditions in specific areas of the City by enacting regulations for this purpose.

In order to accomplish its purposes, this Ordinance includes regulations to:

- A.** Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- B.** Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C.** Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D.** Control filling, grading, dredging, and other development which may increase flood damage;
- E.** Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

This Ordinance adopts the FEMA maps by reference, identifying areas of special flood hazard within the City of Corning. It designates the City's Building Official as the "Floodplain Administrator" and requires him or her to review all development permits and to notify other agencies of certain events. It requires special plans to be submitted for construction within flood hazard areas and permits to be obtained prior to building. It establishes standards of construction to protect against flood hazard damage and such standards apply to anchoring, types of construction materials, elevations and flood proofing. These standards apply to both residential and non-residential construction, garages, accessory structures, crawlspaces, and utilities. These standards also govern manufactured homes and recreational vehicles placed within such areas. The Ordinance concludes by establishing a procedure for variances and appeals of administrative decisions.

ORDINANCE NO.: 652

AN ORDINANCE OF THE CITY OF CORNING AMENDING CHAPTER 15.17 OF THE CORNING MUNICIPAL CODE REGARDING FLOOD DAMAGE PREVENTION

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

SECTION 1:

Chapter 15.17 of the Corning Municipal Code is rescinded in its entirety and replaced with the following new language:

15.17.010 STATUTORY AUTHORIZATION:

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Corning does hereby adopt the following floodplain management regulations.

15.17.020 FINDINGS OF FACT:

- A.** The flood hazard areas of the City of Corning are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B.** These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contributes to flood losses.

15.17.030 STATEMENT OF PURPOSE:

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood prone, mudslide [i.e. mudflow] or flood related erosion areas. These regulations are designed to:

- A.** Protect human life and health;
- B.** Minimize expenditure of public money for costly flood control projects;
- C.** Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D.** Minimize prolonged business interruptions;
- E.** Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

15.17.040 METHODS OF REDUCING FLOOD LOSSES:

In order to accomplish its purposes, this ordinance includes regulations to:

- F. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- G. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- H. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- I. Control filling, grading, dredging, and other development which may increase flood damage;
- J. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

15.17.050 DEFINITIONS:

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

"A zone" - see **"Special flood hazard area"**.

"Accessory structure" means a structure that is either:

1. Solely for the parking of no more than 2 cars; or
2. A small, low cost shed for limited storage, less than 150 square feet and \$1,500 in value.

"Accessory use" means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

"Alluvial fan" means a geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

"Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

"Area of shallow flooding" means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" - See "Special flood hazard area."

"Base flood" means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

"Base flood elevation" (BFE) means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

"Basement" means any area of the building having its floor subgrade - i.e., below ground level - on all sides.

"Building" - see **"Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before March 8, 1988.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood, flooding, or flood water" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and
2. The condition resulting from flood-related erosion.

"Flood Boundary and Floodway Map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source - see **"Flooding."**

"Floodplain Administrator" is the community official designated by title to administer and enforce the floodplain management regulations.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

"Floodplain management regulations" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway".

"Floodway fringe" is that area of the floodplain on either side of the "Regulatory Floodway" where encroachment may be permitted.

"Fraud and victimization" as related to Sections 15.17.230 through 15.17.250 of this ordinance, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the City Council will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one-hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Governing body" is the local governing unit, i.e. county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

"Hardship" as related to Sections 15.17.230 through 15.17.250 of this ordinance means the exceptional hardship that would result from a failure to grant the requested variance. The City Council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see "Basement" definition).

1. An unfinished or flood resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to:
 - a. The flood openings standard in Section 15.17.170 C. 3;
 - b. The anchoring standards in Section 15.17.170 A;
 - c. The construction materials and methods standards in Section 15.17.170 B; and
 - d. The standards for utilities in Section 15.17.180.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Market value" shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed.

1. The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the construction industry.
2. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the Floodplain Administrator, but shall not include economic or other forms of external obsolescence.

Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New construction", for floodplain management purposes, means structures for which the "start of construction" commenced on or after March 8, 1988 and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 8, 1988.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

"One-hundred-year flood" or "100-year flood" - see **"Base flood."**

"Program deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.

"Public safety and nuisance" as related to Sections 15.17.230 through 15.17.250 of this ordinance, means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Remedy a violation" means to bring the structure or other development into compliance with State or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing State or Federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Sheet flow area" - see **"Area of shallow flooding."**

"Special flood hazard area (SFHA)" means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.

"Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

"Substantial damage" means

1. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred; or
2. Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. This is also known as "repetitive loss."

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

15.17.060 LANDS TO WHICH THIS ORDINANCE APPLIES:

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Corning.

15.17.070 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD:

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) for **the County of Tehama, State of California**" dated **September 29, 2011**, with accompanying Flood Insurance Rate Maps (FIRM's) and Flood Boundary and Floodway Maps (FBFM's), dated **September 29, 2011** and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ordinance. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator. The study, FIRM's and FBFM's are on file at Corning City Hall, 794 Third Street, Corning, California 96021.

15.17.080 COMPLIANCE:

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall prevent the City Council from taking such lawful action as is necessary to prevent or remedy any violation.

15.17.090 ABROGATION AND GREATER RESTRICTIONS:

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

15.17.100 INTERPRETATION:

In the interpretation and application of this ordinance, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

15.17.110 WARNING AND DISCLAIMER OF LIABILITY:

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Corning, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

15.17.120 SEVERABILITY:

This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

15.17.130 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR:

The **City Building Official** is designated the Floodplain Administrator for the City of Corning and is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accord with its provisions.

15.17.140 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR:

The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

A. Permit Review:

Review all development permits to determine:

1. Permit requirements of this ordinance have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding;
4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than 1 foot at any point within the City of Corning; and
5. All Letters of Map Revision (LOMR's) for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

B. Development of Substantial Improvement and Substantial Damage Procedures:

1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage.
2. Assure procedures are coordinated with other departments/divisions and implemented by community staff.

