



**CITY OF CORNING
CITY COUNCIL AGENDA**

**TUESDAY, SEPTEMBER 23, 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:

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

- 1. Proclamation Designating October 5 – 11, 2008 4-H Week in the City of Corning.** Cindy McClain and members of the local 4-H will be present to accept the Proclamation.
- 2. Proclamation Designating November 7th – November 8, 2008 as Buddy Poppy Days in the City of Corning.** Present to accept the Proclamation will be Gene May, Senior Vice Commander of the Veterans of Foreign Wars (VFW).
- 3. Proclamation Designating September 22, 2008 as “Family Day...A Day to Eat Dinner with Your Children” in the City of Corning.** Requested by Julie Babyatzky of the National Center on Adiction and Substance Abuse in New York.

E. 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.

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.

- 4. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 5. Waive the Reading and Approve the Minutes of the July 8, 2008, September 9, 2008 Regular and Special Meetings with any necessary corrections.**
- 6. September 17, 2008 Claim Warrant - \$142,241.84.**
- 7. Business License Report – September 17, 2008.**

8. Resolution 09-23-09-01 Approving California Integrated Waste Management Board (CIWMB) Application for a \$400,000 Household Hazardous Waste Grant for FY 2008/09 (17th Cycle).
9. Award Contract for the Safe Routes to School, Cycle 7 Project, Including Marguerite Avenue Overlay to Thomas Williams Construction for \$307,710.
10. Award Bid of \$ 18,529.04 to Valley Tractor, Inc. to Purchase a New Riding Lawn Mower, and Appropriate an Additional \$1,029.04 for this Purchase.
11. Resolution 09-23-08-02 Acceptance of Funds Offered through the California Office of Traffic Safety Grant.
12. Authorization to Purchase Police Vehicle.
13. Approve Landscape and Turf Maintenance Scope of Service Amendment Increasing Contractual Fees by \$200 Monthly for Landscape and Turf Maintenance Services for Landscape & Lighting District 1, Zones 1 and 4.
14. Ordinance 632 (Second Reading), Salado Orchard Apartments Phase 2 Project; Rezone 2008-1; to Rezone the Proposed 1.75 Acre Multi-Family Parcel as Depicted on Tract Map 07-1002 From R-1, Single-Family Residential to P-D, Planned Development. Located approximately 650 feet south of the Toomes Avenue/Blackburn Avenue Intersection. APN: 71-020-71 (Portion).

G. ITEMS REMOVED FROM THE CONSENT AGENDA:

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

I. REGULAR AGENDA: 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.

J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

15. Hill:
16. Dickison:
17. Zuniga:
18. Turner:
19. Strack:

M. ADJOURNMENT!:

POSTED: FRIDAY, SEPTEMBER 19, 2008

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER

**PROCLAMATION
4-H WEEK IN THE CITY OF CORNING
OCTOBER 5-11, 2008**

WHEREAS, 4-H offers research based, experimental programs for diverse youth, ages 5-19; and

WHEREAS, 4-H supports youth in developing citizenship, leadership, life skills and engages youth in their communities through service learning projects; and

WHEREAS, 4-H provides programs through a wide range of delivery modes including clubs, after school, camps and school enrichment; and

WHEREAS, more than 2,128 youth and 187 adult volunteers participate in the Tehama County 4-H Youth Development Program in 2008; and

WHEREAS, Corning 4-H Club members and leaders have come before the Corning City Council seeking the support of the local 4-H program,

NOW, THEREFORE, I Gary R. Strack, as Mayor of the City of Corning, **DO HEREBY PROCLAIM OCTOBER 5 through 11, 2008 as "4-H Week in the City of Corning"** in recognition of the efforts of all of the participants in this educational program.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Corning to be affixed this 23rd day of September 2008.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

**PROCLAMATION
VETERANS OF FOREIGN WARS
"2008 BUDDY POPPY SALES DAYS"
NOVEMBER 7 - 8, 2008**

WHEREAS, the annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by government leaders since 1922; and

WHEREAS, V F W Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual sale of Buddy Poppies by the Veterans of Foreign Wars and their Auxiliary is eloquently reflected in the desire to "Honor the Dead by Helping the Living";

NOW, THEREFORE I, Gary R. Strack, as Mayor of the City of Corning, **DO HEREBY PROCLAIM NOVEMBER 7 - 8, 2008** as "**2008 BUDDY POPPY SALES DAYS**" in the City of Corning. I encourage the citizens of Corning to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the days set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead. I also urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this County who have risked their lives in defense of the freedoms that we continue to enjoy as American Citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Corning to be affixed this 23rd day of September 2008.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

PROCLAMATION

**SEPTEMBER 22, 2008 AS
FAMILY DAY IN THE CITY OF CORNING
"A DAY TO EAT DINNER WITH YOUR CHILDREN"**

WHEREAS, the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS, 13 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

WHEREAS, the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented; and

WHEREAS, parents who are engaged in their children's lives - through such activities as frequent family dinners - are less likely to have children who abuse substances; and

WHEREAS, family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, I Gary R. Strack, as Mayor of the City of Corning, **DO HEREBY PROCLAIM SEPTEMBER 22, 2008 AS "FAMILY DAY, A DAY TO EAT DINNER WITH YOUR CHILDREN"** and urge all citizens to recognize and participate in its observance.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Corning to be affixed this 23rd day of September 2008.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, SEPTEMBER 9, 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 except Councilor Zuniga. This meeting was called to order consecutively with the Special Meeting of the City Council also scheduled for tonight.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS:

Proclamation: Disabled Veteran's Forget-Me-Not Days, September 15 – 21, 2008. Mike Clay, Commander of Chapter 115 of the Disabled American Veterans was present to accept the Proclamation.

E. BUSINESS FROM THE FLOOR:

Julie Johnson of the Corning Observer informed the Council of a bench located at 1208 Solano Street that is in disrepair and could present a safety hazard. She also stated that it might be better utilized at a different location. PW's Director John Brewer stated he would look into it.

Walter Dodd addressed the Council stating that the phone number listed in the phone book for Corning Disposal is answered in Sacramento. He also announced he was informed that the disposal dates pick-up calendar would be out within the next month by Corning Disposal. Mr. Dodd stated that he finds this calendar very useful. Councilor Turner asked if the recycling bins Corning Disposal provides were issued by request or would everyone receive one? City Manager Kimbrough stated that every customer should be receiving one.

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

1. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
2. **Waive the Reading and Approve the Minutes of the August 26, 2008 Meeting with any necessary corrections.**
3. **September 3, 2008 Claim Warrant - \$249,419.**
4. **Treasurer's Report – August 2008.**
5. **Wages and Salaries –August 2008 - \$356,691.91.**
6. **August 2008 Building Permit Valuation - \$872,116.**

7. **August 2008 – Southwest Water Company Wastewater Operation Summary Report.**
8. **Approve Agreement with Tehama County Health Services Agency for Influenza/Hepatitis A & B Vaccine Administration and Approve Resolution No. 09-09-08-01 Authorizing the City Manager to Execute Annual Agreement.**
9. **Award Contract for Community Development Block Grant General Administration and Program Operator to Grants Administrator JoAnn Anders.**

With no discussion, Councilor Turner motioned approval of Consent Items 1-6. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 4-0 with Zungia absent.**

G. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

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.

10. **Public Hearing: Resolution No. 09-09-08-02; A Resolution Approving a Fiscal Year 2008-2009 CDBG Planning/Technical Assistance Grant Application for the Preparation of a "Housing Element Update".**

Mayor Strack introduced this item by title and Planning Director John Stoufer briefed the Council stating that the Grant amount requested is \$35,000 with a cash match of \$8,750. Mr. Stoufer stated the update deadline for the Housing Element is August 2009 and that it was last updated in 2005. Councilor Turner asked if this update would illustrate any further needs for low-income housing; Mr. Stoufer stated yes. Mayor Strack then declared the Public Hearing open. With no discussion, Mayor Strack closed the Public Hearing.

Councilor Hill motioned to adopt Resolution No. 09-09-08-02, a Resolution approving an application for funding and the execution of a Grant Agreement and any Amendments thereto from the Planning/Technical Assistance Allocation of the State CDBG Program. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 4-0 with Zungia absent.**

11. **Public Hearing: Tentative Tract Map 08-1002, Use Permit No. 252; Rezone 2008-1, Salado Orchard Apartments Phase 2, Pacific West Communities, Inc. Proposal to subdivide an existing 4.79 acre parcel and create 12 Single-Family Residential (R-1) parcels and a 1.75 acre Multi-Family Residential Parcel. Rezone 2008-1 will rezone the 1.75 acre parcel from R-1 to Planned Development District (PD). Use Permit 252 would allow the construction of three 8-Plex Apartment Buildings (24 Units total) on the proposed 1.75 acre parcel. Property is located on the west side of Toomes Avenue approximately 650 feet south of the Toomes Avenue/Blackburn Avenue intersection. APN: 71-020-71.**

At the August 19, 2008 Corning Planning Commission meeting, a Public Hearing was held and by a vote of 4:0:1, with one Commissioner abstaining from voting due to his residential proximity to the project, the Commission approved a recommendation to the City Council. The approved recommendation to the City Council is to:

- Adopt** the 10 Subfindings & Findings as presented in the Staff Report; and
- Adopt** the Mitigated Negative Declaration filed on the project; and
- Approve** Tentative Tract Map 08-1002, Use Permit 252 & Rezone 2008-1 subject to the 67 Recommended Conditions of Approval.
- Approve** first Reading of Ordinance 632.

Mayor Strack introduced this item by title and Planning Director Stoufer presented a brief background on the subject and stated the various actions required for approval. Mayor Strack asked if the parking lot would all be interconnected. Mr. Stoufer responded stating yes, however the area at the end of the cul-de-sac would not be interconnected and would be gated with access for emergency/public works personnel only. Mayor Strack also asked if residents of the Phase II project would have access to the existing recreational facilities; Mr. Stoufer deferred this question to project proponent Bill Spann. However, Mr. Stoufer stated that he believes they all will be able to utilize the facilities, reminding the Council that the individual residences and the two separate apartment complexes are separate properties and could in future have separate owners. Mr. Stoufer stated however, that the project could be conditioned to allow this. Mayor Strack asked about the fencing and was answered by Mr. Spann. Councilor Hill asked about the traffic/pedestrian counts and Mr. Brewer responded stating the location of the counts and the numbers received to date. Councilor Hill stated her concerns and belief that a four-way stop may be necessary at this location. Mr. Brewer responded stating the criteria for installing a four-way stop intersection.

Mayor Strack then declared the Public Hearing open, with no discussion he then declared the Public Hearing closed. City Attorney Mike Fitzpatrick suggested a change in wording on motion number four to state, "introduce and waive the first reading of Ordinance 632" which Council agreed to by consensus.

With no further discussion:

- Councilor Dickison motioned to adopt the 11 Subfindings and Findings for Tentative Tract Map 08-1002, Use Permit 252 and Rezone 2008-1 for Salado Orchard Apartments Phase II. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 4-0 with Zungia absent.**
- Councilor Dickison motioned to adopt the Mitigated Negative Declaration filed on Tentative Tract Map 08-1002, Use Permit 252 and Rezone 2008-1 for Salado Orchard Apartments Phase II as meeting the requirements of CEQA and its Guidelines. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 4-0 with Zungia absent.**
- Councilor Dickison motioned to approve Tentative Tract Map 08-1002 and Use Permit 252 subject to the 67 Conditions as recommended by the Corning Planning Commission. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 4-0 with Zungia absent.**
- Councilor Dickison motioned to waive the first reading of Ordinance 632 and approve Rezone 2008-1 to amend the Zoning on the proposed 1.75 acre parcel, as shown Tentative Tract Map 08-1002, from R-1 Single Family Residential to PD, Planned Development. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 4-0 with Zungia absent.**

City Attorney Mike Fitzpatrick then read by title Ordinance 632.

I. REGULAR AGENDA:

At this time Mayor Strack stated that with nothing agendaized under "Regular Agenda" for this meeting, Council will now address Item C listed on the Special Meeting Agenda.

PARTICIPATION BY PUBLIC IN MEETING

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER

Please review the Agenda to determine if the subject you wish to discuss is scheduled for Council consideration. If it is on the Agenda, you will have an opportunity when that matter comes up for discussion to briefly address the Council.

Mayor Strack introduced this item by title and turned the meeting over to Mr. Martin Nichols, Red Bluff City Manager for his presentation.

C. OVERVIEW OF LAKE RED BLUFF, REMOVAL OF THE DIVERSION DAM AND THE ECONOMIC IMPACTS OF THIS ON THE COUNTY AND THE CITY OF CORNING.

Presentation by Red Bluff City Manager Martin Nichols at the request of the Corning City Council – Discussion and Action.

Mr. Nichols presented an aerial photo of the Diversion Dam and the Lake Red Bluff Area. He stated that the issue involves the Dam, the Lake and the possible impacts of the loss of the Lake. He informed the Council on the issue of the Fish Passing Project, the litigation in process and the involvement of the Endangered Species Act.

Jeff Sutton, General Manager of Tehama-Colusa Canal Authority addressed the Council stating the two alternatives presented, the specified times the gates would be opened to accommodate the fish, and stated the proposed crop value loss should this Lake disappear causing the loss to the County irrigation system. Mr. Sutton also stated some of the extended economic affects should this closure occur to the Community.

Planning Director Stoufer corrected Mr. Sutton stating that it was not 1998 when this first topic was first discussed, it was 1990 and it came up when he worked for the County. He stated that at that time, the Tehama Colusa Canal Authority was against piping and the Bureau of Reclamation was in support of it. He stated that he thinks the legal action is not the solution.

Council took no action at this time.

With no further action on the Special meeting Agenda, Mayor Strack closed the Special Meeting at 8:44 p.m and reconvened the regularly scheduled Council Meeting.

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

K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

12. Hill: Reported on the phone conference meeting with the League of California Cities Sacramento Valley Division Committee and presented Council with a copy of the League of California Cities Bylaws. She also presented the Council with a survey for the League of CA Cities that she would like completed and returned to her within the next two weeks so that she can take them with her to the League Conference.

13. Dickison: Stated she would be attending the LAFCO meeting tomorrow afternoon stating the items agendized for discussion and accepted Council direction for her vote. She also stated that she would be attending the Tripartite Board meeting next week.

14. Zuniga: Absent.

15. Turner: Nothing.

16. Strack: Commended the Fire Dept. on the benefit breakfast for Dave Demo. Announced that the Community Bulletin Board is now up and being used.

M. ADJOURNMENT!: 9:50 p.m.

Lisa M. Linnet, City Clerk

**CITY OF CORNING
CITY COUNCIL SPECIAL MEETING MINUTES**



**TUESDAY, SEPTEMBER 9, 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. The Special meeting and the regularly scheduled City Council Meeting were called to order consecutively.

PARTICIPATION BY PUBLIC IN MEETING

Please review the Agenda to determine if the subject you wish to discuss is scheduled for Council consideration. If it is on the Agenda, you will have an opportunity when that matter comes up for discussion to briefly address the Council.

C. OVERVIEW OF LAKE RED BLUFF, REMOVAL OF THE DIVERSION DAM AND THE ECONOMIC IMPACTS OF THIS ON THE COUNTY AND THE CITY OF CORNING.

Presentation by Red Bluff City Manager Martin Nichols at the request of the Corning City Council – Discussion and Action.

Mr. Nichols presented aerial view of the Diversion Dam and the Lake Red Bluff Area stating that the issue involves this Dam, the Lake and the possible impacts of the loss of the Lake. He informed the Council on the issue of the Fish Passing Project, the litigation in progress and the involvement of the Endangered Species Act.

