



**CITY OF CORNING
CITY COUNCIL AGENDA
TUESDAY, NOVEMBER 23, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

**Vacant
Ross Turner
Toni Parkins
John Leach
Gary Strack**

Mayor:

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

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS:

E. BUSINESS FROM THE FLOOR: If there is anyone in the audience wanting to speak on an item not already on tonight's Agenda, please come to the podium, identify yourself and briefly present your information to the Council. If an item is already on the agenda, please wait until that item comes up for discussion and then obtain the Mayor's attention so you will be allowed to speak. **A three-minute time limit will apply unless the Council makes an exception due to special circumstances. If your matter will require more time or formal action by the Council, the law requires that it be placed on the printed Agenda for a future meeting so that interested members of the public will have the chance to appear and speak on the subject.**

F. 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 November 9, 2010 City Council Meeting with any necessary corrections:**
- 3. November 17, 2010 Claim Warrant - \$198,036.52.**
- 4. November 17, 2010 Business License Report.**
- 5. Approve Progress Pay Estimate No. 2 in the Amount of \$39,860.20 to Azevedo Construction for the 2010 Rodgers Theater Improvement Project.**
- 6. Approve Rodger's Theater Improvement Project Contract Change Order No. 2 in the Amount of \$1,955 for a total Project Cost of \$181,039.69.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA:

H. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Mayor declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

I. REGULAR AGENDA:

7. **Park Bond Grant Action:** Authorize the City Attorney to Prepare, and the Mayor to Sign Purchase Agreements for Properties Located at 1485 Toomes Avenue (APN 71-250-35) and 1624 Houghton Avenue (APN 71-250-04) for the Development of the Corning Community Park Pursuant to the Prop. 84 Grant Funds Awarded to the City Contingent Upon Receipt of Final Grant Contract.
8. **Property Lien Appeal Hearings for Notified Property Owners with Delinquent Payments on Water and/or Sewer Service as Stipulated in City Code, Section 13.04.460 and 13.08.210 "Appeals".**

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Turner:

Parkins:

Leach:

Strack:

M. ADJOURNMENT!:

POSTED: THURSDAY, NOVEMBER 18, 2010

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER



**CITY OF CORNING
CITY COUNCIL MINUTES
TUESDAY, NOVEMBER 9, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

Vacant

Ross Turner

Toni Parkins

John Leach

Gary Strack

Mayor:

All Councilmembers were present.

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

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation Recognizing November 2010 as National Family Caregivers Month in the City of Corning.** Mayor Strack presented the Proclamation to local family caregiver and City employee Dawn Grine.

E. BUSINESS FROM THE FLOOR:

John Richards of Corning Skate and Bike Park Association along with Association co-chairs Shannon Peterson and Madaline Brooks addressed the Council to publicly thank former Recreation Supervisor Kimberly Beck, Planning Director John Stoufer and the Grant Writer for all their hard work associated with obtaining the 4.2 million dollar Prop. 84 Grant recently awarded to the City. Mr. Richards presented a plaque to John Stoufer and one for Kimberly Beck asking Mr. Stoufer if he would see that Kim received hers.

F. 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 October 26, 2010 City Council Meeting with any necessary corrections:**
4. **November 3, 2010 Claim Warrant - \$171,307.15.**
5. **November 3, 2010 Business License Report.**
6. **October 2010 Building Permit Valuation - \$422,288.**
7. **October 2010 Wages and Salaries - \$328,823.34.**
8. **City of Corning Wastewater Operation Summary Report – October 2010.**
9. **Approve Progress Pay Estimate No. 1 in the Amount of \$34,555.64 to Azevedo Construction for the 2010 Rodgers Theater Improvement Project.**
10. **Award Palm Tree Pruning Contract (514 Trees) at \$14,649 to M&S Wesley Tree Services and Authorize the Use of remaining "Tree Pruning Funds" to Prune Solano Street Trees and Removal/Replacement of Dead/Dying Street Trees Throughout Town.**

11. Authorize the Recruitment and Appointment of one Full-Time Community Service Officer Position.

Mayor Strack introduced each of the items listed on the Consent Agenda. Councilor Turner asked for a clarification of the permit valuations for the Building Permit Report, specifically the Theater Permit. He was informed that a Permit was issued to the City, however the City does not pay a fee for the Permit, it is mainly to ensure proper inspections are completed and to create a paper trail for the building.

Councilor Turner then moved to approve Consent Agenda Items 2-11. Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

H. PUBLIC HEARINGS AND MEETINGS: None.

I. REGULAR AGENDA:

12. Approve 5-Year Lifestock Grazing Lease Agreement with Norman D. Oilar of Greenville, California for City Land North and East of the Corning Municipal Airport.

Mayor Strack introduced this item by title. Councilor Turner motioned to approve the Livestock Grazing Lease with Mr. Norman D. Oilar and Authorize the City Manager to sign the Lease Agreement on behalf of the City of Corning with the correction as noted (perimeter fencing does not include the portable corrals that shall remain the property of Tenant).

Melodie Poisson stated that she is in favor of good relations with the leasee, however she questioned the City purchasing a fence for the property stating that fences deteriorate over time, especially with cattle. After 5-10 years she stated that she doesn't see the value to the City except to pay to have it taken down, or repaired. Mayor Strack stated that being a perimeter fence, it's not only keeping the animals within a confined area, it keeps other things out of the Airport area. Mrs. Poisson stated that she sees it as a value for the leasees business and for keeping stray animals away from the runway, however her concern is the value of the fence to the City when they are only paying \$35 for the whole year. Councilor Turner stated that the fencing would exceed the longevity of the lease. Public Works Director John Brewer stated that another benefit to the City is that the City does not have to pay someone to mow the property. After the Mayor confirmed that a motion had been made he called for a second. Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

13. Library Commission Recommendation for Funding Costs Associated with the Purchase of a New Computer Server for the Countywide Library System.

Mayor Strack introduced this item by title. Councilor Turner stated that he was informed by his Sister-in-Law who is on the Library Commission that the Commission members were informed at the last meeting that they would be informed of the meeting date when this item was to be discussed so that they could be present. He was informed that as of 1:30 p.m. today they had not been informed. City Clerk Lisa Linnet apologized and stated that she was not aware that they requested this, however the full agenda package is available on the City's website the Thursday prior to the meeting.

Melodie Poisson stated that she has concerns about the direction that they are going with the server, she stated that the price quoted is inflated and questioned whether other quotes had been received other than from Computer Logistics. Her other concern is that they are not upgrading to Windows server 2008, they will be utilizing Windows 2003 and when we spend all this money, they will be instantly outdated. She recommends finding a bid that would be considerably less than this one and then invest in upgrading their circulating software and doing a Windows server

2008 to match it. Mayor Strack asked if Mrs. Poisson had spoken with the County Librarian about this; Mrs. Poisson stated no, however she feels this should be investigated.

County Librarian Caryn Brown explained that the library system is not upgrading to 2008 software at this time even though she has the license in hand because the library software will not support it. The library software has not gone far enough, it will probably be in the next version but there is no use upgrading to something that is useless. She further explained that once a year she can make purchases through a discount place for a fraction of the cost explaining that this is why she has the 2008 license in hand.

Councilor Leach asked if any other quotes had been sought; County Librarian Caryn Brown stated she does have another quote that is about \$1,000 less. She stated that this will go before the County Board on November 23, 2010. At that time if they need to go out to bid they will, she stated that this is the high bid. Mayor Strack clarified that the recommendation is to pay a percentage of the final bid up to a said amount.

After conclusion of the discussion, Councilor Parkins recommended approval for the Ridell Trust Fund to finance 25% of the total actual cost of the Server replacement and labor in amount not to exceed \$6,100 on behalf of the City of Corning. Councilor Turner seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

After further discussion, Councilor Turner moved to approve financing in addition to the already approved 25% from the Ridell Trust Fund for the City, 15% of the actual total cost of the Server replacement and labor on behalf of Los Molinos an additional in an amount not to exceed \$6,100. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

14. Authorize Staff to Seek Proposals for Cost Recovery of Fire Emergency Responses to Non-Resident/Business' Located Outside the City Limits/Tax Area.

Mayor Strack introduced this item by title and City Manager Kimbrough briefly stated that the City Attorney and Fire Chief are working together on an Ordinance. He stated that currently they have found only one company and they don't do the billing and clarified that this would be a charge to out of town travelers that are not part of our tax base and pay no costs for these services. Councilor Leach asked Chief Spannaus if he had a ballpark estimate of the amount the City currently pays for these services. Mr. Spannaus stated possibly a maximum of \$10,000. Mr. Spannaus clarified that this service basically would be no cost to the City, the agency would take a percentage of what is collected.

