



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION AGENDA**

**TUESDAY, SEPTEMBER 27, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

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

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

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

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

C. PUBLIC COMMENTS:

D. REGULAR AGENDA:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9:
One Case**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION:

POSTED: FRIDAY, SEPTEMBER 23, 2016



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CITY COUNCIL MEETING AGENDA
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A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

C. PLEDGE OF ALLEGIANCE: Led by the Vice Mayor.

D. INVOCATION: Led by Mayor Strack.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

- 1. Proclamation: National Domestic Violence Awareness Month – October 2016.** Present to accept the Proclamation will be Maggie Michael, Domestic Violence Advocate.
- 2. Proclamation: 4-H Week – October 2-8, 2016 in the City of Corning.** Present to accept the Proclamation will be Cindy McClain and members of Corning 4-H
- 3. Presentation: VFW Post 4218 to present six (6) Medical Kits to the Corning Police Department.** Present to make presentation will be Paul Shennum and Dean Blankenship.

F. BUSINESS FROM THE FLOOR:

G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request 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 following City Council Meetings with any necessary corrections:**
 - a) August 23, 2016; and**
 - b) September 13, 2016**

6. September 21, 2016 Claim Warrant - \$154,212.55.
7. September 21, 2016 Business License Report.
8. Adopt Ordinance 669, an Ordinance creating Multi-Family Residential Development & Design Guidelines within the Corning Municipal Code. (Second Reading & Adoption)

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

9. PowerPoint presentation by NHA Advisors relating to the substantial savings the City would receive through a possible refinance of the City's existing four water and/or sewer related loans/Certificates of Participation.
10. Approve Staff recommendation to allow installation of the proposed Neighborhood Crime Watch signs within the City's right-of-way under the direction of the Public Works Director, and waive the \$15 Encroachment Permit Fee.
11. Approve Partial Payment Estimate No. 1 in the amount of \$167,310.10; approve Contract Change Order No. 1 decreasing Contract amount to \$167,310.10; accept the Notice of Completion, and authorize the release of retention following the required 35-day waiting period to Northwest Paving Inc. for the 2016 Street Paving Project.
12. Approve second Agreement with Fresh Air Energy XXVI, LLC to Indemnify, Defend and Hold Harmless the City of Corning.
13. Accept Progress Payment Estimate No. 5 to Trent Construction for the Streetscape Project in the amount of \$58,534.57.
14. Authorize the Public Works Director to proceed with alteration of the Streetscape Project Bulb-Outs and process associated Change Order with Trent Construction.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:

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

Dickison:

Linnet:

Cardenas:

Smith:

Strack:

N. ADJOURNMENT!:

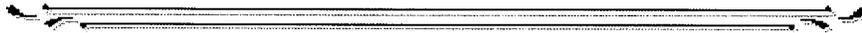
POSTED: FRIDAY, SEPTEMBER 23, 2016

PROCLAMATION
NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2016

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security and humanity due to systematic use of physical, emotional, sexual, psychological and economical abuse including abuse to children and the elderly; and

WHEREAS, the problem of domestic violence is not confined to a group, or groups of people, but cuts across all economic, racial and societal barriers; and

WHEREAS, the impact of domestic violence is wide ranging, directly and indirectly affecting individuals, children, families, communities, and society as a whole, not just within the local community, but throughout the United States and the world; and



NOW, THEREFORE BE IT RESOLVED that I, Gary R. Strack, as Mayor of the City of Corning, in recognition of the importance of community involvement in breaking the cycle of domestic violence, do hereby proclaim the month of **OCTOBER 2016** as "**NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH**" in the City of Corning. I encourage support and participation in awareness events and the activities planned by Alternatives to Violence. **We must work together to end domestic violence and send a clear message to perpetrators of such abuse that family violence will not be tolerated in our community.**

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Corning to be affixed this 27th day of September 2016.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

PROCLAMATION
4-H Week
OCTOBER 2-8, 2016

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

WHEREAS, 4-H supports youth in developing citizenship, leadership, and life skills.

WHEREAS, 4-H 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 programs, camps, and school enrichment.

WHEREAS, more than 391 youth and 122 adult volunteers participated in the Tehama County 4-H youth Development Program in 2016; and

WHEREAS, the local 4-H Staff and 4-H Youth 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 the week of October 2nd through October 8, 2016 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 27th day of September 2016.

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk



**CITY OF CORNING
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A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present except Councilor Linnet.

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

C. PUBLIC COMMENTS: None.

D. REGULAR AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9:

One Case

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 p.m.

Council met in Closed Session regarding an anticipated litigation case with the City Attorney and gave him direction.

Lisa M. Linnet, City Clerk



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

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present except Councilor Linnet.

C. PLEDGE OF ALLEGIANCE: Led by the Vice Mayor Dickison.

D. INVOCATION: Led by Mayor Strack.

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

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Presentation: Presentation to Police Chief Jeremiah Fears by June Cooper of the Tehama County Patriots and Jerry Lequia of the Corning Patriots.** June Cooper of the Tehama County Patriots and Jerry Lequia of the Corning Patriots presented Chief Fears with a plaque emphasizing their support of the Corning Police Department. They announced that they are setting up a fund at Rabo Bank to raise money for the City's K-9 Program.
2. **Proclamation: September 2016 as National Recovery Month, and September 17, 2016 as Recovery Happens Day in the City of Corning.** Present to accept the Proclamation was Tehama County Drug & Alcohol Advisory Board Member Holly Wilson. Ms. Wilson informed the Council and audience members of upcoming events.

F. BUSINESS FROM THE FLOOR:

City Attorney Jody Burgess informed the Council of the City's receipt of payment of approximately \$42,000 for two Community Development Block Grant Loans. It was stated that these funds, as is required, will be deposited into the City's Program Income Fund.

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

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **Waive the reading and approve the Minutes of the August 9, 2016 regular City Council Meeting with any necessary corrections.**
5. **August 17, 2016 Claim Warrant - \$703,378.30.**
6. **August 17, 2016 Business License Report.**
7. **Authorize Staff to seek Landscape and Maintenance Bids for a three-year Agreement for service at twelve City locations.**

8. **Approve appropriation of \$150,000 from Parkland Development Fund 341 to Park Improvement Fund line item 341-9304-6101; and award proposal for drafting services in the amount of \$1,000 to Golden Sun Designs for the Clark Park restroom/concession building construction.**
9. **Approve proposed Letter of Support for the Everett Freeman Promise Neighborhood Initiative.**
10. **Award Contract for the pruning of approximately 500 City street trees to North Valley Tree Services in the amount of \$45 per tree not to exceed the FY 16/17 budget amount of \$30,000.**

Mayor Strack pulled Consent Item #7 for further discussion.

Councilor Dickison moved to approve Consent Items 3-6 and 8-10. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Abstain/Opposed: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **Authorize Staff to seek Landscape and Maintenance Bids for a three-year Agreement for service at twelve City locations.**

Public Works Director Dawn Grine stated that she would like to pull one of the service locations from the Contract (Landscape and Lighting District 1, Zone 1, North Alex Lane-located at Blackburn Avenue and Alex Lane). She also stated she would also like to clarify the last bullet item under City locations, (Solano Street – Streetscape area; Solano Street between 3rd and West Street) to include the street trees, landscaping within the bulb-out and the curb and gutter surrounding the bulb-outs. Also under “Contractor Responsibility, the fourth bullet to add the word **Leaves**, trash or debris in the lawn or landscape areas to be removed weekly to maintain a neat appearance.

Councilor Dickison moved to authorize Public Works to seek bids for a Three-year Landscape and Turf Maintenance Agreement to provide Landscape Services to Eleven (11) City locations as modified. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

11. **Adopt Resolution 08-23-2016-01 Authorizing Hinderliter de Llamas and Associates (HdL) to examine sales, use and transactions tax records, and approve Agreement to provide associated sales tax analysis and auditing services.**

Following a brief explanation by City Clerk Lisa Linnet, Councilor Cardenas moved to adopt Resolution 08-23-2016-01 authorizing HdL’s examination of Sales, Use and Transactions Tax Records, and approve the proposed Agreement with HdL to provide associated Sales Tax Analysis and Auditing Services at a cost of:

- a) \$100 monthly, billed quarterly for the Transaction District Tax Reports included with the Quarterly Sales Tax Analyses; and
- b) A 25% flat fee of the initial amount of new Transactions or Use Tax Revenue received by the City as a result of audit and recovery work performed by HdL.

Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

12. **Approve HOME (13-HOME-9015) Program, Owner Occupied Housing Rehabilitation Loan in the amount of \$63,415 at 3% simple interest deferred for 15 years.**

City Clerk Lisa Linnet explained that these loans are completely funded through the HOME Program Grant (\$500,000 Grant) that the City received from the State of California Department of Housing and Community Development. She further explained that there are many qualifying

there are many qualifying factors and limitations such as income, and loans can only be utilized for approved rehabilitation. She stated that this applicant has met all of the requirements.

Councilor Smith moved to accept the recommendation of the City's Loan Review Committee to approve a HOME (13-HOME-9015) Owner Occupied Housing Rehabilitation Loan in the amount of \$63,415 deferred for 15 years at 3% simple interest. Councilor Dickison seconded the motion.

Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.

13. Authorize reimbursement to Corning Ford in the amount of \$6,630 for storm water drainage improvements.

Public Works Director Dawn Grine presented this item to the City Council informing them that Corning Ford will assume responsibility for the drainage pipe maintenance/repair and have agreed to the reimbursement amount of \$6,630 (\$11,290 minus the City's Drainage Impact Fee of \$4,660).

Councilor Cardenas moved to authorize reimbursement to Corning Ford for the amount of \$6,630 for drainage improvements from budget line item 345-8030-3360, Drainage Improvements. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

14. Authorize purchase of a utility bed for the 2016 pickup truck for the Public Works Department in the amount of \$5,468.53.

Public Works Director Dawn Grine presented this item. She explained that they would like to strike the second recommendation to surplus the two vehicles which will be brought back at a future meeting. She explained that they would like to obtain the utility bed from Corning Ford, the business where the truck was purchased to enable dealing with only one business should issues arise.

Councilor Dickison moved to authorize the purchase of a Utility Bed for the 2016 Ford F-350 pickup truck from Corning Ford at a cost of \$5,468.53 from budget line number 380-9206-5250, Capital Replacement/Sewer, and declare the purchase of the Truck Utility Bed as exempt from the City's Purchasing Procedures as set forth in the Corning Municipal Code Section 3.12.082. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

15. Accept Progress Payment Estimate No. 4 to Trent Construction in the amount of \$583,220.64 for the Streetscape Project and accept Contract Change Order No. 4 increasing the total contract amount to \$1,596,425.97.

