



**CITY OF CORNING
CITY COUNCIL AGENDA**

**SPECIAL MEETING
CITY COUNCIL AND CHAMBER OF COMMERCE
AND
REGULARLY SCHEDULED CITY COUNCIL MEETING**

**TUESDAY, OCTOBER 28, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

SPECIAL MEETING: CITY COUNCIL AND CHAMBER OF COMMERCE.

A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL:

Council:	Hill Dickison Zuniga Turner
Mayor:	Strack

CITY COUNCIL MEETING:

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

D. ROLL CALL:

Council:	Hill Dickison Zuniga Turner
Mayor:	Strack

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

G. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT:

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

I. 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 October 14, 2008 with any necessary corrections.**

3. October 22, 2008 Claim Warrant - \$118,415.11.
4. Business License Report – October 22, 2008.
5. Appropriate \$29,670 from the Water Capital Replacement Fund for Repair and Water Lube Conversion of Edith Well.
6. Resolution No. 10-28-08-01, Acceptance of 2008 California Citizen's Options for Public Safety Grant.
7. Request Council Direction: To Reschedule, or Cancel the November 11, 2008 Regularly Scheduled City Council Meeting due to the Veterans Day Holiday.

J. ITEMS REMOVED FROM THE CONSENT AGENDA:

K. 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.**

L. REGULAR AGENDA: All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

8. Authorize Staff to Prepare and Submit USDA Rural Development Pre-Application for a \$578,000 Loan for Construction of a new City Water Supply Well.
9. Approve Infrastructure Agreement for 2120 Loleta Avenue and Allow Property Owner to Pay \$10,000 In-Lieu of Construction Fee for Loleta Avenue thus Satisfying Condition No. 2 of Use Permit 2008-255, Lucero Olive Oil.

M. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

N. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

O. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

10. Hill:
11. Dickison:
12. Zuniga:
13. Turner:
14. Strack:

P. ADJOURN TO CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
 Agency Negotiator: William May, Labor Relations Consultant;
 Police Employee Unit and Dispatch Employee Unit Negotiations

PUBLIC EMPLOYMENT:
 Pursuant to Government Code Section 54957:
 City Manager Evaluation

Q. RECONVENE AND REPORT ON CLOSED SESSION:

R. ADJOURNMENT!:

POSTED: FRIDAY, OCTOBER 10, 2008

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, OCTOBER 14, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Council:

**Hill
Dickison
Zuniga
Turner
Strack**

Mayor:

All Council members were present.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Stephen Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

- 1. Proclamation – October 18-26, 2008 Fiddle Week in the City of Corning.** Mayor Strack presented the Proclamation to Tex Ash, Co-Chairman of the Western Open Fiddle Championship. Pat Scott, Rich Reynolds and Mr. Ash provided the Council and audience with a short jam session. Mr. Ash announced the concert activities to take place on Saturday, October 18th at the State Theater in Red Bluff.
- 2. Proclamation – October 16, 2008 “Lights on After School” Day and October 19-25, 2008 as Character Counts Week in the City of Corning.** Mayor Strack presented the Proclamation to Beth Birk, Recreation Specialist with SERRF, Tehama County Department of Education. Ms. Birk announced that this is the 10th year for SERRF in Tehama County and informed the public and City Council of the various programs available and their locations.

E. BUSINESS FROM THE FLOOR:

Charles Nace addressed the Council regarding the house across the Street and discussed the proposed Variance for this property and its similiarites to his request for an amendment to his existing Variance. He stated that he had received a notice relating to the Planning Commission Public Hearing scheduled on Tuesday, October 21st. Mayor Strack informed Mr. Nace that he should attend the Planning Commission Meeting to voice his opinions on this issue.

Nolan Schlereth, CUHS Representative updated the City Council on events happening at the High School. He announced that this week is Homecoming Week and Lissette Azevedo is the Homecoming Queen this year.

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.

- 3. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 4. Waive the Reading and Approve the Minutes of the September 23, 2008 with any necessary corrections.**
- 5. October 8, 2008 Claim Warrant - \$495,541.38.**

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6. **Business License Report – October 8, 2008.**
7. **Treasurer’s Report – September 2008.**
8. **Wages and Salaries –September 2008 - \$335,553.56.**
9. **September 2008 Building Permit Valuation - \$678,576.27.**
10. **Approve Temporary Funding for North and Southbound Entry Signs Adjacent to Interstate 5.**
11. **September 2008 – Southwest Water Company Wastewater Operation Summary Report.**
12. **Authorize Reimbursement of \$140.03 to SHHIP for Over Payment of Strong Motion (Earthquake) Fees.**
13. **Approve Budget Amendment for Animal Control Spay and Neutering Program.**
14. **Accept \$22,205.69 Proposal from Playgrounds by Design, Inc. for the Purchase of Playground Equipment for Woodson Park, and Authorize Expenditure of \$2,794.31 for Concrete Perimeter Curbing and Handicap Accessible Path.**

Consent Items 10 (Strack), 13 (Turner) and 14 (Hill) were removed from Consent Agenda for further discussion.

Councilor Turner motioned approval of Consent Items 3-9, and 11-12. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA:

10. **Approve Temporary Funding for North and Southbound Entry Signs Adjacent to Interstate 5.**

Mayor Strack questioned the wording for the sign and suggested possibly playing-up the Olive Industry and other industries/business located in the City. City Manager Kimbrough informed the Council that the signs have already been ordered, however, if the wording has not been completed it can be stopped.

By Council consensus, the decision was made to hold a Special Joint Public Meeting with the Chamber of Commerce on October 28th at 6:00 p.m. (prior to the regularly scheduled Council Meeting) to discuss other wording alternatives for the signs. City Manager Kimbrough stated that Staff would contact McDaniel signs and stop the sign production until the wording has been resolved.

Councilor Turner motioned to continue discussion of this item to the October 28th Special Joint Meeting. There was no second to the motion, therefore motion failed.