Councilor Leach motioned to authorize Staff to issue a "Request for Proposals" from Companies offering cost recovery services for fire response. Councilor Turner seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy remaining on the Council.**

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

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

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

Turner: That he attended the ribbon cutting at Lucero Olive Oil last weekend. He stated that he was informed that approximately 2,000 people attended the Grand Opening.

Parkins: Thanked John Stoufer, former Recreation Supervisor Kimberly Beck and City Staff on receiving the Prop. 84 Grant award. She stated that this is exciting and a big thing for the City.

Leach: Also thanked all involved with the Prop. 84 Grant. He announced that this Thursday they begin planning on the Community Action Plan.

Strack: Nothing.

M. ADJOURNMENT!: 8:15 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: November 17, 2010

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, November 23, 2010 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

| | | | | | |
|--------------------|-----------------------|--------|----------|-----------|--------------------------|
| A. | Cash Disbursements | Ending | 11-17-10 | \$ | 125,886.84 |
| B. | Payroll Disbursements | Ending | 11-16-10 | \$ | 72,149.68 |
| GRAND TOTAL | | | | \$ | <u>198,036.52</u> |

REPORT.: Nov 17 10 Wednesday
 RUN...: Nov 17 10 Time: 14:36
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-10 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 |
|--------------|------------|---------------|--------------------------|--------------|-----------------|------------|-----------|---------------------------|
| 010622 | 11/17/10 | NOR10 | NICOLINO CLEMENTE | -152.62 | .00 | -152.62 | 2485u | Ck# 010622 Reversed |
| | | | | -35.00 | .00 | -35.00 | 2489u | Ck# 010622 Reversed |
| | | | | -218.71 | .00 | -218.71 | 2498u | Ck# 010622 Reversed |
| | | | Check Total..... | -406.33 | .00 | -406.33 | | |
| 011464 | 11/09/10 | ACC00 | ACCESS INFORMATION | 42.00 | .00 | 42.00 | 59143 | EQUIP MAINT-GEN CITY |
| 011465 | 11/09/10 | AIR00 | AIRGAS NCN | 48.44 | .00 | 48.44 | 102663864 | MAT & SUPPLIES-FIRE |
| 011466 | 11/09/10 | AME15 | AMERIGAS | 203.05 | .00 | 203.05 | 010070657 | NATURAL GAS-ACO |
| 011467 | 11/09/10 | ARA02 | ARAMARK UNIFORM SRV.INC. | 33.56 | .00 | 33.56 | 0803298 | Mat/Supplies- |
| | | | | 33.56 | .00 | 33.56 | 0813091 | Mat/Supplies- |
| | | | | 34.44 | .00 | 34.44 | 0823327 | Mat/Supplies- |
| | | | | 33.56 | .00 | 33.56 | 0832966 | Mat/Supplies- |
| | | | Check Total..... | 135.12 | .00 | 135.12 | | |
| 011468 | 11/09/10 | BAS01 | BASIC LABORATORY, INC | 86.00 | .00 | 86.00 | 1010677 | ProfServices Water Dept |
| 011469 | 11/09/10 | BEN04 | BEN TOILET RENTALS, INC. | 26.44 | .00 | 26.44 | 233315 | CLEANING CONTRACT-STR PRO |
| 011470 | 11/09/10 | CAM02 | CAMELLIA VALLEY SUPPLY | 64.56 | .00 | 64.56 | 0758079 | MAT & SUPPLIES-WTR |
| 011471 | 11/09/10 | CHI01 | CHICO ENTERPRISE RECORD | 246.08 | .00 | 246.08 | 000024087 | PRINTING/ADV-POLICE |
| 011472 | 11/09/10 | COM01 | COMPUTER LOGISTICS, INC | 750.00 | .00 | 750.00 | 50208 | COMMUNICATIONS-GEN CITY |
| | | | | 20.00 | .00 | 20.00 | 50209 | Equip.Maint.-GEN CITY |
| | | | | 116.67 | .00 | 116.67 | 50210 | COMMUNICATIONS-POLICE |
| | | | | 28.00 | .00 | 28.00 | 50211 | COMMUNICATIONS-POLICE |
| | | | Check Total..... | 914.67 | .00 | 914.67 | | |
| 011473 | 11/09/10 | FIR01 | FIRST NATIONAL BANK | 136.79 | .00 | 136.79 | 101028 | OFFICE SUPPLIES-FINANCE |
| 011474 | 11/09/10 | FIR02 | FIRST NATIONAL BANK | 375.49 | .00 | 375.49 | 101028 | PRINTING/ADV-POLICE |
| 011475 | 11/09/10 | LIN01 | LINCOLN EQUIPMENT, INC. | 3104.25 | .00 | 3104.25 | SI149697 | MAT & SUPPLIES-POOL |
| 011476 | 11/09/10 | NEN00 | NENA | 130.00 | .00 | 130.00 | 268774 | ASSOCIATION DUES-POLICE |
| 011477 | 11/09/10 | OFF01 | OFFICE DEPOT | 77.68 | .00 | 77.68 | 539228978 | Office Supplies PoliceDis |
| 011478 | 11/09/10 | PGE03 | PG&E | 18.65 | .00 | 18.65 | 101102 | Mat/Supplies PoliceServic |
| 011479 | 11/09/10 | PGE2A | PG&E | 83.15 | .00 | 83.15 | 101102 | ELECT-CLELAND PROP |
| 011480 | 11/09/10 | QUI02 | QUILL CORPORATION | 181.82 | .00 | 181.82 | 9058510 | Office Supplies- |

REPORT.: Nov 17 10 Wednesday
 RUN....: Nov 17 10 Time: 14:36
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-10 Bank Account.: 1020

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

| Check Number | Check Date | Vendor Number | Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information | Description |
|--------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|---------------------|---------------------------|
| 011481 | 11/10/10 | DON05 | DON AZEVEDO CONSTRUCTION, | 31100.08 | .00 | 31100.08 | 101110 | | THEATER RESTORATION-RODGE |
| 011482 | 11/11/10 | DEP12 | DEPT OF JUSTICE | 70.00 | .00 | 70.00 | 817068 | | PROF SVCS-POLICE |
| | | | | 35.00 | .00 | 35.00 | 811825A | | PROF SVCS-POLICE |
| | | | Check Total.....: | 105.00 | .00 | 105.00 | | | |
| 011483 | 11/11/10 | DIM00 | DIMENSIONS UNLIMITED, INC | 5302.24 | .00 | 5302.24 | 2010-23 | | CONSULTANT-FLOOD MITIGATI |
| 011484 | 11/11/10 | EDD02 | EMPLOYMENT DEVELOPMENT | 6748.00 | .00 | 6748.00 | 101105 | | UNEMPLOYMENT INS-GEN CITY |
| 011485 | 11/11/10 | FIT01 | FITZPATRICK LAW OFFICES | 5912.00 | .00 | 5912.00 | 28366 | | Consulting Serv LegalServ |
| | | | | 264.00 | .00 | 264.00 | 28367 | | Consulting Serv LegalServ |
| | | | | 1517.14 | .00 | 1517.14 | 28368 | | Consulting Serv LegalServ |
| | | | | 4828.00 | .00 | 4828.00 | 28369 | | Consulting Serv LegalServ |
| | | | Check Total.....: | 12521.14 | .00 | 12521.14 | | | |
| 011486 | 11/11/10 | INT00 | INTERSTATE BATTERY SYSTEM | 201.24 | .00 | 201.24 | 10426216 | | MAT & SUPPLIES-BLD MAINT |
| 011487 | 11/11/10 | JON02 | JONES INSURANCE | 362.00 | .00 | 362.00 | 101104 | | CLARK PARK WELL-WTR IMPRO |
| 011488 | 11/11/10 | KOE01 | KOEFRAN | 497.50 | .00 | 497.50 | 577301 | | PROF SVCS- |
| 011489 | 11/11/10 | LNC01 | LN CURTIS & SONS | 306.62 | .00 | 306.62 | 120111700 | | MAT & SUPPLIES- |
| 011490 | 11/11/10 | POW04 | POWER UP ELECTRIC | 521.84 | .00 | 521.84 | R1049 | | MAT & SUPPLIES-BLD MAINT |
| 011491 | 11/11/10 | PRI05 | PRIORITY DISPATCH | 39.00 | .00 | 39.00 | 60619 | | COMP EQUIP/SOFTWARE-FIRE |
| 011492 | 11/11/10 | SWW00 | SWWC SERVICES, INC. | 2811.00 | .00 | 2811.00 | 17512 | | PROF SVCS-WWTP |
| | | | | 322.00 | .00 | 322.00 | 17521 | | PROF SVCS-WWTP |
| | | | | 2659.15 | .00 | 2659.15 | 17524 | | PRETREATMENT PROGRAM-SWR |
| | | | | 44465.28 | .00 | 44465.28 | 17525 | | PROF SVCS-WWTP |
| | | | Check Total.....: | 50257.43 | .00 | 50257.43 | | | |
| 011493 | 11/11/10 | TRI02 | TRI-COUNTY NEWSPAPERS | 59.13 | .00 | 59.13 | 107148 | | TREE PRUNING-STR PROJ |
| 011494 | 11/11/10 | WAV00 | WAVING AT YOU.COM | 264.13 | .00 | 264.13 | 174401 | | MAT & SUPPLIES-BLD MAINT |
| 011495 | 11/16/10 | ALL01 | ALLISON, MELVIN | 90.00 | .00 | 90.00 | 101116 | | TRAINING/ED - POLICE |
| 011496 | 11/16/10 | BAS01 | BASIC LABORATORY, INC | 86.00 | .00 | 86.00 | 1010956 | | ProfServices Water Dept |
| 011497 | 11/16/10 | BEN04 | BEN TOILET RENTALS, INC. | 81.96 | .00 | 81.96 | 233932 | | CLEANING CONTRACT/ST.PROJ |
| 011498 | 11/16/10 | CAL09 | CALIF PEACE OFFICERS ASSN | 480.00 | .00 | 480.00 | 101116 | | Traing/Educ. PoliceServic |