C. Review, Use and Development of Other Base Flood Data:

When base flood elevation data has not been provided in accordance with Section 15.17.070, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Sections 15.17.170 through 15.17.220.

NOTE: A base flood elevation shall be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.

D. Notification of Other Agencies:

1. Alteration or relocation of a watercourse:
 - a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;
 - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
 - c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.
2. Base Flood Elevation changes due to physical alterations:
 - a. Within 6 months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).
 - b. All LOMR's for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.
3. Changes in corporate boundaries:

Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

E. Documentation of Floodplain Development:

Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by Section 15.17.170 C.1 and Section 15.17.200 (lowest floor elevations);
2. Certification required by Section 15.17.170 C.2 (elevation or floodproofing of nonresidential structures);
3. Certification required by Sections 15.17.170 C.3 (wet floodproofing standard);
4. Certification of elevation required by Section 15.17.190 A.3 (subdivisions and other proposed development standards);
5. Certification required by Section 15.17.220 B (floodway encroachments); and
6. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

F. Map Determination:

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 15.17.160.

G. Remedial Action:

Take action to remedy violations of this ordinance as specified in Section 15.17.080.

H. Biennial Report:

Complete and submit Biennial Report to FEMA.

I. Planning:

Assure community's General Plan is consistent with floodplain management objectives herein.

J. Non-conversion of Enclosed Areas Below the Lowest Floor:

To ensure that the areas below the BFE shall be used solely for parking vehicles, limited storage, or access to the building and not be finished for use as human habitation without first becoming fully compliant with the floodplain management ordinance in effect at the time of conversion, the Floodplain Administrator shall:

1. Determine which applicants for new construction and/or substantial improvements have fully enclosed areas below the lowest floor that are 5 feet or higher;
2. Enter into a "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD PLAIN AREAS" or equivalent with the City of Corning. The agreement shall be recorded in Tehama County Recorder's Office as a deed restriction. The non-conversion agreement shall be in a form acceptable to the Floodplain Administrator and City Attorney; and

3. Have the authority to inspect any area of a structure below the base flood elevation to ensure compliance upon prior notice of at least 72 hours.

15.17.150 DEVELOPMENT PERMIT:

A development permit shall be obtained before any construction or other development, including manufactured homes, within any area of special flood hazard established in Section 15.17.070. Application for a development permit shall be made on forms furnished by the City of Corning. The applicant shall provide the following minimum information:

A. Plans in duplicate, drawn to scale, showing:

1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;
2. Proposed locations of water supply, sanitary sewer, and other utilities;
3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;
4. Location of the regulatory floodway when applicable;
5. Base flood elevation information as specified in Section 15.17.070 or Section 15.17.140 C;
6. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; and
7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed, as required in Section 15.17.070 C 2 of this ordinance and detailed in FEMA Technical Bulletin TB 3-93.

B. Certification from a registered civil engineer or architect that the nonresidential floodproofed building meets the floodproofing criteria in Section 15.17.170 C 2.

C. For a crawl-space foundation, location and total net area of foundation openings as required in Section 15.17.170 C 3 of this ordinance and detailed in FEMA Technical Bulletins 1-93 and 7-93.

D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

E. All appropriate certifications listed in Section 15.17.140 E of this ordinance.

15.17.160 APPEALS:

The City Council of the City of Corning shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

15.17.170 STANDARDS OF CONSTRUCTION.

In all areas of special flood hazards the following standards are required:

A. Anchoring:

All new construction and substantial improvements of structures, including manufactured homes, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. Construction Materials and Methods:

All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

1. With flood resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;
2. Using methods and practices that minimize flood damage;
3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and
4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

C. Elevation and Floodproofing:

1. Residential construction:

All new construction or substantial improvements of residential structures shall have the lowest floor, including basement:

- a. In AE, AH, A1-30 Zones, elevated at or above the base flood elevation.
- b. In an AO zone, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM, or elevated at least 2 feet above the highest adjacent grade if no depth number is specified.
- c. In an A zone, without BFE's specified on the FIRM [unnumbered A zone], elevated at or above the base flood elevation; as determined under Section 15.17.140 C.

Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

2. Nonresidential construction:

All new construction or substantial improvements of nonresidential structures shall either be elevated to conform with Section 15.17.170 C 1 or:

- a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under Section 15.17.170 C 1, so that the structure is watertight with walls substantially impermeable to the passage of water;

- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- c. Be certified by a registered civil engineer or architect that the standards of Section 15.17.170 C 2 a & b are satisfied. Such certification shall be provided to the Floodplain Administrator.

3. Flood openings:

All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must meet the following minimum criteria:

- a. For non-engineered openings:
 - 1. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one foot above grade;
 - 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater; and
 - 4. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or
- b. Be certified by a registered civil engineer or architect.

4. Manufactured homes:

- a. See Section 15.17.200.

5. Garages and low cost accessory structures:

- a. Attached garages.
 - 1. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See Section 15.17.170 C.3. Areas of the garage below the BFE must be constructed with flood resistant materials. See Section 15.17.170 B.
 - 2. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA Technical Bulletin TB-6.
- b. Detached garages and accessory structures.
 - 1. "Accessory structures" used solely for parking (2 car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Section 15.17.050 may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:

- a) Use of the accessory structure must be limited to parking or limited storage;
 - b) The portions of the accessory structure located below the BFE must be built using flood-resistant materials;
 - c) The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;
 - d) Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;
 - e) The accessory structure must comply with floodplain encroachment provisions in Section 15.17.220; and
 - f) The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with Section 15.17.170 C 3.
2. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 15.17.170.

5. Crawlspace Construction:

This sub-section applies to buildings with crawl spaces up to 2 feet below grade. Below-grade crawl space construction in accordance with the requirements listed below will not be considered basements.