Public Works Director Dawn Grine stated that the Contract Change Order is basically a balancing cleanup which occurs at the end of many projects.

Councilor Smith moved to accept Progress Payment Estimate No. 4 to Trent Construction for the Streetscape Project in the amount of \$583,220.64 and accept Contract Change Order No. 4 for the amount of \$160,659.40 increasing the total contract amount to \$1,596,425.97. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Cardenas and Smith. Opposed/Abstain: None. Absent: Linnet. Motion was approved by a 4-0 vote with Linnet absent.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: Received a copy of a letter to Luis Saavedra of the Corning Soccer League from Senator Jim Nielsen congratulating the Corning Manchester United U16 Boys' Soccer Team in taking third place at the United States Youth Soccer's Presidents Cup National tournament in Tulsa, Oklahoma.

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

Dickison: Reported on her attendance at the Community Action Agency Executive and Board Meeting last Thursday and announced their food give-a-way on Friday, August 26th at the Assembly of God Church.

Linnet: Absent.

Cardenas: Nothing

Smith: Nothing

Strack: Checked with Councilor Cardenas and Public Works Director Dawn Grine regarding possible funding for lighted crosswalks at the Solano & West Street crossing.

N. ADJOURNMENT!: 7:05 p.m.

Lisa M. Linnet, City Clerk



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B. ROLL CALL:

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Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

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C. PUBLIC COMMENTS: None.

D. REGULAR AGENDA:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9:
One Case**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:15 p.m.

Mayor Strack reported that Council met in Closed Session, received an update and gave the City Attorney direction.

Lisa M. Linnet, City Clerk



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C. PLEDGE OF ALLEGIANCE: Led by Vice Mayor Darlene Dickison.

D. INVOCATION: Led by Tony Cardenas.

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E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

Jerry Lequia: Representing the Corning Patriot Party, reported on the donation drive in support of a City K-9 Unit, the goal is to raise \$20,000 to obtain a K-9 dog and provide associated Officer training. He stated that they have opened an account at Rabbo Bank with \$500. They will be placing canisters in local businesses for donations and will be placing blue ribbons throughout town in support of the Police Department.

Dean Cofer: Reported on the meeting he and Bucky Bowen attended with the City Engineer, the City Public Works Director and Assistant Director today regarding the Streetscape Project. Following some discussion he stated that he is now dropping the issue of the Streetscape Project.

Mr. Cofer then stated that he and Mr. Bowen also met with the City Attorney and Building Official Dan Redding in regards to the Kaufman Building. He stated that the City is addressing concerns related to this building.

Delbert David: Stated concerns related to dry grass at the Airport and its proximity to the High School and also dry grass in a field near Maywood School.

Mr. David then addressed the Council regarding a City Ordinance produced in 1971 and referenced in the Municipal Code under Chapter 10.32 Abandoned or Inoperative Vehicles, specifically section 10.32.60 Unlawful Acts. His concerns are specifically related to parking in front of his residence for more than 5-days (he received a warning to move within 120 days). He suggests modification of the existing Ordinance to change the direction to allow property owners to park in front of their properties for longer than 5 days.

Fire Chief Spannaus responded stating that the required fire-breaks were installed surrounding the Airport and the Schools.

John Richards: Requested to have the Streetscape Project listed on the Agenda for the next meeting and requested a set of plans to review. He was informed that a set of plans would be provided for him to review with the Public Works Director and City Attorney. He also stated that he is having issues with a neighbor and he has tried to work with the Police Department to rectify the situation. Mayor Strack suggested meeting with the Police Chief. Mayor Strack asked Chief Fears to contact John and work with Jody on this issue.

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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 23, 2016 City Council Meeting with any necessary corrections. (Pulled and will be presented at the next City Council Meeting for approval.)**
3. **September 7, 2016 Claim Warrant - \$237,331.66.**
4. **September 7, 2016 Business License Report.**
5. **August 2016 Wages & Salaries: \$343,661.97.**
6. **August 2016 Treasurer's Report.**
7. **August 2016 City of Corning Wastewater Operations Summary Report.**
8. **August 2016 Building Permit Valuation Report in the amount of \$503,009.52.**
9. **Approve Addendum to extend the Memorandum of Understanding between Corning Union High School and the City for Counseling Services funded via a grant from the Bureau of Justice Assistance (BJA) through the Byrne Criminal Justice Innovation Program (BCJI); and approve an additional addendum to extend the Agreement between Tara Cory and the City for coordination of the associated Adolescent Diversion Program.**
10. **Authorize the Public Works Department to surplus and sell two City trucks at the Orland Public Auto Auction.**

Mayor Strack stated that Consent Item 9 was being pulled for further discussion and explanation.

Councilor Linnet moved to approve Consent Items 1-8 and 10. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

9. **Approve Addendum to extend the Memorandum of Understanding between the Corning Union High School and the City for Counseling Services funded via a grant from the Bureau of Justice Assistance (BJA) through the Byrne Criminal Justice Innovation Program (BCJI); and approve an additional Addendum to extend the Agreement between Tara Cory and the City for coordination of the associated Adolescent Diversion Program.**

Councilman Cardenas explained that the proposed Addendums seek to extend the term of the Counseling Services MOU from October 1, 2016 through September 30, 2017 and the term of the Adolescent Diversion Program Coordinator (Tara Cory) from August 25, 2016 to August 24, 2017.

Councilor Linnet moved to approve the attached Addendum to extend the term of the MOU with the Corning Union High School District (CUHSD) from October 1, 2016 through September 30, 2017; and approve the attached Addendum for the Independent Contractor for Counseling Support Services from August 25, 2016 to August 24, 2017 and authorize the Mayor to sign both Addendums on behalf of the City. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

I. PUBLIC HEARINGS AND MEETINGS:

11. **Ordinance 669 Multi-Family Residential Development & Design Guidelines; consider adopting an Ordinance creating Multi-Family Residential Development & Design guidelines within the Corning Municipal Code. (First Reading)**

Planning Consultant John Stoufer presented the proposed Ordinance recommended by the Planning Commission for approval. He stated that the proposed guidelines would be a document that the City can provide to developers wishing to develop Multi-Family Residential Units in the City. He clarified that the existing regulations would still be applicable. The Public Hearing was then opened at 6:51 p.m.

Mr. Richards asked why the additional single family homes and additional apartment complex at Salado Orchard Apartments were not built as was initially planned. Mr. Stoufer responded stating they were approved for 3 more Eight-Plex Apartment Units and the 12 single family houses, however due to the housing market decline it has not penciled out financially to Developers. He further stated that the land was even offered free if developed however no one wanted to do so, therefore the funds were returned to the State.

Mayor Strack asked if down the road the Planning Commission could look at a design plan for the Business District. Mr. Stoufer stated that the City can look at a Commercial Design Plan for the downtown area. The Public Hearing was then close at 7:14 p.m.

Councilor Dickison moved to adopt the five (5) Factual Subfindings and Legal Findings as presented in the Staff Report and waive the first reading of Ordinance No. 669, the Ordinance to Implement Development and Design Guidelines for Multi-Family Residential Units in the City of Corning. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

J. REGULAR AGENDA:

- 12. Requesting consideration of a two-year extension for Tract Map 05-1013; Marguerite, LLC located at the south side of Carona Ave. and east of Marguerite Avenue, APN's 73-120-16, 24 & 31.**

Following a brief explanation by Planning Consultant John Stoufer on Regular Agenda Items 12-13 (both properties are owned by the same party who is requesting the two-year extension). Mr. Stoufer stated that the Conditions could be changed in the future if wanted, however no changes or additions to the Conditions are requested at this time.

Councilor Cardenas moved to approve a two-year time extension for Tentative Tract Map 05-1013 subject to the original 54 Conditions as approved by the Corning City Council on February 14, 2016. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

- 13. Requesting consideration of a two-year extension for Tract Map 05-1016; Fig Lane Tract located at the southwest corner of the Fig Lane/Toomes Avenue Intersection, APN 71-250-06**

Councilor Linnet moved to approve a two-year time extension for Tentative Tract Map 05-1016 subject to the original 42 Conditions as approved by the Corning City Council on June 14, 2005. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

- 14. Approve listing Agreement between "The Difference" and the City of Corning for disposal of surplus property.**

Following a brief explanation by City Attorney Jody Burgess regarding disposal of surplus items, Mr. Burgess suggested changes related to contract wording.

Councilor Dickison moved to authorize the Police Department, with the Agreement modifications suggested by the City Attorney, to enter into an Agreement with "The Difference" for disposal of the Department's excess property. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

- 15. Authorize Michael Baker International to prepare and submit a "Small Communities Flood Risk Reduction Program Project Proposal" to the Department of Water Resources (DWR).**

Public Works Director Dawn Grine presented this item explaining that there would be no charge to submit the application and the City made it clear if awarded, the City would be required to go through the RFP Process. She explained that this would cover not only the City Limits, but the area clear to the Sacramento River.

Councilor Smith moved to authorize Michael Baker International to prepare and submit a Small Communities Flood Risk Reduction Program Project Proposal to the Department of Water Resources on behalf of the City of Corning. Councilor Cardenas seconded the motion. **Ayes: Strack, Dickison, THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER**

Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.

16. Authorize City Staff to negotiate Agreement with Second Chance Pet Rescue (SCPR) for services at the City Animal Shelter.

City Clerk Lisa Linnet briefed the Council on the current status of staffing at the Animal Shelter and acknowledgement of the excellent existing partnership with Second Chance Pet Rescue in regard to the Animal Shelter. City Attorney Jody Burgess further explained some of the Animal Shelter requirements that would be addressed in a contract. Councilor Dickison moved to authorize City Staff to negotiate an Agreement with Second Chance Pet Rescue for services at the City's Animal Shelter. Councilor Smith seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None. Motion was approved by a 5-0 vote.**

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: Dean Cofer asked why this section is included and how items could be placed on the Agenda from the floor. City Clerk Lisa Linnet and City Attorney Jody Burgess responded with an explanation.

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

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

Dickison: Will be attending the Community Action Tripartite Board Meeting.

Linnet: Announced that the JPA meeting was cancelled. Stated that prior to leaving for a fire assignment, he ended up with 18 shopping carts.

Cardenas: Reported on his attendance at the 3CORE meeting last Friday...they are looking at a five year plan for the three Counties on how to get a qualified workforce. He reported on the Chamber of Commerce Board of Directors Meeting announcing that they are moving forward with the Olive Festival Scheduled for Oct. 8th at the Corning Community Park.

Smith: Reported that the Senior Center is gearing up for a Health Fair in November. She stated that the Senior Center was scheduled for interior painting.

Strack: Nothing.