REPORT.: Nov 17 10 Wednesday
 RUN...: Nov 17 10 Time: 14:36
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-10 Bank Account.: 1020

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

| Check Number | Check Date | Vendor Number | Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Payment Information Description |
|--------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|---------------------------------|
| 011499 | 11/16/10 | CAM02 | CAMELLIA VALLEY SUPPLY | 1281.43 | .00 | 1281.43 | 0758765 | MAT/SUPPLIES - |
| | | | | 182.08 | .00 | 182.08 | 0758873 | MAT/SUPPLIES - |
| | | | Check Total.....: | 1463.51 | .00 | 1463.51 | | |
| 011500 | 11/16/10 | CAR12 | CARREL'S OFFICE MACHINES | 2.39 | .00 | 2.39 | 095721 | MAT/SUPPLIES - LIBRARY |
| 011501 | 11/16/10 | CHE02 | CHEM QUIP, INC. | 1039.80 | .00 | 1039.80 | 5056621 | MAT/SUPPLIES - WTR |
| 011502 | 11/16/10 | CON07 | CONEXIS | 30.00 | .00 | 30.00 | 10100R348 | MEDICAL INS-COBRA |
| 011503 | 11/16/10 | COR22 | CORNING MEDICAL ASSOC | 170.50 | .00 | 170.50 | 101109 | PROF SRVCS - POLICE |
| 011504 | 11/16/10 | COR43 | CORNING CHEVROLET BUICK | 465.85 | .00 | 465.85 | 604207 | VEH/OP MAINT - |
| 011505 | 11/16/10 | DEP03 | DEPT OF TRANS/CAL TRANS | 4425.03 | .00 | 4425.03 | 00001377 | Equip.Maint. St&Trf Light |
| 011506 | 11/16/10 | ENE01 | ENERGY SYSTEMS | 177.20 | .00 | 177.20 | 102498 | MAT/SUPPLIES - BLD MAINT |
| 011507 | 11/16/10 | GAL02 | GALLS, AN ARAMARK COMPANY | 86.69 | .00 | 86.69 | 510950802 | SAFETY ITEMS/POLICE |
| 011508 | 11/16/10 | GRA02 | GRAINGER, W.W., INC | 15.79 | .00 | 15.79 | 939084615 | MAT/SUPPLIES - WTR |
| 011509 | 11/16/10 | KET11 | KETCH-ALL COMPANY | 192.46 | .00 | 192.46 | 31793 | Mat/Supplies ACO/CSO |
| 011510 | 11/16/10 | RON03 | RON DUPRATT FORD | 12.67 | .00 | 12.67 | 660395 | VEHOP/MAINT - POLICE |
| | | | | 174.11 | .00 | 174.11 | 660490 | VEHOP/MAINT - POLICE |
| | | | Check Total.....: | 186.78 | .00 | 186.78 | | |
| 011511 | 11/16/10 | SAF05 | SAFARILAND, LLC | 101.83 | .00 | 101.83 | I10090975 | MAT/SUPPLIES - POLICE |
| 011512 | 11/16/10 | TEH20 | TEHAMA CO DISTRICT ATTY | 401.40 | .00 | 401.40 | 101110 | ProfServices PoliceServic |
| 011513 | 11/16/10 | USA01 | USA BLUE BOOK | 437.16 | .00 | 437.16 | 273848 | MAT/SUPPLIES - WTR |
| | | | | 22.30 | .00 | 22.30 | 274134 | MAT/SUPPLIES - WTR |
| | | | | 165.62 | .00 | 165.62 | 274148 | MAT/SUPPLIES - WTR |
| | | | Check Total.....: | 625.08 | .00 | 625.08 | | |
| 011514 | 11/17/10 | ACI01 | ACI SPECIALTY BENEFITS | 324.00 | .00 | 324.00 | 11076 | WorkmensComp.-General Cit |
| 011515 | 11/17/10 | DEP12 | DEPT OF JUSTICE | 105.00 | .00 | 105.00 | 821801 | PROF SVCS-POLICE |
| 011516 | 11/17/10 | GAL02 | GALLS, AN ARAMARK COMPANY | 97.58 | .00 | 97.58 | 510943729 | SAFETY ITEMS-FIRE |
| 011517 | 11/17/10 | NOR10 | NICOLINO CLEMENTE | 152.62 | .00 | 152.62 | 2485A | CERT OF EXTNG-BLD MAINT |
| | | | | 35.00 | .00 | 35.00 | 2489A | CERT OF EXTNG-BLD MAINT |

REPORT.: Nov 17 10 Wednesday
 RUN...: Nov 17 10 Time: 14:36
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-10 Bank Account.: 1020

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

| Check Number | Check Date | Vendor Number | Vendor Name | Gross Amount | Discount Amount | Net Amount | -----Payment Information----- | |
|---------------------------|------------|---------------|--------------------------|--------------|-----------------|------------|-------------------------------|---------------------------|
| | | | | | | | Invoice # | Description |
| 011517 | 11/17/10 | NOR10 | NICOLINO CLEMENTE | 218.71 | .00 | 218.71 | 2498A | CERT OF EXTNG-BLD MAINT |
| Check Total.....: | | | | 406.33 | .00 | 406.33 | | |
| 011518 | 11/17/10 | UNI02 | UNIFORMS, TUXEDOS & MORE | 12.45 | .00 | 12.45 | 102261 | UNIFORMS-CLOTH-POLICE |
| 011519 | 11/17/10 | WAR05 | WARREN, DANA KARL | 266.00 | .00 | 266.00 | 101115 | REC INSTRUCTOR-REC |
| 011520 | 11/17/10 | WEL03 | WELLS FARGO BANK, NA | 800.00 | .00 | 800.00 | 101117 | APPL FEE(SYED LOAN-PARTIA |
| Cash Account Total.....: | | | | 125886.84 | .00 | 125886.84 | | |
| Total Disbursements.....: | | | | 125886.84 | .00 | 125886.84 | | |
| Cash Account Total.....: | | | | .00 | .00 | .00 | | |

REPORT.: Nov 17 10 Wednesday
 RUN...: Nov 17 10 Time: 14:36
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 11-10 Bank Account.: 1025

