



**CITY OF CORNING
SPECIAL CLOSED MEETING SESSION**

**TUESDAY, OCTOBER 12, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council:

Vacant

Ross Turner

Toni Parkins

John Leach

Mayor:

Gary Strack

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. ADJOURN TO CLOSED SESSION:

PUBLIC EMPLOYMENT:

Pursuant to Government Code Section 54957:

City Manager Evaluation

D. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION:



**CITY OF CORNING
CITY COUNCIL AGENDA**

**TUESDAY, OCTOBER 12, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

F. ROLL CALL:

Council:

Vacant

Ross Turner

Toni Parkins

John Leach

Mayor:

Gary Strack

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

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

I. 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.**

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER

J. **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. October 6, 2010 Claim Warrant - \$423,873.68.
3. October 6, 2010 Business License Report.
4. September 2010 Building Permit Valuation - \$92,990.29.
5. September 2010 – Treasurer’s Report.
6. September 2010 Wages and Salaries - \$320,928.60.
7. City of Corning Wastewater Operation Summary Report – September 2010.
8. Authorize Eagle Scout Candidate Cody Loper to Install a Bench and Concrete Pad at Park & Ride Property in Honor of Officer Robert Warren Hart.
9. Approve Progress Pay Estimate No. 1 in the Amount of \$176,680.15 to Northwest Paving for the 2010 Street Improvement Project.
10. Resolution No. 10-12-2010-1 Repealing Resolution 01-05-93-1; Eliminating the Curbside Disabled Parking Space at 1011 Second Street.
11. Approve Americans with Disabilities Act Grievance Procedures.

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

L. **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.**

M. **REGULAR AGENDA:**

12. Clark Park Well Project: Approve Bond Counsel Agreement for USDA Loan.
13. Approve Agreement for the Provision of Part-time Interim Planning Director Services by the City to the County of Tehama.

N. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

O. **COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:**

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

14. Turner:
15. Parkins:
16. Leach:
17. Strack:

Q. **ADJOURNMENT!:**

POSTED: THURSDAY, OCTOBER 7, 2010

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: October 6, 2010

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, October 12, 2010 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	09-30-10	\$	17,087.36
B.	Payroll Disbursements	Ending	09-28-10	\$	34,756.30
C.	Cash Disbursements	Ending	10-06-10	\$	329,321.86
D.	Payroll Disbursements	Ending	10-05-10	\$	42,708.16

GRAND TOTAL \$ 423,873.68

REPORT.: Sep 30 10 Thursday
 RUN....: Sep 30 10 Time: 12:09
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-10 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
011245	09/27/10	NOR09	NORTHERN CA TITLE COMPANY	150.00	.00	150.00	0019221IN	SIGNAL IMPROV-STR PROJ
011246	09/27/10	WAT02	WATSON, THOMAS J.	208.00	.00	208.00	100923	PROF SVCS-POLICE
011247	09/28/10	DIM00	DIMENSIONS UNLIMITED, INC	3465.79	.00	3465.79	2010-16	CONSULTANT-FLOOD MITIGATI
011248	09/29/10	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	1009095	ProfServices Water Dept
011249	09/29/10	CAM02	CAMELLIA VALLEY SUPPLY	224.08	.00	224.08	0754259	MAT & SUPPLIES-WTR
				99.34	.00	99.34	0754261	MAT & SUPPLIES-WTR
				288.05	.00	288.05	0754264	MAT & SUPPLIES-WTR
			Check Total.....:	611.47	.00	611.47		
011250	09/29/10	COR12	CORNING FORD MERCURY, INC	245.94	.00	245.94	130211	Veh Opr/Maint-POLICE
011251	09/29/10	LIN01	LINCOLN EQUIPMENT, INC.	391.65	.00	391.65	SI148556	MAT & SUPPLIES-POOL
011252	09/29/10	MR.01	MR. ROOTER PLUMBING	578.96	.00	578.96	61255	BLD MAINT-TRANS FAC
011253	09/29/10	NAP01	NAPA AUTO PARTS	1537.21	.00	1537.21	100923	Veh Opr/Maint-
				272.65	.00	272.65	100923F	Veh Opr/Maint-
			Check Total.....:	1809.86	.00	1809.86		
011254	09/29/10	NOR31	NORM'S PRINTING	598.80	.00	598.80	008894	PRINTING/ADV-POLICE
011255	09/29/10	PAC16	PACIFIC TELEMAGEMENT SE	38.00	.00	38.00	224378	COMMUNICATIONS-GEN CITY
011256	09/29/10	PGE01	PG&E	5097.59	.00	5097.59	1117312	TRAFFIC SIGNAL-MARGUERITE
011257	09/29/10	PGE2A	PG&E	49.03	.00	49.03	100917	ELECT-BLUE HERON CT
011258	09/29/10	RAR01	ROLLS, ANDERSON & ROLLS	2363.00	.00	2363.00	7899	SIGNAL IMPROV-STR PROJ
011259	09/29/10	USB01	US BANCORP	868.98	.00	868.98	160644464	Rents/Leases-GEN CITY
011260	09/29/10	XER00	XEROX CORPORATION	270.63	.00	270.63	111792945	EQUIP MAINT-POLICE
011261	09/30/10	\A050	ALLISON REALTY ASSOC,	50.00	.00	50.00	000B00901	MQ CUSTOMER REFUND FOR AL
011262	09/30/10	\B039	BOONE, ROBERT	8.97	.00	8.97	000B00901	MQ CUSTOMER REFUND FOR BO
011263	09/30/10	\J018	JACKSON, JANET & MARLYCE	125.40	.00	125.40	000B00901	MQ CUSTOMER REFUND FOR JA
011264	09/30/10	\J019	JAMISON PROPERTIES,	.98	.00	.98	000B00901	MQ CUSTOMER REFUND FOR JA
011265	09/30/10	\O019	O'SULLIVAN, DIANE	28.04	.00	28.04	000B00901	MQ CUSTOMER REFUND FOR O'

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CITY OF CORNING
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information-----	
							Invoice #	Description
011266	09/30/10	\P033	PARRA, KATHRYN	8.40	.00	8.40	000B00901	MQ CUSTOMER REFUND FOR PA
011267	09/30/10	\V027	VALENCIA, MARTHA	30.29	.00	30.29	000B00901	MQ CUSTOMER REFUND FOR VA
011268	09/30/10	\V028	VANDOORN, BARBARA	1.58	.00	1.58	000B00901	MQ CUSTOMER REFUND FOR VA
Cash Account Total.....:				17087.36	.00	17087.36		
Total Disbursements.....:				17087.36	.00	17087.36		
Cash Account Total.....:				.00	.00	.00		