Commissioner Zuniga motioned to approve the expenditure as recommended in the Staff Report. Councilor Dickison seconded the motion. **Ayes: Hill, Dickison and Zuniga. Opposed: Turner. Absent: None. Abstain: Strack. Motion approved by a 3-1 vote with Strack abstaining.**

By Council consensus a Special Joint Meeting with the Chamber of Commerce was scheduled for October 28th at 6:00 p.m. (prior to the regularly scheduled meeting) to discuss the signs.

- 13: **Approve Budget Amendment for Animal Control Spay and Neutering Program.**

Councilor Turner asked if there was any way a cat spay/neuter program could be started to deal with the feral cat situation. He stated that he has received numerous requests for such a

program. Chief Cardenas stated that this particular money could only be used for dogs because of the Grant stipulations. He stated that currently our facilities won't accommodate cats...possibly in the future some type of program could be established should funding be found.

Councilor Hill asked if revenues received under the current program are returned to the program; she was informed that they were. Chief Cardenas stated that the program was originally set up to be self-sufficient.

Councilor Hill motioned to approve a budget amendment to increase the appropriation in account number 072-6300-2200 to \$6,340. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.**

14. Accept \$22,205.69 Proposal from Playgrounds by Design, Inc. for the Purchase of Playground Equipment for Woodson Park, and Authorize Expenditure of \$2,794.31 for Concrete Perimeter Curbing and Handicap Accessible Path.

Councilor Hill asked when the playground equipment would be installed. Public Works Director John Brewer stated that weather allowing, the equipment would be installed as soon as received. Councilor Turner asked if the equipment is ADA accessible; Mr. Brewer stated no, that is really not feasible; however access paths to the equipment will be ADA accessible. Mayor Strack asked what would be done with the old equipment, John Brewer stated it would probably be scrapped.

Councilor Hill motioned to accept the \$22,205.69 proposal submitted by Playgrounds By Design, Inc. and purchase the "Summit Crest" playground equipment and rubber matting for Woodson Park from Fund 001-9171-6100; and to authorize expenditure up to \$2,794.31 for installation of concrete curb and accessible path around perimeter of the new equipment area by the City's Concrete Contractor from fund 001-9171-6100. Councilor Zuniga seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by vote of 5-0.**

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.** None

I. REGULAR AGENDA: None.

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

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

15. Hill: Thanked the Council for allowing her to attend the League Conference in Long Beach. She reported on the results of the various Resolutions. She also requested Council approval to hold the 1st meeting of the year for her committee (get from Becky). She stated that it would require Council and Staff support. Mayor Strack asked what the projected cost would be to the City. Councilor Hill stated she would like to see much of the items needed being donated. By Council consensus it was approved.

16. Dickison: Reported that the LAFCO meeting was rescheduled to tomorrow and stated that she is unable to attend due to other meeting commitments. She will be attending the Tripartite Board meeting on October 16th.

17. Zuniga: None

18. Turner: None

19. Strack: Reported that he will be attending the Tehama County Transportation Committee meeting scheduled for next Tuesday. He also explained the gas tax ratio received by the City and County and the possibility for indexing. He stated that

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although fuel cost have gone up, revenues have remained flat. To be discussed at the meeting is how federal transportation funding will be funded.

M. ADJOURNMENT!: 8:43 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: October 22, 2008

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, October 28, 2008 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	10-22-08	\$	76,961.04
B.	Payroll Disbursements	Ending	10-21-08	\$	41,454.07
GRAND TOTAL					\$ <u>118,415.11</u>

REPORT.: Oct 22 08 Wednesday
 RUN....: Oct 22 08 Time: 12:35
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 10-08 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
007331	10/13/08	FES00	FESLER DEVELOPMENT, INC.	285.84	.00	285.84	081013	ELECT-STR & TRF LIGHTS
007332	10/13/08	TEL00	TELSTAR INSTRUMENTS, INC.	11968.03	.00	11968.03	56958	SWR CAP IMPROV-SWR
007333	10/15/08	ARA02	ARAMARK UNIFORM SRV. INC.	32.67	.00	32.67	4091924	Mat/Supplies-
				32.67	.00	32.67	4094768	Mat/Supplies-
			Check Total.....	65.34	.00	65.34		
007334	10/15/08	ATT01	AT&T	449.68	.00	449.68	081003	Communications-
007335	10/15/08	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0808430	ProfServices Water Dept
007336	10/15/08	BAT01	BATTERIES PLUS	85.80	.00	85.80	78545	SAFETY ITEMS-POLICE
007337	10/15/08	CAR12	CARREL'S OFFICE MACHINES	1.29	.00	1.29	076427	MAT & SUPPLIES-LIBRARY
				2.20	.00	2.20	077141	MAT & SUPPLIES-LIBRARY
				2.42	.00	2.42	077871	MAT & SUPPLIES-LIBRARY
			Check Total.....	5.91	.00	5.91		
007338	10/15/08	COR12	CORNING FORD MERCURY, INC	372.11	.00	372.11	101245	Veh Opr/Maint-ACO
				28.66	.00	28.66	101455	Veh Opr/Maint-POLICE
			Check Total.....	400.77	.00	400.77		
007339	10/15/08	CUS00	CUSTOM TECHNICAL SERVICES	334.86	.00	334.86	13061	EQUIP MAINT-POLICE
007340	10/15/08	DEP09	DEPT OF CONSERVATION	121.00	.00	121.00	081010	StrongMotion.Bldg & Safet
007341	10/15/08	DEP12	DEPT OF JUSTICE	64.00	.00	64.00	700720	FINGERPRINTS-
007342	10/15/08	DUR01	DURHAM PUMP	83.67	.00	83.67	0104879IN	Mat/Supplies-WTR
007343	10/15/08	GRA02	GRAINGER, W.W., INC	993.17	.00	993.17	974939522	MAT & SUPPLIES-BLD MAINT
007344	10/15/08	JCN01	JC NELSON SUPPLY COMPANY	51.22	.00	51.22	573455.1	Mat/Supplies PoliceServic
007345	10/15/08	NOR01	NORTH VALLEY BARRICADE	117.98	.00	117.98	11392	MAT & SUPPLIES-
007346	10/15/08	NOR31	NORM'S PRINTING	167.52	.00	167.52	005848	PROF SVCS-ACO
007347	10/15/08	SEL01	SELF-HELP HOME IMPROV PRO	140.03	.00	140.03	101014	STRONG MOTION-BLD & SAFET
007348	10/15/08	TRI02	TRI-COUNTY NEWSPAPERS	41.63	.00	41.63	016588120	Print/Advert. City Clerk
007349	10/15/08	UNI02	UNIFORMS, TUXEDOS & MORE	21.40	.00	21.40	84568	UNIFORMS/CLOTH-POLICE
007350	10/15/08	USA03	USA MOBILITY WIRELESS, INC	29.88	.00	29.88	RO159912J	COMMUNICATIONS-POLICE