PAGE: 005
 ID #: PY-DP
 CTL.: COR

| Check Number | Check Date | Vendor Number | Vendor Name | Gross Amount | Discount Amount | Net Amount | Invoice # | Description |
|---------------------------|------------|---------------|---------------------------|--------------|-----------------|------------|-----------|-------------------------|
| 4779 | 11/16/10 | BAN03 | POLICE OFFICER ASSOC. | 350.00 | .00 | 350.00 | B01116 | POLICE OFFICER ASSOC |
| 4780 | 11/16/10 | CAL37 | CALIFORNIA STATE DISBURSE | 138.46 | .00 | 138.46 | B01116 | WITHHOLDING ORDER |
| 4781 | 11/16/10 | EDD01 | EMPLOYMENT DEVELOPMENT | 6525.11 | .00 | 6525.11 | B01116 | STATE INCOME TAX |
| | | | | 1787.11 | .00 | 1787.11 | 1B01116 | SDI |
| Check Total.....: | | | | 8312.22 | .00 | 8312.22 | | |
| 4782 | 11/16/10 | ICM01 | ICMA RETIREMENT TRUST-457 | 4098.77 | .00 | 4098.77 | B01116 | ICMA DEF. COMP |
| 4783 | 11/16/10 | OEU03 | OPERATING ENGINEERS | 550.00 | .00 | 550.00 | B01116 | CREDIT UNION SAVINGS |
| 4784 | 11/16/10 | PERS1 | PUBLIC EMPLOYEES RETIRE | 53344.81 | .00 | 53344.81 | B01116 | PERS PAYROLL REMITTANCE |
| 4785 | 11/16/10 | PERS4 | Cal Pers 457 Def. Comp | 25.00 | .00 | 25.00 | B01116 | PERS DEF. COMP. |
| 4786 | 11/16/10 | PRE03 | PREMIER WEST BANK | 2435.25 | .00 | 2435.25 | B01116 | HSA DEDUCTIBLE |
| 4787 | 11/16/10 | STA04 | STATE OF CALIFORNIA | 550.00 | .00 | 550.00 | B01116 | WAGEASN 1107012828 |
| 4788 | 11/16/10 | VAL06 | VALIC | 2345.17 | .00 | 2345.17 | B01116 | AIG VALIC P TAX |
| Cash Account Total.....: | | | | 72149.68 | .00 | 72149.68 | | |
| Total Disbursements.....: | | | | 72149.68 | .00 | 72149.68 | | |

Date.: Nov 17, 2010
Time.: 2:39 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMB

| Business Name | Address | CITY/STATE/ZIP | Contact Name | Business Desc. #1 | Business Start Date | Primary Teleph |
|----------------------|---------------------------|-----------------------|----------------|--|---------------------|----------------|
| B&B SERVICES | 19337 SIMPSON RD | CORNING, CA 96021 | LAUNIUS BUDDY | PROPERTY CLEANUP & PRESERVATION | 11/09/10 | (530) 526-7638 |
| DIAMOND M FIRE PROTE | 2400 CATTLE DR | CORNING, CA 96021 | MAEDER JOANN | CONTRACTOR | 11/09/10 | (530) 824-3456 |
| LODI IRRIGATION | 2920 HIGHWAY 99W | CORNING, CA 96021 | BORRA JR STEVE | RETAIL SALES OF IRRIGATION & FARM SUPPLI | 11/09/10 | (530) 824-4508 |
| NINE BROS. VINYL SID | 8067 OLIVE PLACE | GRANITE BAY, CA 95746 | LASHCHUR BEN | CONTRACTOR | 11/09/10 | (916) 752-5252 |
| SNYDER ELECTRIC | 15041 MERIDIAN MEADOWS LN | CHICO, CA 95973 | SNYDER LOREE | CONTRACTOR | 11/09/10 | (530) 520-9110 |
| SYSTEMS ABATEMENT CO | 19820 HIRSCH CT | ANDERSON, CA 96007 | NIXT JOE | CONTRACTOR | 11/09/10 | (530) 945-4215 |
| WEST MOUNTAIN TIMBER | 222 RIO BRAVO CT | CORNING, CA 96021 | KECK DAN | TREE SERVICE, PRUNING, REMOVAL, ETC | 11/09/10 | (530) 586-1650 |

ITEM NO: F-5
**APPROVE PROGRESS PAY ESTIMATE
 NO. 2 IN THE AMOUNT OF \$39,860.20 TO
 AZEVEDO CONSTRUCTION FOR THE 2010
 RODGERS THEATER IMPROVEMENT
 PROJECT**

NOVEMBER 23, 2010

**TO: HONORABLE MAYOR AND COUNCILMEMBERS
 OF THE CITY OF CORNING**

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
 JOHN L. BREWER, AICP; DIRECTOR OF PUBLIC WORKS
 TERRY HOOFARD, BUILDING OFFICIAL**

SUMMARY:

Attached for City Council review is a copy of Partial Pay Estimate No. 2 requesting payment of \$39,860.20 for the 2010 Rodgers Theater Improvement Project. The Pay Estimate lists the original contract amount, any change orders/adjustments, work completed to date, retention amount and current amount due to Azevedo Construction.

FINANCIAL:

The Director of Public Works and the Building Official have reviewed and approved this request.

| | |
|---------------------------------|---------------------|
| Original Construction Contract | \$ 176,609.00 |
| Contract Change Order No. 1 | \$ 2,475.69 |
| Total Adjusted Contract Amount | \$ 179,084.69 |
| Proposed PPE No. 1 | \$ 34,555.64 |
| Retention to be held (10%) | \$ (3,455.56) |
| Amount paid to Contractor | \$ 31,100.08 |
| Proposed PPE No. 2 | \$ 39,860.20 |
| Retention to be held (10%) | \$ (3,986.02) |
| Amount due to Contractor | \$ 35,874.18 |

The table below lists each funding source for this project:

| Account No | Title | Funds Allocated for Project |
|---------------|-------------------------------------|--------------------------------|
| 130-9116-6125 | Theater Restoration/Rodgers Theater | \$220,000 |
| | Energy Efficiency Commission Grant | \$35,175 |
| | | |
| Total | | \$255,175 |

BACKGROUND:

The contract for the 2010 Rodgers Theater Improvement Project was awarded to Azevedo Construction of Chico, CA at the September 28, 2010 Regular City Council Meeting. Contract Change Order #1 increased the original contract amount by \$2,475.69 to include additional work to lower foundation walls that would conflict with future restroom improvements.

RECOMMENDATION:

Mayor and Council approve Progress Pay Estimate No. 2 in the amount of 39,860.20 to Azevedo Construction for the 2010 Rodgers Theater Improvement Project

PARTIAL PAYMENT ESTIMATE

2010 Rodgers Theater Improvement Project

Progress Payment Estimate No. 2

OWNER:

City of Corning

CONTRACTOR:

Azevedo Construction of Chico, CA

PERIOD OF ESTIMATE:

FROM: October 30 to November 15, 2010

CONTRACT CHANGE ORDER SUMMARY

ESTIMATE

| No. | Approval Date | Amount | | |
|------------|---------------|------------|------------|---|
| | | Additions | Deductions | |
| 1 | 10/28/2010 | \$2,475.69 | | 1. Original Contract..... \$176,609.00 |
| | | | | 2. Change Orders..... \$ 2,475.69 |
| | | | | 3. Revised Contract (1+2)..... \$179,084.69 |
| | | | | 4. Work Completed \$ 74,415.84 |
| | | | | 5. Stored Materials 0 |
| | | | | 6. Subtotal (4+5)..... \$ 74,415.84 |
| | | | | 7. Retainage10%..... \$ (7,441.58) |
| | | | | 8. Previous Payments..... \$ 31,100.08 |
| | | | | 9. Amount Due (6-7-8)..... \$ 35,874.18 |
| NET CHANGE | | \$2,475.69 | | |
| TOTALS | | | | |

CONTRACT TIME

Original (days) 90

Revised _____

Remaining _____

On Schedule Yes

No

Starting Date: October 14, 2010

Projected Completion: December 30, 2010

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.

Contractor Azevedo Construction

By _____

Date _____

ARCHITECT OR ENGINEER'S CERTIFICATION:

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

Architect or Engineer Eric Ausmus

By _____

Date: _____

APPROVED BY OWNER:

Owner _____

By Stephen J. Kimbrough, City Manager

Date November 24, 2010

P.2
5308940699
Don Azevedo Construction
Nov 14 2010 5:22PM

To:
City of Corning
794 Third St.
Corning, CA 96021

From:
Don Azevedo Construction, Inc.
48 Bellarmine Ct. Suite 40
Chico, CA 95928

Project: 10-10
ROGERS THEATER IMPROVEMENT PROJECT
1217 SOLANO ST
CORNING, CA 96021

Page 1 of 2 Pages

Application for Payment CAP702

Contract For:

Section A: Contract Amounts

| | | | |
|------------------------------|------------------------------|--------------------|------------|
| A.1 Original Contract | | \$ | 176,609.00 |
| A.2 Changes by Change Orders | | | |
| Additions | Approved This Month | 2,475.69 | |
| | Approved Previously | 0.00 | |
| | Addition Total | 2,475.69 | |
| Deductions | Approved This Month | 0.00 | |
| | Approved Previously | 0.00 | |
| | Deductions Total | 0.00 | |
| | Total Changes to Date | \$ 2,475.69 | |

A.3 Total Contract \$ 179,084.69

Section B: Retainage

| | | | |
|----------------------------|------------------|--------------------|--|
| B.1 Completed Work | 0.00 % | | |
| | This Application | 7,441.59 | |
| B.2 Stored Materials | 0.00 % | | |
| | This Application | 0.00 | |
| B.3 Total Retainage | | \$ 7,441.59 | |

(B.1 + B.2)

Section C: Billing Information

| | | |
|---|-----------|-------------------------|
| C.1 Total Contract Billed To Date | \$ | <u>74,415.84</u> |
| C.2 Total Billed Minus Retainage | \$ | <u>66,974.25</u> |
| (C.1 less B.3) | | |
| C.3 Previous Applications For Payment | \$ | <u>31,100.07</u> |
| C.4 Payment Due This Application | \$ | <u>35,874.18</u> |
| C.5 Contract Balance | \$ | <u>112,110.44</u> |
| (Including Retainage) | | |

This Application

Number: 2

Date: November 11, 2010

Billing Period: From: 10/29/2011 To: 11/15/2010

Contract Date: September 29, 2010

Architect's
Project No:

Distribution List:

- Owner
- Architect
- Contractor
- Construction Mgr
- Field
- Other

Contractor

The Contractor's signature here certifies that, to the best of their knowledge, this document accurately reflects the work completed and billed this Application.