Councilor Turner stated to Mr. Nichols that basically you are looking for another funding source/project to take the place of the funding you will no be losing.

Jeff Sutton, General Manager of Tehama-Colusa Canal Authority addressed the Council stating the two alternatives presented, the specified times the gates would be opened to accommodate the fish, and stated the proposed crop value loss should this Lake disappear causing the loss to the County irrigation system. Mr. Sutton also explained the extended economic affects should this closure occur to the Community.

Planning Director Stoufer corrected Mr. Sutton stating that it was not 1998 when this issue was first discussed; it was 1990. He stated that at that time the Tehama Colusa Canal Authority was against piping and the Bureau of Reclamation was in support of it. He stated that he thinks the legal action is not the solution.

Council took no action at this time.

M. ADJOURNMENT!: 8:44 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, JULY 8, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:

Council:

**Hill
Dickison
Zuniga
Turner
Strack**

Mayor:

All members present except Councilor Turner, Councilor Turner arrived at 7:15 p.m. Councilor Hill requested to add to the end of meeting Closed Session, discussion of potential litigation regarding a police relating use of Taser. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga. Opposed: None. Absent/Abstain: Turner. Motion approved by a vote of 4-0 with Councilor Turner absent.**

C. ADJOURN TO CLOSED SESSION: 7:02 p.m.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency negotiator: William May, Labor Relations Consultant; Negotiation with Miscellaneous Unit Employees.

Councilor Turner arrived for the Closed Session at 7:15 p.m.

D. RECONVENE AND REPORT ON CLOSED SESSION: 7:30 P.M.

Mayor Strack announced that Council met with the Labor Negotiator in closed session and will be returning to Closed Session following the meeting for further discussion.

E. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Kimbrough led the Pledge of Allegiance.

F. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS: None

G. BUSINESS FROM THE FLOOR:

H. 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 June 10, 2008 meeting and June 16, 2008 Special Meeting with any necessary corrections.**
- 3. July 2, 2008 Claim Warrant - \$305,163.42.**
- 4. Business License Report – July 2, 2008.**
- 5. Treasurer's Report – June 2008.**
- 6. Wages and Salaries –June 2008 - \$361,572.20.**

7. **May 2008 Building Permit Valuation - \$129,739.48.**
8. **June 2008 – Southwest Water Company Wastewater Operation Summary Report.**
9. **Release of Contract Retention Fees of \$78,791.32 to Sunrise Excavating for the 2007 Street Paving Project.**
10. **Approve Facilities Use Agreement with Corning Union High School District and Corning Union Elementary District for Recreation Programs.**
11. **Designation of Voting Delegate and Alternate for 2008 League Annual Conference.**
12. **Approve Emergency Repairs to Sewer Line.**

Councilor Hill requested to pull Item 11 for further discussion and vote. Mayor Strack requested to pull Item 12 for further discussion.

With no further discussion on Items 1-10, Councilor Turner motioned to approve Items 1-10 and Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

I. ITEMS REMOVED FROM THE CONSENT AGENDA:

11. **Designation of Voting Delegate and Alternate for 2008 League Annual Conference.**

Councilor Hill stated that she would be attending the Conference. Councilor Dickison stated that the Council should elect and Alternate for voting purposes. It was determined that Councilor Hill and City Manager Kimbrough would be attending the Conference.

Councilor Dickison motioned to appoint Councilor Hill as the voting Delegate for the City of Corning at the League Conference and City Manager Kimbrough as the Alternate. Councilor Zuniga seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

12. **Approve Emergency Repairs to Sewer Line.**

Mayor Strack stated that the Council had received a Friday Note relating to the sewer line behind Martin's Gardens and asked Public Works Director John Brewer to brief the Council on the associated information. Mr. Brewer stated that at this time Staff is not sure if "Pipe Lining" is the solution, or if "Pipe Bursting" is the right solution, however Staff would like to continue with this item and secure the funding to address the issue on an emergency basis should we need too. He then provided the Council with the background information relating to this issue. Mr. Brewer also explained the need to secure the funding now in order to have it to act quickly should emergency action be required. Mayor Strack stated that the City Staff recommendation on the Staff Report should be changed removing the recommendation to "award work to Pacific Liners Pipeline Rehabilitation of Vacaville". Councilor Turner asked if Staff needs a top dollar amount as the projected request was based upon an estimate from Pacific Liners. City Manager Kimbrough suggested an allocation of \$35,000 stating that possibly Public Works would be able to do the job.

Councilor Turner motioned to set a maximum ceiling of \$35,000 expenditure for this emergency appropriation with any amount exceeding that be brought back to Council in a Memo to justify any additional expenditures. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

K. REGULAR AGENDA:

13. Allocation for Participation with Bell Carter Olive Company in Mixing Zone and Dilution Study for Wastewater Treatment Outfall.

Mayor Strack introduced this item by title stating that Councilor Turner and himself would abstain from discussion and vote on this item, both Council members left the Council Chambers at 7:42 p.m. City Manager Kimbrough briefed the remaining Councilors on this issue. He stated that this item has nothing to do with the Lawsuit filed by the Environmental Group where the City has been named. This is a necessary study that Bell Carter has been asked to perform and work with the City of Corning in order to provide more data for the State Regional Water Quality Control Board to review their Permit. The City's National Pollutant Discharge Elimination System Permit is not due for renewal until 2009. We know that this study is of value to both Bell Carter and the City of Corning. The issue here is the sharing of the cost, one half of which would be \$20,000 (City's portion).

Councilor Hill asked how this would fit into our current Budget; she was informed that the City has the funds available in the sewer fund. Mr. Kimbrough also stated that the City anticipates being required to do the same study next year and this study should suffice.

Councilor Dickison motioned to authorize the preparation of a collaborative "Mixing Zone and Dilution Study" with Bell Carter Olive Company and allocate \$20,000 as half the expected cost to complete the study. Councilor Zuniga seconded the motion. **Ayes: Hill, Dickison, Zuniga. Opposed: None. Absent/Abstain: Strack and Turner. Motion approved by a vote of 3-0 with Strack and Turner abstaining.**

Mayor Strack and Councilor Turner returned to the meeting at 7:45 p.m.

14. Approve Resolution No. 07-08-08-01 & Presentation of 2008-2009 City of Corning Program of Service and Annual Budget Final Public Meeting and Adoption.

Mayor Strack introduced this item and asked if anyone from the public had any questions. With no response, City Manager Kimbrough stated that the Council requested the Corning Chamber of Commerce and Tehama EDC provide them with information on their budgets and that is immediately following the Staff report. He stated that the current Budget does not include the requests for additional funding from these two organizations, however it is reflected in the spreadsheet.

Council considered including in the budget the following:

- **\$1,500 for a Yard Sale Bulletin Board** (Steve suggested, if approved, place the funding in the Council's material and supplies budget. **By consensus, item was approved with the location to be across from City Hall at the north end of the Park and Ride lot).**
- **\$1,200 Chamber of Commerce Funding Increase** (Mayor Strack stated his opinion not to increase funding at this time, Councilors Hill and Dickison agreed. Councilor Zuniga stated her opinion that the Chamber does a lot for the City's economy through the events they sponsor, why fund Tehama EDC on a "promise" and not the Chamber? It was suggested to wait until Mid Year Budget to commit to increase funding.)
- **\$8,000 Tehama Economic Development Corporation Funding Increase** (Currently we fund \$12,000 and they are requesting an additional \$8,000. Through Council discussion, it was suggested to commit \$4,000 now and review at Mid Year Budget the possibility of additional \$4,000).

Councilor Zuniga motioned to adopt Resolution 07-08-08-01 adopting the Annual Program of Services and City Budget for FY 2008-2009 with the addition of \$1,500 for a Yard Sale Bulletin Board, \$1,200 for the Chamber of Commerce and \$8,000 for Tehama EDC. Councilor Turner seconded the motion with the condition that it be subject to review at mid year budget. **Ayes:**

Hill, Dickison, Zuniga and Turner. Opposed: Strack. Absent/Abstain: None. Motion approved by a vote of 4-1 with Strack opposing.

15. Approve Resolution No. 07-08-08-02 Establishing an Appropriations Limit for the City of Corning fiscal Year 2008-2009.

Mayor Strack introduced this item by title. With no discussion, Commissioner Turner motioned to adopt Resolution No. 07-08-08-02 establishing an appropriations limit for the City of Corning for Fiscal Year 2008-2009. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

16. Annual Statement of Investment Policy 2008.

Mayor Strack introduced by title and City Manager Kimbrough stated that currently the majority of the funds are in LAIF, however the City Treasurer will shop around for the best rates.

With no further discussion, Councilor Turner motioned to approve the Annual Statement of Investment Policy as submitted. Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

M. REPORTS FROM MAYOR AND COUNCIL MEMBERS:

17. Hill: Councilor Hill announced that she would not be able to attend the League of California Cities Sacramento Valley Division meeting on Thursday and Friday. She stated that Mr. Kimbrough would attend in her place.

18. Dickison: Stated that she would be attending the LAFCO meeting on July 9th and briefed the Council on the Agenda Items to be discussed.

19. Zuniga: None.

20. Turner: Reported on the Olive Meeting he attended in Modesto and the various items they discussed such as: Olives affected by frost, turning Olive Oil Co. into tourist attraction in future.

21. Strack: Discussed the City's Arch Sign, changes to listed website contacts, funding, lighting, relocation of "eyes" for hanging banners, and repairs/maintenance. City Manager Kimbrough is to research and report back to Council on funding sources.

N. ADJOURN TO CONTINUED CLOSED SESSION: 8:37 p.m.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency negotiator: William May, Labor Relations Consultant; Negotiation with Miscellaneous Unit Employees.

DISCUSSION OF POTENTIAL LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9: 1

O. RECONVENE AND REPORT ON CLOSED SESSION:

Mayor Strack reconvened the meeting and reported that Council had met with the City Labor Negotiator and gave him direction. He also reported that the Council, City Manager, City Attorney and the Police Chief had met relating to potential litigation and received information and direction.

P. ADJOURNMENT!: 9:02 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: September 17, 2008

SUBJECT: Cash Disbursement Detail Report for the
Tuesday, September 23, 2008 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending	09-17-08	\$	100,194.24
B.	Payroll Disbursements	Ending	09-09-08	\$	42,047.60
GRAND TOTAL					\$ <u>142,241.84</u>

REPORT.: Sep 17 08 Wednesday
 RUN.....: Sep 17 08 Time: 14:29
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-08 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
007098	09/11/08	SCH01	LES SCHWAB TIRE CENTER	-1242.19	.00	-1242.19	569265u	Ck# 007098 Reversed
				-134.06	.00	-134.06	569747u	Ck# 007098 Reversed
			Check Total.....:	-1376.25	.00	-1376.25		
007099	09/05/08	ARA02	ARAMARK UNIFORM SRV. INC.	32.67	.00	32.67	4077142	Mat/Supplies-
				51.46	.00	51.46	4080108	Mat/Supplies-
			Check Total.....:	84.13	.00	84.13		
007100	09/05/08	COR12	CORNING FORD MERCURY, INC	472.56	.00	472.56	10027	Veh Opr/Maint-REC
007101	09/05/08	CRA10	CRAIN, CARL	100.00	.00	100.00	080905	MAT & SUPPLIES-BLD MAINT
007102	09/05/08	DEP03	DEPT OF TRANS/CAL TRANS	66.36	.00	66.36	181862	Equip.Maint. St&Trf Light
007103	09/05/08	EVE05	EVENT PROMOTIONS NOW	188.32	.00	188.32	34012	SCHOOL PROGRAMS-POLICE
007104	09/05/08	FIT01	FITZPATRICK LAW OFFICES	473.89	.00	473.89	080902	City Attny Srvs Legalserv
007105	09/05/08	JES10	JESSEE HEATING & AIR, INC	724.00	.00	724.00	46533	BLD MAINT-TRANS FAC
007106	09/05/08	JMB01	JMB OIL COMPANY	553.84	.00	553.84	170133	MAT & SUPPLIES-
007107	09/05/08	INC01	LN CURTIS & SONS	79.96	.00	79.96	115799301	SAFETY ITEMS-FIRE
007108	09/05/08	MCC05	MCCURDY'S TRUCK REPAIR	1334.00	.00	1334.00	3899	VEH OP/MAINT-FIRE
007109	09/05/08	NEX01	NEXTEL COMMUNICATIONS	589.58	.00	589.58	080829	COMMUNICATIONS-
007110	09/05/08	NOR25	NORTHERN LIGHTS ENRGY, INC	2909.77	.00	2909.77	85923	MAT & SUPPLIES-
				663.03	.00	663.03	85924	VEH OP/MAINT-FIRE
			Check Total.....:	3572.80	.00	3572.80		
007111	09/05/08	PGE04	PGE	680.10	.00	680.10	080828	TranspFacility
007112	09/05/08	PGE05	PGE	2197.50	.00	2197.50	080828	FIRE-ELECT & GAS
007113	09/05/08	PGE2A	PGE	82.82	.00	82.82	080828	ELECT-MARTINI PLAZA
				33.02	.00	33.02	080828A	ELECT-MCDONALD & CASSANDR
			Check Total.....:	115.84	.00	115.84		
007114	09/05/08	THO01	THOMES CREEK ROCK CO	593.85	.00	593.85	080831	Mat/Supplies-STR
007115	09/05/08	VAL04	VALLEY TRACTOR, INC	1232.12	.00	1232.12	103730	VEH OP/MAINT-
				5.86	.00	5.86	103759	VEH OP/MAINT-

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CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-08 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
007115	09/05/08	VAL04	VALLEY TRACTOR, INC	46.70	.00	46.70	103776	VEH OP/MAINT-
Check Total.....				1284.68	.00	1284.68		
007116	09/05/08	COR01	CORNING VETERINARY	483.20	.00	483.20	17391	ProfServices-ACO
007117	09/05/08	FEP01	FEARS, JEREMIAH	140.00	.00	140.00	080904	K-9 PROGRAM-POLICE
007118	09/05/08	HOW00	HOWARD JOHNSON HOTEL -	313.05	.00	313.05	080904	K-9 PROGRAM-POLICE
007119	09/05/08	S&L00	S & L BREWER ENTERPRISES	99.00	.00	99.00	080904	K-9 PROGRAM-POLICE
007120	09/11/08	SCH01	LES SCHWAB TIRE CENTER	134.06	.00	134.06	386219	Veh Opr/Maint-
007121	09/11/08	AIR00	AIRGAS NCN	44.63	.00	44.63	102924328	MAT & SUPPLIES-FIRE
007122	09/11/08	ATT10	AT&T/MCI	1196.80	.00	1196.80	T8442265	COMMUNICATIONS-
007123	09/11/08	ATT13	AT&T/MCI	322.26	.00	322.26	T8438514	COMMUNICATIONS-
007124	09/11/08	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0807487	ProfServices Water Dept
007125	09/11/08	CAM02	CAMELLIA VALLEY SUPPLY	104.70	.00	104.70	0689730	MAT & SUPPLIES-WTR
				48.26	.00	48.26	0689731	MAT & SUPPLIES-WTR
Check Total.....				152.96	.00	152.96		
007126	09/11/08	CHE02	CHEM QUIP, INC.	947.20	.00	947.20	2045783IN	MAT & SUPPLIES-WTR
007127	09/11/08	COM01	COMPUTER LOGISTICS, INC	116.67	.00	116.67	42676	COMMUNICATIONS-POLICE
				18.00	.00	18.00	42682	Equip Maint - GEN CITY
				26.00	.00	26.00	42684	COMMUNICATIONS-POLICE
				24.00	.00	24.00	42951	COMMUNICATIONS-FIRE
				24.00	.00	24.00	42954	COMMUNICATIONS-
Check Total.....				208.67	.00	208.67		
007128	09/11/08	COPO0	COP SHOP INSTALLATION INC	5222.49	.00	5222.49	1656	VEH REPL-POLICE
007129	09/11/08	COR10	CORNING GLASS & MIRROR	45.00	.00	45.00	28183	VEH OP/MAINT-ACO
007130	09/11/08	COR12	CORNING FORD MERCURY, INC	40.16	.00	40.16	22418	Veh Opr/Maint-POLICE
007131	09/11/08	COR20	CORNING ELECTRONICS	13.92	.00	13.92	10075580	MAT & SUPPLIES-POLICE
				15.00	.00	15.00	10075953	MAT & SUPPLIES-FINANCE
				75.06	.00	75.06	10076047	COMMUNICATIONS-REC
Check Total.....				103.98	.00	103.98		
007132	09/11/08	DEP12	DEPT OF JUSTICE	64.00	.00	64.00	695893	EMP PHYSICALS/REC INSTRUC