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CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 10-08 Bank Account.: 1020

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
007351	10/15/08	VAL01	VALLEY INDUSTRIAL COMM.	16.34	.00	16.34	94470	EquipReplacemnt POLICE CA
007352	10/16/08	ATT09	AT&T	64.74	.00	64.74	081007	MAT & SUPPLIES-WTR
007353	10/16/08	DAY03	DAY WIRELESS SYSTEMS	124.60	.00	124.60	953021	VEH REFL-POLICE
007354	10/16/08	GAL02	GALL'S INC	125.79	.00	125.79	59588865A	SAFETY ITEMS-POLICE
007355	10/16/08	GRA02	GRAINGER, W.W., INC	8.36	.00	8.36	975169262	MAT & SUPPLIES-FIRE
007356	10/16/08	INT01	INTERLAND BUSINESS SUPPLY	661.84	.00	661.84	081009	Office Supplies-
007357	10/16/08	KIN01	KINNEY'S NURSERY	320.15	.00	320.15	6066	MAT & SUPPLIES-STR
007358	10/16/08	VER04	VERIZON BUSINESS	38.38	.00	38.38	08243182	COMMUNICATIONS-
007359	10/16/08	WEB00	WEBB, MATT	70.00	.00	70.00	081016	OFFICE SUPPLIES-BLD MAINT
007360	10/20/08	NOR09	NORTHERN CA TITLE COMPANY	600.00	.00	600.00	081020	PROF SVCS-ENGINEERING
007361	10/21/08	ARA02	ARAMARK UNIFORM SRV.INC.	35.52	.00	35.52	4097605	Mat/Supplies-
007362	10/21/08	BAK01	BAKER AND TAYLOR	92.03	.00	92.03	500950141	Books/Periodic. Library
007363	10/21/08	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0808681	ProfServices Water Dept
007364	10/21/08	BEN01	BENBOW, W.B.	2680.00	.00	2680.00	00001056	TELEMETRY-WTR CAP IMPROV
007365	10/21/08	CHE02	CHEM QUITP, INC.	979.89	.00	979.89	2047284IN	MAT & SUPPLIES-WTR
				566.53	.00	566.53	2047320IN	MAT & SUPPLIES-PARKS
				349.66	.00	349.66	2047388IN	MAT & SUPPLIES-PARKS
			Check Total.....:	1896.08	.00	1896.08		
007366	10/21/08	ENP01	ENPLAN	9587.50	.00	9587.50	090819402	GIS PLANNING/FLOOD PREVEN
007367	10/21/08	NEX02	NEXTEL	360.57	.00	360.57	086319083	COMMUNICATIONS-POLICE
007368	10/21/08	NOR01	NORTH VALLEY BARRICADE	820.73	.00	820.73	11488	SAFETY ITEMS-PW ADMIN
				32.18	.00	32.18	11489	SAFETY ITEMS-PW ADMIN
			Check Total.....:	852.91	.00	852.91		
007369	10/21/08	PAC16	PACIFIC TELEMANAGEMENT	303.00	.00	303.00	71139	COMMUNICATIONS-GEN CITY
007370	10/21/08	PGE2A	PG&E	47.76	.00	47.76	081015	ELECT-BLUE HERON CT
007371	10/21/08	QUI02	QUILL CORPORATION	74.30	.00	74.30	1929736	Office Supplies-FINANCE

REPORT.: Oct 22 08 Wednesday
 RUN....: Oct 22 08 Time: 12:35
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 10-08 Bank Account.: 1020

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Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information-Description
007372	10/21/08	REX01	REXEL INC.	86.97	.00	86.97	800434888	MAT & SUPPLIES-BLD MAINT
007373	10/21/08	RON01	RON'S BODY SHOP	275.00	.00	275.00	925	VEH REPL-POLICE
007374	10/21/08	TEH11	TEHAMA CO TAX COLLECTOR	29.50	.00	29.50	27087	TAXES-AIRPORT 08/09
				388.74	.00	388.74	27089	TAXES-AIRPORT 08/09
				520.90	.00	520.90	27090	TAXES-AIRPORT 08/09
				29.50	.00	29.50	27091	TAXES-AIRPORT 08/09
				47.00	.00	47.00	27092	TAXES-AIRPORT 08/09
				182.98	.00	182.98	30358	TAXES-AIRPORT 08/09
				348.08	.00	348.08	30362	TAXES-AIRPORT 08/09
			Check Total.....	1546.70	.00	1546.70		
007375	10/21/08	UNI02	UNIFORMS, TUXEDOS & MORE	68.48	.00	68.48	84704	CADET PROGRAM-POLICE
007376	10/21/08	UNI09	UNITED.RENTALS NORTHWEST	150.14	.00	150.14	772897430	MAT & SUPPLIES-STR
007377	10/21/08	WIL03	H W WILSON COMPANY	194.69	.00	194.69	5785291X	Books/Periodic. Library
007378	10/21/08	CHE02	CHEM QUIP, INC.	170.76	.00	170.76	2047417IN	MAT & SUPPLIES-PARKS
007379	10/21/08	CSU11	CSU, CHICO RESEARCH FOUND	460.00	.00	460.00	2901	CONF/MTGS-TRNG/EDUC
007380	10/21/08	JCN01	JC NELSON SUPPLY COMPANY	161.17	.00	161.17	573455	Mat/Supplies PoliceServic
007381	10/21/08	LAR01	LARRY'S PEST & WEED,	4667.00	.00	4667.00	21653	WEED/TREE SPRAY-STR
007382	10/21/08	PGE01	PG&E	33655.48	.00	33655.48	081010	Electricity General City-
007383	10/21/08	RON01	RON'S BODY SHOP	315.71	.00	315.71	927	VEH OP/MAINT-POLICE
007384	10/22/08	COR11	CORNING SAFE & LOCK	5.31	.00	5.31	2235	VEH OP/MAINT-POLICE
				69.71	.00	69.71	2334	VEH OP/MAINT-POLICE
			Check Total.....	75.02	.00	75.02		
007385	10/22/08	HIL01	BECKY HILL	153.44	.00	153.44	081021	CONF/MTGS-CITY COUNCIL
007386	10/22/08	MIR04	MIRACLE UPHOLSTERY & DRAP	150.00	.00	150.00	672283	VEH/OP MAINT-POLICE
007387	10/22/08	NAT03	NAT'L ANIMAL CONTROL ASSN	525.00	.00	525.00	081021	TRAINING/ED-ACO
007388	10/22/08	NOR31	NORM'S PRINTING	61.67	.00	61.67	005905	PRINTING/ADV-POLICE
007389	10/22/08	RDJ00	RDJ SPECIALTIES, INC.	453.63	.00	453.63	319957	MAT & SUPPLIES-FIRE
007390	10/22/08	VAL07	VALLEY VETERINARY CLINIC	100.82	.00	100.82	42647	K-9 PROGRAM-POLICE