- a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Crawl space construction is not allowed in areas with flood velocities greater than 5 feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or engineer;
- b. The crawl space is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. For guidance on flood openings, see FEMA Technology Bulletin 1-93;
- c. Crawl space construction is not permitted in V zones. Open pile or column foundations that withstand storm surge and wave forces are required in V zones;
- d. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawl space used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE; and
- e. Any building utility systems within the crawl space must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
- f. Requirements of all below-grade crawl space construction, in addition to the above requirements, to include the following:

1. The interior grade of a crawl space below the BFE must not be more than 2 feet below the lowest adjacent exterior grade (LAG), shown as D in figure 3 of Technical Bulletin 11-01;
2. The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall must not exceed 4 feet (shown as L in figure 3 of Technical Bulletin 11-01) at any point;
3. There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable period of time after a flood event, not to exceed 72 hours; and
4. The velocity of the floodwaters at the site should not exceed 5 feet per second for any crawl space. For velocities in excess of 5 feet per second, other foundation types should be used.

15.17.180 STANDARDS FOR UTILITIES:

- A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:
 1. Infiltration of flood waters into the systems; and
 2. Discharge from the systems into flood waters.
- B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

15.17.190 STANDARDS FOR SUBDIVISIONS AND OTHER PROPOSED DEVELOPMENT:

- A. All new subdivisions proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than 50 lots or 5 acres, whichever is the lesser, shall:
 1. Identify the Special Flood Hazard Areas (SFHA) and Base Flood Elevations (BFE).
 2. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.
 3. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a Letter of Map Revision based on Fill (LOMR-F) to the Floodplain Administrator:
 - a. Lowest floor elevation.
 - b. Pad elevation.
 - c. Lowest adjacent grade.
- B. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.
- C. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

- D. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

15.17.200 STANDARDS FOR MANUFACTURED HOMES:

- A. All manufactured homes that are placed or substantially improved, on sites located: (1) outside of a manufactured home park or subdivision; (2) in a new manufactured home park or subdivision; (3) in an expansion to an existing manufactured home park or subdivision; or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall:

1. Within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated at or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- B. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map that are not subject to the provisions of Section 15.17.200 A will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

1. Lowest floor of the manufactured home is at or above the base flood elevation; or
2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

15.17.210 STANDARDS FOR RECREATIONAL VEHICLES:

- A. All recreational vehicles placed in Zones A1-30, AH, and AE will either:
1. Be on the site for fewer than 180 consecutive days; or
 2. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 3. Meet the permit requirements of Section 15.17.150 of this ordinance and the elevation and anchoring requirements for manufactured homes in Section 15.17.200 A.

15.17.220 FLOODWAYS:

Since floodways are an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Until a regulatory floodway is adopted, no new construction, substantial development, or other development (including fill) shall be permitted within Zones A1-30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than 1 foot at any point within the City of Corning.
- B. Within an adopted regulatory floodway, the City of Corning shall prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- C. If Sections 15.17.220 A & B are satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Sections 15.17.170 through 15.17.220.

15.17.230 NATURE OF VARIANCES:

The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance.

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City Council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

15.17.240 CONDITIONS FOR VARIANCES:

- A. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Sections 15.17.130 through 15.17.220 of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

- B.** Variances may be issued for the repair or rehabilitation of "historic structures" (as defined in Section 15.17.050 of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C.** Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- D.** Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance. For example, in the case of variances to an elevation requirement, this means the City Council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the City Council believes will both provide relief and preserve the integrity of the local ordinance.
- E.** Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - 1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - 2. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Tehama County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.
- F.** The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

15.17.250 APPEAL BOARD:

- A.** In passing upon requests for variances, the City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and the:
 - 1. Danger that materials may be swept onto other lands to the injury of others;
 - 2. Danger of life and property due to flooding or erosion damage;
 - 3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
 - 4. Importance of the services provided by the proposed facility to the community;
 - 5. Necessity to the facility of a waterfront location, where applicable;
 - 6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. Compatibility of the proposed use with existing and anticipated development;
8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. Safety of access to the property in time of flood for ordinary and emergency vehicles;
10. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and
11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

B. Variances shall only be issued upon a:

1. Showing of good and sufficient cause;
2. Determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and
3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "Public safety and nuisance"), cause "fraud and victimization" of the public, or conflict with existing local laws or ordinances.

C. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Sections 15.17.250 A through 15.17.250 D are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

D. Upon consideration of the factors of Section 15.17.240 A and the purposes of this ordinance, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

SECTION 2:

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on _____, 2013 and adopted at a regular meeting of the City Council of the City of Corning held on December _____, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

It shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the Councilpersons voting for and against the same, in a newspaper of general circulation in the County of Tehama.

**Gary R. Strack, Mayor
City of Corning**

ATTEST:

**Lisa M. Linnet, City Clerk
City of Corning**

**ITEM NO.: G-6
AUTHORIZE FIRE CHIEF TO
NEGOTIATE RATE INCREASE FOR
FIRE DISPATCH SERVICES TO
OTHER AGENCIES**

MAY 28, 2013

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: JOHN L. BREWER, AICP; CITY MANAGER
MARTIN SPANNAUS FIRE CHIEF**



SUMMARY:

The Fire Chief seeks City Council authorization to renegotiate the dispatch fees we currently charge to Capay and Orland Fire Districts for fire dispatch services.

BACKGROUND:

Corning City Fire Dispatch has been dispatching Orland and Capay Fire Department emergency calls since July 1, 2007. The initial contract included compensation at a rate of \$42.00 per call. This fee has not increased since the original inception of the contract. However, during this time the City has incurred wage and benefit cost increases due to cost of living and salary increases.

I was approached by the Orland Fire Department regarding a possible rate change and believe a fee increase for our services is justified at this time. I'm recommending a 5% increase. This proposed increase would raise the costs per call to \$44.10, an increase of \$2.10 from the existing \$42 per call. Considered over the six-year life of the existing contract, the proposed 5% increase is equivalent to annual increases of 0.82% per year. Based upon last year's call volume, the additional cost of this proposed increase to the respective agencies would amount to:

- Orland City and Fire District: \$1,381.80
- Capay Fire District: \$142.80

The proposed increase would become effective July 1, 2013, the start of the next fiscal year.