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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	Invoice #	Payment Information Description
007133	09/11/08	FMR01	FM RICHELIEU ENGINEERING	1320.00	.00	1320.00	08-26-08	PROF SVCS-BLD & SAFETY
007134	09/11/08	GRA02	GRAINGER, W.W., INC	66.30	.00	66.30	972196153	MAT & SUPPLIES-FIRE
007135	09/11/08	HIL01	BECKY HILL	521.44	.00	521.44	080909	CONF/MTGS-CITY COUNCIL
007136	09/11/08	HOL04	HOLIDAY MARKET #32	17.29	.00	17.29	25391	Mat/Supplies BuildingMain
				101.65	.00	101.65	25596	Mat/Supplies-
			Check Total.....:	118.94	.00	118.94		
007137	09/11/08	INT01	INTERLAND BUSINESS SUPPLY	736.81	.00	736.81	080903	Office Supplies-
007138	09/11/08	LAB01	LAB. CORP. OF AMERICA	106.00	.00	106.00	04337010	PROF SVCS-POLICE
007139	09/11/08	LIN02	LINNETS TIRE SHOP	613.94	.00	613.94	50646	Veh Opr/Maint-FIRE
				209.36	.00	209.36	50663	Veh Opr/Maint-POLICE
			Check Total.....:	823.30	.00	823.30		
007140	09/11/08	NAT13	NATIONWIDE FINANCIAL	5560.49	.00	5560.49	1004	FIRE SERVICE AWARD-FIRE
007141	09/11/08	NOR25	NORTHERN LIGHTS ENRGY,INC	3672.98	.00	3672.98	85897	VEH OP/MAINT-
007142	09/11/08	NOR35	NORTHGATE ROCK COMPANY	132.00	.00	132.00	38438	A/C CITYWIDE-STR PROJ
007143	09/11/08	OFF01	OFFICE DEPOT	6.17	.00	6.17	442410410	Office Supplies-DISPATCH
007144	09/11/08	PGE03	PG&E	25.01	.00	25.01	080829	Mat/Supplies PoliceServic
007145	09/11/08	PGE2A	PG&E	112.36	.00	112.36	080829	ELECT-CLELAND PROP
007146	09/11/08	RIN01	RINGSIDE, INC.	202.90	.00	202.90	1013272A	MAT & SUPPLIES-PAL
007147	09/11/08	USA03	USA MOBILITY WIRELESS,INC	29.88	.00	29.88	RO159912I	COMMUNICATIONS-POLICE
007148	09/11/08	VAL07	VALLEY VETERINARY CLINIC	103.40	.00	103.40	40535	K-9 PROGRAM-POLICE
				333.30	.00	333.30	41078	PROF SVCS & K-9 PROGRAM
			Check Total.....:	436.70	.00	436.70		
007149	09/12/08	ATT01	AT&T	449.96	.00	449.96	080903	Communications-
007150	09/12/08	CHI05	CHICO SHRED	40.00	.00	40.00	24221	Equip.Maint. General City
007151	09/12/08	COR11	CORNING SAFE & LOCK	23.49	.00	23.49	2286	BLD MAINT-LIBRARY
007152	09/12/08	HOM03	HOME DEPOT	2164.57	.00	2164.57	080912	CAP REFLC-SWR IMPROV

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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	Invoice #	Payment Information Description
007153	09/12/08	KOE01	KOEFRAN	250.00	.00	250.00	508180	PROF SVCS-ACO
007154	09/12/08	NOR37	NORTH VALLEY RAINGUTTER	1900.00	.00	1900.00	13793	MAT & SUPPLIES-BLD MAINT
007155	09/12/08	DOD01	JAMES DODGE	52.81	.00	52.81	080912	TRAINING/EDUCATION-POLICE
007156	09/12/08	SOU02	S.B.R.P.S.T.C.	225.00	.00	225.00	080912	Training/Educ.-DISPATCH
007157	09/12/08	WAT02	WATSON, THOMAS J.	155.61	.00	155.61	080912	PROF. SVCS-POLICE
007158	09/15/08	AND03	ANDERS, JOANN	1815.00	.00	1815.00	08-106	PROF SVCS-SALADO HOME GRA
				1485.00	.00	1485.00	08-107	PROF SVCS-SALADO HOME GRA
			Check Total.....	3300.00	.00	3300.00		
007159	09/16/08	ARA02	ARAMARK UNIFORM SRV.INC.	32.67	.00	32.67	4083072	Mat/Supplies-
007160	09/16/08	BAS01	BASIC LABORATORY, INC	86.00	.00	86.00	0807700	ProfServices Water Dept
007161	09/16/08	BIG02	BIG VALLEY SANITATION II	399.85	.00	399.85	00103	MAT & SUPPLIES-PARKS
007162	09/16/08	CAL33	CALIF DIAMOND PRODUCTS	895.36	.00	895.36	IN0070483	MAT & SUPPLIES-
007163	09/16/08	HOL04	HOLIDAY MARKET #32	58.99	.00	58.99	25619	Mat/Supplies-
				17.29	.00	17.29	25891	Mat/Supplies-PARKS
			Check Total.....	76.28	.00	76.28		
007164	09/16/08	LNC01	LN CURTIS & SONS	46.49	.00	46.49	115356400	SAFETY ITEMS-FIRE
				1235.00	.00	1235.00	617124700	EQUIP MAINT-FIRE
			Check Total.....	1281.49	.00	1281.49		
007165	09/16/08	NOR01	NORTH VALLEY BARRICADE	268.13	.00	268.13	11282	MAT & SUPPLIES-COMM EVENT
				82.58	.00	82.58	11302	MAT & SUPPLIES-
			Check Total.....	350.71	.00	350.71		
007166	09/16/08	QUI02	QUILL CORPORATION	180.87	.00	180.87	1082946	Office Supplies-
007167	09/16/08	SWW00	SWC SERVICES, INC.	42828.52	.00	42828.52	16320	PROF SVCS-WWTP
				2561.27	.00	2561.27	16321	PRETREATMENT PROG/SWR
				552.00	.00	552.00	16345	PROF SVCS-WWTP
			Check Total.....	45941.79	.00	45941.79		
007168	09/16/08	TEH01	TEHAMA ASPHALT	2748.50	.00	2748.50	3031	A/C CITYWIDE-STR PROJ
007169	09/16/08	VAL01	VALLEY INDUSTRIAL COMM.	71.25	.00	71.25	93977	COMMUNICATIONS-FIRE

REPORT.: Sep 17 08 Wednesday
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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	Invoice #	Payment Information Description
007170	09/16/08	WES02	WESTERN BUSINESS PRODUCTS	35.76	.00	35.76	014391	Equip.Maint.-FIRE
007171	09/17/08	HYA05	HYATT REGENCY LONG BEACH	869.92	.00	869.92	080917	CONF/MTGS-CITY COUNCIL
007172	09/17/08	ACT01	ACTIVE OFFICE EQUIPMENT	702.49	.00	702.49	8887	OFFICE SUPPLIES-POLICE
007173	09/17/08	COM01	COMPUTER LOGISTICS, INC	2000.00	.00	2000.00	42987	COMMUNICATIONS-POLICE
007174	09/17/08	COR11	CORNING SAFE & LOCK	117.44	.00	117.44	2289	MAT & SUPPLIES-ACO
007175	09/17/08	COR12	CORNING FORD MERCURY, INC	41.69	.00	41.69	100626	Veh Opr/Maint-POLICE
007176	09/17/08	HYA05	HYATT REGENCY LONG BEACH	434.96	.00	434.96	080917A	CONF/MTGS-CITY ADMIN
007177	09/17/08	NOR31	NORM'S PRINTING	79.80	.00	79.80	005727	OFFICE SUPPLIES-
007178	09/17/08	PAT02	PATTERSON ELECTRIC,	76.07	.00	76.07	1296	MAT & SUPPLIES-BLD MAINT

Cash Account Total.....: 100194.24

Total Disbursements.....: 100194.24

Cash Account Total.....: .00

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
3615	09/09/08	BAN03	POLICE OFFICER ASSOC.	195.00	.00	195.00	A80909	POLICE OFFICER ASSOC
3616	09/09/08	EDD01	EMPLOYMENT DEVELOPMENT	3442.92	.00	3442.92	A80909	STATE INCOME TAX
				863.13	.00	863.13	1A80909	SDI
			Check Total.....	4306.05	.00	4306.05		
3617	09/09/08	ICM01	ICMA RETIREMENT TRUST-457	3307.38	.00	3307.38	A80909	ICMA DEF. COMP
3618	09/09/08	OEU03	OPERATING ENGINEERS	400.00	.00	400.00	A80909	CREDIT UNION SAVINGS
3619	09/09/08	PERS1	PUBLIC EMPLOYEES RETIRE	26759.92	.00	26759.92	A80909	PERS PAYROLL REMITTANCE
3620	09/09/08	PERS4	Cal Pers 457 Def. Comp	981.50	.00	981.50	A80909	PERS DEF. COMP.
3621	09/09/08	PRE03	PREMIER WEST BANK	4302.25	.00	4302.25	A80909	HSA DEDUCTIBLE
3622	09/09/08	VAL06	VALIC	1795.50	.00	1795.50	A80909	AIG VALIC P TAX

Cash Account Total.....: 42047.60
 Total Disbursements.....: 42047.60
 =====

Date.: Sep 17, 2008
 Time.: 2:38 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
D&J MAINTENANCE		REDDING, CA 96049	CROSS	CONTRACTOR	09/09/08	(530)221-0969
GEHL ELECTRIC INC.	420 APOLLO ST	BREA, CA 92821	HEPBURN	DENNIS CONTRACTOR	09/09/08	(714)257-1081
HARMY SCHL OF MASSA	1518 LINK ST	CORNING, CA 96021	DIAMOND	ALBERT MASSAGE SCHOOL INSTRUCTION	09/09/08	(818)640-9019
JOHN PEMESTER DRIVE	8798 HIGHWAY 99W	GERBER, CA 96035	PEMESTER	JOHN DRIVER SERVICES	09/09/08	(509)389-6122
JORGE'S HANDYMAN SER	220 SOLANO ST	CORNING, CA 96021	PIMENTEL	JORGE HOME REPAIRS	09/16/08	(530)680-6528
LOVE, DANIEL	1620 SOLANO ST	CORNING, CA 96021	LOVE	DANIEL JANITORIAL SERVICES FOR MEMORIAL HALL	09/09/08	(530)566-5990
OFFPRIGER/QUIXWAY	680 ALMOND ST	CORNING, CA 96021	SCHROMM	STEVEN SELL MERCHANDISE ONLINE WITH A DROP-SHIP	09/16/08	(530)824-3540
RICHARD GUMM CONSTRU	859 WASHINGTON ST	RED BLUFF, CA 96080	GUMM	RICHARD CONTRACTOR	09/09/08	(530)527-4177
STOUT CONSTRUCTION,	19800 HIRSCH CT. #2	ANDERSON, CA 96007	STOUT	JOHN CONTRACTOR	09/09/08	(530)365-1702

ITEM NO.: F-8
ADOPT RESOLUTION NO. 09-23-08-01
APPROVING APPLICATION FOR HOUSEHOLD
HAZARDOUS WASTE GRANT, FY 2008/09 (17TH
Cycle)
SEPTEMBER 23, 2008

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: STEPHEN J. KIMBROUGH, CITY MANAGER

SUMMARY:

Tehama County Solid Waste Manager Alan Abbs has received notice from the California Integrated Waste Management Board (CIWMB) regarding the possibility of obtaining a **Household Hazardous Waste Grant** in the amount of \$400,000 with a time span from December 2008 – April 2011 (Application due to CIWMB on 9/8/08).

Issue: Paint is the largest household hazardous waste (HHW) stream generated in California, and HHW Programs statewide continue to receive increasing quantities of leftover paint at a significant cost to local programs. An extended producer responsibility system will create a sustainable solution for managing leftover paint, and provide consumers a more convenient option to recycle leftover paint than offered through conventional programs.

PROPOSED GRANT:

As the lead jurisdiction, San Joaquin County will partner with San Francisco and Tehama Counties, the California Product Stewardship Council, and other experts to provide technical support and expertise, to develop a California Paint Product Stewardship Program, an **Extended Producer Responsibility** (EPR) system aimed at reducing the generation of leftover paint, while increasing reuse and recycling opportunities.

The Project has five key objectives:

1. Educate consumers and retailers on source reduction and operational issues associated with collecting paint from the public;
2. Develop model language integrating EPR and recycled-content paint into purchasing policies to foster recycled paint procurement;
3. Apply community based social marketing techniques to overcome retail paint barriers and recruit new collection sites to implement paint product stewardship pilot projects;
4. Recruit new paint reuse facilities to increase reuse of leftover paint; and
5. Work with local governments, retailers, and stakeholders to provide technical and financial assistance to rollout the statewide Paint Product Stewardship Program.

The Project has two primary goals:

1. Launch educational campaigns on source reduction, paint reuse, and recycled paint procurement; and
2. Develop a stewardship system for the management of leftover paint that is economical, sustainable, and replicable throughout the State of California.

BACKGROUND:

Tehama County Red Bluff Landfill Management Agency currently manages two permanent household hazardous waste facilities serving over 61,000 residents. Facility location, days/hours of operation are:

- a. The Tehama County/Red Bluff Landfill Permanent Household Hazardous Waste Facility (PHHCF) is operated every Saturday, April – October and bi-weekly November – March from 8:00 a.m. to 12:00 p.m. for residents and 12:00 p.m. to 2:30 p.m. for businesses with a small charge for businesses and they must make an appointment.
- b. The Corning PHHCF is operated bi-weekly from April – October, and one Saturday per month from November – March from 8:00 a.m. to 12:00 p.m. for residents and 12:00 p.m. to 2:30 p.m. for businesses with a small charge for businesses and they must make an appointment.

Materials accepted at both facilities include small propane cylinders, aerosol cans, creosote, tar, lead-based paint, old gasoline and kerosene, acids and bases, detergents and disinfectants, pool and spa chemicals, oil based paints, stains, solvents, pesticides, fertilizers, transmission fluid and grease, batteries, and fluorescent lights.

A total of \$60,000 is budgeted from landfill tipping fees annually to support the two HHW facilities, the curbside alkaline battery recycling program, the medical waste sharps collection program, and the fluorescent light recycling program.

Approximately 1,000 gallons of paint are donated to the 4-H Club and other interested individuals annually for a total savings of \$3,000. In FY 2006/07 a total of 33,687.5 pounds of oil-based paint and 23,100 pounds of latex paint was collected. Fifty-one percent(\$30,600) of the total HHW budget annually is allocated towards the collection, transportation, processing, and disposal of latex and oil-based paints.