REPORT: Oct 22 08 Wednesday
 RUN: Oct 22 08 Time: 12:35
 Run By: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 10-08 Bank Account.: 1020

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 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
007390	10/22/08	VAL07	VALLEY VETERINARY CLINIC	94.00	.00	94.00	42812	PROF SVCS-ACO
Check Total.....				194.82	.00	194.82		
007391	10/22/08	WES02	WESTERN BUSINESS PRODUCTS	35.76	.00	35.76	014980	Equip.Maint.-FIRE
Cash Account Total.....				76961.04	.00	76961.04		
Total Disbursements.....				76961.04	.00	76961.04		
Cash Account Total.....				.00	.00	.00		

REPORT.: Oct 22 08 Wednesday
 RUN.....: Oct 22 08 Time: 12:35
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment (s)
 Check Listing for 10-08 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 #	Payment Information Description
3671	10/21/08	BAN03	POLICE OFFICER ASSOC.	195.00	.00	195.00	A81021	POLICE OFFICER ASSOC
3672	10/21/08	EDD01	EMPLOYMENT DEVELOPMENT	3536.11	.00	3536.11	A81021	STATE INCOME TAX
				871.44	.00	871.44	1A81021	SDI
			Check Total.....:	4407.55	.00	4407.55		
3673	10/21/08	ICM01	ICMA RETIREMENT TRUST-457	2233.98	.00	2233.98	A81021	ICMA DEF. COMP
3674	10/21/08	OEU03	OPERATING ENGINEERS	400.00	.00	400.00	A81021	CREDIT UNION SAVINGS
3675	10/21/08	PERS1	PUBLIC EMPLOYEES RETIRE	27138.29	.00	27138.29	A81021	PERS PAYROLL REMITTANCE
3676	10/21/08	PERS4	Cal Pers 457 Def. Comp	981.50	.00	981.50	A81021	PERS DEF. COMP.
3677	10/21/08	PRE03	PREMIER WEST BANK	4302.25	.00	4302.25	A81021	HSA DEDUCTIBLE
3678	10/21/08	VAL06	VALIC	1795.50	.00	1795.50	A81021	AIG VALIC P TAX
Cash Account Total.....:				41454.07	.00	41454.07		
Total Disbursements.....:				41454.07	.00	41454.07		

Date.: Oct 22, 2008
Time.: 12:41 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWS
Group: WIFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
CANNON, PHYLLIS WILLIAMS, THOMAS H.	13130 ROUND VALLEY ROAD	PASKENTA, CA 96074 CHICO, CA 95927	CANNON WILLIAMS	PHYLLIS AUTO TRANSPORTER THOMAS CONTRACTOR	10/14/08 10/14/08	(530) 833-9849 (530) 624-4342

ITEM NO.: I-5
APPROPRIATE \$29,670 FROM THE
WATER CAPITAL REPLACEMENT FUND
FOR REPAIR AND WATER LUBE
CONVERSION OF EDITH WELL
OCTOBER 28, 2008

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

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

STEVE

SUMMARY:

On October 7, 2008 the Edith Well pump "froze-up" and has not been operational since that time. Durham Pump of Durham, California has provided City Staff with a proposal to not only repair this well but to also convert it from its present "oil lubrication" system to a cleaner and safer "water lubrication" system.

Please find attached the proposal from Durham Pump dated October 16, 2008 for the repair/conversion amount of \$26,972.78. As time is of the essence for well repairs this amount has been broken into 2 "phases".

- ✓ Phase 1 is an estimated cost of ordering materials and to begin the task of parts fabrication
- ✓ Phase 2 is the remaining cost of the project

Durham Pump had indicated that they would not be able to order the necessary parts for the repair of Edith Well until they had written authorization. There will be at least a two-week waiting period for parts ordering. In order to expedite the repairs, City of Corning Purchase Order No. 742090003 dated October 16, 2008 was issued to Durham Pump. Phase 1 for the amount of \$9,000 allows for Durham Pump to order and/or fabricate any necessary parts for this job.

Staff recommends that a 10% contingency be appropriated to cover any unforeseen costs that may result during the repair of Edith Well. The Durham Pump cost proposal including the recommended contingency equal the amount of \$29,670.

BACKGROUND:

At present time, two of the City's seven "on-line" wells operate on a Water Lube System (Butte and 6th Street Wells). The remaining "oil lubrication" system wells should be changed over to the bearing "water-lubricated" process when the City Wells require necessary repairs.