REPORT.: Sep 30 10 Thursday
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CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 09-10 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
4713	09/28/10	AFL01	AMERICAN FAMILY LIFE	1643.66	.00	1643.66	B00930	AFLAC INS.PRE TAX
				101.74	.00	101.74	1B00930	AFLAC INS.AFTER TAX
			Check Total.....:	1745.40	.00	1745.40		
4714	09/28/10	BLU02	BLUE SHIELD OF CALIFORNIA	20120.00	.00	20120.00	B00930	MEDICAL INSURANCE
4715	09/28/10	CIT01	CITY OF CORNING	6.00	.00	6.00	B00930	CHGS FOR WAGE ATCHMT
4716	09/28/10	OEU01	OPERATING ENGINEERS #3	6043.00	.00	6043.00	B00930	MEDICAL INSURANCE
4717	09/28/10	OEU02	OPERATING ENG. (DUES)	315.00	.00	315.00	B00930	UNION DUES MGMNT
				572.00	.00	572.00	1B00930	UNION DUES POLICE
				280.00	.00	280.00	2B00930	UNION DUES DISPATCH
				480.00	.00	480.00	3B00930	UNION DUES-MISC
			Check Total.....:	1647.00	.00	1647.00		
4718	09/28/10	PRI04	PRINCIPAL	3459.27	.00	3459.27	B00930	DENTAL INSURANCE
				633.13	.00	633.13	1B00930	VISION INSURANCE
			Check Total.....:	4092.40	.00	4092.40		
4719	09/28/10	TRA03	TRANSAMERICA LIFE INS CO.	1102.50	.00	1102.50	B00930	LIFE INSURANCE
			Cash Account Total.....:	34756.30	.00	34756.30		
			Total Disbursements.....:	34756.30	.00	34756.30		

REPORT.: Oct 06 10 Wednesday
 RUN....: Oct 06 10 Time: 15:24
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CITY OF CORNING
 Cash Disbursement Detail Report
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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
011269	10/01/10	COR07	CORBIN WILLITS SYSTEMS	729.72	.00	729.72	000B010011	Finance Dept.
011270	10/01/10	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000B010011	CngChamberComm. Economic
011271	10/01/10	FIT01	FITZPATRICK LAW OFFICES	910.00	.00	910.00	000B010011	Consulting Serv LegalServ
011272	10/01/10	HAL05	HALL, ROBERT	104.70	.00	104.70	000B010011	ProfServices FireDepartme
011273	10/01/10	KEN00	KEN VAUGHAN & SONS	950.00	.00	950.00	000B010011	LANDSCAPE MAINT-
011274	10/01/10	PIT01	PITNEY BOWES	144.00	.00	144.00	000B010011	Rents/Leases Finance Dept
011275	10/01/10	S&L00	S & L BREWER ENTERPRISES	200.00	.00	200.00	000B010011	K-9 PROGRAM-POLICE
011276	10/01/10	TLD01	TEDC	208.33	.00	208.33	000B010011	Economic Development
011277	10/01/10	TOM03	TOMLINSON JR., ROBERT L.	54.70	.00	54.70	000B010011	PROF. SVCS-FIRE DEPT
011278	10/01/10	WHI05	WHITE GLOVE CLEANING SERV	2800.00	.00	2800.00	000B010011	JANITORIAL SVCS-
011279	10/05/10	AND01	ED ANDERSON	2655.00	.00	2655.00	101002	ProfServices-
011280	10/05/10	ATT02	AT&T	1147.65	.00	1147.65	1654043	COMMUNICATIONS-
011281	10/05/10	BAS01	BASIC LABORATORY, INC	660.00	.00	660.00	1009258	ProfServices Water Dept
				114.00	.00	114.00	1009318	ProfServices Water Dept
			Check Total.....:	774.00	.00	774.00		
011282	10/05/10	CAL41	CALIFORNIA PRISON INDUSTR	601.87	.00	601.87	109816	MAT & SUPPLIES-POLICE
011283	10/05/10	CHE02	CHEM QUIP, INC.	1039.80	.00	1039.80	5048781	MAT & SUPPLIES-WTR
011284	10/05/10	CLA01	CLARKS DRUG STORE	8.13	.00	8.13	37254	MAT & SUPPLIES-POLICE
				44.45	.00	44.45	100820	PROF SVCS-POLICE
			Check Total.....:	52.58	.00	52.58		
011285	10/05/10	COR01	CORNING VETERINARY	203.40	.00	203.40	27077	ProfServices-ACO
				453.70	.00	453.70	27283	ProfServices-ACO
			Check Total.....:	657.10	.00	657.10		
011286	10/05/10	HAT10	HATFIELD'S	509.39	.00	509.39	100925	Mat/Supplies-
011287	10/05/10	HIG00	HIGHT, MONTY W.	340.00	.00	340.00	5	OTS/DUI GRANT-PIO
011288	10/05/10	JES10	JESSEE HEATING & AIR, INC	550.00	.00	550.00	50438	BLD MAINT-FIRE

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011289	10/05/10	LAM03	LAMBETH, TAMMY	57.00	.00	57.00	100930	REC INSTRUCTOR-REC
011290	10/05/10	LEA02	LEAGUE OF CA CITIES	50.00	.00	50.00	100805	ASSOC DUES-City Council
011291	10/05/10	LNC01	LN CURTIS & SONS	331.25	.00	331.25	119730501	EQUIP MAINT-FIRE
011292	10/05/10	MCC01	MCCOY'S HARDWARE & SUPPLY	174.51	.00	174.51	100925	MAT & SUPPLIES-
011293	10/05/10	MGT00	MGT OF AMERICA, INC.	1500.00	.00	1500.00	19454	PROF SVCS-GEN CITY
011294	10/05/10	MUN02	MUNICIPAL CODE CORPORATIO	363.09	.00	363.09	127642	PROF SVCS-CITY CLERK
011295	10/05/10	NOR03	NCCSIF	27748.25	.00	27748.25	2011046	WORKMENS COMP-GEN CITY
011296	10/05/10	NOR25	NORTHERN LIGHTS ENRGY, INC	2960.87	.00	2960.87	29150	VEH OP/MAINT-
011297	10/05/10	PGE01	PG&E	38458.39	.00	38458.39	100921	Electricity General City-
011298	10/05/10	PGE2B	PG&E	7314.85	.00	7314.85	100924	ELECT-WWTP
011299	10/05/10	RON03	RON DUPRATT FORD	508.09	.00	508.09	657671	VEH OP/MAINT-POLICE
				184.98	.00	184.98	657768	VEH OP/MAINT-POLICE
			Check Total.....:	693.07	.00	693.07		
011300	10/05/10	SEI01	SEILER, ROY R., CPA	3663.00	.00	3663.00	24061	ProfServices-Finance Dept
011301	10/05/10	TEH13	TEHAMA CO AUDITOR	38.00	.00	38.00	100930	PkngCiteToCnty PoliceServ
011302	10/05/10	TEH15	TEHAMA CO SHERIFF'S DEPT	49.00	.00	49.00	101001	PROF SVCS-
011303	10/05/10	THO01	THOMES CREEK ROCK CO	1016.90	.00	1016.90	101001	Mat/Supplies-STR
011304	10/05/10	UNI02	UNIFORMS, TUXEDOS & MORE	19.38	.00	19.38	101236	CADET PROGRAM-POLICE
011305	10/05/10	USA01	USA BLUE BOOK	46.55	.00	46.55	243648	MAT & SUPPLIES-WTR
011306	10/05/10	VAL07	VALLEY VETERINARY CLINIC,	131.54	.00	131.54	67140	K-9 PROGRAM-POLICE
011307	10/05/10	WAS01	WASTE MANAGEMENT OF	103261.89	.00	103261.89	100930	WASTE MGMT PYMT-SOLID WAS
011308	10/05/10	WES02	WESTERN BUSINESS PRODUCTS	42.01	.00	42.01	025676	Equip.Maint.-FIRE
011309	10/05/10	XER00	XEROX CORPORATION	91.06	.00	91.06	050704501	EQUIP MAINT-POLICE
011310	10/06/10	ACC00	ACCESS INFORMATION	40.00	.00	40.00	86438	EQUIP MAINT-GEN CITY
				40.00	.00	40.00	87494	EQUIP MAINT-GEN CITY
			Check Total.....:	80.00	.00	80.00		
011311	10/06/10	COR08	CORNING LUMBER CO INC	529.38	.00	529.38	100925	Mat/Supplies-