The CIWMB is working to develop a nationally coordinated system for the management of leftover paint to help reduce the burden on local government. In 2002 CIWMB began working with the Paint Product Stewardship Initiative (PPSI) to establish a National Paint Dialogue, consisting of paint manufacturers, government agencies, recyclers, retailers, and other stakeholders collaborating to develop an EPR system for leftover paint.

In 2005 San Joaquin County was awarded a \$200,000 HHW grant to develop the Recycled Paint Certification System, a PPSI priority project, to establish a nationally recognized recycled paint standard to give buyers confidence that recycled paint meets the same performance criteria as standard virgin paint. The Green Seal Standard for recycled-content latex paint (GS-43) was published in August 2006.

In 2007, the CIWMB adopted a Framework for an **Extended Producer Responsibility** (EPR) system in California as an overall policy priority. Also called product stewardship, EPR places the responsibility for minimizing the environmental impact of a product on all entities involved in the product chain.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION NO. 09-23-08-01 AUTHORIZING THE TEHAMA COUNTY SANITARY LANDFILL AGENCY TO SUBMIT TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD A REGIONAL APPLICATION FOR A HOUSEHOLD HAZARDOUS WASTE GRANT.

RESOLUTION NO. 09-23-08-01

**A RESOLUTION OF THE CITY OF CORNING AUTHORIZING THE TEHAMA COUNTY
SANITARY LANDFILL AGENCY TO SUBMIT A REGIONAL APPLICATION TO THE
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A FY 2008/09 17TH
CYCLE HOUSEHOLD HAZARDOUS WASTE GRANT.**

WHEREAS, Public Resources Code sections 40000 et seq. authorize the California Integrated Waste Management Board (CIWMB) to administer various Grant Programs in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority the CIWMB is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, Grant Application procedures require an Applicant's governing body to authorize by Resolution its approval for submittal of the Grant Application(s) identified below, and the designation by job title of the individual authorized to execute all Grant documents on behalf of the Tehama County Landfill Agency; and

WHEREAS, if awarded, the Tehama County Sanitary Landfill Agency will enter into a Grant Agreement with the CIWMB for implementation of said Grant(s).

NOW, THEREFORE, BE IT RESOLVED that the City of Corning authorizes the Tehama County Sanitary Landfill Agency to submit a Regional Grant Application for the FY 2008/09 17th Cycle Household Hazardous Waste Grant to the California Integrated Waste Management Board on its behalf. The Tehama County Sanitary Landfill Agency is hereby authorized and empowered to execute all grant documents necessary to secure grant funds and implement the approved grant project.

BE IT FURTHER RESOLVED that the Tehama County Solid Waste Director or his/her designee is hereby authorized and empowered to execute in the name of the City of Corning all grant documents including but not limited to, Applications, Agreements, Amendments and Requests for Payment, necessary to secure grant funds and implement the approved grant project.

I, the undersigned, hereby certify that the foregoing Resolution was duly PASSED, APPROVED AND ADOPTED by the Corning City Council, at a regular meeting of the City Council, held on September 23, 2008, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

Mayor: Gary R. Strack

ATTEST:

City Clerk: Lisa M. Linnet

BUDGET OVERVIEW - SUBMITTED

	TOTAL		EXPENSES	
	Requested	PERSONNEL Requested	Requested	IN-KIND
San Joaquin	0	0	0	31,800
San Francisco	0	0	0	27,208
Tehama	0	0	0	21,223
CPSC	168,920	160,620	8,300	0
PSI	23,277	23,050	227	0
Visions	5,393	5,130	263	0
GPI	6,296	6,120	176	0
PR Firm - TBD	10,260	9,300	960	0
SUBTOTAL	214,146	204,220	9,926	80,231
FocusGroup - TBD	13,000		13,000	
Barrier Study - TBD	4,000		4,000	
Workshops - Paint	3,764		3,764	
Management Costs	162,930		162,930	
Hotline Number	2,160		2,160	
TOTAL	400,000	204,220	195,780	80,231

FACT SHEET
SAN JOAQUIN COUNTY
HOUSEHOLD HAZARDOUS WASTE GRANT, FY 2008/09 (17th Cycle)

GRANT TYPE: HOUSEHOLD HAZARDOUS WASTE GRANT

TERM: December 2008 – April 2011 (Application due to CIWMB 9/8/08)

ISSUED BY: California Integrated Waste Management Board (CIWMB)

AMOUNT: \$400,000

ISSUE: Paint is the largest household hazardous waste (HHW) stream generated in California, and HHW Programs statewide continue to receive increasing quantities of leftover paint at a significant cost to local programs. An extended producer responsibility system will create a sustainable solution for managing leftover paint, and provide consumers a more convenient option to recycle leftover paint than offered through conventional programs.

PROPOSED GRANT As the lead jurisdiction, San Joaquin County will partner with San Francisco and Tehama Counties, the California Product Stewardship Council, and other experts to provide technical support and expertise, to develop a California Paint Product Stewardship Program, an **Extended Producer Responsibility (EPR)** system aimed at reducing the generation of leftover paint, while increasing reuse and recycling opportunities.

The project has five key objectives:

1. Educate consumers and retailers on source reduction and operational issues associated with collecting paint from the public;
2. Develop model language integrating EPR and recycled-content paint into purchasing policies to foster recycled paint procurement;
3. Apply community based social marketing techniques to overcome retail paint barriers and recruit new collection sites to implement paint product stewardship pilot projects;
4. Recruit new paint reuse facilities to increase reuse of leftover paint; and
5. Work with local governments, retailers, and stakeholders to provide technical and financial assistance to rollout the statewide Paint Product Stewardship Program.

The project has two primary goals:

1. Launch educational campaigns on source reduction, paint reuse, and recycled paint procurement; and
2. Develop a stewardship system for the management of leftover paint that is economical, sustainable, and replicable throughout the state of California.

BACKGROUND: The CIWMB is working to develop a nationally coordinated system for the management of leftover paint to help reduce the burden on local government. In 2002 CIWMB began working with the Paint Product Stewardship Initiative (PPSI) to establish a National Paint Dialogue, consisting of paint manufacturers, government agencies, recyclers, retailers, and other stakeholders collaborating to develop an EPR system for leftover paint.

In 2005 San Joaquin County was awarded a \$200,000 HHW grant to develop the Recycled Paint Certification System, a PPSI priority project, to establish a nationally recognized recycled paint standard to give buyers confidence that recycled paint meets the same performance criteria as standard virgin paint. The Green Seal Standard for recycled-content latex paint (GS-43) was published in August 2006.

In 2007, the CIWMB adopted a Framework for an **Extended Producer Responsibility (EPR)** system in California as an overall policy priority. Also called product stewardship, EPR places the responsibility for minimizing the environmental impact of a product on all entities involved in the product chain.

CONTACT: Alison Hudson, Planning and Materials Management, Solid Waste, Public Works
Kimbra Andrews, Management Analyst I
209-468-3066 or kandrews@sigov.org

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SECTION 1: NEED

Program Background and Context

Look in most residential basements, garages, and storage sheds across the country and you will find a common item – leftover paint. End-of-life management of leftover paint has become an increasingly costly line item in local government budgets in a time of shrinking state and local revenues. Leftover paint is a product stewardship priority based on its high volume in the waste stream, subsequent costs to manage, and high potential for increased recovery, reuse, and recycling.

Local governments do not have adequate funds, resources or capacity to effectively manage all leftover paint that is generated by consumers. There is a large funding gap for HHW programs to manage the increasing volume of paint and the physical locations are not sufficiently convenient to compel their use by most residents. Additional collection sites and a sustainable funding source are necessary to capture the paint not currently being collected. This proposal suggests that the responsibility for managing leftover paint should be borne by those who profit from the sale of these products, and we propose to promote public/private partnerships through implementation of the proposed project objectives.

San Joaquin County's HHW Program provides services for over 210,000 households and manages nearly 1 million pounds of HHW annually. As with most other jurisdictions, roughly half of all material collected is paint. The program takes drop-offs from residents at the central HHW Facility, located in Stockton, three days per week (Thursday through Saturday, 9-3), provides annual one-day collection events in Lodi and Tracy to service the north and south ends of the county, and serves CESQG customers at the central HHW Facility by appointment for a nominal fee. Additionally, latex paint is accepted for free from residents at the County's three solid waste facilities. The HHW Program is funded by an annual \$4 levy on residential dwellings, and program outreach is subsidized by AB939 funds. Despite these free services, fewer than 5% of households countywide take advantage of them.

California local governments run comprehensive HHW collection programs that cover the majority of the state. While approximately 90% of California residents have access to HHW collection opportunities, many facilities or events are not convenient.¹ In addition, due to budget constraints, many local governments are forced to limit their outreach efforts and operating hours. Thus, even where paint collection programs are present, there are gaps in service due to inconvenient locations, limited hours of operation, and a lack of general awareness of collection opportunities.

Paint represents 35% of California's entire HHW collection, and the volume of paint collected through California's HHW programs continues to increase over time. Recent 303 reports illustrate paint collection in California increased over 25% from fiscal year 2005/06 to 2006/07. In fiscal year 2005/06, HHW programs collected about 2 million gallons of leftover paint statewide. In 2006/07, paint collection increased to nearly 2.7 million gallons, split roughly between latex and oil-base paints.² Paint collection continues to grow where there are collection facilities. However, due to limited hours of operation and other barriers, only about 5% of the public use them.

¹ Product Stewardship Institute, Background Report for the National Dialogue on Paint Product Stewardship, March 2004.
² CIWMB Form 303: HHW Collection Data. HHW Program Totals. 2005/06, 2006/07.

Annual paint sales in California are estimated to exceed 80 million gallons.³ The U.S. EPA estimates that about 10% of all paint sold becomes leftover paint. Based on this estimate, it is anticipated that at least 8 million gallons of leftover paint are generated annually in California. Therefore, with less than 3 million gallons collected annually, nearly two thirds of the leftover paint generated in California is either being stored, donated to reuse, or disposed of improperly.

HHW programs face a severe service gap compounded by an even more severe funding gap. Of all HHW, leftover paint represents the largest cost for local governments to collect and manage. The cost to manage paint averages roughly \$8 per gallon.⁴ If existing programs actually captured 100% of leftover paint, the cost to do so would be close to \$64 million in California alone.

California has been grappling with how to address the leftover paint problem for years. In 2002, when CIWMB became an active participant in the Paint Product Stewardship Initiative (PPSI) National Paint Dialogue, a new effort began to address the leftover paint problem on a national level. California united with other states, paint manufacturers, recyclers, retailers, and other stakeholders to work collaboratively on a stewardship system to manage leftover paint. In order to develop a sustainable solution to the leftover paint problem, innovative collection methods need to be developed and tested, and partnerships must be forged. A concerted effort that fosters collaboration among all stakeholders is needed to transition from a government managed and funded waste management system to a producer financed and managed end-of-life system, as outlined in the CIWMB strategic directives adopted in February 2007. Every jurisdiction in California faces financial and physical constraints when striving to increase collection of leftover paint; hence, this project is applicable statewide.

Proposed Project

The County of San Joaquin is partnering with the City and County of San Francisco, the County of Tehama, California Product Stewardship Council (CPSC), Product Stewardship Institute (PSI), Visions Paint Recycling, and the Green Purchasing Institute (GPI) to develop the California Paint Product Stewardship Program. This multi-jurisdictional application proposes a comprehensive statewide effort to implement innovative paint collection opportunities that promote public/private partnerships. The project seeks to accomplish this through two primary ambitions:

1. Educate consumers, retailers, local governments, and other stakeholders on source reduction, paint reuse, recycled paint procurement, and the practicality of an extended producer responsibility (EPR) system for the management of leftover paint in order to facilitate the transition from a government managed and financed end-of-life system to a producer managed and financed system to manage leftover paint; and
2. Foster partnerships and agreements to implement paint collection projects that are transitional to a full EPR system that is economical, flexible, and replicable throughout the state of California, and relevant nationwide.

The proposed project will address the need to find a long-term solution to the paint management problem through education, information sharing, and development of partnerships. Additionally,

³ CIWMB 2000. California Integrated Waste Management Board Meeting. August 22-23, 2000. Agenda Item 37.

⁴ Paint Product Stewardship Initiative (PPSI) Infrastructure Project, March 2007.

this project will gather data and share lessons learned with stakeholders statewide. This project is aimed at reducing the generation of leftover paint, while increasing reuse and recycling opportunities and supporting the recycled paint market.

The first element of this project is to educate consumers and retailers on source reduction, and the legal, practical and operational issues associated with collecting paint from the public. Leftover paint is an inherent problem primarily because consumers have a considerable tendency to over-purchase paint.⁵ Educational messages already developed by the PPSI Education Workgroup will be evaluated and utilized along with community-based social marketing techniques to develop and implement a public education strategy aimed at reducing paint over-purchases and waste. Focus groups will be conducted to determine what tools have the greatest impact on educating consumers on how to properly purchase, store, and dispose of paint. CIWMB has invested hundreds of thousands of dollars in PPSI; this project will fully utilize the results of PPSI projects in order to prepare for the statewide rollout of the Paint Product Stewardship Program in California.

A key component of the PPSI efforts is recycled paint market development. Product uncertainty was deemed the biggest barrier to the purchase of recycled paint. The nationally recognized Green Seal Standard for recycled-content latex paint (GS-43) gives buyers confidence that recycled paint can perform as well as standard virgin paint, addressing the biggest barrier to recycled paint procurement. The Department of General Services has a statewide contract for purchasing Green Seal Certified recycled-content latex paint, which may be used by local government agencies, but it is rarely put to use. An element of this project is to provide education and technical support to foster recycled paint procurement, including information on Green Seal Certified paint manufacturers and providing a liaison between DGS and local governments so more agencies can take advantage of the statewide contract.

The highest and best use for paint is reuse and the next best option is to recycle it into a marketable paint product. Since at least 65% of leftover paint is of a quality that can be reused or recycled, the goal is to maximize reuse and the production of recycled paint, which would create a demand for leftover paint, ultimately reducing the high disposal cost faced by local governments. The PPSI Paint Reuse Manual will be utilized to develop educational tools, which will be used to increase paint reuse efforts and recruit new reuse facilities.

Almost every community in California has a potential location for paint take-back, offering much greater potential for capturing leftover paint than existing collection infrastructure. Retail collection will provide convenient opportunities for disposal. This project seeks to ascertain and overcome the barriers to collecting paint in retail settings and to educate stakeholders on the legal issues and practicality of paint take-back in order to recruit new collection sites. Therefore, it is expected to result in the increased collection of leftover paint through take-back partnership efforts.

The final element of this project is to work closely with local governments, retailers, the Paint Product Stewardship Organization, and other stakeholders to prepare to rollout the Paint Product Stewardship Program statewide. Pilot projects will be evaluated and the PPSI Infrastructure Report will be utilized to help develop the implementation process. Ongoing technical and preliminary financial support will be provided so newly recruited paint collection sites can be easily turned over

⁵ Paint Product Stewardship Initiative (PPSI) Residential Paint Survey, November 2005.

to industry. HHW programs throughout California that manage leftover paint may ultimately find that their paint management costs are significantly reduced.

The rationale for this project as compared to other approaches is that there is no other sustainable solution to manage the growing quantities of leftover paint generated each year except to enlist other stakeholders in shouldering part of the responsibility.

We are requesting \$400,000 in grant funding to implement this project and, as described in Section 4, San Joaquin, San Francisco and Tehama will provide in-kind support in the form of staff time. Grant funds will cover the cost of hiring contractors from the California Product Stewardship Council and the Product Stewardship Institute, who have extensive experience with EPR approaches, as well as Visions Paint Recycling and GPI to provide technical support on project activities. Grant funds will also support the initial paint management costs of newly recruited paint collection sites. This project will initiate a financially and environmentally sustainable solution to the leftover paint problem, providing consumers with a means to recycle their leftover paint that is much more convenient and cost effective than current options available through existing HHW infrastructure.