Durham Pump is the company that the City of Corning uses for out-sourced repairs and maintenance for all City Wells.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE APPROPRIATION OF \$29,670 FROM THE WATER CAPITAL REPLACEMENT FUND TO BUDGET LINE NO 383-9417-7420 FOR EDITH WELL REPAIRS AND WATER LUBE CONVERSION

(530) 891-4821 tel
(530) 891-0613 fax

PO Box 60
2313 Durham Dayton Hwy.
Durham CA 95938



October 16, 2008

City of Corning attn: John Brewer Public Works Director
794 Third Street
Corning CA 96021

RE: Edith well Water Lube conversion project as per PO# 742090003

Estimated cost to start the Water Lube conversion project at the Edith Ave pump station, order materials, fabrication work, and misc. labor is \$9,000.00

The remaining balance to complete the project will be \$17,972.78

Total Project cost \$26,972.78

If you have any questions or need any additional info please contact me at 530.891.4821 ext 127 or msolomon@dpump.com

Matt Solomon
Project estimator and Designer
Durham Pump, Inc.

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL PACKAGES INVOICES AND SHIPPING PAPERS

742090003

(NOT VALID WITHOUT NUMBER)



CITY OF CORNING

CITY HALL

794 THIRD STREET • CORNING, CALIFORNIA 96021
TELEPHONE (530) 824-7028 • FAX (530) 824-2489

PAGE: 001
PO DATE: 10/16/08

RI: 10/16/08 02:35

DURHAM PUMP
V PO BOX 60
E DURHAM
N
D

CA 95938

CITY OF CORNING
794 THIRD STREET
CORNING, CA 96021

P

O Attn.: MATT SOLOMON
R Phone: (530)891-4821
L <Vendor Id.: DUR01>

Attn.: JOHN BREWER
Phone: (530)824-7029

L

Ship Via.:
Requ'd By.: / /

F.O.B...:
Terms...: NET 30 FROM INVOICE

ITEM	DESCRIPTION	UNIT PRICE	TOTAL
0001	EST. COST TO BEGIN WATER LUBE CONVERSION AT EDITH WELL; ORDER MATERIALS, FABRICATION WORK AND MISC. LABOR TOTAL PROJECT COST \$26,972.78 Acct: 383 9417 7420 9000.00		9000.00

APPROVED

Steve Kimbrough
Steve Kimbrough, City Mgr.

ACCOUNT CODE

PAGE TOTAL

9000.00

P.O. TOTAL

\$ 9000.00

THIS ORDER IS SUBJECT TO THE TERMS AND CONDITIONS SHOWN ON THE FACE HEREOF. NO. CHANGES MAY BE MADE WITHOUT THE WRITTEN CONSENT OF THE PURCHASER.

**ITEM NO: I-6
RESOLUTION NO: 10-28-08-01
ACCEPTANCE OF 2008
CALIFORNIA CITIZEN'S OPTIONS
FOR PUBLIC SAFETY GRANT
OCTOBER 28, 2008**

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

**FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
ANTHONY F. CARDENAS, CHIEF OF POLICE**

SUMMARY:

The City of Corning is to be awarded \$100,000 as part of the California Citizen's Options for Public Safety Program. The funds are restricted to front-line law enforcement and may not be used to supplant services already budgeted.

BACKGROUND:

State law establishes in each county treasury a Supplemental Law Enforcement Services Fund that receives an annual allocation from the State. These funds cannot be transferred to the City until the Supplemental Law Enforcement Oversight Committee certifies receipt of an approved expenditure plan by Resolution from the City Council. The City Council, at a public hearing, must appropriate the anticipated monies exclusively to fund front-line municipal police services in accordance with a written request submitted by the Chief of Police.

The most recent State budget funded another year of the California Citizen's Option for Public Safety (COPS) Program. The City of Corning will receive \$100,000 of the total program allotment, which must be expended by June 30, 2010.

Staff proposes that the 2008 COPS funds be expended during the 2009/10 fiscal year to continue funding the police detective position. Excluding overtime, the current estimated 2009/10 salary and benefits for the police detective will exceed \$100,000.00. The balance of funds needed to fund the detective position will come from the General Fund.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT A RESOLUTION ACCEPTING THE FUNDS OFFERED THROUGH THE CITIZEN'S OPTIONS FOR PUBLIC SAFETY GRANT AND APPROVE THE USE OF THESE MONIES TO CONTINUE FUNDING THE POLICE DETECTIVE POSITION IN THE POLICE DEPARTMENT.

RESOLUTION NO: 10-28-08-01

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING
TO ACCEPT THE FUNDS OFFERED THROUGH THE
CITIZEN'S OPTION FOR PUBLIC SAFETY GRANT PROGRAM**

WHEREAS, as a condition of receiving the Citizen's Option for Public Safety Grant funds, the City Council must appropriate the anticipated monies exclusively to fund front-line municipal police services in accordance with a written request submitted by the Chief of Police; and

WHEREAS, the City Council, at a public hearing, must approve appropriation of these funds;

NOW, THEREFORE, BE IT RESOLVED, that the City of Corning, in order to be eligible for the California Citizen's Option for Public Safety Grant funds has approved the expenditure of funds for the Police Detective position, as recommended by the Chief of Police and City Manager.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Corning, State of California, on the **28th** day of **October 2008**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary R. Strack, Mayor

Lisa M. Linnet, City Clerk

ITEM NO: I-7
REQUEST COUNCIL DIRECTION:
TO RESCHEDULE, OR CANCEL THE
NOVEMBER 11, 2008 REGULARLY
SCHEDULED CITY COUNCIL MEETING
DUE TO THE VETERANS DAY HOLIDAY
OCTOBER 28, 2008

TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER
LISA M. LINNET, CITY CLERK

STEVE

SUMMARY:

Staff seeks Council direction on whether to cancel or reschedule the November 11, 2008 regularly scheduled City Council Meeting due to the Veterans Day Holiday.