N. ADJOURNMENT!: 7:34 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: September 21, 2016

SUBJECT: Cash Disbursement Detail Report for the
Tuesday September 27, 2016 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 09-21-16	\$ 114,047.11
B.	Payroll Disbursements	Ending 09-14-16	\$ 36,165.44
GRAND TOTAL			<u>\$ 150,212.55</u>

REPORT.: Sep 21 16 Wednesday
 RUN...: Sep 21 16 Time: 16:06
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-16 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
022596	09/14/16	TEH33	TEHAWA COUNTY	-165.00	.00	-165.00	08.23.162u	CK# 022596 Reversed
022686	09/08/16	NOR09	NORTHERN CA TILE COMPANY	45.00	.00	45.00	17811-DM	HOUSING REHAB-HOME GRANT
022687	09/14/16	KNIC1	KNIGHT, ASHLEY	282.36	.00	282.36	160914	TRAINING/ED-DISPATCH
022688	09/16/16	ACCC0	ACCESS INFORMATION MANAGE	140.17	.00	140.17	1596627	EQUIP MAINT-GEN CITY
022689	09/16/16	AIR00	AIRGAS USA, LLC	71.75	.00	71.75	993902872	MAT & SUPPLIES-FIRE
022690	09/16/16	ARA02	ARAMARK UNIFORM SERVICES	64.42	.00	64.42	634711609	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634725911	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634740119	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634754546	MAT & SUPPLIES-BLD MAINT
				64.42	.00	64.42	634768870	MAT & SUPPLIES-BLD MAINT
Check Total.....:				322.10	.00	322.10		
022691	09/16/16	AUT00	AUTO ZONE	.75	.00	.75	409574324	MAT & SUPPLIES-FINANCE
				.75	.00	.75	409575103	MAT & SUPPLIES-FINANCE
Check Total.....:				1.50	.00	1.50		
022692	09/16/16	BAS01	BASIC LABORATORY, INC	136.00	.00	136.00	1609076	ProfServices Water Dept
022693	09/16/16	CAM02	FERGUSON ENTERPRISES INC.	241.88	.00	241.88	1209571-1	MAT & SUPPLIES-WTR
022694	09/16/16	CAR12	CARREL'S OFFICE MACHINES	7.99	.00	7.99	145975	MAT & SUPPLIES-LIBRARY
022695	09/16/16	CEN04	CENTRAL SIERRA POLICE CHI	40.00	.00	40.00	160907	ASSOCIATION DUES-POLICE
022696	09/16/16	COM06	COMCAST	28.94	.00	28.94	160909	COMMUNICATIONS-PW ADMIN
022697	09/16/16	COPO2	COPY CENTER	37.71	.00	37.71	11473	MAT & SUPPLIES-CITY ADMIN
022698	09/16/16	COR11	CORNING SAFE & LOCK	77.40	.00	77.40	0218	MAT & SUPPLIES-WTR
022699	09/-5/16	COR12	CORNING FORD MERCURY, INC	47.25	.00	47.25	140167	VEH OP/MAINT-POLICE
022700	09/16/16	DEPO3	DEPT OF TRANS/CAL TRANS	5559.86	.00	5559.86	17001580	Equip.Maint. st&trf Light
022701	09/16/16	DEPI2	DEPT OF JUSTICE	78.00	.00	78.00	189254	PROF SVCS-POLICE
022702	09/16/16	ENG00	ENGINEERED FIRE SYSTEMS,	300.00	.00	300.00	11780	PROF SVCS-BLD & SAFETY
022703	09/16/16	MUN03	MUNNELL & SHERRILL, INC.	217.67	.00	217.67	1991220	MAT & SUPPLIES-
022704	09/16/16	NOR46	NOR CAL GARAGE DOOR	737.00	.00	737.00	4088	BLD MAINT-FIRE

REPORT.: Sep 21 16 Wednesday
 RUN.: Sep 21 16 Time: 16:06
 Run By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-16 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
022705	09/16/16	PUR02	PURCHASE POWER	5000.00	.00	5000.00	160828	COMMUNICATIONS-GEN CITY
022706	09/16/16	SEV00	SEVERN TRENT ENVIRONMENTA	54326.60	.00	54326.60	12640	PROF SVCS-
022707	09/16/16	SHA19	SHASTA SAFETY SUPPLY	624.04	.00	624.04	6371	MAT & SUPPLIES-STR
022708	09/16/16	TEH15	TEHAMA CO SHERIFF'S DEPT	98.00	.00	98.00	160907	PROF SVCS-POLICE
022709	09/16/16	WES02	WESTERN BUSINESS PRODUCTS	49.80	.00	49.80	AR21144	EQUIP MAINT-FIRE
022710	09/16/16	BLA05	LEE BLAYLOCK	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022711	09/16/16	GAR06	GARMAN, ANGELA JOHNSON	110.00	.00	110.00	160916	COSTCO MEMBERSHIP-REFUND
022712	09/16/16	GRI07	GRINE, DAWN	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022713	09/16/16	GRO00	GROOTVELD, TROY	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022714	09/16/16	HER02	HERNANDEZ, AGUSTIN	55.00	.00	55.00	160916	COSTCO MEMBERSHIP-REFUND
022715	09/16/16	JOB02	JOBE, WAYNE	55.00	.00	55.00	160916	COSTCO MEMBERSHIP-REFUND
022716	09/16/16	JOH07	JOHNSTONE, IRACY	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022717	09/16/16	LIN06	STEPHEN LINDEMAN	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022718	09/16/16	MEE01	MEEDS, CHRISTINA	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022719	09/16/16	MOS03	MOSHER, JEREMY	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022720	09/16/16	MUR00	MURA, TROY	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022721	09/16/16	PET04	PETERSON, RALAND	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022722	09/16/16	SCH05	SCHLERETH, DAYMON	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022723	09/16/16	SPA10	SPANNAUS, MARTIN	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022724	09/16/16	WHI03	WHITE, JEREMY D.	27.50	.00	27.50	160916	COSTCO MEMBERSHIP-REFUND
022725	09/20/16	BAS01	BASIC LABORATORY, INC	126.00	.00	126.00	1609308	ProfServices Water Dept
022726	09/20/16	CAS08	CASCADE FIRE EQUIPMENT	246.61	.00	246.61	77830	EQUIP REPLAC-FIRE CAP REP
022727	09/20/16	CHE02	CHEM QUIP, INC.	580.20	.00	580.20	5477869	MAT & SUPPLIES-WTR
				600.20	.00	600.20	5484349	MAT & SUPPLIES-WTR
			Check Total.....	1180.40	.00	1180.40		
022728	09/20/16	DEP03	DEPT OF TRANS/CAL TRANS	1086.34	.00	1086.34	17000972	Equip.Maint. Sta&Trf Light

REPORT: Sep 21 16 Wednesday
 RUN: Sep 21 16 Time: 16:06
 Run By: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-16 Bank Account: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
022729	09/20/16	DEP12	DEPT OF JUSTICE	409.00	.00	409.00	184200	PROF SVCS-
022730	09/20/16	DIR02	DIRECTGOV SOURCE INC	516.12	.00	516.12	4271	MAT & SUPPLIES-POLICE
022731	09/20/16	GRA02	GRAINGER, M.W., INC	61.02	.00	61.02	922257057	MAT & SUPPLIES-AIRPORT
022732	09/20/16	PGE01	PG&E	38842.92	.00	38842.92	160912	Electricity General City-
022733	09/20/16	PGE2A	PG&E	66.05	.00	66.05	160915B	ELECT-BLUE HERON CT
022734	09/20/16	QUI02	QUILL CORPORATION	46.71	.00	46.71	8985866	OFFICE SUPPLIES-FINANCE
			Check Total.....	100.44	.00	100.44		
022735	09/20/16	QUI06	QUINN, JANICE	75.62	.00	75.62	160920	2006 FACADE LOAN BALANCE
022736	09/21/16	CAM02	FERGUSON ENTERPRISES INC.	1179.24	.00	1179.24	1213391	MAT & SUPPLIES-
022737	09/21/16	COR11	CORNING SAFE & LOCK	20.37	.00	20.37	0220	MAT & SUPPLIES-PARKS
022738	09/21/16	FEA03	FEATHER RIVER HOSPITAL	220.00	.00	220.00	160829	EMP PHYSICALS-FIRE
022739	09/21/16	PAT02	PATTERSON ELECTRIC, INC.	1078.96	.00	1078.96	4335	BLD MAINT-FIRE

Cash Account Total..... 114047.11

Total Disbursements..... 114047.11

Cash Account Total..... .00

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
7364	09/14/16	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	B60913	POLICE OFFICER ASSOC
7365	09/14/16	BAN06	BANNER BANK	535.49	.00	535.49	B60913	HSA DEDUCTIBLE
7366	09/14/16	CAL37	CALIFORNIA STATE DISBURSE	430.61	.00	430.61	B60913	WITHHOLDING ORDER
7367	09/14/16	ED901	EMPLOYMENT DEVELOPMENT	3555.84	.00	3555.84	B60913	STATE INCOME TAX
				1082.55	.00	1082.55	1360913	SDI
			Check Total.....	4638.39	.00	4638.39		
7368	09/14/16	ICM01	ICMA RETIREMENT TRUST-457	3969.71	.00	3969.71	B60913	ICMA DEF. COMP
				182.50	.00	182.50	1360913	ICMA DEF. COMP ER PD
			Check Total.....	4152.21	.00	4152.21		
7369	09/14/16	PERS1	PUBLIC EMPLOYEES RETIRE	19392.64	.00	19392.64	B60913	PERS PAYROLL REMITTANCE
7370	09/14/16	PERS4	Cal Pers 457 Def. Comp	2857.61	.00	2857.61	B60913	PERS DEF. COMP.
				305.00	.00	305.00	1360913	PERS DEF. COMP. ER P
			Check Total.....	3162.61	.00	3162.61		
7371	09/14/16	VAL06	VALIC	3343.49	.00	3343.49	B60913	AIG VALIC P TAX
				185.00	.00	185.00	1360913	AIG VALIC P TAX ER P
			Check Total.....	3528.49	.00	3528.49		
			Cash Account Total.....	36165.44	.00	36165.44		
			Total Disbursements.....	36165.44	.00	36165.44		

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Date...: Sep 21, 2016
 Time...: 4:28 pm
 Run by: LORI

CITY OF CORNING
 NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
 List.: NEWS
 Group: WFFMB