(Authorizing Signature)

Date: 11/11/2010

Don Azevedo Construction, Inc.

State Authorized: California

County of:

From:
 Don Azevedo Construction, Inc.
 48 Bellarmine Ct. Suite 40
 Chico, CA 95928

To:
 City of Corning
 794 Third St.
 Corning, CA 96021

Project:
 10-10
 ROGERS THEATER IMPROVEMENT PROJECT
 1217 SOLANO ST
 CORNING, CA 96021

Application No: 2
 Application Date: 11/11/2010
 Period To: 11/15/2010

Contract Date: 9/29/2010

Architects Project#:

Application for Payment - Continuation Sheet CAP703

| A Item No. | B Description of Work | C Contract Value | D Work Completed | | F Materials Presently Stored (Not In D or E) | G Total Completed and Stored To Date (D+E+F) | % (G / C) | H Balance To Finish (C - G) | I Retainage (If Variable Rate) |
|------------------|------------------------------|------------------------|---|------------------|--|--|--------------|--------------------------------------|---|
| | | | From Previous Application (D + E) | This Period | | | | | |
| 1 | 20 Ton Carrier package | 54,770.00 | 2,738.50 | 19,169.50 | 0.00 | 21,908.00 | 40 | 32,862.00 | 2,190.80 |
| 2 | Carrier 7.5 ton Split System | 19,260.00 | 963.00 | 6,741.00 | 0.00 | 7,704.00 | 40 | 11,556.00 | 770.40 |
| 3 | Roof R & R | 33,328.00 | 1,666.40 | 0.00 | 0.00 | 1,666.40 | 5 | 31,661.60 | 166.64 |
| 4 | Ceiling Insulation | 3,726.00 | 186.30 | 0.00 | 0.00 | 186.30 | 5 | 3,539.70 | 18.63 |
| 5 | Electrical Upgrade | 14,346.00 | 717.30 | 0.00 | 0.00 | 717.30 | 5 | 13,628.70 | 71.73 |
| 6 | Structural Improvements | 46,499.00 | 25,574.45 | 13,949.70 | 0.00 | 39,524.15 | 85 | 6,974.85 | 3,952.42 |
| 7 | Asbestos removal | 4,680.00 | 234.00 | 0.00 | 0.00 | 234.00 | 5 | 4,446.00 | 23.40 |
| 8 | CO#: 1 Foundation Demo | 2,475.69 | 2,475.69 | 0.00 | 0.00 | 2,475.69 | 100 | 0.00 | 247.57 |
| | | 179,084.69 | 34,555.64 | 39,860.20 | 0.00 | 74,415.84 | 42 | 104,668.85 | 7,441.59 |

**ITEM NO: F-6
APPROVE CONTRACT CHANGE ORDER #2,
AMENDING SCOPE OF WORK AND
INCREASING THE RODGERS THEATER
IMPROVEMENT PROJECT BY \$1,955.00
FOR A TOTAL PROJECT COST OF
\$181,039.69.**

NOVEMBER 23, 2010

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
JOHN L. BREWER, AICP, DIRECTOR OF PUBLIC WORKS
TERRY HOOFARD, CITY BUILDING OFFICIAL

Steve
JB
J.L.

SUMMARY:

Staff recommends the City Council approve the attached "Change Order No. 2" in the amount of \$1,955.00. The Change Order is necessary in order to correct a plan omission regarding the extension of gas piping to the new roof-mounted HVAC units. The Change Order will also amend the Electrical Scope of Work to reflect a reduced amperage (600 to 400 amps) PG & E service drop.

BACKGROUND:

The Rodgers Theater Improvement Project was awarded to Don Azevedo Construction of Chico, CA at the September 28, 2010 City Council Meeting. The project required the contractor to supply and install two new Heating Ventilation and Air Conditioning (HVAC) units. General work includes re-roofing, insulation improvements, and the installation of structural support framing and minor concrete and wood framing demolition and construction.

The plans showed a natural gas line connecting the gas meter to the new HVAC units. However, the feature was not labeled "New", and the contractor assumed the line was existing and needing only minor extension for the connections. The contractor has submitted the attached "Change Order" on his letterhead addressing this gas line extension matter.

Also, the original plans and specifications called out a 600 amp overhead electrical service for the project. However, we've since discovered that PG & E will limit overhead service to a maximum of 400 amps. We could go underground, however, that would require unexpected trenching and repaving could present some minimum clearance conflicts with the building and adjacent alley. However, we believe the 400 amp service will be sufficient for the refurbished building. The 400 amp service box will be less expensive than the planned 600 amp service box. We have discussed this matter with the contractor and tentatively agreed to an amended scope of work that will accomplish some additional electrical work equivalent to the service panel cost savings. That matter is addressed in the attached letter from Snyder Electric dated November 1, 2010. There is no additional cost for this revised electrical Scope of Work.

CHANGE ORDER:

Don Azevedo Construction submitted a request for Contract Change Order No. 2 to cover the expense of the gas line extension and related costs. The expense will increase the original contract amount by \$1,955.00. The adjusted contract amount for the Rodgers Theater Improvement Project will be \$181,039.69. See the summary of the contract costs below:

| | |
|---------------------------|------------------------|
| Original Contract Amount: | \$176,609.00 |
| Change Order No. 1 | 2,475.69 |
| Change Order No. 2 | <u>1,955.00</u> |
| Adjusted Contract Amount | \$181,039.69 |

The Public Contracts Code normally limits Change Orders to a maximum of 10% of the overall contract amount. The sum of Change Orders 1 & 2 is \$4,430.69. This amounts to about 2.5% of the original contract amount.

Budget Line Item No. 130-9116-6125 Theater Restoration/Rodgers Theater provides funding for this project.

RECOMMENDATION:

- **MAYOR AND COUNCIL APPROVE CONTRACT CHANGE ORDER #2, REVISING THE SCOPE OF WORK TO PROVIDE 400 AMP ELECTRICAL SERVICE, PROVIDING FOR THE EXTENSION OF GASLINE PIPING AND INCREASING THE RODGERS THEATER IMPROVEMENT PROJECT BY \$1,955.00 FOR A TOTAL PROJECT COST OF \$181,039.69.**



City of Corning, California

Department of Public Works
794 Third Street
Corning, CA 96021
(530) 824-7029

Change Order No. 2

Change Order Date: November 8, 2010

Project Name: Rodger's Theater Improvement Project

Vendor:

Company Name: Don Azevedo Construction, Inc.

Address: 48 Bellarmine Court, #40
Chico, CA 95928

Contact Name: Don Azevedo

Telephone Number: (530) 894-2360

Fax Number: (530) 894-0699

Change Requested by: City of Corning

Change Description:

a.) Amendment of Contract signed by City of Corning on October 7, 2010 to include additional work to extend gas line (approx. 120') to serve roof-mounted HVAC units as detailed in letter from Azevedo Construction dated 10/29/2010 and totaling \$1,955.00, and amended Scope of Work pursuant to letter from Snyder Electric dated November 1, 2010, thereby amending electrical service to 400 amp, and changing electrical panels, and distribution services as detailed in that letter.

b.) Also, to amend the electrical Scope of Work to read:

- Supply and install a 400 amp three phase stand up service panel which includes the meter, a main circuit breaker, distribution including a 225 amp breaker and a sub-panel for the HVAC units and air handler, space for future upgrades, four 20 amp breakers for marquee lighting, interior lighting, and service outlets at the back of the theater, in the attic and on the roof. Disconnect all unused wiring and abandon conduit in place.