BACKGROUND:

The current City Municipal Codes, Title 2 - Administration and Personnel, Section 2.04.010 – Meetings, sets the meeting hour and dates as the second and fourth Tuesdays of the month. This Code does not specify direction on rescheduling meetings due to dates coinciding with legal holidays. This is addressed however, in the City's Rules of Procedure adopted on February 14, 2006.

This year the November 11, 2008 regularly scheduled City Council Meeting falls on Veterans Day, a legal Holiday. According to City Rules of Procedure, **"No Council meeting will be held in the event that a regular meeting of the Council falls on a legal holiday or the day prior to a holiday"**.

RECOMMENDATION:

- 1. MAYOR AND COUNCIL CANCEL THE NOVEMBER 11, 2008 REGULARLY SCHEDULED CITY COUNCIL MEETING DUE TO THE VETERANS DAY HOLIDAY;
OR**
- 2. MAYOR AND COUNCIL RESCHEDULE THE NOVEMBER 11, 2008 REGULARLY SCHEDULED CITY COUNCIL MEETING TO WEDNESDAY, NOVEMBER 12, 2008 DUE TO THE VETERANS DAY HOLIDAY.**

Title 2ADMINISTRATION AND PERSONNELChapters:

<u>2.04</u>	<u>City Council</u>
<u>2.08</u>	<u>City Clerk and City Treasurer</u>
<u>2.12</u>	<u>Property Assessment and Tax Collection Duties</u>
<u>2.16</u>	<u>Finance Department</u>
<u>2.20</u>	<u>Airport Commission</u>
<u>2.24</u>	<u>Planning Commission</u>
<u>2.28</u>	<u>Public Office Hours</u>
<u>2.32</u>	<u>Law Enforcement Officer Training</u>
<u>2.36</u>	<u>Emergency Organization and Functions</u>
<u>2.40</u>	<u>Public Employees' Retirement System</u>
<u>2.42</u>	<u>Elections</u>
<u>2.44</u>	<u>City Manager</u>
<u>2.48</u>	<u>Appeals Board</u>
<u>2.49</u>	<u>Library Commission</u>
<u>2.52</u>	<u>Recreation Commission</u>
<u>2.56</u>	<u>Redevelopment Agency</u>

Chapter 2.04CITY COUNCIL*Sections:

- 2.04.010 Meetings.
2.04.020 Compensation.

2.04.010 Meetings. The city council shall meet on the second and fourth Tuesdays of each month, at the hour of seven-thirty p.m., at the city council chambers, City Hall, 3rd and Solano Streets, Corning, California or at such other location within the city as posted at the council chambers at least forty-eight hours prior to any regular meeting. (Ord. 488 §1, 1989; Ord. 374 §1, 1981; Ord. 240 §1, 1968; Ord. 192 §1, 1963).

Ord. 192

* For statutory provisions for city council meeting times, see Gov. Code §36805; for provisions on the place of city council meetings, see Gov. Code §36808.

**ITEM NO. L-18
ADOPTING COUNCIL
RULES OF PROCEDURE
FEBRUARY 14, 2006**

TO: HONORABLE MAYOR AND CITY
COUNCILMEMBERS

FROM: MICHAEL C. FITZPATRICK, CITY ATTORNEY

SUMMARY:

The Council discussed the proposed Council Rules of Procedure at the last meeting and provided comments to the City Attorney for revisions. The revised Rules are now back before the Council for consideration and adoption.

BACKGROUND:

The changes made since the last Council meeting are *italicized* and underlined for easy identification.

RECOMMENDATION:

**MAYOR AND COUNCIL APPROVE AND ADOPT THE PROPOSED
RULES OF PROCEDURE.**

CITY COUNCIL MEETINGS

Meeting Schedule

Regular meetings are held in the Council Chambers of City Hall, 794 Third Street, Corning, California. Regular Council Meetings are scheduled for the second and fourth Tuesday evenings of each month or as otherwise established by resolution of the City Council in January of each calendar year. The public sessions of meetings begin at 7:30 p.m. with closed sessions generally being convened earlier as needed. No Council meeting will be held in the event that a regular meeting of the Council falls on a legal holiday or the day prior to a holiday.

Annual resolution may set dates of Council meetings.

Special Meetings

Special meetings may only be called by the Mayor or by three members of the City Council. Written notice, unless waived, must be given to the City Council and to the media 24 hours prior to a special meeting (Cal Govt Code Section 54956). The call and notice of the meeting must be posted at least 24 hours prior to the meeting in a location freely accessible to members of the public. No business other than that announced may be discussed.

The Mayor or three Council members may call a special meeting.

24 hours advance notice required.

**ITEM NO.: I-8
AUTHORIZE STAFF TO PREPARE
AND SUBMIT USDA RURAL
DEVELOPMENT PREAPPLICATION
FOR A LOAN IN THE AMOUNT OF
\$578,000 FOR CONSTRUCTION OF
A NEW CITY WATER SUPPLY WELL
OCTOBER 28, 2008**

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

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

STEVE

JB

SUMMARY:

As you know, City Staff has been investigating establishing a new water well at Clark Park. We are now prepared to begin the pre-application process for a USDA Rural Development loan under the "Water and Waste Disposal Loan and Grant Program" to fund the well. According to pre-application guidelines, requests can be submitted at any time and will be processed on a first come, first served basis, subject to the availability of funds.

City Engineer Ed Anderson has provided the Preliminary Estimate of Cost for the construction of a new domestic water well, to include pump, controls building and related work for the amount of \$578,000 (please see attached).

BACKGROUND:

Earlier this year, Bill Bergmann from GEOPlus, Inc. was contracted to perform a limited hydrogeologic assessment for a water supply well for the City of Corning. The proposed location for this well is at the Estil C. Clark Park (please see attached photo). Mr. Bergmann's report indicated that this location "should be suitable for construction of a new water supply".

It is the recommendation of City Staff to pursue financing for the construction of a new City water supply well at Clark Park.