Orland and Capay Fire Departments have been very happy with the services provided by Corning's Fire Dispatch Center and look forward to a continuing relationship.

RECOMMENDATION:

- **MAYOR AND COUNCIL ALLOW THE FIRE CHIEF TO RENEGOTIATE DISPATCH FEES WITH ORLAND AND CAPAY FIRE DISTRICTS.**

**ITEM NO.: G-7
BUDGET ADJUSTMENT DUE TO
RECEIPT OF INSURANCE DAMAGES
CLAIM RESULTING FROM
TRANSPORTATION CENTER FIRE**

MAY 28, 2013

TO: CITY COUNCIL OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; CITY MANAGER

JB

SUMMARY:

As you may recall, the Transportation Center building sustained a fire in April that damaged the exterior of the building, adjacent to the restaurant. We immediately reported the incident to our insurance carrier; Robert Jones Insurance and were promptly contacted by an Adjuster who visited the site. We have recently (May 10th) received a check from the insurance provider in the amount of \$13,387.88. Those funds are not accounted in this year's budget. The purpose of this budget adjustment is to account for those funds, which have been deposited in the Transportation Center Building Maintenance Account-No. 625-6750-3160.

REPAIRS:

The claim check was accompanied by a detailed materials and labor estimate prepared by the Adjuster and a letter from the insurance provider that accounted for the amount and the \$1,000 deductible amount of our coverage. There were instructions included that required us to obtain pre-authorization if we were to complete the repairs with our staff.

I asked Building Official Terry Hoofard to review the Adjuster's estimates for accuracy and completeness, with respect to what our costs would be if we completed the repairs. . Terry came up with quite similar numbers. At that point we decided to take on the repairs with our crew.

Since we did not dispute the estimates provided by the Adjuster and the amount of the claim, we were given the go-ahead to proceed.

RECOMMENDATION:

- **THAT THE CITY COUNCIL ACKNOWLEDGE THE BUDGET ADJUSTMENT TO ACCOUNT NO. 625-6750-3160 DUE TO THE RECEIPT OF THE \$13,387.88 INSURANCE CLAIM FROM QBE INSURANCE GROUP DUE TO FIRE DAMAGE TO THE TRANSPORTATION CENTER BUILDING.**



Insured: CITY OF CORNING
Property: 794 THIRD STREET
CORNING, CA 96021
Home: 794 THIRD STREET
CORNING, CA 96021

Claim Rep.: Melody Taylor
Business: P.O Box 975
Sun Prairie, WI 53590

Business: (425) 945-5702
E-mail: melody.taylor@us.qbe.com

Claimant: CITY OF CORNING
Home: 794 THIRD STREET
CORNING, CA 96021

Estimator: Jason Morris
Company: BrightClaim, Inc.

Business: (530) 375-0023

Claim Number: 120467N

Policy Number: CM008541

Type of Loss: Property

Date Contacted: 4/8/2013
Date of Loss: 4/4/2013
Date Inspected: 4/9/2013 9:30 AM
Date Est. Completed: 4/9/2013 10:06 PM

Date Received: 4/5/2013
Date Entered: 4/8/2013 4:24 PM

Price List: CARE7X_APR13
Restoration/Service/Remodel
Estimate: CITY_OF_CORNING

Enclosed please find our estimate for the damage to your property (Claim # 120467N). Please present this estimate to the contractor of your choice. The estimate is divided into sections and subdivided as necessary. Should you have any questions regarding this estimate, please call me at (425) 945-5702.

Replacement Cost Loss: \$15,387.83
Less Recoverable Depreciation: \$999.95
Less Non-Recoverable Depreciation: \$0.00

Actual Cash Value Loss: \$14,387.88
Less Policy Deductible: \$1,000.00

Actual Cash Value Claim: \$13,387.88

Frequently Asked Questions:

What if the work can't be performed for the amount stated in this estimate?

· If for any reason the repairs are expected to exceed the total cost identified in this estimate please contact me prior to performing the work so that we may reach an agreed upon cost of repair.

What happens if additional damage is discovered?

· If during the course of repair additional damage is discovered please contact me immediately so that I may help document and estimate the damages.

Why does my estimate show recoverable depreciation?

· Your policy provides Replacement Cost coverage for certain property. With respect to this property, our initial obligation is to pay the Actual Cash Value. Actual Cash Value is defined in the policy. If an amount is shown in Recoverable Depreciation, then you may make a replacement cost claim, and you may recover up to the lesser of the amount shown or the amount that is actually spent to repair or replace the property.

- up to \$14,387.88

How do I make claim for the Recoverable Depreciation?

· Per your policy, if you wish to make claim for the recoverable depreciation please notify me of your intent to do so within (180) days.

· Once the repairs have been completed simply submit the supporting invoices, receipts, etc. to my attention. You may recover up to the lesser of the amount shown as Recoverable Depreciation or the amount that is actually incurred to perform repairs.

Why does the estimate list Non-Recoverable Depreciation?

· Certain property is covered under your policy for Actual Cash Value only, and Replacement Cost coverage is not provided. If an item is marked with non-recoverable depreciation, then only Actual Cash Value coverage is provided by the policy, and no Replacement Cost claim may be made.

Do I have to replace with exactly what I had?

· No, you may repair/replace with higher quality/cost items, but we only owe up to the amount reasonably necessary to repair with materials of same like, kind and quality. If you believe this amount is different from the amount listed in the estimate please call me.

Can I perform the repair work?

**ITEM NO.: G-8
BUDGET ADJUSTMENT DUE TO
RECEIPT OF PROPOSITION 30 FUNDS
FOR POLICE SERVICES.**

MAY 28, 2013

TO: CITY COUNCIL OF THE CITY OF CORNING
FROM: JOHN L. BREWER, AICP; CITY MANAGER
DONALD ATKINS, POLICE CHIEF

JL

SUMMARY:

On Thursday May 23rd, we received funds totaling \$45,766 as our 2013 allotment for "Police Grant Funds" that are intended to support law enforcement services. The funds originated with the approval of Proposition 30, and are expected to continue for three years. The funds are not accounted in this year's budget. The purpose of this budget adjustment is to account for those funds, which have been deposited in a new fund created especially for that purpose titled "Proposition 30 Fund 073".