Business Name	Address	CITY/STATE/ZIP	Contact Name	Business Desc. #1	Business Start Date	Primary Teleph
BARRETT'S ROOFING		SUTTER, CA 95982	BARRETT	CHARLES ROOFING CONTRACTOR	09/15/16	(530)674-7263
OLIVE PALMS, LLC	220 SUMMIT ROAD	WALNUT CREEK, CA 94598	MERLANDER	MICHAEL MOBILE HOME COMMUNITY	09/15/16	(925)200-7017
SEFNO COMMUNICATION	5340 BRISA ST	LIVERMORE, CA 94550	NALL	SCOTT GEN ENGINEER-LOW VOLTAGE	09/09/16	(877)385-2903
BC CORPORATION, DBA	3010 RAMCO STREET	W. SACRAMENTO, CA 95691	BENKO	KYLE DELIVERY OF TIRES	09/15/16	(561)383-3100
TURNER, KRISTEN	24139 MARIA RD	CORNING, CA 96021	TURNER	KRISTEN INDEPENDENT DRIVER	09/15/16	(530)586-0289
VALENCIA, NORMA	609 FOURTH ST	CORNING, CA 96021	VALENCIA	NORMA COSMETOLOGIST	09/15/16	(530)736-0307
WHITE RIVER CONSTRUC	3113 IVA WAY	SACRAMENTO, CA 95821	CHERENKVO	VLADIMI GENERAL BUILDING CONTRACTOR	09/15/16	(916)747-1010

**ITEM NO. : G-8
ADOPT ORDINANCE NO. 669; AN
ORDINANCE ADDING A CHAPTER
TO THE CORNING MUNICIPAL
CODE FOR MULTI-FAMILY
RESIDENTIAL DEVELOPMENT
AND DESIGN GUIDELINES.
(SECOND READING)
SEPTEMBER 27, 2016**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: KRISTINA MILLER, CITY MANAGER
JOHN STOUFER, PLANNING CONSULTANT JS

BACKGROUND:

During the General Plan update staff and the Planning Commission discussed developing guidelines within the Corning Municipal Code for the development and design of Multi-Family Residential units in the City. Staff prepared the following Ordinance that would be applicable to future Multi-Family Residential development in areas zoned R-2, R-3, and R-4. These regulations would be in addition to existing development regulations currently established in the R-2, R-3, and R-4 Zoning Districts.

At the August 16, 2016 Planning Commission meeting the Commission reviewed the Ordinance and recommended by a vote of 5:0 that the City Council adopt the Factual Subfindings and Legal Findings as presented in the staff report and approve and adopt Ordinance No. 669.

At the September 13, 2016 City Council meeting the Council voted 5:0 to adopt the five factual subfindings and legal findings and waive the first reading of Ordinance No. 669.

RECOMMENDATION:

STAFF RECOMMENDS THAT THE CITY COUNCIL:

**MOVE TO WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 669
THE ORDINANCE TO IMPLEMENT DEVELOPMENT AND DESIGN GUIDELINES FOR
MULTI-FAMILY RESIDENTIAL UNITS IN THE CITY OF CORNING.**

ORDINANCE: 669
AN ORDINANCE OF THE CITY OF CORNING
ADDING CHAPTER 17.11 TO THE CORNING MUNICIPAL CODE
FOR
MULTI-FAMILY RESIDENTIAL DEVELOPMENT & DESIGN GUIDELINES

CHAPTER 17.11
MULTI-FAMILY RESIDENTIAL DEVELOPMENT & DESIGN GUIDELINES

Sections:

- 17.11.010 Purpose**
- 17.11.020 Site Planning**
- 17.11.030 Architectural Design**
- 17.11.040 Colors**
- 17.11.050 Landscaping & Lighting**

17.11.010 - Purpose: The multi-family development and design guidelines are intended to assure quality developments and to provide a pleasant residential environment within the context of higher density development in the City. Multi-family buildings shall contribute to the sense of community by carefully relating to the scale and form of adjacent properties, and by designing street frontages that create architectural and landscape interest for the pedestrian and neighboring residents. The guidelines established in this chapter will be applicable to all multi-family development in R-2, R-3, and R-4 Zoning Districts.

17.11.020 - Site Planning: Site Planning shall be broken up into the following categories:

A. Building Siting:

- Clustering of multi-family units shall be a consistent site planning element. Large projects shall be broken up into groups of structures with no more than eight residential units per building.
- Buildings shall be generally oriented to the street with varying setbacks to provide visual interest and varying shadow patterns.
- Buildings shall be oriented to promote privacy to the greatest extent possible.
- Buildings shall be located so that buffer zones are created from neighboring properties.

B. Circulation and Parking:

- Principal vehicular access into multi-family projects shall be through an entry driveway.
- All site entrances shall be visible from a public street and well lighted.
- Special accents, such as monuments, public art, ornamental features, decorative, special textured paving, flowering accents, walls, shrubs, and the use of specimen trees, shall be used to generate visual interest at entries.
- Entry drives shall have sidewalks on both sides.
- Cross circulation between vehicles and pedestrians shall be minimized. A continuous clearly marked walkway shall be provided from parking areas to main entrances of buildings.

- Walkways shall be located to minimize the impact of pedestrians on the privacy of nearby residences or private open space. Avoid siting a walkway directly against a building. A landscaped planting area between walkways and building facades is strongly encouraged.
- Parking areas shall be covered and divided into a series of smaller parking courts located within the interior of the development and shall not be visible from the street. No parking along street frontages is permitted.
- Carports, detached garages, and accessory structures shall be designed as an integral part of the architecture of the project. They shall be similar in material, color, and detail to the principal buildings of a development.
- Parking areas shall be treated as an important public space whose character is clearly and coherently delineated by landscaping, lighting, building massing, and pedestrian/vehicular circulation.

17.11.030 - Architectural Design: Architectural design for multi-family residential development is a desirable concept to make the buildings more attractive and fit into the surrounding community. There are a number of desirable architectural concepts such as Mediterranean, Spanish Mission, Craftsman, Spanish Colonial Revival and Victorian that would match in with existing commercial and residential development within the City of Corning. Prior to receiving a development permit for multi-family residential projects the developer must submit photos or a prepared rendition of the multi-family residential structures for review and approval by the Planning Commission. Architectural elements that should be incorporated into multi-family structures are:

- Bays,
- Bay Windows,
- Recessed or projecting balconies,
- Verandas
- Porches,
- Mixed exteriors

As well as other elements that add visual interest, scale and character to the neighborhood and community are encouraged.

17.11.040 – Colors: Color is an important element in establishing a buildings character and architectural style. The following shall be considered when establishing a color for the structures:

- The predominant color of the building and accessory structures shall be a muted, non-garish tone
- Color shall be used as an important accent in the project's appearance. More than one predominant paint color is encouraged. Compatible accent colors shall be used to enhance important architectural elements and features.
- Bright or intense colors shall be used very sparingly, and shall typically be reserved for more refined or delicate detailing.
- Materials such as brick and stone shall be left in their natural colors.

17.11.050 - Landscaping and Lighting: Landscaping and lighting provide a unifying element within a project and provide security to occupants and their guests. The following features shall be incorporated into the landscaping and lighting of multi-family residential units:

- Landscaped areas shall incorporated plantings using a three-tier system of grasses and ground covers, shrubs and vines, and trees.

- Landscaping around building perimeters is required.
- Shrub areas shall have weed mat placed in unplanted areas and shrub and bare dirt areas must be covered with rock, bark or alternative coverings approved by the Planning Commission.
- All landscaped areas must have automatic irrigation systems installed that comply with the City of Corning's Water Efficient Landscape Regulations.
- All lighting areas shall be arranged to provide safety and security for residents and visitors but prevent direct glare of illumination onto adjacent units or parcels.
- All entry ways and pedestrian travel ways must be lite with appropriately scaled lighting.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **September 13, 2016**, and adopted at a regular meeting of the City Council of the City of Corning held on **September 27, 2016** by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning do hereby certify that the foregoing is a true and correct copy of Ordinance No. 669. This Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **September 13, 2016**, and adopted at a regular meeting of the City Council of the City of Corning held on **September 27, 2016** by the votes listed on the attached copy of the Ordinance. Ordinance No. 669 was published in a newspaper of general circulation within the required legal time lines.

ATTEST:

Lisa M. Linnet, City Clerk

MEMORANDUM

To: Kristina Miller, City Manager, City of Corning

From: Mark Northcross, Michael Meyer

Date: September 20, 2016

RE: Refinancing Options for the City's Water Fund

The challenge. The City's Water Fund failed to make its 1.1 times rate covenant in FY 2015 and in FY 2016. In FY 2016, the Water Fund failed to generate enough net revenues to cover debt service, resulting in a need to draw down Water Fund reserves to cover a portion of debt service. While interest rates strongly favor doing a refinancing of Water Fund debt now, the City and its finance team need to address both the negative cash flow for the Water Fund, and potential debt refinancing provisions required to give bond investors confidence in the Water Fund. In this regard, we have prepared an analysis of three policy options for the City to consider:

1) **Proportional annual savings.** This policy option provides a principal amortization schedule structured to deliver annual savings proportional to the annual debt service in each year of the combined obligations of the Water Fund.

2) **Level debt service.** This policy option provides a principal amortization schedule structured to provide for level debt service through a final maturity of FY 2042, regardless of the original maturity of the obligations refinanced.

3) **Deferred debt service.** This policy option provides a principal amortization schedule that maximizes cash flow savings to the Water Fund through FY 2019, but otherwise maintains approximately the same debt service level as the prior obligations being refinanced beyond FY 2019.

Key issues with setting policy for the Water Fund refinancing include the following issues:

1) **Drought rebound.** While the State has eliminated the need for mandatory reductions in water consumption, it is not clear when water consumption by ratepayers will actually "rebound". The City just recently communicated the eliminating of mandatory cutbacks to its ratepayers and it remains too early to tell how much of a rebound there is. This is a very important issue since the mandatory drought cutbacks were the primary reason for the negative cash flow in the Water Fund in FY 2016. The policy question comes down to this: How long can the City wait for a consumption rebound before starting a 218 process to raise water rates?

2) **Budget predictability.** The City's existing debt service schedule for combined Water Fund debt obligations varies from \$307,000 per year through FY 2028 to \$157,000 per year through FY 2040 down to \$28,000 per year through FY 2051. This means that the pressure on fixed expenses in the Water Fund is greatest

for the next 12 years. Does it make sense to restructure this debt to have constant annual debt service through at least 2041 and thereby reduce the debt service pressure over the next 12 years?

3) Impact of bond investor security needs on Water Fund reserve levels. As is explained later in this memo, the City's finance team believes that the City will need to make a deposit to a rate stabilization fund for the Water Fund in order to give potential bond investors some comfort that that the City will be able to make debt service on the Water Fund obligations until it either gets a full rebound from drought consumption cutbacks or successfully implements higher water rates. What impact will such a deposit have on the ability of the Water Fund to operate, and to fund needed near term capital improvements on a pay-as-you-go basis?