SECTION 2: GOALS AND OBJECTIVES

Goals

The goals and objectives are outlined in detail in **Attachment 3** titled Work Plan. This narrative builds-off the detailed goals and objectives outlined in the attached Work Plan.

This project has long-term goals of increasing the collection of leftover paint, increasing paint reuse, and decreasing the amount of leftover paint generated in California. Additionally, it will help support the recycled paint market and reduce the burden of managing leftover paint on local governments. However, the two short-term goals of this project are:

1. Launch educational campaigns on source reduction, paint reuse, recycled paint procurement, and the practicality of product stewardship systems to start the transition from a government managed and financed end-of-life system to a producer managed and financed system to manage leftover paint; and
2. Develop a stewardship system for the management of leftover paint that is economical, sustainable, and replicable throughout the state of California, and relevant to other states throughout the country.

These goals will be accomplished by the completion of five objectives, which will be achieved through targeted activities to provide education, technical support, and develop partnerships.

Objectives

The grant project has five objectives listed below. These objectives will be reached through a collaborative effort among local government representatives, CPSC, and PSI, as well as others lending technical support and expertise.

1. Educate consumers and retailers on source reduction and the legal and practical issues and means to collect paint from the public,
2. Develop model language integrating EPR and use of recycled-content paint into purchasing policies and educate purchasers on the GS-43 Standard to foster recycled paint procurement,
3. Ascertain and overcome the barriers to collecting paint in retail settings and recruit new collection sites to implement paint product stewardship pilot projects,
4. Educate and recruit facilities to implement paint reuse programs to increase reuse of leftover paint, and
5. Work closely with local governments, retailers, and other stakeholders and provide technical and financial assistance to rollout the Paint Product Stewardship Program statewide, and then hand it over to industry

The activities to achieve each of the five objectives are outlined in detail in the Work Plan in **Attachment 3**.

The primary task is to increase awareness of source reduction measures and the legal and practical issues of retail paint collection by distributing educational materials to at least 45 retailers and making 24 presentations to local governments, retailers and other stakeholders, in rural and non-rural counties, as outlined in Objective 1. Presentation participants will be surveyed to obtain feedback and analyze the effectiveness of the presentations. Two focus groups will be conducted to test the PPSI consumer education materials to determine if the message is effective in reducing paint over-purchases and waste; what tools have the greatest impact on educating consumers on how to properly purchase, store, and dispose of paint; and determine the level of awareness of the paint problem. Study results will be used to develop final educational materials on source reduction and paint collection. This project will build off the existing educational materials developed by PPSI projects.

Another important undertaking is to support recycled paint procurement, particularly procurement of Green Seal Certified paint (Objective 2). Model language integrating EPR and the use of recycled-content paint into purchasing policies, education to local governments on purchasing recycled paint directly from the statewide contract, and technical assistance will be presented at 2 procurement conferences by GPI, and information will be disseminated statewide via list serves, websites, email updates, etc. Ten participants will be surveyed to determine if the education changed their outlook on buying recycled paint.

Additionally, the PPSI Guidance Manual for Reuse Programs will be utilized to educate local governments and other potential sites on the benefits of paint reuse in order to recruit a minimum of 3 new reuse sites (Objective 4). Ten surveys will be conducted to determine why sites that were provided educational materials did not implement reuse programs.

Finally, steps will be taken to recruit 15 new paint collection sites to implement paint product stewardship pilot projects (Objective 3). A retailer survey and barrier study will be conducted to help determine interest in and possible barriers to retail paint collection, and final guidelines to establishing successful paint collection sites will be developed and distributed to retailers and other potential recruits. Technical support and recycling services will be provided by Visions Paint Recycling. Written agreements between jurisdictions and participating sites will be executed to

support paint collection until allocated grant funds run out or until the program is rolled out statewide and the Paint Product Stewardship Organization provides funding from industry.

Education and outreach will continue through a series of conference calls and a one-day workshop at the Cal EPA building that will be webcast to all stakeholders on the topic of a paint stewardship system (Objective 5). The purpose of holding these calls and workshop is to bring stakeholders together, get feedback from the group and highlight success stories from around the world where paint collection programs have already been successfully implemented. Topics will include what worked, what didn't, and how the system is funded. Sharing of these "lessons learned" will help prepare stakeholders for the statewide program rollout. Technical assistance will be provided to new paint collection sites throughout the grant term, and a hotline number from CPSC will be announced at the workshop to provide ongoing support to stakeholders in preparation for the rollout of the Paint Product Stewardship Program in California.

SECTION 3: WORK PLAN

The tasks and activities required to complete the project are outlined in the Work Plan (**Attachment 3**). **Attachment 3a** lists responsibilities by organization. The Work Plan follows the budget outline.

Project Team

San Joaquin County, Public Works Department (SJC): Oversee all project work; coordinate and facilitate meetings with grant partners and contractors; ensure all deliverables are completed on schedule; develop and submit all reports to CIWMB.

San Francisco City and County, Department of the Environment (SF): Work with grant partners to implement education campaigns, facilitate communication of outreach materials and implement retail take-back partnerships. Will assist with giving local presentations, providing outreach to local stakeholders and ensure San Francisco City and County personnel are fully informed on the project. Will also coordinate and facilitate meetings with sub-contractor (research organization or local university) and grant partners to conduct barrier study.

Tehama County, Sanitary Landfill Agency: Work with grant partners to implement education campaigns, facilitate communication of outreach materials and implement retail take-back partnerships. Will assist with giving local presentations, providing outreach to local stakeholders and ensure Tehama County personnel are fully informed on the project.

California Product Stewardship Council (CPSC): Manage and coordinate technical project work; hire, coordinate and facilitate meetings with sub-contractors (professional PR firms) to conduct focus group study and provide public relations support throughout the grant term, and ensure contracted work is accomplished on-time and on-budget; conduct surveys and gather data; track progress to be used for measurement of goal achievement; develop outreach and educational materials; conduct outreach and make presentations; co-facilitator of the workshop at Cal EPA; provide technical assistance to stakeholders to develop public/private partnerships and provide hotline number; and provide SJC staff with required information to complete grant reports.

Product Stewardship Institute (PSI): Primary facilitator of the workshop at Cal EPA; provide

input on educational materials for paint collection, source reduction and reuse; co-facilitator of barrier study; act as liaison between the national PPSI group and grant partners; and support CPSC in convening stakeholders, providing technical assistance, and developing implementation process for statewide rollout.

Visions Paint Recycling: Assist in presenting information on recycled paint procurement; provide input on educational materials on paint collection; support CPSC in conducting workshop and providing technical assistance to stakeholders; provide paint transportation and recycling services to recruited collection sites; and provide SJC staff with collection and cost data on paint product stewardship pilot projects.

Green Purchasing Institute (GPI): Assist in developing and presenting information on recycled and low-toxicity paint product procurement, and gathering information to encourage retailers to carry recycled paint for sale; and support CPSC in providing technical assistance to stakeholders.

Additionally, public relations firm(s), coordinated by CPSC, will be hired to conduct the focus group study to test the PPSI consumer education message and to provide PR support throughout the grant term. A research organization or local university, coordinated by SF, will be recruited to conduct the barrier study on retail paint collection.

Staffing

LEAD JURISDICTION:

San Joaquin County has successfully managed many previous grants including competitive HHW, Used Oil Block and Opportunity grants, and Reuse Assistance grants throughout the years. County expertise includes substantial experience with related projects and experience managing outside contractors with technical expertise.

Desi Reno serves as the Integrated Waste Manager for the San Joaquin County Department of Public Works, Solid Waste Division. Among his many duties, Mr. Reno plans, organizes and directs waste reduction activities; develops and administers mandated programs for public education and services, including waste reduction, household hazardous waste, source reduction, recycling, and composting and also administers the operation of County-owned facilities, transfer stations and resource recovery stations. With over twenty years of business experience in the private sector waste management and recycling industry, Mr. Reno has served as President, General Manager, and Operations Manager in three different operations, and was charged with improving efficiencies and productivity, and implementing aggressive waste reduction programs. Additionally, Mr. Reno is a graduate of California State University Sacramento with a B.S. Degree in Business Administration and California State University Stanislaus with a Master's degree in Public Administration. Mr. Reno will be responsible for ensuring successful execution of the project and that all grant reports are submitted to CIWMB.

Alison Hudson serves as the Program Manager for the Solid Waste Division's Planning Unit. She currently oversees the long range Planning and Source Reduction Programs for San Joaquin County, and is responsible for the planning and implementation of the HHW Program. The HHW Program consists of the PHHWCF, temporary events, a Small Quantity Generator Program, and the Used Oil Collection Program. Since its initial temporary HHW event in 1993, the County has collected,

reprocessed, and sold latex paint locally. Ms. Hudson graduated with a Bachelor's degree from the University of Florida in Gainesville. She was the author and project manager for the successful 14th Cycle HHW Grant (Recycled Paint Certification Project) which led to the development of the GS-43 recycled paint standard, and for the 8-county 15th Cycle HHW Coordination Grant which led to the formation of CPSC.

Kimbra Andrews serves as the HHW Program Coordinator for San Joaquin County. Ms. Andrews is responsible for implementing HHW grant programs for the County, along with managing the countywide HHW Program. Ms. Andrews graduated from Stockton's University of the Pacific with a Bachelor's Degree in Business Administration and Economics, and a minor in Environmental Studies. She was the project coordinator for the 14th Cycle HHW Grant to develop the GS-43 recycled paint standard, for the 8-county 15th Cycle HHW Coordination Grant which led to the formation of CPSC, and is currently completing implementation of the County's 15th Cycle HHW Infrastructure Grant. Ms. Andrews will be working closely with grant partners to implement the project successfully and will be managing the contracts with grant partners to perform the majority of the project work. She will work under the direction of Ms. Hudson to assist with the overall grant management, technical assistance, and development of reports.

REGIONAL PARTNERS:

San Francisco City and County

Debbie Raphael serves as the
Marjaneh Zarrehtar is the

Tehama County

Alan Abbs serves as the Solid Waste Director for the Tehama County Sanitary Landfill Agency and the Tehama County/Red Bluff Landfill Management Agency. Among his many duties, Mr. Abbs contracts for landfill and transfer station operation, engineering services, facility construction, regulatory compliance. Mr. Abbs is also responsible for the oversight of County-wide solid waste and recycling programs and budgeting. He was the grant manager for the successfully completed 14th Cycle Household Hazardous Waste Discretionary Grant totaling \$261,267.01, which led to the establishment of a permanent HHW facility in Corning, the expansion of the Tehama County/Red Bluff Landfill permanent HHW facility, and the development of a medical waste sharps collection program. Mr. Abbs has managed numerous California Integrated Waste Management Board Waste Tire Collection and Amnesty Event grants and Used Oil Block grants totaling more than \$200,000. Mr. Abbs is a graduate of the U.S. Naval Academy earning a B.S. in Mechanical Engineering. Additionally, Mr. Abbs earned a Masters of Business Administration from California State University, Chico.

Kristina Miller serves as the Solid Waste Program Manager for the Tehama County Sanitary Landfill Agency and the Tehama County/Red Bluff Landfill Management Agency. Among her many duties, Mrs. Miller plans, organizes and directs the countywide HHW program, waste reduction activities; develops and administers mandated programs for public education and services, including the first public-private partnership as part of the Department of Toxic Substances Control Take-It-Back Partnership for the management and proper disposal of fluorescent lights, the first curbside alkaline battery recycling program in the state of California, and a County-wide medical waste sharps collection program. Mrs. Miller was the author and grant manager of three CIWMB Farm and Ranch Solid Waste Cleanup and Abatement Grants totaling more than \$55,000. She also managed

numerous California Integrated Waste Management Board Used Oil Block Grants and Household Hazardous Waste Coordination grants totaling more than \$65,000.

Mrs. Miller is a graduate of California State University, Chico with a Bachelor's degree in Restoration Ecology and Environmental Education. Additionally, Mrs. Miller earned a Master's degree from California State University, Chico in Geography.

PRIVATE PARTNERS:

California Product Stewardship Council (CPSC) is a one year old, Sacramento based not-for-profit corporation whose mission is "To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability." CPSC is the only California organization that is solely managed by California local governments with a single-vision of ensuring that product producers have the primary responsibility to establish, fund, and manage end-of-life systems for their products with State government setting the performance goals and ensuring accountability and transparency. CPSC has over 70 California governments and associations actively participating in its activities and has over 20 "partners" which include businesses and individuals working together in support of the CPSC mission. CPSC has dedicated contract staff and has already managed one major HHW grant which is being successfully implemented on behalf of Del Norte Solid Waste Management Authority. CPSC will be the prime contractor on this project, will oversee the work of the sub consultants, and will work closely with San Joaquin County staff to execute the project and meet the terms of the grant.

Heidi Sanborn has worked in the solid waste field in California for 18 years and is currently the Executive Director of CPSC. Since 2003, Ms. Sanborn has worked on product stewardship projects starting with the national Paint Product Stewardship Initiative (PPSI) for which she was the primary consultant for three years and managed the Recycled Paint Certification Project which was also managed by San Joaquin County. Heidi has also been the primary staff researcher and writer of the report to CIWMB on EOL product management systems, was the primary author of the Sonoma EPR Implementation Plan, and has been an advisor to the CPSC in development of the council. Heidi previously worked at CIWMB in the Office of Local Assistance and won awards from CIWMB and outside the CIWMB for her work providing local technical assistance on solid waste programs to increase diversion. Heidi will be responsible for overall project coordination of activities between San Joaquin County and the project team including GPI. Ms. Sanborn will be the Project Director for CPSC, oversee all project work from the team, and support the Project Manager in coordination of the project. Ms. Sanborn will perform a significant amount of the presentations, assist with development of the partnerships in the participating jurisdictions, and facilitate the statewide workshop in partnership with PSI.

Product Stewardship Institute (PSI) is a national non-profit organization which works with key stakeholders to reduce the health and environmental impacts of consumer products, including latex paint, and develop viable solutions to waste management problems. Since 2003 PSI has facilitated a national paint dialogue which resulted in extensive research projects and a historic agreement among paint manufacturers, government agencies, paint recyclers, painting contractors, and other participants. The agreement, facilitated by PSI, calls for the establishment of an industry-funded Paint Stewardship Organization that will collect and manage leftover paint using a pass-through cost to consumers. The agreement also commits stakeholders to conduct a Demonstration Project in

Minnesota, with the full program to be rolled out to additional states beginning with California. PSI will facilitate the statewide workshop, provide technical expertise, and act as a liaison with industry stakeholders for this project.

Scott Cassel is the Executive Director of PSI. Prior to founding the Institute in 2000, Mr. Cassel served 7 years as the Director of Waste Policy and Planning for the Massachusetts Executive Office of Environmental Affairs. He is also a founding Board Member and past-President of the North American Hazardous Materials Management Association, whose mission is to reduce the toxicity of the municipal waste stream. Mr. Cassel has a master's degree in environmental policy and dispute resolution from the Massachusetts Institute of Technology, and an undergraduate degree in Geology and Environmental Studies from the University of Pennsylvania. Mr. Cassel has been a key participant in the national paint dialogue and will facilitate project discussions with the PPSI group.

Visions Paint Recycling is a manufacturer of high quality recycled-content latex paint products based out of McClellan, and is the first paint manufacturer in California with a product line to achieve the GS-43 recycled-content paint certification. Visions collects paint from local HHW facilities, painting contractors and state agencies for use in their products. **Jerry Noel**, President, has over 17 years experience as a commercial painting contractor and was an active participant in the development of the Green Seal standard for recycled-content latex paint. Mr. Noel will provide technical expertise and paint management services for this project.