DISPERSAL:

The funds originated with the state of California. The state sent the total destined for Tehama County (\$91,532) to the City of Red Bluff whose Police Chief serves as the "Fiscal Agent for disbursement of the funds. Red Bluff has provided half of that total to us. There are some "guidelines" regarding the use of the funds that include objectives for "collaboration among law enforcement agencies". But they also recognize the "importance of local agencies being able to identify their own needs".

In this first year, the City has agreed to fund the purchase of a Tehama Interagency Drug Task Force (TIDE) vehicle with this initial allocation. We've also created Expenditure Account 073-9500-2116 for that purpose. More details regarding the remaining Prop. 30 funds will be included in the forthcoming 2013-2014 Budget.

RECOMMENDATION:

- **THAT THE CITY COUNCIL ACKNOWLEDGE A BUDGET ADJUSTMENT TO ACCOUNT FOR THE RECEIPT OF \$45,766 IN PROPOSITION 30 FUNDS AND TO INCREASE THE CURRENT BUDGET BY \$25,000 IN ACCOUNT NO. 073-9500-2116.**

Paul Nanfito

From: cpca@memberclicks-mail.net on behalf of Leslie McGill [lmcgill@californiapolicechiefs.org]
Sent: Friday, March 08, 2013 14:22
To: Paul Nanfito
Subject: CPCA: Assoc. Issue--Framework for Use of \$24 Million in State Funding



To All Members:

Back in January, Cal Chiefs sent the following email out to all members as a guideline in their discussions regarding the use of the \$24 million in funding that police departments received. Now that the cities identified as the fiscal agents in each county have received their county's share of the funding, and county chiefs are meeting to discuss how the money will be used, we thought it would be helpful to resend the framework that was sent before to and so it appears below:

Framework for Use of \$24 Million in State Funding

Funding provided by the state through the Board of State and Community Corrections (BSCC) on January 17, 2012 provides funding to front line law enforcement. This framework outlines initial intentions for use of the funds by local law enforcement with guidance to chiefs as to how they can work collaboratively to best leverage this funding for public safety in their communities.

This framework represents the intent of the initial proposal for funding, and the ongoing representations of the California Police Chiefs Association as funding was legislatively approved and formally allocated through BSCC action.

In the upcoming 2013-2014 budget, the initial funding level for year two of this allocation is \$27.5 Million.

Our success in the use of the funds can be expected to directly influence future funding decisions.

Allocation approach

The initial funding was for \$20 Million for city police departments. An additional \$4 Million was recently added to the initial allocation to address the concerns of sheriffs with contract cities. Cal Chiefs would encourage you to include the Sheriff in your implementation and distribution discussions, understanding this issue will vary county to county.

Funds are allocated to the county police chief level with one city serving as the fiscal agent. There is no specific intent that funds be further divided and distributed so that each individual city receives funding.

In its initial proposal, and throughout subsequent discussions with the Administration, CPCA stated that funds would be used:

- Regionally
- In collaboration with other police departments to address crime impacts in their communities
- In partnership or collaboration with county probation
- Employing best and promising practices
- Focusing on serious, violent crimes and habitually non-compliant offenders
- Supported by crime and data analysis for greatest impact and to provide evaluative information to support demonstration of outcomes

CPCA understands that each county approach will be different, dependent upon the unique needs, staffing and geography of that county. However, the association has represented that, to the greatest degree possible, consistency in overall approach across the state will be sought.

Throughout the process of securing state funding, all parties understood that decisions on how best to use these funds should be local decisions and that police chiefs would be best positioned to make those decisions.

Fiscal Agent

Each county chiefs association was asked to identify one city to act as the recipient of the funding for their county. That city will receive the funding approximately 30 days from January 10, 2013. Since the allocated funds are limited, the association anticipated and hoped that the receiving city would administer the funds for the benefit of all partners without applying an administrative fee. Application of an administrative fee is not prohibited; it is simply acknowledged that one city could accept that impact as part of the collaborative effort to make the most efficient use of the funds. It was further expected that the plan to distribute the funds would be a one time action based upon the local plan. Therefore, the administrative burden of the fiscal agent might be limited to receipt of funds and a limited number of distributions.

CPCA makes no representations on local administrative regulations or requirements for the local allocation of funds.

Guidelines for Use of Funds

The funding language in the budget is:

"Grants for City Police Departments--Current economic conditions have resulted in budget reductions for city police departments. To help mitigate these reductions, the May Revision includes \$20 million General Fund to create a new grant program for city police departments." (This amount is being revised upward by the addition of \$ 4 million, which addition is slated to be implemented in less than 30 days)"

The approval language from the BSCC is:

"This formula (the CPCA proposal) meets the criteria set forth in law and the BSCC recognizes the importance of local agencies being able to best identify their own needs with regard to the use of resources. One City in each county has been identified to be the fiduciary agent for this funding and will allocate the funds based on the collective decision of local law enforcement."

These funds are legislatively identified for a period of three years. There is no ability to determine at this time whether this funding will continue beyond that period, or at what level. It is the intent of the association to seek an increase in funding in future years.

There are no specific requirements for use of these funds. The expectation is that funds will be used as outlined in the principles listed above. In counties with many agencies, the funds could be used to create a regional effort, or divided into smaller distributions for smaller regional efforts. In some counties, the allocation is small and will likely be used by a single agency.

There is no expectation that the funds should or must be divided and allocated to each individual city. The association believes that the greatest benefit from these funds will come from leveraged regional or collaborative use.