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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
011312	10/06/10	COR20	CORNING ELECTRONICS	3.99	.00	3.99	10090560	MAT & SUPPLIES-FIRE
011313	10/06/10	DEP16	DEPT OF PUBLIC HEALTH	8775.27	.00	8775.27	1130685	REQ PYMTS STATE-WTR
011314	10/06/10	FIR00	FIRST NATIONAL BANK	105.44	.00	105.44	100928	OFFICE SUPPLIES-CITY ADMI
011315	10/06/10	FIR01	FIRST NATIONAL BANK	593.59	.00	593.59	100928	MAT & SUPPLIES-
011316	10/06/10	LIN02	LINNETS TIRE SHOP	567.40	.00	567.40	51031	Veh Opr/Maint-
				463.74	.00	463.74	51038	Veh Opr/Maint-BLD & SAFET
			Check Total.....	1031.14	.00	1031.14		
011317	10/06/10	MIL11	MILL CREEK VETERINARY	70.00	.00	70.00	54569	SPAY/NEUTER VOUCHER PROGR
011318	10/06/10	NEX01	NEXTEL COMMUNICATIONS	415.02	.00	415.02	100929	COMMUNICATIONS-
011319	10/06/10	NOR01	NORTH VALLEY BARRICADE	169.95	.00	169.95	13619	MAT & SUPPLIES-
011320	10/06/10	NOR25	NORTHERN LIGHTS ENRGY, INC	2329.30	.00	2329.30	29196	MAT & SUPPLIES-
				416.68	.00	416.68	29197	VEH OP/MAINT-FIRE
			Check Total.....	2745.98	.00	2745.98		
011321	10/06/10	PGE01	PG&E	291.79	.00	291.79	100929	ELECT-
011322	10/06/10	PGE04	PG&E	462.41	.00	462.41	100930	TranspFacility-
011323	10/06/10	PGE05	PG&E	1291.93	.00	1291.93	100930	FIRE-ELECT & GAS
011324	10/06/10	TEI00	TEICHERT CONSTRUCTION	105093.28	.00	105093.28	101004	RUNWAY IMPROV-AIRPORT
011325	10/06/10	USA01	USA BLUE BOOK	331.72	.00	331.72	242589	MAT & SUPPLIES-WTR
011326	10/06/10	CAL35	CALIFORNIA BUILDING STAND	68.40	.00	68.40	101006	SB 1473/BLD & SAFETY
011327	10/06/10	COM01	COMPUTER LOGISTICS, INC	116.67	.00	116.67	49962	COMMUNICATIONS-POLICE
011328	10/06/10	DEP09	DEPT OF CONSERVATION	117.42	.00	117.42	101006	StrongMotion Bldg & Safet
011329	10/06/10	DEP12	DEPT OF JUSTICE	70.00	.00	70.00	811825	PROF SVCS-POLICE
011330	10/06/10	FIR02	FIRST NATIONAL BANK	198.00	.00	198.00	100928	TRAINING/ED-POLICE
011331	10/06/10	NAT13	NATIONWIDE FINANCIAL	3150.00	.00	3150.00	1084	FIRE SERVICE AWARD-FIRE
011332	10/06/10	NOR31	NORM'S PRINTING	106.03	.00	106.03	008959	OFFICE SUPPLIES-
011333	10/06/10	PHI01	PHIL'S AUTOMOTIVE	65.00	.00	65.00	34895	Veh Opr/Maint-POLICE
			Cash Account Total.....	329321.86	.00	329321.86		

Total Disbursements.....:	329321.86	.00	329321.86
	=====	=====	=====
	-----	-----	-----
Cash Account Total.....:	.00	.00	.00

REPORT.: Oct 06 10 Wednesday
 RUN....: Oct 06 10 Time: 15:24
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CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 10-10 Bank Account.: 1025

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
4724	10/05/10	BAN03	POLICE OFFICER ASSOC.	350.00	.00	350.00	B01005	POLICE OFFICER ASSOC
4725	10/05/10	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B01005	WITHHOLDING ORDER
4726	10/05/10	EDD01	EMPLOYMENT DEVELOPMENT	3763.77	.00	3763.77	B01005	STATE INCOME TAX
				1143.75	.00	1143.75	1B01005	SDI
			Check Total.....	4907.52	.00	4907.52		
4727	10/05/10	ENL01	ENLOE MEDICAL CENTER	725.00	.00	725.00	B01005	ENLOE FLIGHTCARE
4728	10/05/10	ICM01	ICMA RETIREMENT TRUST-457	4098.77	.00	4098.77	B01005	ICMA DEF. COMP
4729	10/05/10	OEU03	OPERATING ENGINEERS	550.00	.00	550.00	B01005	CREDIT UNION SAVINGS
4730	10/05/10	PERS1	PUBLIC EMPLOYEES RETIRE	26926.74	.00	26926.74	B01005	PERS PAYROLL REMITTANCE
4731	10/05/10	PERS4	Cal Pers 457 Def. Comp	25.00	.00	25.00	B01005	PERS DEF. COMP.
4732	10/05/10	PRE03	PREMIER WEST BANK	2091.50	.00	2091.50	B01005	HSA DEDUCTIBLE
4733	10/05/10	STA04	STATE OF CALIFORNIA	550.00	.00	550.00	B01005	WAGEASN 1107012828
4734	10/05/10	VAL06	VALIC	2345.17	.00	2345.17	B01005	AIG VALIC P TAX
			Cash Account Total.....	42708.16	.00	42708.16		
			Total Disbursements.....	42708.16	.00	42708.16		

Date.: Oct 6, 2010
Time.: 3:56 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
BROOKS AUTO REPAIR,	716 SIXTH ST	CORNING, CA 96021	BROOKS JAMES	AUTOMOTIVE REPAIR	09/27/10	(530)321-8186

PERMITS ISSUED (sort by Permit #)

Item No.: J-4

For the Period 9/1/2010 thru 9/30/2010

Owner and Address	Parcel Number	Issued On	Valuation
CYNTHIA SELLER 1419 COLUSA ST CORNING CA 96021 Permit Description: REPLACE EXISTING WALL FURNACE	7110504 Site Street Address: 1419 COLUSA ST	9/7/2010	500.00
LOUIE DAVIES 711 & 711.5 FOURTH ST CORNING CA 96021 Permit Description: CHANGE GAS WATER HEATER TO ELECT.	7113510 Site Street Address: 711 & 711.5 FOURTH ST	9/1/2010	250.00
LOUIE DAVIES 1124 SOLANO ST CORNING CA 96021 Permit Description: MOVE EXISTING WATER HEATER	7113507 Site Street Address: 1124 SOLANO ST	9/1/2010	250.00
ENRIQUE PEREZ 402 RIO GRANDE CT CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7135025 Site Street Address: 402 RIO GRANDE CT	9/3/2010	3,000.00
CINDY HUBER 1261 SIXTH ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7124120 Site Street Address: 1261 SIXTH ST	9/3/2010	2,239.29
CRANE MILLS 2120 LOLETA AVE CORNING CA 96021 Permit Description: CHANGE OFFICE TO BREAK RM & 2 BATHS TO	7130026 Site Street Address: 2120 LOLETA AVE	9/22/2010	40,000.00
PATRICK EARNSHAW 1614 MARIN ST CORNING CA 96021 Permit Description: MINER PLUMBING & ELECT.	7112212 Site Street Address: 1614 MARIN ST	9/8/2010	500.00