Clark Well Loan. The City's finance team believes that it is better for the Water Fund to refinance the Clark Well loan. Because of the need for special rate stabilization fund provisions absent from the Clark Well loan documents, the refinancing would otherwise need to be subordinate to the Clark Well loan. While the refinancing bonds can be sold on this basis, it increases the interest rate, and decreases overall savings. The actual refinancing of the Clark Well loan breaks even on a cumulative cash flow basis, yet carries a slight cost of \$15,000 on a present value basis. However, the overall refinancing has greater total savings by refinancing the Clark Well loan, and consequently, all of our analysis of the policy options assumes a refinancing of the Clark Well loan.

For the purpose of this analysis, given the small size of the Clark Well loan, the amortization was shortened from 2051 to 2041. This provides for a lower interest rate on the debt, and still provides for good cash flow savings under each policy option.

Summary of policy options. Table 1 below shows a summary of the three policy options for structuring a refinancing of the City's Water Fund debt.

Table 1

Factor	Policy Options		
	Proportional Savings	Level Debt Service	Deferred Debt Service
Deadline for rate increase without drought rebound (first rate stabilization fund draw)	FY 2017-2018	FY 2019-2020	FY 2019-2020
Time for drought rebound before starting 218 rate increase process (or first rate stabilization fund draw)	1 year	3 years	3 years
Rate Stabilization Fund Deposit	\$220,000	\$85,000	\$270,000
Cash Flow Savings	\$585,000 (≈\$20,000 to \$30,000 per year)	\$285,000 (≈\$90,000 per year through 2028; negative \$60,000 2029-2040)	\$475,000 (≈\$185,000 per year through 2019)
Present Value Savings	\$355,000 (9.65%)	\$300,000 (8.12%)	\$350,000 (9.47%)
Credit Rating Need	None	None	None
Investment grade rating likelihood	Possible	Possible	Not likely

Table 1 shows that all three of the policy options have strong present value savings. The level debt service and deferred debt service scenarios have the most immediate cash flow benefit for the water fund, and provide the

most time for a water consumption rebound. The deferred debt service scenario has the largest rate stabilization fund deposit requirement. The level savings scenario has the smallest rate stabilization fund deposit requirement. Please refer to the first chart in Appendix A for a graphical representation of each of these three scenarios.

Rate Stabilization Fund Requirements. The City's finance team has developed a set of covenants that we believe will enable to refinancing of the debt of the Water Fund to proceed successfully with minimal impact on the City, as shown below:

1) City to deposit at closing of the refinancing sufficient funds in a rate stabilization fund for the Water Fund to cover projected negative cash flow in the Water Fund through the end of fiscal year 2020-21.

2) These funds will be held by the trustee for the refinancing bonds.

3) The funds may be released from the rate stabilization at the end of FY 2021 if the Water Fund shows 1.2 times coverage of debt service from Net Revenues, without counting the rate stabilization fund, with the calculation done by an independent financial advisor.

4) The funds may be released from the rate stabilization fund prior to the end of FY 2021 if the City's financial advisor certifies that the Water Fund not only provided 1.2 times coverage for the fiscal year just ended without counting the rate stabilization fund, but also can provide such coverage through the end of FY 2021.

As Table 2 below shows, these covenants are the same for each of the three refinancing policy options. However, the amount of the deposit to the rate stabilization fund is different for each policy option, as shown below.

Table 2

	Policy Option		
	Proportional Savings	Level Debt Service	Deferred Debt Service
Deposit requirement	\$220,000	\$85,000	\$270,000
Coverage requirement	1.2 times	1.2 times	1.2 times
Firm release date	June 30, 2021 (subject to need to show 1.2 times coverage from Net Revenues for most recently completed fiscal year)	June 30, 2021 (subject to need to show 1.2 times coverage from Net Revenues for most recently completed fiscal year)	June 30, 2021 (subject to need to show 1.2 times coverage from Net Revenues for most recently completed fiscal year)
Early release conditions	CAFR that shows 1.2 times coverage from Net Revenues plus projection from consultant that coverage will be met through June 30, 2021	CAFR that shows 1.2 times coverage from Net Revenues plus projection from consultant that coverage will be met through June 30, 2021	CAFR that shows 1.2 times coverage from Net Revenues plus projection from consultant that coverage will be met through June 30, 2021
Funds held by	Trustee	Trustee	Trustee

Impact of rate stabilization fund deposit on Water Fund reserves. The Water Fund has reserves for both operations and capital. In addition, the Water Fund has debt service reserve funds set aside for its debt obligations. However, these debt service reserve funds cannot be used for a rate stabilization fund deposit.

Consequently, Table 3 below only shows the impact of the rate stabilization fund deposits on operating and capital reserves.

Table 3

Factor	Policy Option		
	Proportional Savings (dollars)	Level Debt Service (dollars)	Deferred Debt Service (dollars)
Total operating reserves	382,165	382,165	382,165
Total capital reserves	465,547	465,547	465,547
Total combined reserves	847,712	847,712	847,712
Rate stabilization fund deposit	220,000	85,000	270,000
Remaining operating reserves	162,165	297,165	112,165
Remaining total reserves	627,712	762,712	577,712

Operating expenses for the Water Fund are currently in excess of \$1 million per year. The Deferred Debt Service scenario provides only \$112,000 in operating reserves, which is equivalent to less than 6 weeks of operating expenses. The Proportional Savings policy option provides about 2 months of operating expenses, and the Level Debt Service policy option provides nearly 4 months of operating expenses. However, to the extent capital projects can be deferred, the Water Fund capital reserves could be used to augment the operating reserves to stronger levels.

Conclusions. The City's finance team can accomplish all three refinancing options for the City. The "classic" refinancing policy option is to do Proportional Savings. This option also has the strongest present value savings. However, this option also requires a rate stabilization fund deposit of \$220,000 and would require a rate increase sooner than the other options assuming there is no drought rebound. Consequently, to execute this option, the City needs to be comfortable that some of the funds in capital reserves can be available as operating reserves for the Water Fund.

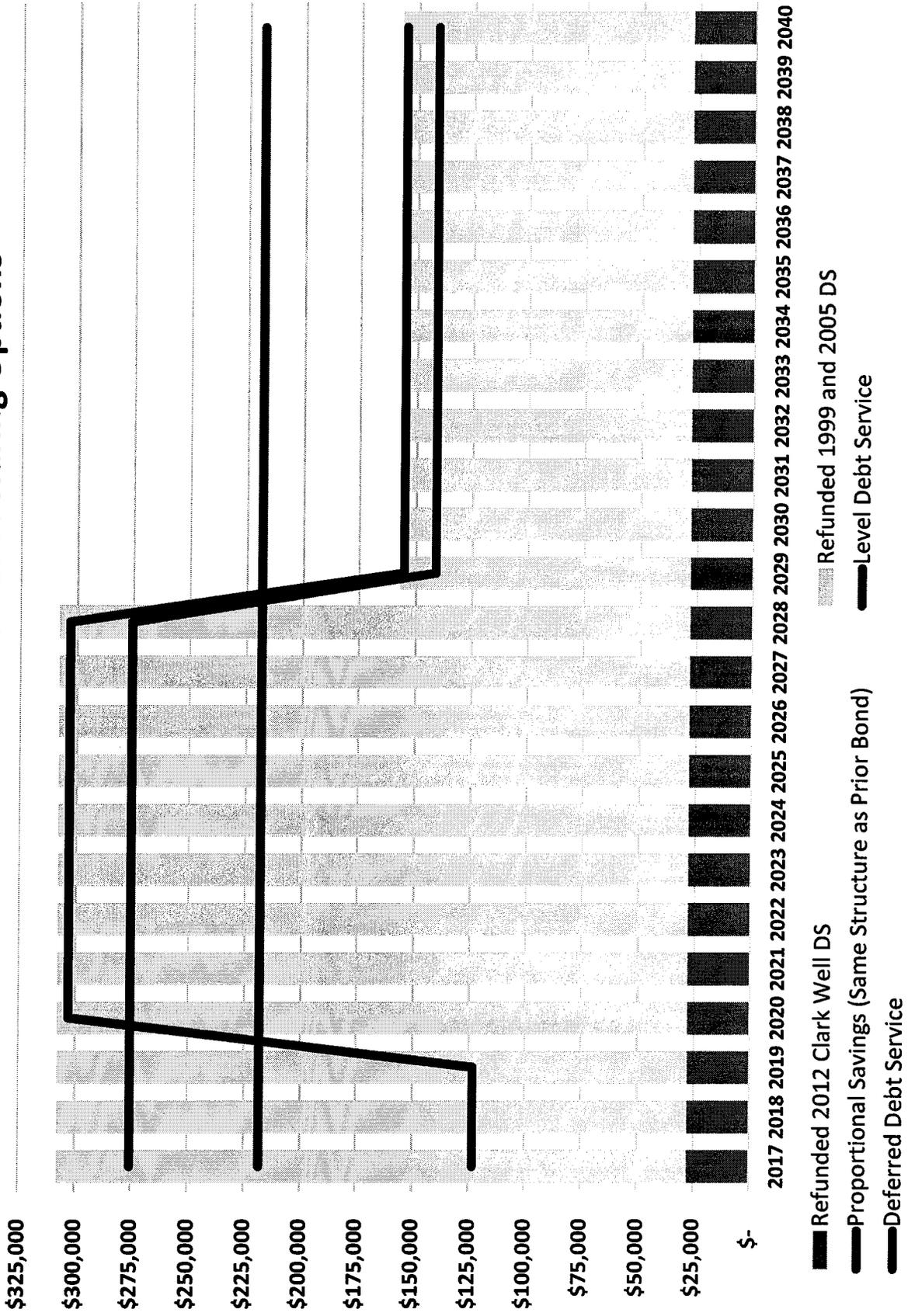
The option with the smallest rate stabilization fund deposit required is the Level Debt Service option. This option also provides constant debt service every year through 2042. The original amortization term of the 1999 and 2005 obligations are not extended, but the term of the Clark Well loan repayment is shortened.

The Deferred Debt Service option has the benefit of creating a significant amount of cash flow savings over the next three fiscal years, however debt service remains the same (no savings) beyond FY 2019 and it also requires the largest rate stabilization fund deposit requirement of \$270,000.

Appendix A. Appendix A comprises a graph showing the change in annual debt service for each of the three policy options discussed in this memo. It also shows a Water Fund cash flow projection for each of the three policy options showing including cash flows for the rate stabilization fund.

Next steps. The City's finance team would like staff to consider the three options presented in this memo and let the team know (1) whether the rate stabilization fund covenants are workable and (2) which option it would prefer.