Some agencies have already committed resources to address crime impacts in their regions, specifically since the implementation of public safety realignment. Use of these funds to augment those efforts, or to regionalize those efforts, would be consistent with the intent of the allocation. Use of the funds to hire an analyst to work with law enforcement and probation would serve to efficiently focus resources on the most serious, violent, habitually non-compliant persons who pose the greatest risk to communities while providing the structure and administrative support to demonstrate outcomes in subsequent evaluation of efforts. The funds may be used to backfill or offset the costs of current positions, understanding that these funds are only legislatively established for three years.

Coordination with county probation is encouraged. This can be a direct partnership, an on-going consultation with probation or coordination at some other level depending upon the needs and resources of the agencies and the probation department. There is no expectation that any portion of the funding be provided to probation.

Agencies should rely on their local administrative requirements and governmental practices for guidance on how funds are distributed, formally accepted by councils in individual cities, financially managed and audited, and, as appropriate, managed within and across budgetary years.

As chiefs develop their local approaches, the association requests that a summary of those plans be provided to Leslie McGill so that they can be aggregated and shared back with the members.

This email was sent to pnanfita@rbpd.org by lmcgill@californiapolicechiefs.org

California Police Chiefs Association | P.O. Box 255745 | Sacramento, California 95865-5745 | United States

[Unsubscribe](#) | [Update Profile](#) | [Privacy Policy](#)





Board of State and Community Corrections
600 Bercut Drive, Sacramento, CA 95811

916.445.5073
916.327.3317

Edmund G. Brown Jr.
Patricia Mazzilli

RECEIVED

FEB 25 2013

**RED BLUFF
POLICE DEPT.**

February 21, 2013

City of Red Bluff
City Treasurer
555 Washington Street
Red Bluff, CA 96080

Attn: Financial Officer

Dear Sir/Madam:

**Fiscal Year 2012/2013
Police Grant Funds Disbursement**

Recognizing the need for state support for city law enforcement agencies due to the steady erosion of funding for city police agencies over the last several years, the 2012 Budget Act provides funding to city police departments to enable front-line intervention services in each county.

The Board of State and Community Corrections (BSCC), in consultation with the Department of Finance (DOF), is authorized to disburse these funds. Originally, \$20,000,000 was allocated within the 2012 Budget Act; however, on January 10, 2013, the 2013-14 Governor's Budget included an augmentation of \$4,000,000, subsequently granted by the Legislature. The funding awards were determined on an approved formula-based allocation proposed by the California Police Chiefs' Association (CPCA) based on local need. Your city was chosen as the fiscal agent for local disbursement by the CPCA. Based upon the final allocation schedule approved by the BSCC on January 17, 2013 (see attachment), the State Controller's Office will issue payment of \$2,397,360 under separate cover. Disbursement of these funds shall be the collective decision of the local enforcement agencies within the county.

Should you have any questions regarding this payment, contact Ms. Sherril Scott at Sherril.Scott@BSCC.ca.gov or 916.324.5011.

Sincerely,

PATRICIA MAZZILLI
Executive Director

Attachment: Schedule of Allocations/City Fiscal Agent Designees

cc: Jean L. Scott, Deputy Director
Sherril Scott, Staff Services Manager I
Helene Zentner, Field Representative
Amy Jarvis, Department of Finance

Schedule of Allocations / City Fiscal Agent Designees

County	Fiscal Agent/City	Allocation
Alameda	Oakland	\$431,398
Amador	Jackson	\$27,062
Butte	Chico	\$210,127
Calaveras County	Angels Camp	\$22,286
Colusa	Williams	\$3,979
Contra Costa	Concord	\$228,433
Del Norte	Crescent City	\$16,715
El Dorado	South Lake Tahoe	\$55,716
Fresno	Fresno	\$1,019,594
Glenn	Orland	\$17,510
Humboldt	Arcata	\$122,574
Imperial	Brawley	\$73,226
Inyo	Bishop	\$3,184
Kern	Bakersfield	\$1,173,210
Kings	Hanford	\$192,617
Lake	Lakeport	\$60,491
Lassen	Susanville	\$24,674
Los Angeles	Gardena	\$6,987,666
Madera	Madera	\$110,635
Marin	San Rafael	\$33,430
Mendocino	Ukiah	\$39,797
Merced	Los Banos	\$144,065
Modoc	Alturas	\$2,388
Mono	Mammoth Lakes	\$3,979
Monterey	Marina	\$222,862
Napa	Napa	\$45,368
Nevada	Grass Valley	\$11,143
Orange	Garden Grove	\$1,436,664
Placer	Auburn	\$120,983
Riverside	Beaumont	\$1,536,156
Sacramento	Citrus Heights	\$1,021,186
San Benito	Hollister	\$27,062
San Bernardino	Fontana	\$2,397,360
San Diego	San Diego	\$1,698,528
San Francisco	San Francisco	\$255,496
San Joaquin	Stockton	\$534,869
San Luis Obispo	San Luis Obispo	\$120,186
San Mateo	Daly City	\$202,963
Santa Barbara	Santa Barbara	\$262,658
Santa Clara	Los Gatos	\$666,198
Santa Cruz	Watsonville	\$63,674
Shasta	Redding	\$235,597
Siskiyou	Yreka	\$26,266
Solano	Vallejo	\$252,312
Sonoma	Santa Rosa	\$171,126
Stanislaus	Ceres	\$507,011
Sutter	Yuba City	\$93,920
Tehama	Red Bluff	\$91,532
Tuolumne	Sonora	\$386,825
Tulare	Visalia	\$27,062
Ventura	Ventura	\$312,803
Yolo	West Sacramento	\$165,554
Yuba	Wheatland	\$101,880

45766



City of Red Bluff POLICE DEPARTMENT

Paul Nanfito
Chief of Police
555 Washington St., Red Bluff, CA 96080

Dispatch (530) 527-3131
TDD (530) 527-3131
Records (530) 527-3134
Administration (530) 527-8282
Investigations (530) 527-8282
FAX (530) 529-4768

Don Atkins,
Chief of Police
Corning Police Department
774 Third Street,
Corning Ca, 96021

CORNING POLICE DEPT

APR 16 2013

RECEIVED

April 12, 2013

Chief Atkins,

I just want to advise you that the Prop 30 Funding for FY 2012/2013 is here and I will be writing a payment request to Finance to have your check cut for your half of the funds for this FY ending in June 2013. We do need to meet again to discuss the expenditure plan for the next fiscal year (2013/2014). I do have a suggestion that I believe will meet the guidelines mentioned in the letter to sent to Cal Chief's by to the Board of State and Community Corrections (BSCC).