PERMITS ISSUED (sort by Permit #)
For the Period 9/1/2010 thru 9/30/2010

Owner and Address	Parcel Number	Issued On	Valuation
AL AUL 1602 YOLO ST CORNING CA 96021 Permit Description: TEAR OFF & REROOF	7110206 Site Street Address: 1602 YOLO ST	9/14/2010	3,900.00
DAHYA PATEL 3040 HWY 99W CORNING CA 96021 Permit Description: REMODEL REMAINING 5 BATHROOMS	8704042 Site Street Address: 3040 HWY 99W	9/14/2010	7,500.00
SETH VADER 912 THIRD ST CORNING CA 96021 Permit Description: ADD STEPS & RECONSTRUCT RAILS TO PORCH	7117506 Site Street Address: 912 THIRD ST	9/15/2010	1,000.00
ARTHUR (WOODY) PALMER 1504 TEHAMA ST CORNING CA 96021 Permit Description: BUILD STORAGE AREA INSIDE RV STRUCTURE	7104307 Site Street Address: 1504 TEHAMA ST	9/17/2010	1,500.00
OLIVE PIT 2156 SOLANO ST CORNING CA 96021 Permit Description: REPLACE EXISTING AC UNIT	7133002 Site Street Address: 2156 SOLANO ST	9/16/2010	6,000.00
JUANA MERAZ 1202 WEST ST CORNING CA 96021 Permit Description: STUCCO EXTERIOR & CHANGE WINDOWS	7122504 Site Street Address: 1202 WEST ST	9/16/2010	1,700.00
LUIS HERNANDEZ 1301 COLUSA ST CORNING CA 96021 Permit Description: CONSTRUCT BACK COVERED PORCH	7111107 Site Street Address: 1301 COLUSA ST	9/17/2010	500.00
VERISON WIRELESS 908 HWY 99W #D CORNING CA 96021 Permit Description: INSTALL FRONT WALL SIGN	6922018 Site Street Address: 908 HWY 99W #D	9/17/2010	2,000.00

10/4/2010
7:39:32AM

CITY OF CORNING
PERMITS ISSUED (sort by Permit #)
For the Period 9/1/2010 thru 9/30/2010

Owner and Address	Parcel Number	Issued On	Valuation
CITY OF CORNING 103 FIG LN CORNING CA 96021 Permit Description: ADD ELECT. TO STORAGE CONTAINERS (FOOT	7326030 Site Street Address: 103 FIG LN	9/20/2010	100.00
IRENE SMITH 820 PRUNE ST CORNING CA 96021 Permit Description: REPLACE 100 AMP ELECT. SERVICE	7308104 Site Street Address: 820 PRUNE ST	9/21/2010	800.00
JULIE O' NEILL 1486 PEACH ST CORNING CA 96021 Permit Description: INSTALL A 1KW AC PV SOLAR SYSTEM	7314305 Site Street Address: 1486 PEACH ST	9/23/2010	13,340.00
LEE MARTIN 1372 FOURTH AVE CORNING CA 96021 Permit Description: CHANGE OUT GAS WALL FURNACE	7127220 Site Street Address: 1372 FOURTH AVE	9/28/2010	3,517.00
ED ACKERMAN 590 EL PASO AVE CORNING CA 96021 Permit Description: REDUCT HEATING & AIR SYSTEM	7305311 Site Street Address: 590 EL PASO AVE	9/28/2010	4,394.00
20 Permits Issued from	9/1/2010 Thru 9/30/2010	FOR A TOTAL VALUATION OF	\$ 92,990.29
*** END OF REPORT ***			

CITY OF CORNING**SEPTEMBER 2010****TREASURERS REPORT**

AGENCY	BALANCE	RATE	MATURES ON
LOCAL AGENCY INVESTMENT FUND	1,257,733.68	.56	
PREMIER WEST BANK	198,098.72	.85	03/28/11
PREMIER WEST BANK	177,704.62	.85	04/20/11
TRUST ACCOUNTS			
PREMIER WEST BANK RIDELL TRUST	210,442.46	.90	12/13/11

Respectfully Submitted

Pala Cantrell
City Treasurer

RECEIVED
OCT 04 2010
CITY OF CORNING

CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT
SEPTEMBER 2010

Below is a summary of the Monthly Operations Report that will be available for City review on OCTOBER 2010.

- 1) Filled out monthly reports.
- 2) Performed weekly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Sent vehicle report to Texas.
- 5) Wasted to Thickener
- 6) Staff meeting on plant operations and issues
- 7) Changed chart on So3 analyzer.
- 8) Safety meeting
- 9) Cleaned up shop.
- 10) Inspected eyewash and emergency showers.
- 11) Unloaded chlorine truck.
- 12) Cleaned So2 pump.
- 13) Checked storm water discharge sites at WWTP and airport.
- 14) Cleaned distiller.
- 15) Tested all chlorine and So2 sensors.
- 16) River samples.

- 17) Replaced cooler on effluent sampler
- 18) Cleaned probe at lift station.
- 19) Tested alarms with Fire Dept.
- 20) Pumped waste from EQ basin
- 21) Cleaned drying beds.
- 22) Cleaned auto samplers with bleach
- 23) Sprayed weeds.
- 24) Exercised emergency generator.
- 25) Held employee training
- 26) IIPP plant inspection
- 27) Hauled dried sludge to Ostrom Landfill
- 28) Exercised floating aerator.
- 29) Checked all fire extinguishers.
- 30) Installed safety chains on floating aerators walk ways
- 31) Removed metal door on check valve vault, sent to Mccurdy's for repair

**ITEM NO.: J-8
AUTHORIZE EAGLE SCOUT CANDIDATE CODY
LOPER TO INSTALL A BENCH AND CONCRETE
PAD AT PARK & RIDE PROPERTY HONOR OF
OFFICER ROBERT WARREN HART**

OCTOBER 12, 2010

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
JOHN L. BREWER, AICP; PUBLIC WORKS DIRECTOR**

JB Steve

SUMMARY:

Staff recommends the City Council authorize Cody Loper of Boy Scout Troop 62 to construct a concrete pad and install a bench with plaque honoring Corning Police Officer Robert Warren Hart, who died in the line of duty on April 7, 1978.

BACKGROUND:

Cody Loper is an Eagle Scout candidate from Boy Scout Troop No. 62. As his Eagle Scout project, he proposes to pour a concrete pad and install a durable concrete bench with a plaque honoring former Corning Police Officer Robert Warren Hart. Officer Hart died of natural causes while on duty on April 7, 1978.

Please refer to the attached letter from Cody Loper and the attached aerial photo showing the proposed location of the pad and bench-adjacent to the redwood tree at the south end of the Park & Ride lot.