APPENDIX A: Water Fund Restructuring Options



**SCENARIO 1 - Proportional Savings
Pro-Forma and Rate Stabilization Fund Calculation**

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Water System Revenues										
Service Charges	1,283,720	1,346,562	1,452,821	1,337,097	1,257,873	1,337,265	1,337,265	1,337,265	1,337,265	1,337,265
Annual Rate Change	3.00%	3.00%	3.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Connection Fees	1,725	2,101	1,730	1,196	3,145	1,000	1,000	1,000	1,000	1,000
Interest Income	1,450	1,040	625	543		1,000	1,000	1,000	1,000	1,000
Other Revenues	2,756	12	32	2,695	3,066	2,000	2,000	2,000	2,000	2,000
Total Revenues	1,289,651	1,349,715	1,455,208	1,341,531	1,264,084	1,341,265	1,341,265	1,341,265	1,341,265	1,341,265
Water System Operation & Maintenance Expenses Exclusive of Capital Expen. & Depreciation (2)	849,604	941,848	986,763	1,019,972	1,053,232	995,439	1,035,257	1,076,667	1,119,733	1,164,523
Net Revenues from Water Enterprise System (Total Net Revenues Avail. for Installment Payments)	440,047	407,867	468,445	321,559	210,852	345,826	306,008	264,598	221,532	176,742
DEBT SERVICE										
1999 COP's USDA Est. Installment Pymts.	130,696	130,649	130,580	130,504	130,512					
2005 Series A Est. Installment Pymts. (1)	149,286	150,610	151,585	152,304	152,734					
Water Well Debt Service - 2011 COP (4)	16,185	27,745	27,745	27,745	27,745					
2016 Refunding Debt Service						275,416	275,416	275,416	275,416	275,416
Total Debt Service	296,167	309,004	309,910	310,553	310,991	275,416	275,416	275,416	275,416	275,416
Coverage Without Use of RSF	149%	132%	151%	104%	68%	126%	111%	96%	80%	64%
Draw on RSF to Meet 120% Coverage						0	-24,491	-65,901	-108,968	-153,757
Coverage With RSF Withdrawal						126%	120%	120%	120%	120%
Excess (from coverage) Monies Flowing Back to RSF							24,491	55,083	55,083	0
Rate Stabilization Fund Balance			218,459	218,459	218,459	218,459	218,459	207,642	153,757	0

**SCENARIO 3 - Deferred Debt Service
Pro-Forma and Rate Stabilization Fund Calculation**

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Water System Revenues										
Service Charges	1,283,720	1,346,562	1,452,821	1,337,097	1,257,873	1,337,265	1,337,265	1,337,265	1,337,265	1,337,265
Annual Rate Change	3.00%	3.00%	3.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Connection Fees	1,725	2,101	1,730	1,196	3,145	1,000	1,000	1,000	1,000	1,000
Interest Income	1,450	1,040	625	543		1,000	1,000	1,000	1,000	1,000
Other Revenues	2,756	12	32	2,695	3,066	2,000	2,000	2,000	2,000	2,000
Total Revenues	1,289,651	1,349,715	1,455,208	1,341,531	1,264,084	1,341,265	1,341,265	1,341,265	1,341,265	1,341,265
Water System Operation & Maintenance Expenses Exclusive of Capital Expen. & Depreciation (2)	849,604	941,848	986,763	1,019,972	1,053,232	995,439	1,035,257	1,076,667	1,119,733	1,164,523
Net Revenues from Water Enterprise System (Total Net Revenues Avail. for installment Payments)	440,047	407,867	468,445	321,559	210,852	345,826	306,008	264,598	221,532	176,742
DEBT SERVICE										
1999 COP's USDA Est. Installment Pymts.	130,696	130,649	130,580	130,504	130,512					
2005 Series A Est. Installment Pymts. (1)	149,286	150,610	151,585	152,304	152,734					
Water Well Debt Service - 2011 COP (4)	16,185	27,745	27,745	27,745	27,745					
2016 Refunding Debt Service						123,244	123,244	123,244	303,000	303,000
Total Debt Service	296,167	309,004	309,910	310,553	310,991	123,244	123,244	123,244	303,000	303,000
Coverage Without Use of RSF	149%	132%	151%	104%	68%	281%	248%	215%	73%	58%
Draw on RSF to Meet 120% Coverage						0	0	0	-142,068	-186,858
Coverage With RSF Withdrawal						281%	248%	215%	120%	120%
Excess (from coverage) Monies Flowing Back to RSF						0	0	0	60,600	0
Rate Stabilization Fund Balance			268,326	268,326	268,326	268,326	268,326	268,326	186,858	0

**ITEM NO.: J-10
APPROVE STAFF RECOMMENDATION
ALLOWING INSTALLATION UNDER
DIRECTION OF PUBLIC WORKS
DIRECTOR OF THE PROPOSED
NEIGHBORHOOD CRIME WATCH SIGNS
WITHIN THE CITY'S RIGHT-OF-WAY AND
WAIVE THE \$15 ENCROACHMENT
PERMIT FEE**

September 27, 2016

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
DAWN GRINE, DIRECTOR OF PUBLIC WORKS
JOHN STOUFER, PLANNING CONSULTANT**

SUMMARY:

Better Choice Realty owner and founder of the Corning Neighborhood Crime Watch Program Colette Glattfelder has approached the Public Works Department with a plan to install "Neighborhood Crime Watch" signs at various locations throughout the City.

Mrs. Glattfelder first introduced the non-profit program to Corning community residents at a public meeting held at the Maywood Middle School in February 2016. Since that time she and her group of community based volunteers have held monthly meetings in efforts to encourage others to join their Program. The Neighborhood Watch members meet at Better Choice Real Estate located at 1403 Solano Street, Corning every first Thursday of each month at 6:30pm.

Mrs. Glattfelder will be present to answer any questions Council may have about the Program.

CITY OF CORNING SIGN REGULATIONS:

City of Corning Ordinance No. 623 regulates sign display throughout the City of Corning in all zoning locations. The presented "Neighborhood Crime Watch" signs do not fall under a "prohibited" category within the regulation, but do not really qualify as an "exempt" or "permitted" sign in residential zoned areas. The signs could pose an unappealing presence should they over burden any one city block at one time. For that reason, Staff recommends that Council consider authorizing the installation of the proposed signs and have them placed in the City Right of Way at street intersections or a mid-block placement.

FINANCIAL:

The signs will be purchased, installed and maintained by the Corning Neighborhood Crime Watch volunteers and in accordance with City Construction Standards. Installation of the signs in the City Right of Way will require an Encroachment Permit

RECOMMENDATION:

That Mayor and Council:

- 1. Authorize the Neighborhood Crime Watch Volunteers to install signs within the City Right of Way under the direction of the Public Works Director, and**
- 2. Waive the \$15 Encroachment Permit Fee.**

ITEM NO.: J-11

APPROVE PROGRESS PAYMENT ESTIMATE NO. 1 IN THE AMOUNT OF \$167,310.10; APPROVE CONTRACT CHANGE ORDER #1 DECREASING THE CONTRACT AMOUNT TO \$167,310.10; ACCEPT NOTICE OF COMPLETION AND AUTHORIZE RELEASE OF RETENTION AFTER THE REQUIRED 35-DAY WAITING PERIOD TO NORTHWEST PAVING, INC. FOR THE 2016 STREET PAVING PROJECT

September 27, 2016

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
DAWN GRINE, DIRECTOR OF PUBLIC WORKS *DLG*
ED ANDERSON, CITY ENGINEER**

SUMMARY:

Staff recommends that City Council approve Progress Payment Estimate No. 1 in the amount of \$167,310.10 to Northwest Paving, Inc. The City of Corning will "hold back" 5% of requested payment as project retention. Retention funds will not be released to the Contractor until 35-days after the City has recorded the Notice of Completion to the Tehama County Recorder's Office. The Progress Payment Estimate No. 1 and the work completed summary are attached for Council review.

Contract Change Order No. 1 is attached for Council review and will decrease the contract amount to \$167,310.10

It is also recommended to accept the Notice of Completion for this project and authorize the release of retention after the required 35-day waiting period to Northwest Paving, Inc.

FUNDING:

At the March 8, 2016 City Council Meeting, Council authorized the expenditure of carry over funds from previous year's street monies to fund this project. These funds are intended specifically for street maintenance and **cannot** be used within the General Fund.

Fund 109 - Gas Tax	\$50,000
Fund 110 - Gas Tax	\$25,000
Fund 111 - Gas Tax	\$40,000
Fund 108 - RSTIP Funds	\$85,000
Total:	\$200,000

RECOMMENDATION:

That Mayor and Council:

- 1. Approve Progress Payment Estimate No. 1 in the amount of \$167,310.10;**
- 2. Retain the 5% Contract Retention of \$8,365.51;**
- 3. Approve Contract Change Order #1 Decreasing Contract amount to \$167,310.10;**
- 4. Issue payment in the amount of \$158,944.59 to Northwest Paving, Inc. for the 2016 Street Paving Project;**
- 5. Accept the Notice of Completion, and**
- 6. Release Retention (Progress Payment Estimate No. 2/Final) in the amount of \$8,365.51 after the required 35-day waiting period.**