RECOMMENDATION:

**MAYOR AND COUNCIL AUTHORIZE STAFF TO PREPARE AND SUBMIT
USDA RURAL DEVELOPMENT PREAPPLICATION FOR A LOAN IN THE
AMOUNT OF \$578,000 FOR CONSTRUCTION OF A NEW CITY WATER
SUPPLY WELL APPURTENANT FACILITIES.**

RECEIVED

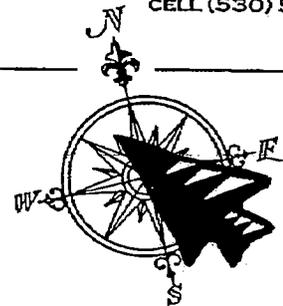
OCT 17 2008

CITY OF CORNING

P.O. Box 839
CHICO, CA 95927
PH/FAX (530) 891-6153
CELL (530) 570-3996

Ed Anderson

CIVIL ENGINEER



City of Corning
Preliminary Estimate of Cost
Domestic Well, Pump, Controls, Building and Related Work
Location: Estil Clark Park, Fig Lane and Marguerite Ave.
October, 2008

Construction Cost:

<u>Description</u>	<u>Unit Price</u>	<u>Amount</u>	
6-inch diameter, 400-foot deep, test well	\$50/ft.	\$ 20,000	
400-foot deep, 24" well, w/ 14" casing	\$200/ft.	\$ 80,000	
Pump, Controls, Generator, & Equipment	Lump Sum	\$230,000	
Building	Lump Sum	\$ 50,000	
	Subtotal:	\$380,000	\$380,000

Related Pipeline Work:

1,275 L.F., 8-inch PVC water line	\$50/ft.	\$ 63,750	
100 L.F., 10-inch PVC water line	\$65/ft.	\$ 6,500	
1 Each, 10-inch gate valve	\$1,500/Ea.	\$ 1,500	
5 Each, 8-inch gate valve	\$1,000/Ea.	\$ 5,000	
2 Each, connect to existing water line	\$1,000/Ea.	\$ 2,000	
1 Each, culvert crossing	Lump Sum	\$ 3,000	
	Subtotal:	\$ 81,750	\$461,750

Indirect costs:

Construction contingency (10%):	\$ 46,250	
Preliminary Engineering and Studies:	\$ 15,000	
Design (PSE)	\$ 25,000	
Telemetry, programming, etc.	\$ 10,000	
Contract Administration	\$ 10,000	
Construction Inspection	\$ 10,000	
	Subtotal:	\$116,250

Total Estimated Project Cost: \$ 578,000

Prepared by: J.E. Anderson
J.E. (Ed) Anderson, City Engineer

FIG. / LANE

← PROPOSED
WELL
LOCATION

CLARK
PARK



**ITEM NO. L-9
APPROVE INFRASTRUCTURE
AGREEMENT FOR 2120 LOLETA AVE.
ALLOWING THE PROPERTY OWNER
TO PAY A \$10,000 IN-LIEU OF
CONSTRUCTION FEE FOR LOLETA
AVE. WHICH WOULD SATISFY
CONDITION #2 OF USE PERMIT 2008-
255, LUCERO OLIVE OIL.**

OCTOBER 28, 2008

TO: HONORABLE MAYOR AND CITY OF CORNING CITY COUNCIL

**FROM: STEVE KIMBROUGH CITY MANAGER
JOHN STOUFER; PLANNING DIRECTOR**

SUMMARY:

On September 16, 2008 the Planning Commission approved Use Permit 2008-255 allowing Lucero Olive Oil to establish an Olive Oil Processing and Storage Facility in an existing warehouse building that most recently has been used by Bell Carter Company for storage purposes. The subject property is zoned SPMU – CBDZ, Specific Plan-Mixed Use and Corning Business Development Zone. The site is located along the north side of Loleta Ave. approximately 300 feet east of the Hwy. 99W / Loleta Ave. intersection.

Approval of the Use Permit was subject to six conditions of approval (attached as Exhibit "A"). Condition #2 required the property owner Tehama Equities, L.L.C. to modify, or enter into a new Deferred Improvement Agreement (DIA) that would require the property owner, when notified by the city, to construct an asphaltic concrete overlay of Loleta Ave. from the project site to Highway 99W., a distance of 300 feet. Public Works Director John Brewer supplied the Planning Department with a memo (attached as exhibit "B") indicating that if a 2" overlay, as being required in the new DIA, was completed today the cost with contingencies would be \$10,000.

Loleta Avenue is not constructed to City standards. The constructed street is narrow (about 15-20 feet wide), insufficiently surfaced (chip-sealed vs. asphalt) and has an inadequate sub-surface. Staff is concerned that trucks hauling in and out of the site will damage the street between the entrance gate and Hwy. 99W. Those concerns must be considered and balanced along with the desires of the owner and Lucero Olive Oil to utilize the existing commercial/industrial building. The Commission was presented this information and conditioned the Use Permit, as recommended by staff, to defer improvements to Loleta Ave. until deemed warranted by the City.

The property owner has requested to pay a \$10,000, pursuant to Mr. Brewer's memo, in-lieu of construction fee that would be placed in a restricted road improvement fund for future improvements to Loleta Ave. If the City accepts this fee the property owner would not be required to modify, or enter into a new DIA.

HISTORICAL USE OF SITE:

On July 24, 2000, the Corning Planning Commission approved Use Permit No. 2000-180. That use permit entitled Mr. Richard Dobbins to construct a "Metal Fabrication/Refurbishing Machine Shop" in the Specific Plan Mixed Use Zoning District at 2120 Loleta Avenue.

On May 15, 2007, the Corning Planning Commission approved Use Permit No. 2007-243. This use permit entitled Mr. Kevin Wofford to operate retail sales of truck parts and accessories from the southern office portion of the building. Mr. Wofford chose not to lease the building and the use was not established.

On August 23, 2007, Ms. Pam Shelton submitted an application to amend Use Permit 2007-243 to allow the establishment of a personal training gymnasium in the same portion of the building that was permitted for the truck parts sales as proposed by Mr. Wofford. On September 18, 2007 the Commission approved the revision to Use Permit 2007-243 allowing the establishment of a personal training gymnasium and accessory uses within the existing "office" portion of the building. The gymnasium is still in operation today.