RECOMMENDATION:

That the City Council:

- **Authorize Eagle Scout candidate Cody Loper and other volunteers to install a concrete pad and Bench honoring former Corning Police Officer Robert Warren Hart at the southern end of the City Park & Ride property.**

cc: Cody Loper
423 Rio Grande Ct.
Corning, CA 96021

For my Eagle Project I would like to build a bench in Memory of Officer Robert Warren Hart that died on April 7 1978 in the Line Of Duty. And I would like to put the bench across the street from City Hall. Plus I would like to invite his family to a ceremony. Plus all the material and labor will be donated.

**Cody Loper
Troop 62**

RECEIVED
SEP 22 2010
CITY OF CORNING

Concrete Pad

Proposed Concrete Bench w/ plaque

CANORTHERN RAILROAD

SOLANO STREET

RECEIVED

SEP 22 2010

CITY OF CORNING

**ITEM NO: J-9
 APPROVE PROGRESS PAY ESTIMATE
 NO. 1 IN THE AMOUNT OF \$176,680.15 TO
 NORTHWEST PAVING FOR THE 2010
 STREET IMPROVEMENT PROJECT**

OCTOBER 12, 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**

SUMMARY:

Attached for City Council review is a copy of Partial Pay Estimate No. 1 requesting payment of \$176,680.15 for the 2010 Street 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 Northwest Paving.

FINANCIAL:

Project Engineer Ed Anderson and the Director of Public Works have reviewed and approved this request.

Original Construction Contract	\$ 142,505.15
Contract Change Order No. 1	\$ 41,575.00
Total Adjusted Contract Amount	\$ 184,080.15
Proposed PPE No. 1	\$ 176,680.15
Retention to be held (10%)	\$ (17,668.01)
Amount due to Contractor	\$ 159,012.14

The table below lists those account numbers providing funding for this street project:

Account No	Title	Funds Allocated for Project
107-6150-3001	M&S/St. Projects	\$48,900.00
108-6150-3001	AC Citywide/St. Projects	\$22,150.00
115-6150-3001	AC Citywide/St. Projects	\$24,000.00
117-9467-3001	Loleta Overlay/St. Projects	\$10,000.00
115-6150-3000	M&S/St. Maintenance	\$56,950.00
	RSTP Funds	\$32,288.00
Total		\$194,288.00

BACKGROUND:

The contract for the 2010 Street Improvement Project was awarded to Northwest Paving of Redding, CA at the August 10, 2010 Regular City Council Meeting. Contract Change Order #1 increased the original contract amount by \$41,575 to allow the asphalt paving of 5th and 6th Streets between Solano and Marin Streets.

RECOMMENDATION:

Mayor and Council approve Progress Pay Estimate No. 1 in the amount of \$176,680.15 to Northwest Paving for the 2010 Street Improvement Project

PARTIAL PAYMENT ESTIMATE

2010 Street Paving Project

Progress Payment Estimate No. 1

OWNER:

City of Corning

CONTRACTOR:

Northwest Paving, Redding, CA

PERIOD OF ESTIMATE:

FROM: September 1 to September 29, 2010

CONTRACT CHANGE ORDER SUMMARY

ESTIMATE

No.	Approval Date	Amount		
		Additions	Deductions	
1	9/21/2010	\$41,575		1. Original Contract..... \$142,505.15
				2. Change Orders..... \$ 41,575.00
				3. Revised Contract (1+2)..... \$184,080.15
				4. Work Completed \$176,680.15
				5. Stored Materials 0
				6. Subtotal (4+5)..... \$176,680.15
				7. Retainage10%..... \$ (17,668.01)
				8. Previous Payments..... \$ 0
				9. Amount Due (6-7-8)..... \$159,012.14
TOTALS				
NET CHANGE		\$41,575		

CONTRACT TIME

Original (days) 90
Revised _____
Remaining _____

On Schedule Yes
 No

Starting Date: September 1, 2010
Projected Completion: November 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.

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.

Contractor Northwest Paving

Architect or Engineer Ed Anderson

By _____

By Ed Anderson

Date _____

Date: October 12, 2010

APPROVED BY OWNER:

Owner City of Corning

By Stephen J. Kimbrough, City Manager

Date _____

ITEM NO.: J-10
RESOLUTION 10-12-2010-1; REPEALING
RESOLUTION 01-05-93-1; ELIMINATING THE
CURBSIDE DISABLED PARKING SPACE AT
1011 SECOND STREET

OCTOBER 12, 2010

TO: CITY COUNCIL OF THE CITY OF CORNING, CALIFORNIA
FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
JOHN L. BREWER, AICP; PUBLIC WORKS DIRECTOR

JB *Steve*

SUMMARY:

Staff recommends the City Council adopt the attached resolution 10-12-2010-1. The resolution would eliminate the curbside disabled parking space at 1011 Second Street.

BACKGROUND:

. Through the adoption of individual City Council Resolutions, the City Council has periodically authorized curbside disabled parking spaces on City Streets when residents demonstrate the need for such spaces.

As a result of a recent application for such a space, staff took inventory of the curbside spaces that we've approved. Our objective was to see if any of those spaces were unnecessary and then to eliminate those spaces. Through the inventory we found that Council has approved resolutions authorizing 12 disabled spaces. Seven of those spaces are for churches and the Veteran's Hall. There's obviously continuing needs for the spaces at those assembly areas.

Five (5) spaces have been oriented to specific residents of adjacent dwellings. In many cases, the resolutions have included "sunset" provisions that automatically expire when target disabled resident no longer resides onsite. We have investigated and sent inquiries to the residents of the dwellings, seeking to determine if the designated disabled person still resides onsite.

The curbside disabled space at 1011 Second Street was established in 1993, by Resolution No. 01-05-93-1 (copy attached). The resolution contains no "sunset clause". Though the resolution doesn't include a name, the accompanying staff report discloses the space was for the use of Mrs. Gilbert Crawford who resided there. The current residents advise that the disabled resident for whom the space was created, no longer resides there.

RECOMMENDATION:

That the City Council:

- **ADOPT RESOLUTION NO. 10-12-2010-1; REPEALING RESOLUTION NO. 01-05-93-1 AND THEREBY ELIMINATING THE CURBSIDE DISABLED PARKING SPACE AT 1011 SECOND STREET.**

RESOLUTION NO 10-12-2010-1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
REPEALING RESOLUTION NO. 01-05-93-1 AND ELIMINATING THE CURBSIDE
DISABLED PARKING SPACE AT 1011 SECOND STREET**

WHEREAS, On January 5, 1993, the Corning City Council adopted Resolution No. 01-05-93-1, and,

WHEREAS, said resolution authorized a curbside disabled parking space adjacent to the dwelling at 1011 Second Street, and,

WHEREAS, the staff report that accompanied the Resolution clearly cited the needs of Mrs. Gilbert Crawford, a disabled person, to support the curbside space, and

WHEREAS, Mrs. Crawford no longer resides at 1011 Second Street, and,

WHEREAS, the current resident of 1011 Second Street, Mr. Robert Talbott advises staff that no one within his residence is disabled, and the disabled parking space is seldom used.

NOW, THEREFORE BE IT RESOLVED, that the curbside disabled parking space at 1011 Second Street is no longer necessary.

BE IT FURTHER RESOLVED, that Resolution No. 01-05-93-1 is hereby repealed, thereby eliminating the disabled parking space at 1011 Second Street, and the Public Works Department is directed to remove any and all disabled parking markings and signage from said space.