2016 Street Paving Project 2016-3

Construction Progress Payment Estimate #1

Owner: City of Corning										Period Covered: 8/1/16 through 8/15/16	
Contractor: Northwest Paving, Inc.											
Item	Description	Bid Qty	Unit Price	Bid Amt	Qty This Prd	Value This Prd	Prev Qty	Total Completed to Date	% Compl	Balance to Finish	
Asphalt Paving Overlay and related work on East Street (between Solano St. and East St.)											
1	Clean Surface/fill holes prior to paving	1	\$1,500.00	\$1,500.00	1	\$1,500.00		\$1,500.00	1	\$0.00	
2	2" type "A" asphalt concrete	59920	\$1.10	\$65,912.00	59920	\$65,912.00		\$65,912.00	1	\$0.00	
3	Grind existing paving edges at gutter lip	13720	\$0.80	\$10,976.00	13720	\$10,976.00		\$10,976.00	1	\$0.00	
4	Remove/raise concrete collars-water valves	3	\$1,000.00	\$3,000.00	3	\$3,000.00		\$3,000.00	1	\$0.00	
5	Install pedestrian crosswalk East St. at Solano	1	\$3,300.00	\$3,300.00	1	\$3,300.00		\$3,300.00	1	\$0.00	
6	Install "STOP" on East at Solano	1	\$330.00	\$330.00	1	\$330.00		\$330.00	1	\$0.00	
7	Install skip yellow centerline/East St.	1720	\$1.00	\$1,720.00	1720	\$1,720.00		\$1,720.00	1	\$0.00	
8	Install "YIELD" on East at North St.	1	\$350.00	\$350.00	1	\$350.00		\$350.00	1	\$0.00	
Base Bid Total:				\$87,088.00							
ADDITIVE BID NO. 1: Asphalt Paving Overlay on Old Hwy. 99W at Solano St.:											
A1-1	2" type "A" asphalt concrete	6000	\$1.18	\$7,080.00	6000	\$7,080.00		\$7,080.00	1	\$0.00	
A1-2	Grind existing paving edges at gutter lip	880	\$0.80	\$704.00	880	\$704.00		\$704.00	1	\$0.00	
A1-3	Install pedestrian crosswalk Edith Ave. at Solano	1	\$800.00	\$800.00	1	\$800.00		\$800.00	1	\$0.00	
A1-4	Install solid double yellow centerline	100	\$3.00	\$300.00	100	\$300.00		\$300.00	1	\$0.00	
A1-5	Install solid white lane	100	\$2.00	\$200.00	100	\$200.00		\$200.00	1	\$0.00	
A1-6	Install skip single white lane, each side	200	\$1.00	\$200.00	200	\$200.00		\$200.00	1	\$0.00	
A1-7	Remove/finish/install yellow warning buttons	60	\$15.00	\$900.00	60	\$900.00		\$900.00	1	\$0.00	
A1-8	Traffic Control	1	\$8,000.00	\$8,000.00	1	\$8,000.00		\$8,000.00	1	\$0.00	
Additive Bid No. 1 Total:				\$18,184.00							
ADDITIVE BID No. 2: Asphalt Paving Overlay on Pear Street (between South St. and East St.)											
A2-1	Clean Surface/fill holes prior to paving	1	\$1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00	1	\$0.00	
A2-2	2" type "A" asphalt concrete	16320	\$1.18	\$19,257.60	16320	\$19,257.60		\$19,257.60	1	\$0.00	
A2-3	Grind existing paving edges at gutter lip	2270	\$0.80	\$1,816.00	2270	\$1,816.00		\$1,816.00	1	\$0.00	
A2-4	Remove/raise concrete collars-water valves	1	\$1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00	1	\$0.00	
A2-5	Remove/raise concrete collars-manhole cover	1	\$2,000.00	\$2,000.00	1	\$2,000.00		\$2,000.00	1	\$0.00	
A2-6	Install "STOP" marking & bar	1	\$450.00	\$450.00	1	\$450.00		\$450.00	1	\$0.00	
A2-7	Install 45° white diagonal parking	18	\$45.00	\$810.00	18	\$810.00		\$810.00	1	\$0.00	
A2-8	Install 45° blue diagonal handicap w/symbol	1	\$600.00	\$600.00	1	\$600.00		\$600.00	1	\$0.00	
Additive Bid No. 2 Total:				\$26,933.60							
ADDITIVE BID No. 3: Asphalt Paving Overlay on Yolo St. (between First St. and East St.)											
A3-1	2" type "A" asphalt concrete	13440	\$1.18	\$15,859.20	13440	\$15,859.20		\$15,859.20	1	\$0.00	
A3-2	Grind existing paving edges at gutter lip	2432	\$0.80	\$1,945.60	2432	\$1,945.60		\$1,945.60	1	\$0.00	
A3-3	Install pedestrian crosswalk/East at First	1	\$600.00	\$600.00	1	\$600.00		\$600.00	1	\$0.00	
Additive Bid No. 3 Total:				\$18,404.80							
ADDITIVE BID No. 4: Asphalt Paving Overlay on North St. (between First St. and East St.)											
A4-1	2" type "A" asphalt concrete	7200	\$1.18	\$8,496.00	7200	\$8,496.00		\$8,496.00	1	\$0.00	
A4-2	Grind existing paving edges at gutter lip	400	\$0.80	\$320.00	400	\$320.00		\$320.00	1	\$0.00	
A4-3	Install "SCHOOL X-ING ZONE"/North St.	1	\$600.00	\$600.00	1	\$600.00		\$600.00	1	\$0.00	
Additive Bid No. 4 Total:				\$9,416.00							
ADDITIVE BID No. 5: (Reinforcing fabric on East St.)											
A5.1	Furnish/Install reinforcing fabric on East St.	59920	\$0.18	\$10,785.60	59920	\$10,785.60		\$10,785.60	1	\$0.00	
CCO 1-1	Install skip Increase		\$103.00	\$103.00	1	\$103.00		\$103.00	1	\$0.00	
CCO 1-2	Decrease SF Bid Item A2-2		-\$3,604.90	-\$3,604.90	1	-\$3,604.90		-\$3,604.90	1	\$0.00	
Total Bid with Additives				\$170,812.00		\$167,310.10					

CONTRACT CHANGE ORDER

Order No. 1

Date: September 21, 2016

Contract for: 2016 Street Paving Project

Contract No. 2016-3

Owner: City of Corning, 794 Third Street, Corning, CA 96021

To: Northwest Paving, Inc. 8115 Secluded Valley Dr., Redding, CA 96021

You are hereby requested to comply with the following changes from the contract plans and specifications.

Description of Changes	DECREASE In Contract Price	INCREASE In Contract Price
<u>Contract Change Order Request:</u>		
CCO 1-1:		
• Bid Item: Install skip yellow centerline Increase by 103LF @ \$1 per LF		\$103.00
CCO 1-2:		
• Bid Item #A2-2: Install 2: A/C Decrease by 3,055SF @ \$1.18 per SF	(\$3,604.90)	
Total:	(\$3,604.90)	\$103.00
Net Change:	(\$3,501.90)	

JUSTIFICATIONS:

It is not uncommon upon project completion for bid items to be more or less than work actually applied requiring a Contract Change Order (CCO) to balance the project total cost. All areas of this project have been measured and inspected for accuracy.

The original contract total (\$170,812.00) including this and previous change orders will be decreased by (\$3,501.90) for a new total of: \$ 167,310.10

The contract completion date will remain at: 90 days

This document will become a supplement to the Contract and all provisions will apply hereto.

Requested: _____
City of Corning

Date: _____

Recommended: J. E. (Ed) Anderson
J.E. (Ed) Anderson, City Engineer

Date: September 21, 2016

Accepted: _____
Northwest Paving, Inc.

Date: _____

WHEN RECORDED MAIL TO:

City of Corning
794 Third Street
Corning, CA 96021

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is owner or agent of the owner of the interest or estate stated below in the property hereinafter described.
2. The full name and address of the undersigned owner is City of Corning, 794 Third Street, Corning, CA 96021.
3. There was completed the construction of the 2016 Street Paving Project located on East Street between Solano Street and North Street, Hwy 99W & Solano Street Intersection, Pear Street (between South and Walnut Streets), North Street (between 1st and East Streets), and Yolo Street between East Street and First Street.
4. The work has been satisfactorily completed and is suitable to be put into use as of August 23, 2016 and has therefore been accepted for ownership and operation by: The City Council of the City of Corning at a Regular Council Meeting, on September 27, 2016.
5. The name of the General Contractor was: Northwest Paving, Inc. 8115 Secluded Valley Dr, Redding, CA 96001 under a contract dated: May 24, 2016.
6. The property herein referred to is situated in the City of Corning, Tehama County, and State of California and more particularly described as follows: City of Corning, 794 Third Street, Corning, CA 96021.

Date: September 28, 2016

Signature of Owner or agent of owner: _____

Dawn M. Grine
Director of Public Works

Verification for Non-Individual owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the Director of Public Works of the aforesaid interest or estate in the property described.

In the above notice; that I have read the said notice, that I know and understand the contents thereof and that the facts stated therein are true and correct.

Date: September 28, 2016

Dawn M. Grine
Director of Public Works

**ITEM NO.: J-12
APPROVE SECOND AGREEMENT WITH
FRESH AIR ENERGY XXVI, LLC TO
INDEMNIFY, DEFEND AND HOLD
HARMLESS THE CITY OF CORNING
AND ACCEPT THE SPECIAL FACILITIES
AGREEMENT WITH PG&E**

SEPTEMBER 27, 2016

TO: HONORABLE MAYOR AND COUCILMEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
DAWN GRINE, DIRECTOR OF PUBLIC WORKS
JODY BURGESS, CITY ATTORNEY**

DS

TIMELINE SUMMARY:

On December 3, 2015, the City of Corning executed a Solar Power Purchase Agreement with Fresh Air Energy XXVI, LLC, an affiliate of Ecoplexus Inc. requiring it to construct and install solar power equipment and to thereafter operate, deliver and sell all resulting power produced from the solar equipment at a stated amount and rate with a derivative benefit received by the City of Corning in the form of expected energy savings through reduced energy bills.

On December 23, 2015, Fresh Air Energy XXVI, LLC assigned the rights and obligations of the Power Purchase Agreement to California PV Energy 2, LLC.

During solar array construction California PV Energy 2, LLC proposed to perform directional boring under the sludge drying beds for the Wastewater Treatment Facility vs the planned trenching of the underground utilities. The directional boring potentially posed a risk to the Wastewater Treatment Facility operations, therefore Staff worked with California PV Energy 2, LLC and Fresh Air Energy XXVI, LLC to create an Addendum to the Power Purchase Agreement to protect the City of Corning upon any damage occurring as a result of the directional boring.

On July 12, 2016 the City Council approved an Agreement with Fresh Air Energy XXVI, LLC, an affiliate of Ecoplexus Inc. to Indemnify, Defend, and Hold Harmless the City of Corning with regards to the directional boring.

Now that the project is nearing its final stages of completion, PG&E is requiring the City of Corning to enter into an Agreement for Non-Exporting Generating Facilities an Agreement for installation or allocation of Special Facilities for Parallel Operation of Nonutility-Owned Generation and/or Electrical Standby Services ("Special Facilities Agreement" (Attachment "A")).

A Second Agreement to Indemnify, Defend, and Hold Harmless has been prepared and is being presented to City Council as Attachment "B". The Second Agreement ensures that all parties (California PV Energy 2, LLC and Fresh Air Energy XXVI, LLC and the City of Corning) agree that this Agreement is intended to confirm the protections to which the City is entitled under the Power Purchase Agreement (as stated in Section II, Item No. 5 of the Second Agreement) associated with the PG&E "Special Facilities Agreement".