Those guidelines for the use of Prop 30 Funds are:

- Regionally
- In collaboration with other police departments to address community issues
- In partnership or collaboration with county probation
- Employing best and promising practices
- Focusing on serious, violent crimes and habitually non-compliant offenders
- Supported by crime and data analysis for the greatest impact and to provide predictive information support departmental operations.

Based on these guidelines, I am proposing a plan that would fall in line with the guidelines highlighted in yellow (above). Doing it this way will help us to continue to obtain funds in the future. My suggestion is very simple; that we use the next years FY Prop 30 allotment to hire a new Records Specialists for a Crime Analysis Program for the both the Corning Police Department and the Red Bluff Police Department. I would hire the Records Specialist and provide the necessary training. This would take about 50% of next years allotment and the remainder would be used to enhance your RIMS / RMS system as well as RBPDP's RIMS/RMS system to provide us with Data Sharing capability. This Records Specialist would provide daily crime bulletins for each Department, information on crime trends in both communities, crime mapping, etc. The linking of our two RMS systems would be critical to this project and would be easily obtainable with the other 50% of next Fiscal Year's funds. Below is a general expenditure outline:

The City of Red Bluff is an Equal Opportunity Provider

We, the members of the Red Bluff Police Department, are committed to being responsive to our community in the delivery of quality services. Recognizing our responsibility to maintain order, while affording dignity and respect to every individual, our objective is to improve the quality of life through a community partnership which promotes safe, secure neighborhoods throughout the city.

PROP 30 FUNDING EXPENDITURE PLAN

Fiscal Year 2012/2013: Prop 30 Funding Amount- 91,532.00

- Corning Police Department - \$45,766.00 for a new TIDE Vehicle
- Red Bluff Police Department - \$45,766.00 towards a G.R.E.A.T. Officer assigned to Vista School (the other half coming from AB 109 funds).

Fiscal Year 2013/2014: Estimated Prop 30 Fund \$91,532.00 (Note: it is anticipated that there will be an increase since the overall Prop 30 funding will increase by 3 million)

- \$45,000.00 (estimate) to fund a full-time RBPD Records Specialist (including salary/benefits)
- \$45,000.00 (estimate) to fund the RIMS components (& necessary IT services) that would allow data sharing between the Corning Police Department and the Red Bluff Police Department
- If funds there are excess funds they could be utilized to purchase an necessary computer equipment etc. that the Crime Analyst would need to perform the function and /or necessary to prepare and send the daily crime bulletins, etc. etc.

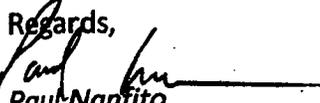
Fiscal Year 2014/2015: Estimated Prop 30: a minimum of \$91,532.00 plus the increase from the previous FY and perhaps a third increase during this FY. This is still and unknown element that I will try to get clarification at the next Cal Chiefs Board Meeting.

- \$45,000.00 +/- for the G.R.E.A.T. Officer position
- \$45,000.00 +/- for the Records Specialist position assigned to do Crime Analysis for the Corning and Red Bluff Police Departments

One of the things I would like to point out is some statistical information that came out during this week's CCP committee meeting. There is a current case load (Per Chief Muench) of about 127 active persons on Post Release Community Supervision (PRCS). Of that number (40) are in the City of Red Bluff and (19) are in the City of Corning. The City of Red Bluff has just about 33% of the entire population. While Chief Muench did not have statistical data for the other offender populations, such as Felony Probation, Work Release, Electronic monitoring, etc. I believe the ratios are similar.

The funding above is secured for the three Fiscal Years indicated in this letter. It is believed that the funding will be continued at the conclusion of these three fiscal years however that will be an obvious unknown until FY 2014/2015. Please let me know when you can meet to discuss these opportunities. Hope all is well and I'll see you soon.

Regards,


Paul Nanjito
Chief of Police

**ITEM NO.:: J-9
DESIGNATION OF LEAGUE OF
CALIFORNIA CITIES VOTING
DELEGATE AND ALTERNATE**

MAY 28, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

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

BACKGROUND:

Prior to the League of California Cities Annual Conference, the City Council always designates its voting delegate and alternate to represent the City at the League of Cities General Assembly. The League By-Laws require that the voting delegate be officially designated by the City Council.

Though we have not budgeted funds for attendance at this year's conference, the City should still appoint a delegate and alternate to act on behalf of the City in relation to League of California Cities business.

Council might consider appointing the Mayor with the alternate being the City Manager. These appointees would act only upon direction via vote or consensus of the Council.

RECOMMENDATION:

**MAYOR AND COUNCIL APPOINT ITS LEAGUE OF CALIFORNIA CITIES
DELEGATE AND ALTERNATE.**



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Council Action Advised by August 2, 2013.

PLEASE NOTE: You are receiving this letter and form earlier than usual because hotel space near the Sacramento Convention Center for the Annual Conference will be especially tight this year. As a result, we want to encourage you to make your hotel reservations early.

April 26, 2013

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 18 - 20, Sacramento**

The League's 2013 Annual Conference is scheduled for September 18 - 20 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, September 20, at the Sacramento Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 23, 2013. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one person must be present at the



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures 2013 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

2013 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 23, 2013. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 23, 2013

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mmccullough@cacities.org
(916) 658-8247

ITEM NO: : J-10
AUTHORIZATION FOR CORNING
CHAMBER OF COMMERCE TO
HOLD FARMERS MARKET AT
NORTHSIDE PARK
MAY 28, 2013

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

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

SUMMARY:

The Corning Chamber of Commerce is asking for the City Council's approval to hold the Corning Certified Farmers Market (Market) on Thursday evenings, at Northside Park for the 2013 market season.