PASSED, ADOPTED AND APPROVED on October 12, 2010, by the following vote of the Corning City Council:

AYES:

NOES:

ABSENT OR NOT VOTING:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk



City of Corning

794 Third St. Corning, CA 96021 (530) 824-7020 Fax (530) 824-2489

September 17, 2010

RECEIVED
SEP 21 2010
CITY OF CORNING

Mrs. Gilbert Crawford or
Current Resident
1011 2nd Street
Corning, CA 96021

Subject: City of Corning Resolution 01-05-93-01; Disabled Parking Space

Dear Mrs. Crawford or Current Resident:

During a recent review of City files, it is documented that a Disabled Parking Space is designated at 1011 2nd Street, Corning for Mrs. Gilbert Crawford.

According to the City Resolution, the parking space is only available while the above named person resides at 1011 2nd Street, Corning.

Please indicate resident status and return this letter in the provided postage paid envelope. If you have any questions or concerns, please call me at (530) 824-7029.

Thank you


John L. Brewer, AICP
Director of Public Works

Please check the appropriate statement and return to Corning City Hall, 794 Third Street, Corning, CA 96021:

Yes, Mrs. Gilbert Crawford resides at 1011 2nd Street, Corning

No, Mrs. Gilbert Crawford does not reside at 1011 2nd Street, Corning
DECEASED & HOUSE SOLD

ITEM NO.: F-7
RESOLUTION NO. 1-5-93-1
REQUEST FOR DESIGNATED
HANDICAP PARKING SPACE
IN A RESIDENTIAL AREA
DECEMBER 23, 1993

Honorable Mayor and Councilmembers
of the City of Corning

BACKGROUND

1. Staff has received a request from Mrs. Gilbert Crawford of 1011 2nd Street, requesting a designated disabled persons parking space at this location.
2. 1011 2nd Street is located on the east side of 2nd Street directly across from Bell-Carter Foods, Inc.. Employees of Bell-Carter use all available street parking in the area, resulting in Mrs. Crawford not being able to park in front of her home. Mrs. Crawford is disabled.
3. Mrs. Crawford's vehicle does display a placard which identifies the vehicle as belonging to a disabled person.

RECOMMENDATION:

Mayor and Council accept Resolution Number 1-5-93-1 Designating a Disabled Persons Parking Space at 1011 2nd Street.

Respectfully submitted,


Terry Snow
Acting City Manager

New owner Robert Talbott -
No one at this residence
uses that parking space

RESOLUTION NO. 1-5-93-1

A RESOLUTION OF THE CITY OF CORNING
DESIGNATING PARKING SPACE FOR
DISABLED PERSONS

WHEREAS, California Vehicle Code Section 22511.7 allows a local authority, by ordinance or resolution, to designate parking spaces for disabled persons; and

WHEREAS, a need for such a parking space has been identified in the community;

BE IT THEREFORE RESOLVED THAT the space identified in Exhibit A, attached hereto, is hereby designated for the exclusive use of any vehicle which displays either a distinguishing license plate or placard issued in accordance with the Vehicle Code of the State of California which identifies the vehicle as belonging to either a disabled person or disabled veteran.

* * * * *

The foregoing Resolution was considered by the City Council at a regular meeting of the City Council of the City of Corning on the 5th day of January, 1993 and upon motion duly made and seconded was passed and adopted by the following vote:

AYES: Turner, Strack, Price, Pryatel and Fitzgerald.

NOES: None.

ABSENT: None.

Mayor, City of Corning

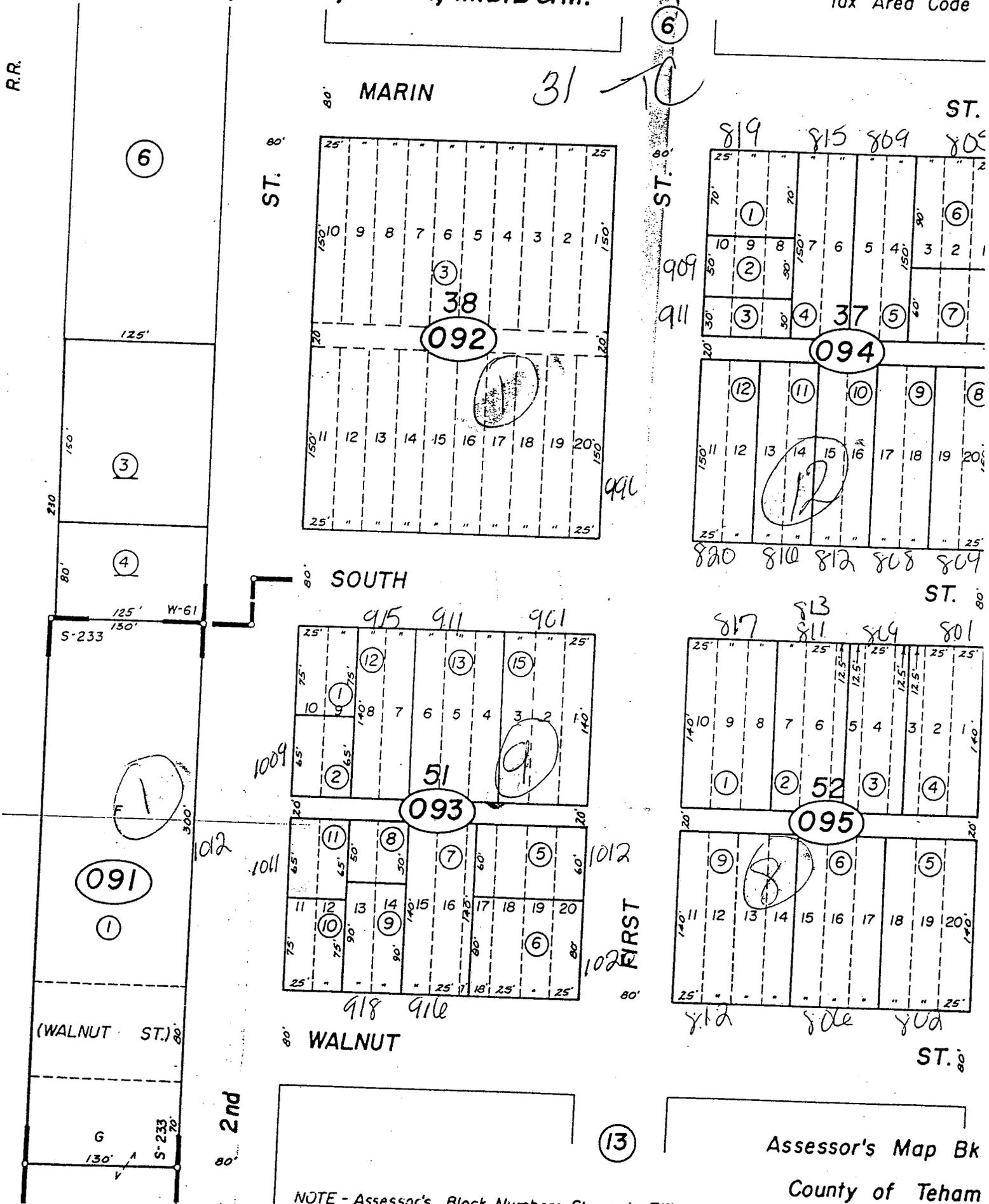
ATTEST:

City Clerk

NW1/4, SEC. 23, T.24N., R.3W., M.D.B&M.