The previous Use Permits required the developer to enter into a Deferred Improvement Agreement (DIA) that postponed street frontage improvements until the Public Works Director or City Engineer determined they were warranted. That document, recorded on January 19, 2001, would affect only the frontage of the subject property and not the 300 feet of Loleta Ave. west of the site.

GENERAL PLAN:

This project site is located within the Highway 99-W Corridor Specific Plan Area. The Specific Plan essentially serves as the General Plan Land Use designation affecting the site. The Specific Plan identifies a myriad of commercial and light industrial uses as appropriate for the area.

ZONING:

The site is zoned SPMU-CBDZ; Specific Plan Mixed Use-Corning Business Development Zone. The applicable sections of the Corning Zoning Code are as follows:

Section 17.49.050 "Uses Requiring Use Permits" Subsection J. 2 reads as follows: "*Manufacturing, processing, fabricating, refining, repairing, packaging or treatment of goods, material or produce by electric power, oil or gas, except operations involving fish fats and oils, bones and meat products, or similar substances commonly recognized as creating offensive conditions in the handling thereof.*"

The processing and storage of olives for retail sales and the production of olive oil is an established use throughout the City of Corning and surrounding community and is not recognized as creating offensive conditions therefore the establishment of an olive oil processing and storage facility is permitted upon approval of a use permit.

STAFF RECOMMENDATION:

Staff has determined that the \$10,000 in-lieu of construction payment would be a functional equivalent to entering into a new DIA and at the same time balance the need of the property owner and Lucero Olive Oil to occupy the existing building therefore we recommend that the Council take the following action:

ACTION

Mayor and City Council approve this payment as a functional equivalent to a Deferred Improvement Agreement and direct the City Attorney to prepare, and City Manager to execute, an agreement for the property owner of 2120 Loleta Ave., APN 71-300-26, to pay a \$10,000 in-lieu of construction fee that will be placed in a restricted road improvement fund for future improvements to Loleta Ave.

EXHIBIT "A"

CITY OF CORNING
Planning Department
794 Third Street
Corning, CA 96021
(530) 824-7036

CONDITIONAL USE PERMIT

Application No: 2008-255

PROJECT APPLICANT: Lucero Olive Oil

PROJECT DESCRIPTION: Establish an Olive Oil Processing and Storage Facility. in an existing warehouse building. Assessor's Parcel No. 71-300-26.

ACTION:

On September 16, 2008, the City of Corning

- Planning Commission
- City Council

approved Conditional Use Permit No. 2008-255, subject to:

- No Condition of Approval were appended to the project.
- the Conditions of Approval on attached sheet(s).

By: _____ Date: _____
John Stoufer
Planning Director

APPEAL PERIOD:

Any aggrieved person may appeal a decision of the Planning Commission. Corning Municipal Code Section 17.54.044 provides for an appeal period of not less than 10 days. The appeal period will close on September 26, 2008 at 12:00 p.m.

OWNER/APPLICANT'S ACKNOWLEDGEMENT:

I hereby accept this Use Permit subject to the conditions specified above. I understand that this entitlement becomes null and void if not used within one year and may be revoked for violation of any of the conditions of approval.

Applicant's signature: _____ Date: _____

ADOPTED CONDITIONS OF APPROVAL

PLANNING COMMISSION ACTION SEPTEMBER 16, 2008

USE PERMIT NO. 2008-255; LUCERO OLIVE OIL

CONDITION #1 – ENCROACHMENT PERMIT:

Prior to the issuance of Use Permit 255, and the commencement of any type of light industrial activity associated with the Use Permit, the applicant must obtain an encroachment permit from the City of Corning Public Works Department and pave the driveway apron within the Loleta Avenue right-of-way.

CONDITION #2 – MODIFY EXISTING OR ENTER INTO A NEW DEFERRED IMPROVEMENT AGREEMENT:

Prior to the issuance of Use Permit 255 and the commencement of any type of activity associated with the Use Permit the property owner and City of Corning shall modify the existing Deferred Improvement Agreement recorded January 19, 2001, or enter into another such agreement that assures completion of an asphaltic concrete overlay to Loleta Avenue between the project site and Highway 99W when the City Engineer or Public Works Director deems such overlay is warranted.

CONDITION #3 – SIGN REGULATIONS

The business must comply with the City of Corning sign regulations established by Resolution 10-25-05-01 and the sign design requirements of the Highway 99W Corridor Specific Plan requirements.

CONDITION #4 – WASTE DISPOSAL

The applicant will not be allowed to dispose of any solid or liquid waste, generated by the processing and production of olive oil, on site. Waste discharge requirements imposed by the Regional Water Quality Control Board must be obtained and strictly adhered to.

CONDITION #5 – ANNUAL REVIEW

The Use Permit will be scheduled for review by the City of Corning Planning Commission at the regular scheduled meeting in September 2009. The review will allow the Commission to add additional conditions of approval if warranted.

CONDITION #6 – BUILDING PERMIT & CERTIFICATE OF OCCUPANCY

Prior to remodeling the interior of the building the applicant must obtain a building permit and prior to occupying the building obtain a certificate of occupancy from the City of Corning Building Department.

Memo



Department of Public Works
794 Third Street
Corning, CA 96021

(530) 824-7029
fax: (530) 824-2489

To: John Stoufer; Planning Director
From: John Brewer; Public Works Director
Date: 10/21/2008
Re: Use Permit 2008-255; Lucero

John,

I believe the overall cost to complete an asphalt overlay on Loleta Avenue between the west boundary of the DeScala property (2120 Loleta Ave.) to Highway 99-W would be about \$10,000.00.

That estimate is based on a per sq. ft. asphalt (delivered and placed) cost of \$1.27 and an area of approximately 7,200 sq. ft. (300' length X 24' width). Those two factors indicate a cost projection of \$9,144.00. The asphalt cost uses the recently awarded bid price of our 2008 Safe Route to School project.

However, the asphalt cost is from a much larger project, and this smaller project would have disproportionate "mobilization costs". Therefore, I recommend providing a contingency of \$866.00, hence the \$10,000.00.