BACKGROUND:

For the past two years the Corning Chamber of Commerce has held the Market on Friday evenings during the summer months, in the Corning Library parking lot.

This year the Chamber of Commerce is seeking the City Council's permission to hold the Market at Northside Park on Thursday evenings, from 5:00 pm to 8:00 pm, beginning on June 20, 2013 and ending on September 26, 2013.

The Chamber of Commerce believes by moving the Market to the park it would be of benefit to the vendors and the public because the location is more suitable for the Market's setting. The request to change the day is because the City Swimming Pool is open on Thursday evenings and the Market would benefit from the additional activity in the park during this period.

Based on a discussion with city staff it was felt the best location within the park for the Market would be the "gravel access road" and the west end 140 feet of the park that adjoins West Street (see highlighted area on attached drawing). This would include designating this portion of West Street as diagonal parking and reserving the area for Market use on Thursday afternoons/evenings.

By state law the certified agricultural producers must be separated from the non-agricultural vendors. For this reason the Chamber of Commerce is proposing to place the non-agricultural vendors in the "gravel access road" area and the agricultural producers on the west end of the park. This would allow the agricultural producers to back their vehicles to the curb and incorporate the rear portion of their vehicles as part of their Market space.

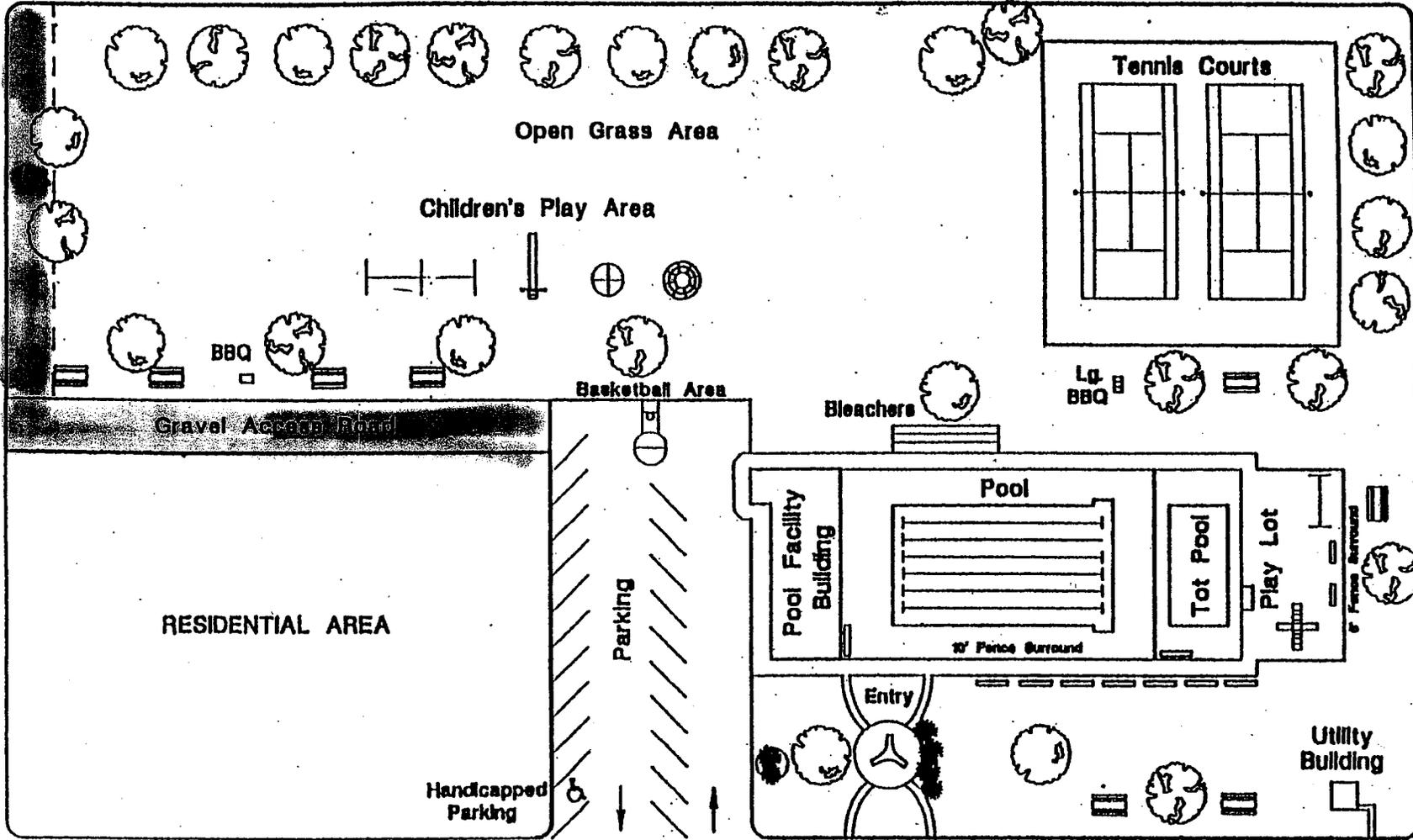
RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE CORNING CHAMBER OF COMMERCE TO CONDUCT THE CORNING CERTIFIED MARKET ON THURSDAY EVENINGS IN THE DESIGNATED AREA OF NORTHSIDE PARK.

TEHAMA STREET

WEST STREET

SIXTH STREET



May 1994

7-10

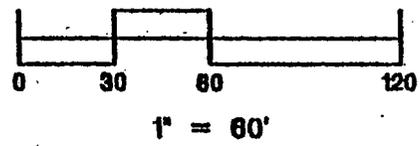
Figure 2

LEGEND

-  Benches
-  Water Fountain
-  Picnic Tables
-  Miscellaneous Shrubs
-  Miscellaneous Trees

NORTHSIDE PARK

City of Corning



1/88 Drawing by Chris Crown from field sketches by Bill Schwanz