Green Purchasing Institute (GPI) is a Berkeley-based nonprofit organization that works directly with state and local governments to implement environmentally preferable purchasing (EPP) policies and programs. **Alicia Culver**, Executive Director, has more than a decade of experience in EPP and is one of the nation's leaders in this field. She is currently working directly with local governments and other entities in New York, Washington State and the Bay Area (including San Francisco Department of the Environment, Alameda County General Services Agency, Bay Area Green Business Program, and ABAG) on a variety of green purchasing initiatives. Previously she was a senior researcher at INFORM Inc., Deputy Director of the New Jersey Office of Sustainable Business, and Director of the Government Purchasing Project. She is currently evaluating manufacturer take-back programs and other options for increasing the recovery of thermostats, fluorescent lamps, and other mercury-containing products from buildings prior to demolition/deconstruction on behalf of the City of Palo Alto. She serves on the Board of Directors of the Product Policy Institute and recently authored a PPI fact sheet, *Purchasing Best Practices: Contracting for Producer Responsibility* (2007). GPI's primary role in this project will be to help local governments integrate producer responsibility provisions into their paint purchasing policies, and bid specifications and provide technical assistance.

SECTION 4: BUDGET

Budget Narrative

The relevant proposed budget request is itemized by Objective in **Attachment 4**. **Attachment 4a** specifies the cost of performing each task and the funding category for each, and gives an overview of in-kind support provided by each partnering jurisdiction. **Attachments 5a through 5c** provide the project estimates and quotes to complete the work outlined in the work plan and budget.

San Joaquin County is requesting \$400,000 in grant funds to complete this project. This project can be successfully completed with the proposed budget due to the in-kind contributions from partnering jurisdictions. Partnering jurisdictions will provide in-kind support in the form of staff time in excess of \$80,000 to support the project throughout the grant term. See **Attachment 4a** for details on committed in-kind support from each partnering jurisdiction.

San Joaquin County believes the proposed project is a fair and reasonable request for funding provided by CIWMB HHW grants for the following reasons:

- CIWMB has adopted strategic directives that state “we will develop relationships with stakeholders which result in producer-managed and producer-financed systems” and this project assists local governments to accomplish that goal;
- This project leverages the knowledge of experts in the field of EPR and Paint Stewardship Systems from across the country and around the world and will build from their extensive knowledge base and maximize the sharing of information with all California jurisdictions; and,
- The project team has experience working on many related projects that will increase efficiencies. For example, Ms. Andrews, Ms. Sanborn, Mr. Cassel, and Mr. Noel all worked together with the PPSI group to develop the Green Seal Standard for recycled-content latex paint.

San Joaquin County has identified experts in producer responsibility, paint management programs, and green procurement programs, and already has existing relationships with industry representatives and other stakeholders who will collaborate on this project. The project budget is commensurate with the very important gains that can be made in developing a successful paint stewardship program which will be replicable throughout the state of California. The project partners are rural, urban, and suburban Counties so the regional differences in collection systems will be documented in this project.

The personnel costs comprise 51 percent of the project costs. There are no overhead costs billed to this grant. All partners are conducting project work and the small amount of overhead costs will not be billed to this grant. This project budget is cost-effective and leverages in-kind efforts by project partners in providing outreach and education to stakeholders, recruiting local retailers for pilot paint collection projects, and providing input during the grant term and final stages of project implementation.

Long-term Funding. All the partners have committed not only to support the educational presentations and workshop and development of public/private partnerships for the grant term, but to continue to promote and use the models, presentations, outreach materials and knowledge gained participating in this project as a part of their existing work to reduce toxics in the waste stream. However, part of the goal of this project is to promote public/private partnerships which would provide cost relief to local governments so that collection systems will have sustainable funding sources and will not be completely reliant on local governments.

This project will be relevant and sustainable beyond the term of the grant. For over 5 years the PPSI National Paint Dialogue has been working with stakeholders to develop a nationally coordinated system for the management of leftover paint, which involves an industry-funded Paint Stewardship Organization that will collect and manage leftover paint. The stewardship system is contingent on a shared responsibility approach, which involves the participation of retailers, manufacturers, and other stakeholders. The Dialogue has already begun a preliminary project in Minnesota and is obligated to rollout a California paint stewardship program statewide in the near

future. This project will support PPSI in meeting that obligation.

Consequences of Not Being Funded. Lack of funding for the requested program would result in deterioration of viable and cost-effective means to manage leftover paint and an increase in waste of non-renewable resources. The possibility exists that failure to complete this project may result in the continued delay or even cancellation of the statewide rollout of a stewardship program for paint in California and throughout the US.

SECTION 5: EVALUATION

Baseline Data

Baseline data will be compiled for each partnering jurisdiction before recruiting new paint collection sites. Each jurisdiction will document the number of sites where paint is currently collected in their region, the volume collected for the most recent year, and the cost to manage it. Annual paint collection and reuse data is documented on CIWMB Form 303 reports and will be used as the baseline for each jurisdiction. Data on these three parameters will be collected again at the end of the project to determine how successful the pilot collection projects were. The team aims to increase the number of paint collection sites and increase the volume of paint collected in each partnering jurisdiction.

The purpose of conducting the studies and surveys in Objectives 1 through 4 are to determine how much consumers know about the paint problem, whether the information presented has made an impact on perceptions and behaviors, the barriers to collecting paint in a retail setting, and if and why jurisdictions are not buying recycled paint or implementing a paint reuse program.

The full array of the Paint Dialogue research projects to date, including the Background Report, which is one of the most comprehensive technical documents written on paint management, and various outreach and education pieces, will be utilized to develop educational materials and the final implementation process to make this project a success. The project objectives build on the data already compiled throughout the Dialogue. Additionally, due to the concurrent efforts of the Minnesota Paint Demonstration Project, further data will be available from the Demonstration Project Committee as their project moves forward.

Evaluation Narrative

The purpose of Objective 1 is to educate retailers on the legal and practical issues and means to collect paint from the public, and provide materials to educate the public on source reduction and proper disposal. The first task is to test the effectiveness of the consumer education materials developed during the Paint Dialogue with a focus group study to determine if they are effective and what tools are most useful in changing consumer behavior to reduce waste. Once a successful message is developed, information will be disseminated by distributing materials to at least 45 retailers and conducting 24 presentations. EPR is a very new concept to most consumers, retailers and other stakeholders so the assumption is that every presentation that the team makes will be to a “new” audience. The team will conduct post-presentation surveys to obtain feedback from participants and determine if the presentations are effective or need refining, and then modify the

presentations as necessary. If the surveyed participants learned a sufficient amount of new information that supports paint collection and source reduction then Objective 1 will be a success.

Objective 2 aims to educate jurisdictions on the means to purchase recycled and less-toxic paint products by integrating model language into their own “green” purchasing policies and utilizing the DGS Statewide Contracts. Two presentations will be conducted and 10 random participants will be surveyed to determine if the education had an impact on their outlook on buying recycled paint. If the majority of respondents have a positive perception of recycled paint after the presentations then Objective 2 will have been met.

The success of Objective 3 will be measured by the number of new paint collection sites recruited. The team aims to recruit at least 5 pilot paint collection sites in each partnering jurisdiction, for a total of 15 new sites.

Objective 4 aims to increase paint reuse by using PPSI tools and educating stakeholders on the benefits of reuse. Ten sites that were provided with reuse materials but did not begin their own reuse facility will be surveyed to determine why they did not. If at least 3 reuse sites are recruited Objective 4 will have been met.

The purpose of Objective 5 is to prepare stakeholders for the statewide rollout of the California Paint Product Stewardship Program. Seven conference calls and a final workshop will involve local and state government officials, retailers, producers, recyclers, waste haulers, and other stakeholders to prepare for the statewide program rollout. Ongoing technical support will be offered to local governments, retailers, and others to empower them to implement their own paint take-back projects. Pilot project collection methods and paint volumes will be documented. If the stakeholders are sufficiently prepared to rollout the program statewide in California following the workshop then Objective 5 will be a success.

San Joaquin County has developed an ongoing system for measuring and evaluating the success of the project and to identify problems during the term of the grant so any necessary adjustments can be made. The following measurement methods will be employed to measure program success:

- Survey responses from presentations will determine if the presentations were successful.
- Audience feedback will determine if model language and information supporting recycled paint procurement, source reduction, paint reuse or take-back partnership programs need adjustment.
- Feedback from conference calls and ongoing technical support will determine what the “next steps” are for certain public/private partnerships.
- Through progress reports, San Joaquin County will report to CIWMB on all aspects of the project including the increase in the number of paint collection programs in California thereby increasing public accessibility to collection programs which will address the major barrier of paint collection being inconvenient.

SECTION 6: SUPPORT AND EXPERIENCE

The relevant experience of San Joaquin County and partner staff to complete this project are outlined in Section 3 under Staffing.

Partners

Letters of partnership from project participants, as described in Section 3 are included as **Attachments 7a-f**. All partners are committed to supporting this project during the grant term and beyond and understand the need for project advice in order to meet the California need for a paint product stewardship program.

This assembled team for this project includes some of the most experienced organizations and persons who have worked at the State and National level on extended producer responsibility and environmentally preferable purchasing. CIWMB, DTSC, and all California local governments will benefit greatly from the project work and the results that will be documented and shared widely via list serves, websites, presentations and workshops. The team has a very broad network of professional contacts in California and Washington, the U.S., and internationally that will ensure the project will be as successful as it could possibly be.

Support

Numerous cities and counties from throughout the State of California as well as representatives from the paint industry have provided letters of support for this project. Letters of support are included as **Attachments 8a-g**. These letters represent the high level of interest in this project and its relevance to urban and rural jurisdictions from both northern and southern California.

SECTION 7: PROGRAM CRITERIA

Statutory Requirement

This project will establish a regional paint program with combined efforts from San Joaquin, San Francisco, and Tehama Counties, which will have implications statewide. Pilot retail take-back projects among these three jurisdictions will provide lessons on what works, and what doesn't work in suburban, urban, and rural settings, which will be necessary to implement the paint Stewardship Program statewide. This project is a necessary step to move EPR initiatives forward in California. It aims to decrease the amount of paint generated, expand the collection of paint from customers, and decrease the cost of collection to local HHW programs.

Discretionary Criteria

This project will implement public-private partnerships via retail take-back in three very differing counties in order to document transferable best practices and educational materials that can be used by other jurisdictions statewide. The strategy is to provide initial funding to cover setup and paint management costs at pilot collection sites, and then hand it over to the paint industry as a true EPR system. This is a truly innovative solution to the paint management problem that will provide more convenient and more cost-effective collection methods.

Bonus Points

San Joaquin County did not receive a Cycle 16 HHW Infrastructure Grant.

SECTION 8: ENVIRONMENTALLY PREFERABLE PURCHASES & PRACTICES

San Joaquin County's Board of Supervisors adopted an Environmentally Preferable Purchases and Practices Policy on February 19, 2008.

**ITEM NO: F9
AWARD THE CONTRACT FOR THE
SAFE ROUTE TO SCHOOL, CYCLE 7
PROJECT TO INCLUDE THE
MARGUERITE AVE OVERLAY
PROJECT FOR THE TOTAL BID
AMOUNT OF \$307,710 TO THOMAS
WILLIAMS CONSTRUCTION
SEPTEMBER 23, 2008**

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

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

SUMMARY:

On September 19, 2008, the City received and opened 11 (eleven) formal bids for the Safe Route to School, Cycle 7 Project. Thomas Williams Construction submitted the low bid of \$307,710 (see attached Bid Summary). The advertised bid broken down into two parts consisted of the following:

1. The Safe Route to School, Cycle 7 Project is the base bid. The City Engineer's estimated cost is \$243,000.
2. The Marguerite Avenue Overlay Project is an additive bid. The City Engineer's estimated cost is \$148,000.

BACKGROUND:

In November, 2007 the City of Corning submitted a Safe Route to School Program funding application to the State of California for the Program's 7th Cycle. The Safe Route to School Project consists of the removal/replacement and/or installation of sidewalks, driveways, curbs and gutters, crosswalks, etc., on First Street (between Solano Street and Blackburn Avenue), Blackburn Avenue (between First Street and Marguerite Avenue) and Marguerite Avenue (between Blackburn Avenue and Solano Street). See the attached drawing marked "Safe Routes To School Project-2008-2009".

Corning's Safe Route to School Program application thoroughly documented the pedestrian hazards and dangerous condition prevalent in and around the High School during the hours just before and after school. The installation of sidewalks will allow students to walk safely to school outside of the traveled way. The State has approved the City's Safe Route to School (Cycle 7) application and will fund approximately 90% of the project costs.

The Marguerite Avenue Overlay Project had previously been included in the recently completed 2007 Paving Street Paving Project, but due to an increase in asphalt costs had to be "red-lined" from the project.

FUNDING:

The Safe Routes to School component of this project was included in the current budget. The State will fund 90% of the Safe Route to School component of this project. The State's 90% share amounts to \$284,400.00 and is within Fund 118-7402-9013. The City's 10% share (\$31,600.00) is in Fund 001-7402-9013.

\$100,000.00 for the Marguerite Avenue overlay is included in this year's budget as Fund 001-9470-3001.

CEQA:

Since all work will be within existing street right of ways, and no additional right of way is necessary, a Notice of Exemption will be filed in accordance with CEQA Section 15301.c. A copy of the proposed CEQA Notice of Exemption is attached.

RECOMMENDATION:

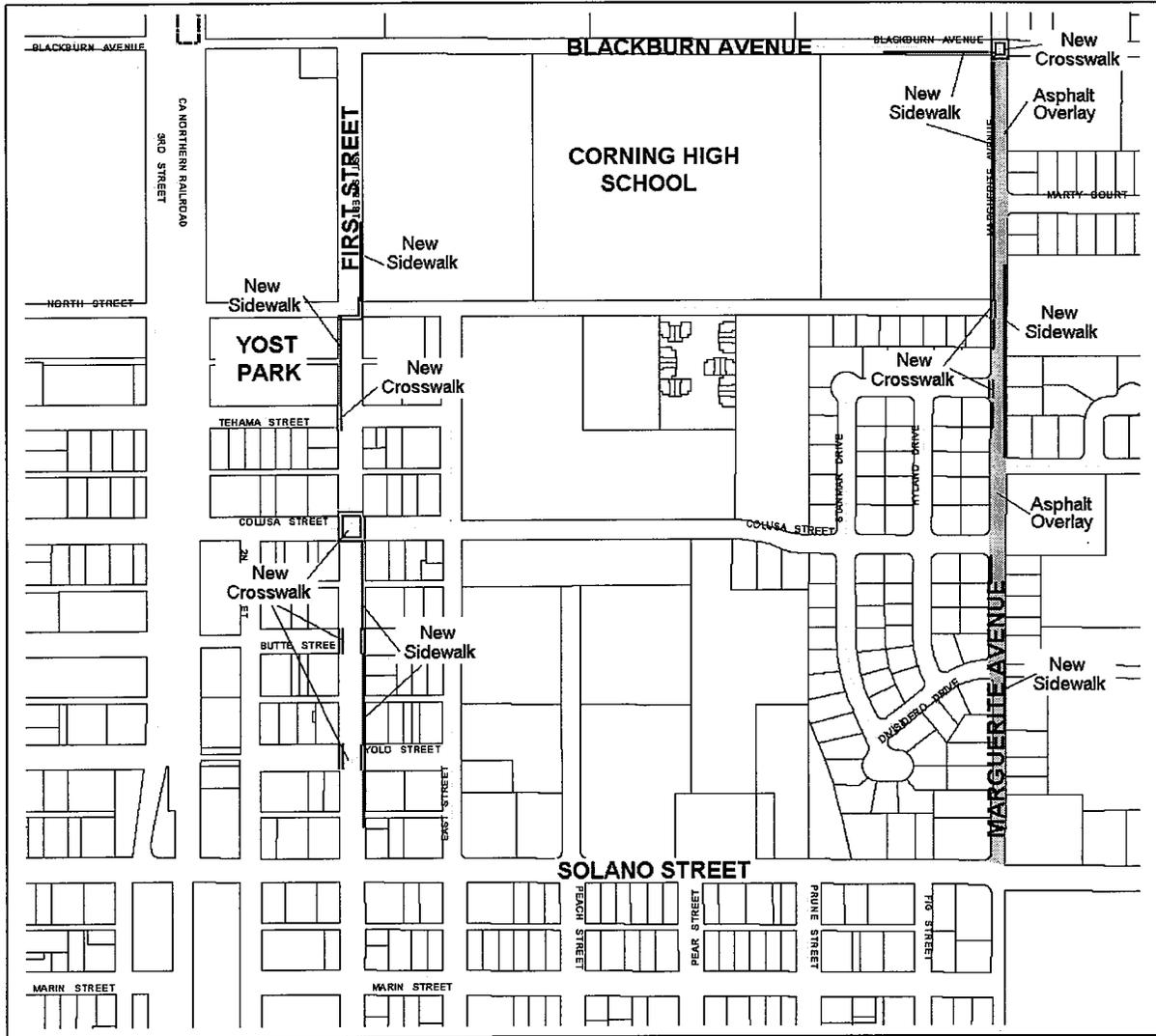
MAYOR AND COUNCIL:

- 1. FIND THAT THE SAFE ROUTES TO SCHOOL PROJECT, INCLUDING THE MARGUERITE AVENUE ASPHALT OVERLAY ADDITIVE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301.c, SINCE ALL WORK WILL BE IMPROVEMENTS TO EXISTING STREETS, WITHIN EXISTING CITY STREET RIGHTS OF WAY, AND,**
- 2. AWARD THE CONTRACT FOR THE SAFE ROUTE TO SCHOOL, CYCLE 7 PROJECT, INCLUDING THE ADDITIVE MARGUERITE AVE OVERLAY PROJECT FOR THE TOTAL BID AMOUNT OF \$307,710 TO THOMAS WILLIAMS CONTRUCTION**

BID SUMMARY
SAFE ROUTE TO SCHOOL PROJECT (BASE BID)
TO INCLUDE THE
MARGUERITE OVERLAY PROJECT (ADDITIVE BID)
CITY OF CORNING
SEPTEMBER 19, 2008 AT 10:00 AM

<u>Bidder:</u>	<u>Base Bid:</u>	<u>Additive Bid:</u>	<u>Total Bid:</u>
Thomas Williams	\$159,452.00	\$148,258.00	\$307,710.00
Franklin Construction, Inc	\$156,197.00	\$152,085.00	\$308,282.00
Darren Taylor Construction	\$178,908.44	\$147,342.92	\$326,251.36
Hutchins Paving & Engineering	\$186,851.00	\$168,810.00	\$355,661.00
R&R Horn	\$196,405.00	\$169,199.00	\$365,604.00
Granite Construction	\$189,113.00	\$186,280.00	\$375,393.00
Vanguard Construction	\$189,447.00	\$189,402.00	\$378,849.00
Sunrise Excavating	\$258,837.90	\$151,606.00	\$410,443.90
Knife River Construction	\$244,315.10	\$176,020.00	\$420,335.10
Jason Able Construction	\$269,145.60	\$158,365.00	\$427,510.60
Frank Medina General Engineering	\$253,280.50	\$301,473.00	\$554,753.50

SAFE ROUTES TO SCHOOL PROJECT-2008-2009
Project Summary Map



Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Corning
794 Third Street
Corning, CA 96021

County Clerk
County of Tehama

(Address)

Project Title: Corning High School Safe Routes to School Project

Project Location - Specific:

Along First St., Blackburn Ave., and Marguerite Ave. in the City of Corning, California.

Project Location - City: Corning Project Location - County: Tehama

Description of Nature, Purpose and Beneficiaries of Project:

The project consists of installing concrete sidewalk along First Street, Blackburn Avenue and Marguerite Avenue, north of Solano Street, to fill in missing sidewalk gaps, the removal and replacement of broken, hazardous, sidewalk, and curb and gutter, including the removal and replacement of handicap accessible curb returns, the installation of pedestrian signage and crosswalks along the route.

Name of Public Agency Approving Project: City of Corning

Name of Person or Agency Carrying Out Project: City of Corning

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Existing Facilities-Section 15301.c
Statutory Exemptions. State code number:

Reasons why project is exempt:

Project would develop or replace sidewalks, crosswalks and signage within existing street right of ways-also an asphalt overlay of Marguerite Avenue between Blackburn Avenue and Solano Street.

Lead Agency
Contact Person: John L. Brewer Area Code/Telephone/Extension: 530-824-7029

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: Title:

- Signed by Lead Agency
Signed by Applicant
Date received for filing at OPR:

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Note: Authority cited: Section 21083, Public Resources Code; References: Sections 21084 and 21084.1, Public Resources Code; *Wildlife Alive v. Chickering* (1977) 18 Cal.3d 190; *League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896; *Citizens for Responsible Development in West Hollywood v. City of West Hollywood* (1995) 39 Cal.App.4th 925; *City of Pasadena v. State of California* (1993) 14 Cal.App.4th 810; *Association for the Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720; and *Baird v. County of Contra Costa* (1995) 32 Cal.App.4th 1464

15300.3. Revisions to List of Categorical Exemptions

A public agency may, at any time, request that a new class of categorical exemptions be added, or an existing one amended or deleted. This request must be made in writing to the Office of Planning and Research and shall contain detailed information to support the request. The granting of such request shall be by amendment to these Guidelines.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

15300.4. Application By Public Agencies

Each public agency shall, in the course of establishing its own procedures, list those specific activities which fall within each of the exempt classes, subject to the qualification that these lists must be consistent with both the letter and the intent expressed in the classes. Public agencies may omit from their implementing procedures classes and examples that do not apply to their activities, but they may not require EIRs for projects described in the classes and examples in this article except under the provisions of Section 15300.2.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

COPY

Examples include but are not limited to:

- 
- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
 - (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;
 - (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).
 - (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;
 - (e) Additions to existing structures provided that the addition will not result in an increase of more than:
 - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
 - (2) 10,000 square feet if:
 - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
 - (B) The area in which the project is located is not environmentally sensitive.
 - (f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices;
 - (g) New copy on existing on and off-premise signs;
 - (h) Maintenance of existing landscaping, native growth, and water supply reservoirs (excluding the use of pesticides , as defined in Section 12753, Division 7, Chapter 2, Food and Agricultural Code);
 - (i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources;
 - (j) Fish stocking by the California Department of Fish and Game;
 - (k) Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt;
 - (l) Demolition and removal of individual small structures listed in this subdivision;
 - (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption.
 - (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished.
 - (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant

ITEM NO: F-10

**AWARD BID TO VALLEY TRACTOR, INC
FOR PURCHASE OF A NEW RIDING LAWN
MOWER FOR THE AMOUNT OF \$18,529.04
SEPTEMBER 23, 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**

JB

SUMMARY:

Four bids were received for the purchase of a new 2008 riding lawn mower. Sales Representative, Richard Williams from Valley Tractor, Inc. was the lowest bidder with a bid of \$18,529.04.

All four bids received by the City were from Valley Tractor, Inc. from Chico, CA. Two bids were received from Sales Representative, Richard Williams and two bids were received from Sales Representative, Aldo Romano. Please see the attached Bid Summary. Each Sales Representative submitted one bid each with the City owned 2002 John Deere mower as a trade-in and one bid each without the mower as a trade-in.

Although the City of Corning Bid Specifications indicated that the City owned 2002 John Deere mower was to be used as a trade-in upon purchase of the new riding lawn mower, City Staff is recommending the purchase of the mower from Valley Tractor, Inc. in the amount of \$18,529.04 without the City owned mower as a trade-in.

City Staff also recommends that the retained 2002 John Deere mower be sold at a public auction by the City of Corning.

BACKGROUND:

In the 2008/2009 City of Corning Budget, funds in the amount of \$17,500 were allocated to the Public Works Department for a new 2008 riding lawn mower. The Budget Line Item number is 078-9301-6100 - Equipment Replacement/Parks Maintenance.

City Staff recommends that the additional cost \$1,029.04 for the purchase of the new mower be appropriated from Budget Line Item number 001-6250-3000 – Small Tools/Streets. This fund will be replenished upon sale of the City owned mower.

RECOMMENDATION:

MAYOR AND COUNCIL:

- 1. AWARD BID TO VALLEY TRACTOR, INC FOR PURCHASE OF A NEW RIDING LAWN MOWER FOR THE AMOUNT OF \$18,529.04,**
- 2. AUTHORIZE APPROPRIATION OF \$1,029.04 FROM BUDGET LINE NUMBER 001-6250-3000 – SMALL TOOLS/STREETS, AND,**
- 3. DIRECT STAFF TO ARRANGE FOR THE SALE OF THE 2002 JOHN DEERE MOWER TO BE SOLD AT A CITY PUBLIC AUCTION**
- 4. FUNDS RECEIVED FROM SALE OF 2002 JOHN DEERE MOWER TO REPLENISH APPROPRIATION FROM BUDGET LINE NUMBER 001-6250-3000, WITH EXCESS FUNDS DIRECTED TO THE GENERAL FUND.**

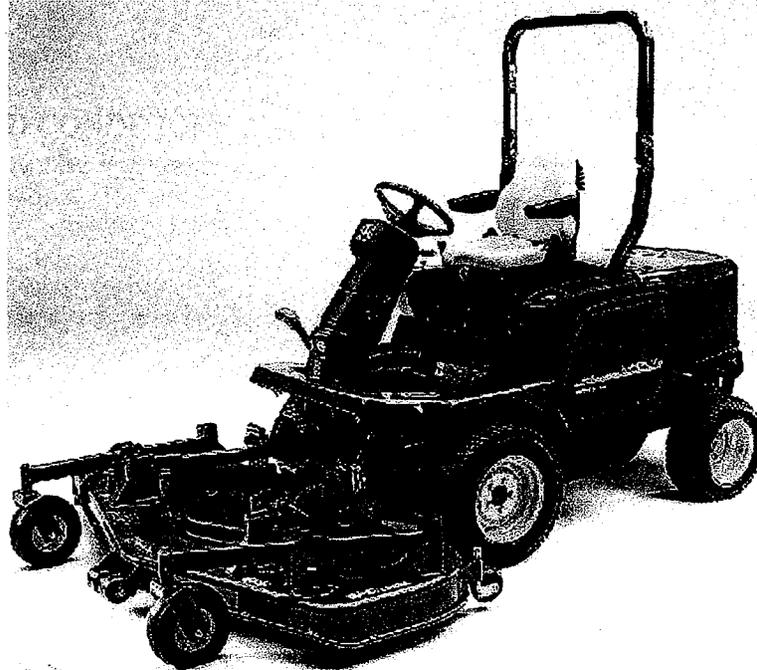
**BID SUMMARY
NEW RIDING LAWN MOWER
SEPTEMBER 16, 2008 AT 2:00 PM**

Bidder:	Bid Amount:	Minus Trade-In:	Total Bid Amount:
1. Valley Tractor, Inc By Richard Williams	\$23,455.54	\$3,500.00	\$19,962.54
2. Valley Tractor, Inc By Aldo Romano	\$23,616.93	\$3,500.00	\$20,116.93
3. Valley Tractor, Inc By Aldo Romano	\$19,166.05	No Trade-In	\$19,166.05
4. Valley Tractor, Inc By Richard Williams	\$18,529.04	No Trade-In	\$18,529.04



JOHN DEERE

Prepared For:
CARL CRAIN
CITY OF CORNING



Proposal For:
CARL CRAIN

Prepared By: **RICHARD WILLIAMS**
VALLEY TRACTOR, INC.
489 COUNTRY DRIVE
CHICO, CA 95928
Phone: (530) 343 8288
Fax: 5308950820
Work Email: RWILLIAMS@VALLEY-TRACTOR.COM

Date: August 8, 2008

Offer Expires: September 30, 2008

CONFIDENTIAL

ITEM NO: F-11
RESOLUTION NO: 09-23-08-02
ACCEPTANCE OF FUNDS
OFFERED THROUGH THE
CALIFORNIA OFFICE OF TRAFFIC
SAFETY GRANT
SEPTEMBER 23, 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:

On August 6, 2008, the City of Corning submitted an application for a California Office of Traffic Safety – DUI (Driving Under the Influence) Saturation Patrol and Sobriety Checkpoint grant. On September 12, 2008, the City of Corning was advised that the grant application was approved for funding for a three-year period. The amount of this grant is \$157,565.00 and does not require a cash match. This is an additional three-year grant period to begin when our existing grant expires.

BACKGROUND:

The Office of Traffic Safety distributes federal funding apportioned to California under the National Highway Safety Act and the Safe, Accountable and Flexible Efficiency Transportation Equity Act – A Legacy for Users (SAFETEA-LU). Grants are used to mitigate traffic safety program deficiencies, expand program activity, or develop a new program. Grant funding cannot replace existing program expenditures, nor can traffic safety funds be used for program maintenance, research, rehabilitation, or construction. Funding is available for sobriety checkpoints, saturation patrols, and innovative strategies targeting multiple DUI offenders who violate probation or fail to appear in court. Funding for enforcement and education programs may include overtime, contractual services, allowable operating costs and equipment.

Because priority funding consideration was given to law enforcement agencies submitting regional or countywide proposals, one grant proposal was submitted for Tehama County with the Corning Police Department named as the lead agency and grant recipient. For the past seven years, Corning Police Department, Red Bluff Police Department, Tehama County District Attorney's Office, California Highway Patrol – Red Bluff Division, and Tehama County Sheriff's Department have been jointly conducting DUI Saturation Patrols and DUI Checkpoints ("Avoid the Five" DUI Task Force) on an overtime basis.

The awarded grant funds will allow for the continuation of the DUI Task Force activities. The funds will pay for overtime expenses of each officer assigned to the Avoid the Five DUI Task Force, equipment, and community education materials related to the enforcement activities. As a condition of the grant, the City of Corning will be required to enter into Memorandums of Understanding with Tehama County Sheriff's Office, Tehama County District Attorney's Office, Red Bluff Police Department, and the California Highway Patrol – Red Bluff Division. The City of Corning will be the fiscal agent for the grant and will be reimbursed for its expenses on a quarterly basis by the Office of Traffic Safety.

FINANCIAL:

The grant funds will cover the costs associated with the countywide Avoid the Five DUI Task Force Program.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT A RESOLUTION ACCEPTING THE FUNDS OFFERED THROUGH THE CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT AWARD TO CONTINUE AND ENHANCE THE AVOID THE FIVE DUI TASK FORCE PROGRAM.

RESOLUTION NO: 09-23-08-02

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING
TO ACCEPT THE FUNDS OFFERED THROUGH THE
OFFICE OF TRAFFIC SAFETY GRANT PROGRAM**

WHEREAS, the California Office of Traffic Safety administers federal traffic safety funds to mitigate traffic safety program deficiencies, expand program activity, and/or develop new programs; and

WHEREAS, the California Office of Traffic Safety grants priority funding considerations to law enforcement agencies submitting regional or countywide proposals and one grant proposal was submitted for Tehama County with the Corning Police Department named as the lead agency and grant recipient; and

WHEREAS, the Corning Police Department, Red Bluff Police Department, Tehama County District Attorney's Office, California Highway Patrol-Red Bluff Division, and the Tehama County Sheriff's Office will jointly conduct DUI Saturation Patrols and DUI checkpoints with the Office of Traffic Safety grant funds ("Avoid the Five" DUI Task Force) and the grant will provide additional enforcement equipment, overtime, and educational materials toward this program; and

WHEREAS, the Corning Police Department, acting as the lead agency, now desires to execute Grant Number AL0977 in the amount of \$157,565.00,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corning that said grant agreement is approved and the Chief of Police is authorized to execute it on behalf of the City of Corning.