There will be no change in cost resulting from this electrical Scope of Work Change.

| | |
|--------------------------------------|--------------------------|
| Original Contract Amount: | \$176,609.00 |
| Previous Change Order No 1 Increase: | \$2,475.69 |
| Change Order No 2 Increase | <u>\$1,955.00</u> |
| Amended Contract Amount: | \$181,039.69 |

Justification:

The Plans and Specifications are non-specific regarding whether the gas line that will serve the new roof-mounted HVAC equipment was new or existing. The contractor estimates an additional cost of \$1,955.00 to install the new (120 lin. ft.) gas line.

The Plans and Specifications called for a new 600 amp three phase electrical service. However, the City has recently learned that a new overhead service will be limited to 400 amps. Installing a 400 amp service panel instead of the 600 amp service panel will result in some cost savings. The electrical subcontractor proposes to complete additional electrical work to make up for this savings. There will be no change in cost resulting from this electrical Scope of Work Change.

Requested:

City of Corning

Date

Recommended:

Eric Ausmus, Project Engineer

Date

Accepted:

Don Azevedo

Date

**Don Azevedo
Construction, Inc.**

48 Bellarmine Ct. #40
Chico, CA 95928
Phone: 530-894-2360
Fax: 530-894-0699
Lic. # 614121
Email Azevedoconst@sbcglobal.net

CHANGE ORDER- Plumbing

DATE: 10/29/10

OWNER: City of Corning

PROJECT: Rodger Theater Improvement Project

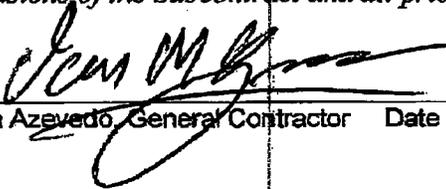
CHANGE ORDER #: 2

Description of Work: Provide and install 120+- of recycle 2" schedule 40 black gas piping and fittings. Pressure test at 100 P.S.I. for 4 hours.

| | |
|--|------------------|
| Jack Kelly Plumbing (Lic # 692706) | |
| | \$2,500.00 |
| Azevedo Construction: Credit for tie into existing in attic allowance | <\$800.00> |
| Subtotal: | \$1,700.00 |
| Profit & Overhead | <u>\$ 255.00</u> |
| TOTAL: | \$1,955.0 |

Payment to be made as follows: Progress Payment

All material is guaranteed to be as specified and all above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum shown above. Except as set forth above, all Terms and Provisions of the Subcontract and all prior Change Orders remain in full force and effect.

| | | | |
|---|----------|-------|------|
|  | 10/29/10 | | |
| Don Azevedo, General Contractor | Date | Owner | Date |

SECTION 10
DESCRIPTION OF THE WORK

10.1 General)

1. **Cool Roof** – Remove existing layers of roofing and dispose of the debris.
 - a. Drainage Areas flow channels, etc: Install DuraLast 40 mil PVC single ply membrane (or equivalent)
 - b. Non-Drainage Areas: Install 30# roofing felt followed by 30-year composition shingles (Shasta White) or CRRC approved per Title 24 requirements.
 - c. Install all flashing as required
2. **Ceiling Insulation:** Install R-38 on the existing ceiling in conformance with Title 24 energy Calculations. No insulation currently exists.
3. **HVAC Systems:** Remove and dispose existing heating and air conditioning systems. (Existing boiler to remain). Install new systems with all appurtenances in working order including ducting, venting, gas supply, condensate runs, testing and all requirements as stated on plans and these specifications.
 - a. 20 Ton Carrier package unit with economizer (48TCDD24A2G5)
 - b. 7.5 Ton heat pump (split system) (38AUQ08)
 - c. 7.5 Ton air handler (split system) (40RUQ08)
4. **Electrical upgrade:** replace existing single phase electrical to building with 600 amp 3 phase service main, install 150 amp 3 phase air conditioning service to 20 ton unit with disconnect, install 60 amp 3 phase air conditioning circuit to rooftop 7.5 ton condenser unit with disconnect, install one 60 amp 3-phase air handler circuit. Install attic lighting and maintenance outlet for air handler in attic. Install maintenance outlets for roof mounted units.
5. **Structural Improvements:** Furnish and install all structural improvements as shown on the Rogers Theater Improvement project plans. Typical improvements include structural walls, concrete work, wall framing, wall sheathing, roof framing, chase framing etc.

- 10.2 Mobilization –Payment for mobilization will be considered as paid for in other various items of work and no additional compensation will be allowed therefor.

SECTION 11
ROGERS THEATER IMPROVEMENT PROJECT

11.0 UNIT SPECIFICATIONS

Refer to Section 10.1 for Summary of Work. The City will not compensate the contractor for any work not specifically covered in the Section 11 or any work not discussed and agreed upon via a written change order.



Snyder Electric
15041 Meridian Meadows Ln.
Chico, CA 95973
530-520-9110
LIC. 815126
BID PROPOSAL

November 1, 2010

To: Azevedo Construction
Re: Rogers Theater
1217 Solano St.
Corning, CA

Amended scope of work:

Supply and install a 400 AMP stand-up service which includes, the meter, a main circuit breaker, distribution including a 225 AMP breaker for the A/C units, space for future up grades, 4 - 20 AMP breakers for the marquee lighting, interior lighting and a service outlet at the back of the theater. Change the sub-panel from 400 AMP to 225 AMP for the A/C units. We will disconnect all wires and abandon the conduit in place.

There will be no change in the bid amount of \$11,321.00

Thank you for considering our bid.

Loree Snyder

**ITEM NO. I-7
PURCHASE AGREEMENT FOR THE PROPERTY
LOCATED AT 1485 TOOMES AVENUE (APN:71-250-
35) AND 1624 HOUGHTON AVENUE (APN:71-250-
04) FOR THE DEVELOPMENT OF THE CORNING
COMMUNITY PARK.**

NOVEMBER 23, 2010

TO: HONORABLE MAYOR AND CITY OF CORNING COUNCIL MEMBERS

FROM: JOHN STOUFER, PLANNING DIRECTOR, PLANNING DIRECTOR

DISCUSSION & RECOMMENDATION:

Development of the Corning Community Park will require the purchase of two parcels by the City. A third parcel will be donated to the City. In the letter from the Office of Grants and Local Services (OGALS) notifying the City of their intent to award \$4,276,800 for the development of the Corning Community Park they identified certain obligations that must be completed before the City will be sent the grant contract. Of these obligations one read as follows:

Acquisition Pending. OGALS will issue the grant contract after receiving evidence that a purchase agreement has been reached between your agency and the land owner, and escrow will be opened. OGALS may rescind the grant award if escrow is not opened within one year.

To assure that the City receives a grant contract and funding is made available for the acquisition of property for the development of the Corning Community Park staff recommends that the Council take the following action:

Move to authorize the City Attorney to prepare and the Mayor to sign Standard Form Purchase Agreements for the property at 1485 Toomes Avenue, APN 71-250-35, and 1624 Houghton Avenue, APN 71-250-04, for the development of the Corning Community Park pursuant to the Prop 84 grant funds awarded to the City.

ITEM NO.: I-8
OPPORTUNITY FOR APPEAL HEARING FOR
PROPERTY OWNERS NOTIFIED OF CITY'S INTENT
TO RECORD PROPERTY LIEN FOR DELINQUENT
PAYMENT OF WATER AND SEWER SERVICE
NOVEMBER 23, 2010

TO: HONORABLE MAYOR AND CITY COUNCILMEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
JOHN BREWER, PUBLIC WORKS DIRECTOR
LISA M. LINNET, CITY CLERK



SUMMARY:

On October 26, 2010 Council unanimously approved Resolution 10-26-2010-2 Authorizing the City Clerk to record tax liens totaling \$8,505.28 for delinquent water and/or sewer service on 22 properties.

On Friday, October 29, 2010 letters were sent to notifying property owners of the City's intent to record a lien on their property for delinquent water and/or sewer service. At this time they were informed of the proposed lien amount and of their "Right to Appeal" as stipulated in City Code, Section 13.04.460 and 13.08.210, "Appeals". They were also informed that an appeal hearing had been scheduled for November 23, 2010 at 7:30 p.m. at which time they may appear to appeal or "protest" the filing of the lien.

To date the City has received payment in full on two of the properties, reducing the potential lien amount to \$7,925.42. We have received no appeal requests in writing to date.