Tax Area Code

R.R.



NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk
County of Teham

ITEM NO: J-11
APPROVE AMERICANS WITH DISABILITIES
ACT GRIEVANCE PROCEDURES
OCTOBER 12, 2010

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER

Steve

SUMMARY:

In 2008 the City adopted grievance procedures for Americans with Disabilities Act accomodation issues. Prior to sending the procedure to the USDA Rural Utilities Service as a part of our conditions of loan for the Clark Park Water Well, the procedures were updated to make them more understandable.

BACKGROUND:

The City has had a long history of prohibiting discrimination in employment and discrimination of its citizens and customers. The City also has an established procedure within the Public Works Department to resolve access issues and physical barriers when they are identified either by City Staff or a citizen.

The Americans with Disabilities Act requires that local governments adopt grievance procedures to provide a process to challenge a City Staff decision if the City Staff does not satisfy a "request for accomodation". This procedure provides a means for the complaining party to resolve an issue if they are dissatisfied with the response of the City Staff to their request for accomodation.

The Northern California Cities Self Insurance Authority developed the basic procedure in 2008, and the City had implemented its policy soon after that. The policy was then adapted to Corning procedures for handling service requests and reviewed by the Insurance Authority Staff.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE ADMINISTRATIVE POLICY PROVIDING GRIEVANCE PROCEDURES FOR AMERICANS WITH DISABILITIES ACT (ADA).

**CITY OF CORNING
AMERICANS WITH DISABILITIES ACT (ADA)
GRIEVANCE PROCEDURES**

Updated & Approved by City Council on October 12, 2010

SUMMARY:

This procedure may be used by anyone who wishes to appeal the decision of a department in response to a request for accommodations or modifications of services, activities, programs or benefits by the City of Corning and the elimination of physical barriers in City Facilities, Parks and Streets.

BACKGROUND:

The City of Corning has an established history of identifying and eliminating physical barriers to the handicapped. When complaints or statements of concern have arisen from the public, the City has taken immediate action to correct the problem including discussion and feedback to the concerned party. Physical barriers have been identified and scheduled for elimination either upon complaint from a citizen, or initiated by the City when street or building repairs are done.

The City of Corning also has a long history of prohibiting discrimination in employment, and discrimination against its citizens/customers. Procedures are in place to protect all employees and employment applicants.

During training presented by the Northern California Cities Seft Insurance Authority in 2008, the City became aware that a formal grievance procedure is required to address issues under the Americans with Disabilities Act. The procedure ensures a thorough and documented review of any ADA complaint. This update further clarifies and improves the original 2008 Procedure.

Separate procedures are in place for complaints alleging discrimination in employment policies and practices.

PURPOSE:

The initial Request for Accommodation is handled like any other City Service Request. This may include contact with the requestor by the City Staff in person, by phone or by mail.

As previously stated, this procedure may be used by anyone wishing to appeal a department's decision in response to a request for accommodations, modification of City provided services, activities, programs or benefits, or the elimination of physical barriers at City Facilities, Parks or Streets.

The grievance procedure is established to provide a policy that will allow objective fact finding to occur, followed by a discussion of options, with mediation that attempts to find a mutually acceptable solution to any issue identified. The goal of this process is to preclude the need to grieve or appeal a request for accommodation to another level of government.

This grievance procedure is established to meet the City of Corning requirements of the Americans with Disabilities Act.

This grievance procedure does not apply to complaints alleging discrimination in employment policies or practices.

PROCEDURE:

1. The complainant and/or his/her designee should submit the grievance as soon as possible, but no later than sixty (60) calendar days after the alleged discrimination, to the City of Corning, attention ADA Coordinator, Terry Hoofard, Building Official.
2. The complaint should be in writing and contain the following information about the alleged discrimination:
 - Name, address and phone number of complainant; and
 - Location, date and description of the alleged discrimination; and
 - Date and name of the department contact involved in the alleged discrimination.

Upon request, alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities.

3. The ADA Coordinator will consult with the City ADA Committee on all grievances filed against the City. The individual filing the grievance may appear before the ADA Committee to discuss the complaint to allow the Committee to facilitate a resolution of the issue.
4. Within 15 calendar days after receipt of the complaint, the City ADA Coordinator, or committee, will meet with the complainant to discuss the complaint and a possible resolution.
5. Within 15 calendar days after the meeting, the City ADA Coordinator will respond in writing, and where appropriate, in a form accessible to the complainant, such as large print, Braille, or audiotape. The response will provide a final resolution of the complaint.
6. If an individual who has filed a grievance continues to have concerns after this process concludes, he or she is welcome to bring any unresolved concerns to the City Council of the City of Corning by letter, personal appearance, or other means.
7. All appeals received and response given by the City ADA Coordinator will be kept by the City of Corning for at least three years, as required by the Americans with Disabilities Act (ADA).

CITY OF CORNING ADA ACCESSIBILITY ADVISORY COMMITTEE:

To request a meeting with the City of Corning ADA Accessibility Advisory Committee, please contact the City of Corning ADA Coordinator at:

City of Corning ADA Coordinator

Terry Hoofard, Building Official
City of Corning
794 Third Street
Corning, CA 96021
Phone: 530/824-7027

ADA Accessibility Advisory Committee Members:

Tom Watson, Admin. Services Manager
Lisa Linnet, City Clerk
John Brewer, Public Works Director
Tony Cardenas, Police Chief
John Stoufer, Planning Director

ITEM NO.: M-12
CLARK PARK WELL PROJECT:
APPROVE BOND COUNSEL
AGREEMENT FOR USDA LOAN
October 12, 2010

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER 

SUMMARY:

City Staff is moving quickly toward completing the loan conditions for funding by the US Department of Agriculture, Rural Utility Service to provide financing for the City's Clark Park Water Well, currently scheduled to go to bid as soon as final approval is given by USDA.

The financing instrument will be Certificates of Participation, "COP's" issued by the City and purchased by USDA. Bond Counsel is required to prepare these COP's and Mr. Jonathan Cristy has been chosen. Mr. Cristy has prepared the bond documents on many of the Rural Utility Service projects undertaken by City Engineer Ed Anderson. He is also respected by the USDA staff.

The proposed agreement with Bond Counsel, Jonathan Cristy and the firm of Kronick, Moskovitz, Tiedemann & Girard of Sacramento, California must be approved by the Council as a part of the submittal to Rural Utility Service.

FINANCIAL:

The contract cost for Bond Counsel Services will be \$16,500, payable at the time of the delivery of the COP's to USDA. The Bond Counsel is paid from the proceeds of the loan.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE AGREEMENT WITH BOND COUNSEL, JONATHAN CRISTY AND THE FIRM OF KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD OF SACRAMENTO, CALIFORNIA AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.

AGREEMENT FOR BOND COUNSEL SERVICES

This Agreement is between Kronick, Moskovitz, Tiedemann & Girard, a Professional Corporation (hereinafter "KMTG"), and the City of Corning (hereinafter "Client"). The subject matter of the representation governed by this Agreement is described in Paragraph 1.