I hereby certify that the foregoing is a true copy of the Resolution considered by the City Council of the City of Corning in a regular meeting thereof held on September 23, 2008, and upon a motion duly made and seconded, was passed and adopted by the following votes:

Ayes:

Noes:

Absent or Not Voting:

Signature: _____

Date: _____

Typed Name and Title: Gary R. Strack, Mayor

ATTEST: Signature: _____

Date: _____

Typed Name and Title: Lisa M. Linnet, City Clerk

**ITEM NO: F-12
AUTHORIZATION TO
PURCHASE POLICE VEHICLE
SEPTEMBER 23, 2008**

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

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

SUMMARY:

The adopted 2008-2009 Police Department budget includes the purchase of two new vehicles.

BACKGROUND:

The State of California Contract (Contract No. 1-08-23-20) for 2008 police sedans meeting CHP specifications was awarded to Downtown Ford Sales of Sacramento. Ford Motor Company was the only company to bid on this State contract, and the vehicle meeting all specifications is a Ford Crown Victoria Police Interceptor. Downtown Ford's price for the two required vehicles, including sales tax would be \$48,712.41.

In the past, the City Council has indicated a desire to purchase locally whenever possible. With this in mind, the Police Department contacted Corning Ford and obtained a quote for two Ford Crown Victoria Police Interceptor Sedans, which meets the contract specifications. Corning Ford's price quote, for the two vehicles, including sales tax is \$48,486.16, and, if ordered now, the vehicles will be 2009 year models.

The Police Department is seeking authorization from the Council for the purchase of two police vehicles from Corning Ford for the total purchase price of \$48,486.16. Upon receipt of the vehicles they will be equipped with the necessary after-market emergency equipment.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE PURCHASE OF TWO POLICE VEHICLES FROM CORNING FORD FOR A TOTAL PURCHASE PRICE OF \$48,486.16.

ITEM NO: F-13

**APPROVE LANDSCAPE AND TURF
MAINTENANCE SCOPE OF SERVICE
AMENDMENT INCREASING
CONTRACTUAL FEES BY \$200
MONTHLY FOR LANDSCAPE AND TURF
MAINTENANCE SERVICES FOR THE
LANDSCAPING AND LIGHTING
DISTRICT 1, ZONES 1 & 4
SEPTEMBER 23, 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**

JS

SUMMARY:

Staff has received a proposal from Ken Vaughan for additional Landscape and Turf Maintenance services at an added cost of \$200/monthly for services to be provided for the Landscaping and Lighting District 1, Zones 1 & 4. Please see attached Amendment.

BACKGROUND:

Ken Vaughan & Sons provide Landscape and Turf Maintenance services to the City of Corning under a Contract Agreement beginning July 30, 2007, and expiring on June 1, 2010. The current monthly fee paid throughout the term of this Agreement is \$704.17 monthly.

Staff recommends the fee increase of \$200 monthly to the current Agreement with Ken Vaughan & Sons, increasing the monthly fee paid for Landscape and Turf Maintenance services to an amount of \$904.17 monthly.

The additional fee amount of \$200 monthly is to be funded from the 2008/09 Budget funds allocated for the Landscaping and Lighting District 1, Zones 1 & 4; N. Alex Lane and the median planter strip located on Blackburn Avenue. These Zones currently generate \$3,554.20/yearly for landscaping replacement, maintenance and irrigation.

City Attorney has reviewed the amendment.

RECOMMENDATION:

**MAYOR AND COUNCIL APPROVE LANDSCAPE AND TURF MAINTENANCE
SCOPE OF SERVICE AMENDMENT INCREASING CONTRACTUAL FEES BY \$200
MONTHLY FOR LANDSCAPE AND TURF MAINTENANCE SERVICES FOR THE
LANDSCAPING AND LIGHTING DISTRICT 1, ZONES 1 & 4**

AMENDMENT #1

THIS AMENDMENT #1 is entered into this 1st day of October 2008, by and between the City of Corning (hereinafter called CITY) and Ken Vaughan & Sons (hereinafter called Contractor), under the circumstances stated herin.

WHEREAS both the CITY and Contractor desire to amend the CONTRACT as set forth herin:

NOW, THEREFORE, in consideration of the promises and terms contained herin, both parties agree to amend the Landscape and Turf Maintenance Agreement dated July 30, 2007 as follows:

Location of work to be performed:

The Contractor will perform Landscape and Turf Maintenance at the following eight (8) City locations.

- ◆ Martini Plaza located in the 1400 block of Solano Street.
- ◆ Corning Transportation Center located at 1081 Solano Street.
- ◆ Corning Library located at 740 Third Street.
- ◆ Corning Park and Ride area located at the corner of Solano & Third Streets.
- ◆ Corning City Hall located at 794 Third Street.
- ◆ Corning Fire Department located at 814 5th Street.
- ◆ Landscaping & Lighting District 1, Zone 1:
 - Located at Blackburn Avenue and Alex Lane
- ◆ Landscaping & Lighting District 1, Zone 4:
 - Located at the median planter strip on Blackburn Avenue

And,

Amount of Compensation:

CITY will pay Contractor on a monthly basis at the beginning of each month for the work performed the preceding month. The monthly amount to be paid for each and every month throughout the remaining term of this Agreement is \$904.17.

In witness whereof, CITY and Contractor have caused this CONTRACT AMENDMENT to be executed by their duly authorized officers.

For the CITY OF CORNING

CONTRACTOR

BY: _____

BY: _____

DATE: _____

DATE: _____

ATTEST:

BY: _____

DATE: _____

KEN VAUGHAN & SONS

LICENSE #631475

P. O. BOX 722

CORNING, CA. 96021

(530)824-4991

CELL: (530)514-6647

RECEIVED
SEP - 5 2008
CITY OF CORNING

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

ATTENTION: CARL CRAIN

PROPOSAL

*THE SHRUB AREAS TO BE PRUNED AND WEEDED AT STARTUP, AND PRUNED AND WEEDED AS NEEDED TO INSURE PROPER GROWTH HABITS AND APPEARANCE.

*TRASH OR DEBRIS IN THE LAWN OR LANDSCAPE AREAS TO BE REMOVED WEEKLY TO MAINTAIN A NEAT APPEARANCE.

*SPRINKLER SYSTEM TO BE INSPECTED WEEKLY. ANY GENERAL MAINTENANCE OF THE SPRINKLER SYSTEM SHALL BE INCLUDED IN THE MAINTENANCE PROGRAM.

*THE MAINTENANCE PROGRAM COST SHALL ALSO INCLUDE THE NEEDED REPLACEMENT OF PLANTS AND SHRUBS WHEN NEEDED.

*REPAIRS TO THE SPRINKLER SYSTEMS THAT REQUIRE THE PURCHASE OF MATERIALS AND SUPPLIES SHALL BE COMPLETED WITHIN THE TERMS OF THIS MAINTENANCE AGREEMENT, WITH MATERIALS AND SUPPLIES TO BE APPROVED AND PURCHASED BY THE DEPARTMENT OF PUBLIC WORKS.

**COST OF ANY REPLACEMENT PLANTS AT STARTUP WILL BE THE RESPONSIBILITY OF CITY.

WORK TO BE PERFORMED AT THE FOLLOWING LOCATIONS:

BLACKBURN AND ALEX LANE, CORNING, CA.

BLACKBURN AVENUE ACROSS FROM SALADO APTS., CORNING, CA.

TOTAL AMOUNT TO BE \$2,400.00 PAYABLE @ \$200.00 PER MONTH.

PLEASE MAKE CHECK PAYABLE TO KEN VAUGHAN & SONS.

SINCERELY,

KEN VAUGHAN, OWNER



THANK YOU FOR YOUR BUSINESS.

LANDSCAPE AND TURF MAINTENANCE AGREEMENT

COPY

This agreement is entered into by and between the City of Corning, a Municipal Corporation, (hereinafter referred to as "City") and the person or entity identified at the end of this Agreement (hereinafter referred to as "Contractor").

Purpose of Agreement:

The purpose of this agreement is to document the arrangement worked out between the City and the Contractor for certain landscaping and turf maintenance work to be performed on City property over a three-year term.

Location of work to be performed:

The Contractor will perform Landscape and Turf Maintenance at the following six (6) City locations.

- ◆ Martini Plaza located in the 1400 block of Solano Street.
- ◆ Corning Transportation Center located at 1081 Solano Street.
- ◆ Corning Library located at 740 Third Street.
- ◆ Corning Park and Ride area located at the corner of Solano & Third Streets.
- ◆ Corning City Hall located at 794 Third Street.
- ◆ Corning Fire Department located at 814 5th Street.

Description of work to be performed:

The Contractor will perform the following work throughout the term of this Agreement:

- ◆ Mowing of all lawn areas on a weekly basis during the growing seasons and as needed during the fall and winter months.
- ◆ The shrub areas to be pruned and weeded at startup, and pruned and weeded as needed to insure proper growth habits and appearance.
- ◆ Trash or debris in the lawn or landscape areas to be removed weekly to maintain a neat appearance.
- ◆ Lawn areas to be fertilized on a five round program to insure optimum growth and appearance.
- ◆ Shrub areas to be fertilized on a two round program to insure optimum growth and appearance.
- ◆ Treatment for weed control in the lawn and shrub areas to be provided.
- ◆ Sprinkler system to be inspected weekly. Any general maintenance of the sprinkler system shall be included in the maintenance program.
- ◆ The maintenance program cost shall also include the needed replacement of plants and shrubs when needed.
- ◆ Repairs to the sprinkler systems that require the purchase of materials and supplies shall be completed within the terms of this maintenance agreement, with materials and supplies to be approved and purchased by the Department of Public Works.

- ◆ Contractor shall provide all the equipment required for this maintenance agreement.
- ◆ Lawn clippings and brush for shrubs shall have a City provided 96-gallon roller cart at each location for disposal.

Term of Contract:

The term of the Contract will be 3 years, beginning at signing of Contract and ending August 1, 2010.

Insurance Requirements:

- ◆ Contractor shall provide the City with Liability Insurance in the amount of \$300,000 and shall list the City as an Additional Insured on an Additional Insured Endorsement.
- ◆ Worker's Compensation shall be required for additional employees.

Business License Requirement:

- ◆ Contractor shall purchase and maintain a City of Corning Business License.

Amount of Compensation:

City will pay Contractor on a monthly basis at the beginning of each month for the work performed the preceding month. The monthly amount to be paid for each and every month throughout the term of this Agreement is: \$ 704.17.

Independent Contractor:

Contractor is an independent Contractor and is not an employee of the City. Although the City instructs the Contractor himself determines the hours to be worked, the manner in which the work is performed and how the objectives are met and the other details of the job. Contractor is not limited to performing landscape and turf maintenance work only for the City of Corning but it is assumed and agreed that the City will be one of several customers for whom Contractor performs similar services.

Attorney Fees and Costs:

In the event of a dispute arising out of this Agreement, City and contractor agree that a court or arbitrator may award a reasonable amount of attorney fees and costs to the prevailing party should such dispute be resolved through litigation or arbitration.

Entire Agreement:

This document represents the entire agreement between the parties and all commitments arising out of discussions between the parties have been fully integrated herein.

COPY

Notices to Parties:

Notices to City shall be provided to:

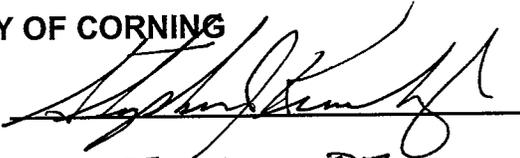
City of Corning
Attn: Public Works Director
794 Third Street
Corning, CA 96021

Notices to Contractor shall be provided to:

Ken Vaughn & Sons
P.O. Box 722
Corning, CA 96021

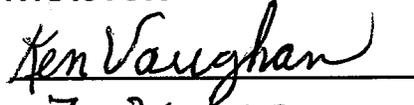
SO AGREED.

CITY OF CORNING

By: 

Date: 7-30-07

CONTRACTOR

By: 

Date: 7-30-07

**ITEM NO: F-14
SECOND READING; ORDINANCE NO. 632;
SALADO ORCHARD APARTMENTS PHASE 2
PROJECT; REZONE 2008-01; TO REZONE THE
PROPOSED 1.75 ACRE MULTI-FAMILY PARCEL AS
DEPICTED ON TRACT MAP 08-1002 FROM R-1,
SINGLE-FAMILY RESIDENTIAL TO P-D, PLANNED
DEVELOPMENT. LOCATED APPROXIMATELY 650
FT.SOUTH OF THE TOOMES AVENUE /
BLACKBURN AVENUE INTERSECTION.
APN 71-020-71; (PORTION)**

SEPTEMBER 23, 2008

TO: CITY COUNCIL OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING DIRECTOR

PROJECT DESCRIPTION:

On September 9, 2008, the City Council waived the first reading and introduced Ordinance No. 632. If adopted the ordinance will rezone the approximately 1.75 acre multi-family residential parcel as depicted on Tentative Tract Map 08-1002. The proposed rezone area is shown on the attached Sectional District Map.

It is now appropriate to adopt the ordinance that will rezone the site to facilitate the development of a 24 unit affordable apartment complex.

STAFF AND PLANNING COMMISSION RECOMMENDATION:

The Planning Commission considered this matter at a duly noticed public hearing conducted on August 19, 2008. The recommendation of the Planning Commission and staff follows.

THAT THE CITY COUNCIL:

WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 632 TO ENACT REZONE NO. 2008-01, THEREBY REZONING THE PROPOSED 1.75 ACRE MULTI-FAMILY RESIDENTIAL PARCEL AS SHOWN ON TENTATIVE TRACT MAP 08-1002, FROM "R-1"; SINGLE-FAMILY RESIDENTIAL, TO "P-D"; PLANNED DEVELOPMENT.

ORDINANCE NO. 632
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL
CODE

WHEREAS, the Zoning Ordinance of the City of Corning was adopted in 1959, (Ordinance 153) and subsequently amended; and

WHEREAS, the present zoning of the parcel under consideration is R-1, Single Family Residential District; and,

WHEREAS, the property owners of the subject property have submitted a rezoning application to amend the zoning on a portion of the property from R-1 to P-D; Planned Development, and,

WHEREAS, the site is designated for residential development on the Land Use Diagram of the Corning General Plan, and,

WHEREAS, the proposed P-D zoning and application for development presented as Planned Development Use Permit No. 2008-252 are consistent with the General Plan Residential Land Use designation, and,

WHEREAS, a Mitigated Negative Declaration was adopted by the City Council at its meeting of September 9, 2008 to mitigate any significant environmental issues identified as being associated with this project; and,

WHEREAS, the Planning Commission reviewed the proposed zoning ordinance amendment at their regular meeting of August 19, 2008, and recommended that the City Council amend the Zoning Ordinance to reflect the proposed changes.

NOW, THEREFORE, the City Council of the City of Corning does ordain as follows:
This rezone is consistent with the Corning General Plan;

2. The Mitigated Negative Declaration is adopted and meets the requirements of CEQA and its Guidelines; and
3. The northern portion of Assessor's Parcel No. 71-020-71 as depicted in the attached Sectional District Map No. 211, is hereby zoned "P-D, Planned Development Zoning District".

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Corning held on September 9, 2008, and adopted at a regular meeting of the City Council of the City of Corning held on September 23, 2008, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Gary R. Strack, Mayor

Lisa M. Linnet, City Clerk