BACKGROUND:

The Corning Municipal Code provides in Section 13, Section 13.04.430 (Sewer), and Section 13.08.150 (Water) that:

Section 13.04.430 (Sewer): Nonpayment of charges and fees shall result in disconnection of service. Any charge or rental levied by the City pursuant to this Chapter on any premises within the corporate limits of the City having a connection to the City Sewerage System is made a lien upon the premises. The Director is authorized, and it shall be his duty, to disconnect any industrial sewer connection or domestic sewer connection on premises located either within the corporate limits of the City or outside the corporate limits of the City, upon failure of the person to whom such charge or rental is billed to pay such charge or rental prior to delinquency. **(Ord. 541 (part), 1993); and**

Section 13.08.150 (Water): Charges as lien—Nonpayment—disconnection. Any charge levied by the City by or pursuant to this Chapter or the Resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City Water Distribution System is made a lien upon the premises. The water superintendent is authorized and it shall be his duty to disconnect the water upon failure of the person to whom such charge or rental is billed to pay the charges as set forth in this Chapter. **(Ord. 111 §20, 1953).**

Some of these properties are in foreclosure or abandoned, some are sewer only accounts, and others are just repeatedly delinquent in their payments for City water and sewer services. To avoid the additional loss of revenues through collection fees through collection agencies, Staff sought and was issued Council authority to lien the individual properties in addition to the disconnection of service.

RECOMMENDATION:

MAYOR AND COUNCIL HEAR ANY APPEALS PRESENTED FROM THE PROPERTY OWNERS THAT HAVE BEEN NOTIFIED OF THE CITY'S INTENTION TO PLACE A LIEN ON THEIR PROPERTY FOR DELINQUENT WATER AND/OR SEWER PAYMENTS.

ITEM NO.: ~~10-26-2010-2~~

**ADOPT RESOLUTION 10-26-2010-2 AUTHORIZING
CITY CLERK TO RECORD TAX LIENS TOTALING
\$8,505.28 FOR DELINQUENT PAYMENT OF WATER
AND SEWER SERVICE**

OCTOBER 26, 2010 → Presented & Approved on

TO: HONORABLE MAYOR AND CITY COUNCILMEMBERS

*this date
(CML)*

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
JOHN BREWER, PUBLIC WORKS DIRECTOR
LISA M. LINNET, CITY CLERK**

SUMMARY:

Authorization is being requested from the City Council to record liens on various properties in Corning to secure the payment of delinquent water and sewer fees. The combined total unpaid balance on the 22 individual properties is currently \$8,505.28.

BACKGROUND:

The Corning Municipal Code provides in Section 13, Section 13.04.430 (Sewer), and Section 13.08.150 (Water) that:

Section 13.04.430 (Sewer): Nonpayment of charges and fees shall result in disconnection of service. Any charge or rental levied by the City pursuant to this Chapter on any premises within the corporate limits of the City having a connection to the City Sewerage System is made alien upon the premises. The Director is authorized, and it shall be his duty, to disconnect any industrial sewer connection or domestic sewer connection on premises located either within the corporate limits of the City or outside the corporate limits of the City, upon failure of the person to whom such charge or rental is billed to pay such charge or rental prior to delinquency. **(Ord. 541 (part), 1993); and**

Section 13.08.150 (Water): Charges as lien—Nonpayment—disconnection. Any charge levied by the City by or pursuant to this Chapter or the Resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City Water Distribution System is made a lien upon the premises. The water superintendent is authorized and it shall be his duty to disconnect the water upon failure of the person to whom such charge or rental is billed to pay the charges as set forth in this Chapter. **(Ord. 111 §20, 1953).**

Some of these properties are in foreclosure or abandoned, some are sewer only accounts, and others are just repeatedly delinquent in their payments for City water and sewer services. To avoid the additional loss of revenues through collection fees through collection agencies Staff is seeking Council authority to lien the individual properties in addition to the disconnection of service.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION 10-26-2010-02 APPROVING THE RECORDING OF THE RESOLUTION AND ATTACHED NOTICE OF LIENS IN THE COMBINED AMOUNT OF \$8,505.28 ON THE PROPERTIES LISTED ON EXHIBIT "A" ATTACHED.

RESOLUTION NO. 10-26-2010-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
APPROVING THE RECORDING OF THE RESOLUTION AND ATTACHED NOTICE OF
LIENS IN THE COMBINED AMOUNT OF \$8,505.28 ON THE PROPERTIES LISTED ON
EXHIBIT "A" ATTACHED THAT ARE LOCATED WITHIN SPHERE OF INFLUENCE OF THE
CITY OF CORNING FOR DELINQUENT AND UNCOLLECTED WATER AND SEWER FEES**

WHEREAS, the properties listed on the attached Exhibit "A" are delinquent on their water and/or sewer accounts in the combined amount of \$8,505.28 due to either foreclosure, abandonment, or non-payment; and

WHEREAS, due notice was given to the person or persons having an interest in said properties and no appeal was timely filed from the determination made of the amount of delinquent water and sewer fees;

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

1. The City of Corning, pursuant to the authority granted under the City of Corning Municipal Code, Sections 13.04.430 (Sewer) and 13.08.150 (Water), does hereby impose liens on the real properties described in Exhibit "A", attached hereto and incorporated herein by reference, for further delinquent and uncollected Water and Sewer Fees; and

2. The matter having now come before the Mayor and Council for confirmation of the amount of the liens to be imposed, the following fees are found to have been delinquent after proper notification to the property/business owners pursuant to proceedings under the above-referenced provisions of the Corning Municipal Code; and

3. The statements of additional fees on file with the City Clerk in the amount of \$8,505.28 are hereby confirmed and adopted as a lien against the property identified in Exhibit "A" hereto; and

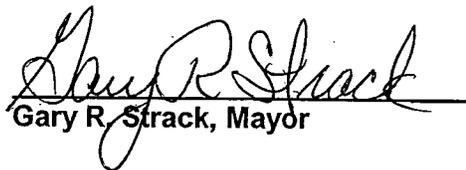
4. The Notice of Lien attached hereto as Exhibit "B" is hereby approved and the City Clerk is hereby directed to record a certified copy of this Resolution and the attached Notice of Lien with the Tehama County Recorder.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning, held on October 26, 2010, by the following vote:

AYES: Strack, Turner, Parkins and Leach

NOES: None

ABSENT OR NOT VOTING: None


Gary R. Strack, Mayor

ATTEST:


Lisa M. Linnet, City Clerk

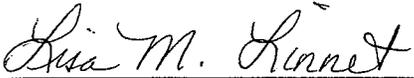
STATE OF CALIFORNIA)

COUNTY OF TEHAMA) SS

CITY OF CORNING)

I, Lisa M. Linnet, City Clerk of the City of Corning, do hereby certify that the foregoing is a true and correct copy of Resolution No. 10-26-2010-02 adopted by the City Council of the City of Corning at the October 26, 2010 regular City Council meeting by the votes listed on the attached copy of the Resolution.

ATTEST:



Lisa M. Linnet, City Clerk

RETURN TO:
CITY OF CORNING
794 THIRD STREET
CORNING, CA 96021

NOTICE OF LIEN
(Delinquent Uncollected Water and Sewer Fees)

The City of Corning, a Municipal Corporation, (hereafter "City") with offices at City Hall, 794 Third Street, Corning, California, 96021, gives notice that it claims liens for the costs of delinquent uncollected Water and Sewer Fees upon the real properties listed on the attached Exhibit "A". These liens are claimed under the provisions of the City of Corning Municipal Code Sections 13.04.430 (Sewer, Ordinance 541 (part), 1993), and 13.08.150 (Water, Ordinance 111 §20, 1953).

Take notice that the City and it's Mayor and Council, by action recorded in their official minutes of October 26, 2010, have assessed the combined amount of \$8,505.28 as the delinquent uncollected Water and Sewer Fees for the properties identified on the attached Exhibit "A". The specified sums shall be liens upon said real property until it has been paid in full and discharged of record. The Finance Director has complied with all provisions of the Corning Municipal Code in determining the amount required to be paid.

The real properties upon which these liens are claimed are located within the sphere of influence of the City of Corning, County of Tehama, State of California and are described on the attached Exhibit "A".

Resolution No.: 10-26-2010-02

Reference: Delinquent and Uncollected Water and Sewer Fees

Lisa M. Linnet, City Clerk

(Acknowledgment is not required pursuant to GC §27282)

13.04.428 Damage to facilities--Additional remedies.

When a discharge of wastes causes an obstruction, damage or any other impairment to city sewerage system, the city may, after providing the user with notice and opportunity to be heard, assess a charge against the user for the work required to clean or repair the sewerage system and may add such charge to the user's charges and fees. (Ord. 541 (part), 1993).

→ 13.04.430 Nonpayment of charges and fees shall result in disconnection of service. Any charge or rental levied by the city pursuant to this chapter on any premises within the corporate limits of the city having a connection to the city sewerage system is made a lien upon the premises. The director is authorized, and it shall be his duty, to disconnect any industrial sewer connection or domestic sewer connection on premises located either within the corporate limits of the city or outside the corporate limits of the city, upon failure of the person to whom such charge or rental is billed to pay such charge or rental prior to delinquency. (Ord. 541 (part), 1993).