1. **Scope of Services.** Client retains KMTG under this Agreement to provide such legal services as necessary for the authorization, issuance, and delivery of obligations (the "obligations") representing a loan (the "loan") to be made to the District by the United States of America, acting through the Rural Utilities Service, United States Department of Agriculture ("RUS"). The obligations are expected to be installment purchase obligations represented by certificates of participation. In particular, KMTG shall:

(a) Consult with Client and its administrative officers and assist in the implementation of the loan.

(b) Prepare all resolutions of Client's governing board and the governing board of the counterparty to the installment purchase agreement and other legal documents necessary for the authorization, issuance and delivery of the obligations.

(c) Prepare transcripts of the proceedings for the authorization, issuance, and delivery of the obligations.

(d) Upon due and proper completion of the proceedings to satisfaction of KMTG, deliver a final approving opinion confirming the validity of the obligations.

2. **Commencement of Services.** KMTG's obligation to provide legal services under this Agreement shall commence upon KMTG's receipt of a copy of this Agreement signed and dated by Client.

3. **Completion of Services.** KMTG's representation of Client with respect to the obligations will be concluded upon their issuance. Nevertheless, subsequent to issuance, KMTG will prepare and distribute to the participants in each transaction a transcript of the proceedings.

4. **Duties of KMTG and Client**

(a) **Duties of KMTG.** KMTG shall provide those legal services reasonably required to represent Client in the matters described in Paragraph 1 of this Agreement. KMTG shall also take reasonable steps to keep Client informed of significant developments and to respond to Client's inquiries.

(b) **Duties of Client.** Client shall cooperate with KMTG, keep them informed of developments, perform the obligations it has agreed to perform under this Agreement, and pay KMTG's bills in a timely manner.

5. **KMTG Personnel.** While one attorney at KMTG may be primarily responsible for completing the work that is within the scope of this Agreement, that attorney may also delegate work to other attorneys, paralegals, law clerks and office personnel within KMTG when it is determined that such delegation is appropriate in representation of Client's interests. If Client so requests, Client will be notified prior to any delegation and a decision will be made in consultation with Client.

6. **Disclaimer of Guarantee.** KMTG cannot guarantee the successful conclusion of any legal matter. KMTG has made no promises or guarantees to Client about the outcome of Client's matters, and nothing in this Agreement shall be construed as such a promise or guarantee.

7. **Compensation.** Client shall pay KMTG compensation (both fees and expenses) for the bond counsel services described above in the amount of \$18,500 at the time of the delivery of the obligations to RUS. If Client requests the attendance of a KMTG attorney at a meeting of Client's governing board, then Client shall also pay fees at the attorney's hourly rate for the actual time spent in the meeting plus one-half of the time spent travelling to and from the meeting, plus KMTG's out-of-pocket travel expenses.

8. **Legal Action Upon Default.** If Client does not pay the balance when due or breaches any other terms of this Agreement, KMTG may commence any legal action for collection of the balance due. Client and KMTG agree that all legal proceedings related to the subject matter of this Agreement shall be maintained in courts sitting within the State of California, County of Sacramento. Client and KMTG agree that the jurisdiction and venue for such proceedings shall lie exclusively with such courts. Further, the prevailing party in any such dispute shall be entitled to reasonable costs, including attorneys' fees.

9. **Arbitration of Fee Dispute.** If a dispute arises between KMTG and Client regarding KMTG's fees or costs under this Agreement and KMTG files suit in any court, or begins an arbitration proceeding other than through the State Bar or a local bar association under Business and Professions Code Sections 6200-6206, Client will have the right to stay that suit or arbitration proceeding by timely electing to arbitrate the dispute through the State Bar or a local bar association under Business and Professions Code Sections 6200-6206, in which event KMTG must submit the matter to that arbitrator.

10. **Termination.** This Agreement may be terminated by Client or KMTG, or modified by mutual consent, at any time. KMTG and Client each agree to sign any documents reasonably necessary to complete KMTG's discharge or withdrawal. If Client terminates this Agreement, then Client shall pay KMTG a fee determined by the extent of the services rendered by KMTG to the date of the termination at the hourly rates specified below, together with KMTG's out-of-pocket expenses, but not in excess of the amounts specified in Section 7. KMTG's rate schedule for public finance matters as of the date of this Agreement is as set forth below:

<u>Billing Professional</u>	<u>Rates Per Hour</u>	
	from	to
Shareholders	\$260	\$380
Principals/Senior Associates	210	290
Associate Attorneys	185	250
Paralegals	90	130
Document Clerk/Law Clerk	65	130

Mr. Cristy's current hourly rate is \$320.

11. **Client Files.** At Client's request, upon the termination of services under this Agreement, KMTG will promptly release all of Client's papers and property to Client (subject to any applicable protective orders or non-disclosure agreements).

12. **Destruction of Client File.** If Client does not request the return of Client's papers and property, KMTG will retain Client's file for a period of seven years from the date of delivery of the obligations, after which time KMTG may have Client's file destroyed. Client acknowledges that it will not be notified prior to the destruction of its papers and property and consents to the same. If Client desires to have Client's file maintained beyond seven years after Client's matter is concluded, separate arrangements with KMTG must be made.

13. **Modification by Subsequent Agreement.** This Agreement may be modified only by a written instrument signed by both parties.

KMTG:

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD,
A Professional Corporation

DATED: _____ By: _____
Jonathan P. Cristy

CLIENT:

CITY OF CORNING

DATED: _____ By: _____
Stephen J. Kimbrough, City Manager

**ITEM NO: M-13
APPROVE AGREEMENT FOR THE
PROVISION OF HALF-TIME INTERIM
PLANNING DIRECTOR SERVICES BY
CITY TO COUNTY OF TEHAMA
OCTOBER 12, 2010**

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

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER



SUMMARY:

Tehama County staff has proposed entering into a contract with the City of Corning for a portion of John Stoufer's time to provide interim Planning Director Services to the County of Tehama. Veteran County Planning Director George Robson has announced his retirement and, has already left work using his accrued leave time.

Because time is of the essence, the Corning City Manager and the City Attorney are meeting with the County Chief Administrator on Thursday afternoon, October 7, 2010, and more information will be forwarded to the City Council. The County understands that the Corning City Council will not have the opportunity to consider this proposal until tonight, October 12, 2010 at its regular meeting. If approved by the City Council, the agreement will be considered by the Board of Supervisors on October 19.

The County suggests an agreement allowing the County to purchase one-half of Mr. Stoufer's time beginning October 20, 2010. The agreement provides a termination date of June 30, 2011, but could be terminated earlier or extended based upon the County's needs. During the term of the agreement, the County would pay the City of Corning monthly for one half cost of Mr. Stoufer's salary and benefits. This could return as much as \$35,000 to the City if the services continue from October 20 to June 30.

The City of Corning does not want to lose John Stoufer's talent, and we have a number of projects to keep him busy full-time in Corning, however this does provide a way to offset the cost of our Planning Director during the recession and to help the County at the same time.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE AN AGREEMENT WITH THE COUNTY OF TEHAMA FOR THE PROVISION OF HALF-TIME PLANNING DIRECTOR SERVICES TO THE COUNTY WHILE THE COUNTY RECRUITS FOR A PERMANENT PLANNING DIRECTOR AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT

**The Proposed Draft of
the Half-Time Interim
Planning Director
Services Agreement
Between the City of
Corning and the
County of Tehama is
still being negotiated.
The final Draft will be
delivered no later than
Monday morning, by
10:00 a.m.**