13.04.432 Violation of sewer use regulations may result in termination of service. The city may revoke any wastewater discharge permit, or terminate or cause to be terminated wastewater service to any premises, if a violation of any provisions of this chapter is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or nuisance as defined in this chapter. (Ord. 541 (part), 1993).

13.04.434 Procedure for disconnection of service. In the event of a violation of any terms of the chapter, or any rule or regulation established pursuant to this chapter, the director shall notify the person or persons causing, allowing or committing such violation. Such notice shall specify in writing both the violation and the time after which, upon the failure of such person or person to prevent or rectify the violation, the director will exercise his authority to disconnect the property served by the sewerage system. Such time shall not be less than five days after the deposit of such notice in the United States Post Office at Corning, California, addressed to the person or persons to whom notice is given. In the event such violation results in a public hazard or menace, then the director may enter upon the premises without notice and do such things and expend such sums as may be necessary to abate such hazard, and the reasonable value of the things done and the amount expended in so doing shall be a charge upon the owner so in violation. (Ord. 541 (part), 1993).

→ 13.08.150 Charges as lien--Nonpayment--Disconnection.

Any charge levied by the city by or pursuant to this chapter or the resolutions made pursuant to the authority hereof on any premises within the corporate limits of the city having a connection to the city water distribution system is made a lien upon the premises. The water superintendent is authorized and it shall be his duty to disconnect the water upon failure of the person to whom such charge or rental is billed to pay the charges as set forth in this chapter. (Ord. 111 §20, 1953).

13.08.160 New service or relocation--Application.

All applicants for new water connection services or relocation of existing water connections shall file a written application with the treasurer, on forms to be supplied by the city, setting forth pertinent data as to estimated use, location and size of service connection. (Ord. 111 §15, 1953).

13.08.170 Cross-connections. A. Cross-connection

Control Required. It shall be the responsibility of the public works department of the city of Corning to protect the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of the director of public works or a designated agent, an approved backflow-prevention device is required at the city's water service connection to any customer's premises, for the safety of the city water system, the director or designated agent shall give notice in writing to said customer to install such an approved device at each service connection to their premises. The customer shall immediately install such device, at their expense. Failure, refusal or inability on the part of the customer to install such device shall constitute grounds for discontinuing water service to the premises until such device has been properly installed.

B. Approved Standards for Cross-connection Control Devices and Systems.

1. Any backflow-prevention device required by this code shall be a model and size approved by the public works director. The term "approved backflow-prevention device" means a device that has been manufactured in full conformance with the standards established by the American Water Works Association (A.W.W.A.), entitled "A.W.W.A. C 506-78 Standards for Reduced Pressure and Double Check Valve Backflow Prevention Devices"; and which has met completely the laboratory and field performance specifications of the Foundation for Cross-Connection and Hydraulic Research of the University of Southern California, and Specifications of Backflow Prevention Devices (#69-2) or the most current issue.

10/2010 Delinquent Water/Sewer Property Liens

| APN NO.'s | Service Address | Balance Owed | Acct. No. | Owner/Responsible Party | APN Mailing Address | Alternate Mailing Address | Name on Acct. |
|----------------------|----------------------------------|---------------------|--------------------|--|--|--|------------------------------------|
| 73-046-05 | 803 Butte St. (S) | \$483.54 | LEM0001 | Arendale, Delores ETAL c/o Lemke, Angela | 3101 N. Ellis St., Chandler, AZ 85224 | Same | Dolores Arendale c/o Angela Lemke |
| 73-112-08 | 520 Chestnut St. (W/S) | \$722.28 | RAM0071 | Ramirez, Inez & Cheryl | 520 Chestnut St., Corning, CA 96021 | 903 Fifth Street, Corning, CA 96021 | Inez & Cheryl Ramirez |
| 73-133-03 | 911 Chestnut St. (W/S) | \$544.92 | MAR0086 | Marquard, James Robt | 911 Chestnut St., Corning, CA 96021 | P.O. Box 1202, Corning, CA 96021 | James Robert Marquard |
| 71-113-01 | 1223 Colusa St. (W/S) | \$193.27 | CAR0081 | Carias, Jose | 519 Alden St., Redwood City, CA 94063 | Same | Jose Carias |
| 71-111-14 | 1309 Colusa St. (W/S) | \$130.14 | MAI0002 | Mair, Randall C. ETAL | 1309 Colusa St., Corning, CA 96021 | 14782 Peppertree Ln., Red Bluff, CA 96080 | Randall Mair |
| 73-034-09 | 401A First Street (S) | \$301.34 | SAL0049 | Salas, Josephine | 401 First St., Corning, CA 96021 | 811 Tehama St., Corning, CA 96021 | Jesus & Maria Salas |
| 73-034-09 | 401B First Street (S) | \$301.34 | SAL0046 | Salas, Josephine | 401 First St., Corning, CA 96021 | 811 Tehama St., Corning, CA 96021 | Jesus & Maria Salas |
| 71-136-10 | 813 Fourth St. (S) | \$148.70 | HIL0029 | Hildebrandt, Wilfred ETAL TRS Hildebrandt Family Trust | 3665 Illinois Ave., Corning, CA 96021 | Same | Wilfred Hildebrandt |
| 71-243-04 | 1212 Fourth Ave. (W/S) | \$193.38 | WAT0010 | Watkins, Joseph D. | 1212 Fourth Ave., Corning, CA 96021 | Same | Joseph & Valerie Watkins |
| 91-020-02 | 24537 Gardiner Ferry Rd. (S) | \$265.08 | ALE0010 | Alexander, Ronald L. & Alexander, Cynthia L. | 24537 Gardiner Ferry Rd., Corning, CA 96021 | Same | Ron Alexander |
| 71-094-07 | 710 Houghton Ave. (W/S) | \$265.08 | LIR0001 | Lira, Margarito | 710 Houghton Avenue, Corning, CA 96021 | 22405 Chase Ave., Corning, CA 96021 | Margarito Lira |
| 71-262-01 | 1392 Link St. (S) | \$581.06 | OVE0001 | Overturf, WM C. | P.O. Box 712, Corning, CA 96021 | 1392 Link St., Corning, CA 96021 | William C. Overturf |
| 71-124-08 | 1518 Marin St. (S) | \$178.40 | CHA0047 | Chandler, James | 48371 Sawleaf St., Fremont, CA 94539 | Same | James Chandler |
| 73-260-48 | 23439 Moon Rd. (S) | \$278.52 | LAM0002 | Walker, Margaret V. & Orvell E. | P.O. Box 105, Corning, CA 96021 | 23439 Moon Rd., Corning, CA 96021 | Susan Lamoureux |
| 71-020-50 | 1850 North St. (W/S) | \$380.60 | BER0032 | Berggren, Julie Ellen ETAL | 1850 North St., Corning, CA 96021 | Same | Julie Ellen Berggren |
| 71-132-06 | 1311 Solano St. (S) | \$351.72 | RIC0070 | Rico, Maria D. ETAL | 24610 East Borough Rd., Corning, CA 96021 | Same | Ezequiel & Maria D. Rico |
| 71-151-18 | 1905 Solano St. (S) | \$581.06 | ARR0010 | Arrowsmith, Nathan | 1927 McKinley Ave., Corning, CA 96021 | Same | Nathan Arrowsmith |
| 73-101-09 | 703 South St. (W/S) | \$268.36 | JOH0076 | Johnson, Marian & Edward D. | 703 South St., Corning, CA 96021 | 18954 Summit Rd., Paynes Creek, CA 96075 | Marian & Ed Johnson |
| 71-175-13 | 1120 South St. (W/S) | \$989.96 | OLI0073 | Oliveria, Leroy A. & Leora P. | 1120 South St., Corning, CA 96021 (Check with Assessor's on Address) | Same | Leroy & Leora Oliveria |
| 73-214-04 | 565 Stanmar Dr. (W/S) | \$293.09 | MCV0001 | McVicar, Michael B. & McVicar, Robyn B. | 565 Stanmar Dr., Corning, CA 96021 | Same | Robyn McVicar |
| 71-062-39 | 530 Toomes Ave. (S) | \$118.96 | CAS0051 | Castro, Richard | 530 Toomes Ave., Corning, CA 96021 | Same | Richard Castro |
| 71-165-10 | 1013 West St. (S) | \$934.48 | PRE0001 | Preble, Vivian F. TR DECD c/o Miles, Carol Anne SUC TR | 1437 N. Cherry St., Chico, CA 95926 | Same | Vivian F. Preble (deceased) |
| Total: | | \$8,505.28 | | | | | |

pd.

> 11-1-2011

pd.

> 11-15-2011