RECOMMENDATION:

That Mayor and Council:

- 1. Approve the Second Agreement with Fresh Air Energy XXVI, LLC, an affiliate of Ecoplexus Inc to Indemnify, Defend, and Hold Harmless the City of Corning;**
- 2. Accept the Special Facilities Agreement with PG&E and,**
- 3. Authorize the City Manager to sign the Second Agreement as stated and the Special Facilities Agreement.**



**Pacific Gas and
Electric Company**

DISTRIBUTION

- Applicant
 Division,
 Const. Accounting
 Accounting Ops
 Tariff Interpretation

REFERENCES

QF Log #: 30S233837
 GMWO #: 31206826
 Premises #: 8491426967

**AGREEMENT FOR INSTALLATION OR ALLOCATION OF SPECIAL FACILITIES
 FOR PARALLEL OPERATION OF NONUTILITY-OWNED GENERATION
 AND/OR ELECTRICAL STANDBY SERVICE
 (ELECTRIC RULES 2 AND 21)**

At the request of City of Corning, (Applicant), **PACIFIC GAS AND ELECTRIC COMPANY (PG&E)** hereby agrees to furnish at Applicant's expense within a reasonable time certain facilities consisting of regulator settings, fuse replacement, and secondary service upgrade (Special Facilities). Such Special Facilities are expected to be necessary on or about July 31, 2016 for the interconnection of Applicant's electric generating plant with PG&E's system and/or PG&E's delivery of electrical standby service to Applicant's premises at Gardiner Ferry Road NS, Corning, County of Tehama, State of California.

1. This Agreement includes Appendix A, Detail of Special Facilities Charges, which is attached and incorporated herein by reference. Appendix A may be revised or superseded by mutual written agreement and without formal amendment of the remainder of this agreement.
2. Applicant shall pay PG&E, on demand prior to commencement of any work by PG&E, an initial charge equal to the sum of the amounts which are specified in Appendix A.
3. Applicant also shall pay PG&E any applicable monthly rates and charges for service under PG&E's tariff schedules plus an ownership charge, either (a) or (b) below as specified in Appendix A, namely:
 - (a) COST-OF-OWNERSHIP CHARGE representing PG&E's continuing monthly cost of financing (if applicable), owning and maintaining Special Facilities; or
 - (b) An EQUIVALENT ONE-TIME CHARGE which is equal to the present worth of the monthly COST-OF-OWNERSHIP CHARGE in perpetuity. The COST-OF-OWNERSHIP CHARGE shall commence on the date Special Facilities are first available for Applicant's use, as such date is established in PG&E's records. PG&E will notify Applicant, in writing, of such commencement date. The EQUIVALENT ONE-TIME CHARGE (if applicable) shall be payable by Applicant to PG&E on demand.
4. The ownership charge set forth in paragraphs 3(a) or 3(b) herein is determined in accordance with the applicable percentage rates established in the Special Facilities section of PG&E's electric Rule 2, copy attached. Should the California Public Utilities Commission (Commission) subsequently authorize higher or lower percentage rates, the monthly COST-OF-OWNERSHIP CHARGE shall automatically increase or decrease without formal amendment to Appendix A as of the effective date of the Commission's authorization.
5. Where it is necessary to install Special Facilities on Applicant's premises, Applicant hereby grants to PG&E:
 - (a) the right to make such installation on Applicant's premises along the shortest practical route thereon with sufficient legal clearance from all structures now or hereafter erected on Applicant's premises; and
 - (b) the right of ingress and egress from Applicant's premises at all reasonable hours for any purposes reasonably connected with the operation and maintenance of Special Facilities.
6. Where formal rights of way or easements are required on or over property of Applicant or the property of others for the installation of Special Facilities, Applicant agrees that PG&E shall obtain them at Applicant's expense, or if Applicant and PG&E agree otherwise, Applicant shall obtain any necessary permanent rights of way or easements, satisfactory to and without cost to PG&E.
7. PG&E shall not be responsible for any delay in completion of the installation of Special Facilities resulting from shortage of labor or materials, strike, labor disturbance, war, riot, weather conditions, governmental rule, regulation or order, including orders or judgments of any court or regulatory agency, delay in obtaining necessary rights of way and easements, acts of God, or any other cause or condition beyond the control of PG&E, nor shall PG&E be liable for incidental, indirect, special, punitive, or consequential damages for any such delay. PG&E shall have the right, if for one of the above reasons it is unable to obtain materials or labor for all of its construction requirements, to allocate materials and labor to construction projects which it deems, in its sole discretion, most important to serve the needs of its customers, and any delay in construction, hereunder resulting from such allocation shall be deemed to be a cause beyond PG&E's control. In any event, PG&E's total liability for any delay in the completion of the installation of Special Facilities shall not exceed the amount of Special Facilities Charges paid by Applicant.



**Pacific Gas and
Electric Company**

**Agreement for Installation or Allocation of Special
Facilities for Parallel Operation of NonUtility-Owned
Generation and/or Electrical Standby Service
(Electric Rules 2 and 21)**

8. In the event that PG&E is prevented from completing the installation of Special Facilities for reasons beyond its control after twelve (12) months following the date of this Agreement, PG&E shall have the right to supersede this Agreement subject to Applicant's election as provided below upon at least thirty (30) days' written notice to Applicant and adjust any amounts paid or required to be paid by Applicant hereunder that may be due based on that portion of the Special Facilities then completed, if any, utilizing the estimated costs developed by PG&E for this Agreement. Such a superseding agreement, if any, shall be in substantially the same form as this agreement, be executed by both parties hereto, and shall provide that costs be allocated to the portion of the Special Facilities then completed, if any, consistent with those costs estimated by PG&E for this agreement. If Applicant elects not to execute a superseding agreement, this agreement shall be terminated and the provisions of paragraph 11 herein shall be applied to that portion of Special Facilities then completed, if any. Applicant also shall reimburse PG&E for any expenses it may have incurred for engineering, surveying, right of way acquisition and other work associated with that portion of Special Facilities not installed
9. If it becomes necessary for PG&E to alter rearrange or make addition to Special Facilities in order to maintain parallel operation of Applicant's generation or electrical standby service to Applicant's premises, Applicant shall be notified, in writing, of such necessity and shall be given the option to either terminate this Agreement upon thirty (30) days' written notice to PG&E, or to pay to PG&E additional Special Facilities charges consisting of:
- (a) a facility termination charge for that portion of Special Facilities which is being removed because of alteration, rearrangement or addition to Special Facilities. Such charge to be determined in the same manner as described in paragraph 11 herein; plus,
 - (b) an additional ADVANCE and/or REARRANGEMENT CHARGE, if any for any new Special Facilities which shall be applied in the same manner as prescribed in paragraph 2 herein; plus,
 - (c) a revised monthly COST-OF-OWNERSHIP CHARGE or EQUIVALENT ONE-TIME CHARGE based on the estimated installed costs of all new and remaining Special Facilities. Such revised monthly COST-OF-OWNERSHIP CHARGE or EQUIVALENT ONE-TIME CHARGE shall be applied in the same manner as prescribed in paragraph 3 herein.
10. This Agreement shall become effective when executed by the parties hereto and, except as provided for in paragraphs 8 and 9 herein, shall remain in force until one of the following events occurs:
- (a) a power purchase, parallel operation, electrical standby service or other form of agreement no longer exists between Applicant and PG&E which would occasion the need for Special Facilities; or
 - (b) the ownership of Special Facilities or any portion thereof is deeded to a public authority; or
 - (c) Applicant fails to pay the monthly COST-OF-OWNERSHIP CHARGE prescribed in the Agreement, if applicable.
- Either party shall provide the other at least thirty (30) days' written notice of termination pursuant to this paragraph.
11. Upon termination of the Agreement for any reason:
- (a) Applicant shall pay to PG&E on written demand (in addition to all other monies to which PG&E may be legally entitled by virtue of such termination) a facility termination charge defined as the estimated installed cost, plus the estimated removal cost less the estimated salvage value for any Special Facilities which can be removed, all as determined by PG&E in accordance with its standard accounting practices. PG&E shall deduct from the facility termination charge the ADVANCE plus the unamortized balance of the EQUIVALENT ONE-TIME CHARGE previously paid, if any. If the ADVANCE paid plus the unamortized balance of the EQUIVALENT ONE-TIME CHARGE, if any, is greater than the facility termination charge, PG&E shall refund the difference, without interest to Applicant; and
 - (b) PG&E shall be entitled to remove and shall have a reasonable time in which to remove any portion of the Special Facilities located on the Applicant's premises; and
 - (c) PG&E may, at its option, alter, rearrange, convey or retain in place any portion of the Special Facilities located on other property off Applicant's premises. Where all or any portion of the Special Facilities located off Applicant's premises are retained in place in anticipation of providing permanent service to customers of PG&E, an equitable adjustment shall be made in the facility termination charge.



Pacific Gas and Electric Company

Agreement for Installation or Allocation of Special Facilities for Parallel Operation of NonUtility-Owned Generation and/or Electrical Standby Service (Electric Rules 2 and 21)

- 12. In the event any of the Special Facilities are used during the term of this Agreement to provide permanent service to customers of PG&E, an adjustment shall be made in accordance with PG&E's electric Rule 21, copy attached.
- 13. Special Facilities shall at all times be the property of PG&E.
- 14. As provided in PG&E's electric Rule 14, copy attached, PG&E does not guarantee electrical standby service to be free from outages, interruptions or curtailments and the charges for Special Facilities represent PG&E's cost associated with providing Special Facilities rather than for a guaranteed level of service or reliability.
- 15. Applicant may, with PG&E's written consent, assign this Assignment if the assignee thereof will agree in writing to perform Applicant's obligations hereunder. Such assignment will be deemed to include, unless otherwise specified therein, all of Applicant's rights to any refunds which might become due upon discontinuance of the use of any Special Facilities.
- 16. This Agreement shall be subject to all of PG&E's applicable tariffs on file with and authorized by the Commission, and shall at all times be subject to such changes or modifications as the Commission may direct from time to time in the exercise of its jurisdiction.

Dated this _____ day of _____, 20_____.

This agreement is effective when accepted and executed by PG&E.

CITY OF CORNING

Customer/Company

Authorized by (Print)

Signature

Title

Date

Mailing Address:

794 Third St.

Corning, CA 96021

PACIFIC GAS AND ELECTRIC COMPANY

Authorized by (Print)

Signature

Supervisor, Electric Generation Interconnection

Title

Date

- Attachments:
- Electric Rule 2
 - Electric Rule 14
 - Electric Rule 21
 - Appendix A



DISTRIBUTION

- Division
- Customer
- Customer Billing
- Accounting Ops.
- Tariff Interpretation

REFERENCES

Log ID #30S233837
 ENOS #208002

Agreement for Installation or Allocation of Special Facilities for Parallel Operation of Nonutility-Owned Generation and/or Electrical Standby Service

APPENDIX – A
Detail of Special Facilities Charges *

Dated: May 3, 2016

I. Applicability

The application of charges specified herein are pursuant to the provisions of this Agreement between City of Corning (Applicant) and Pacific Gas and Electric Company (PGandE) and shall be a part thereof and in effect until superseded by mutual written agreement.

II. Initial Charge

- A. Net cost of all Special Facilities \$ 41,768.00
- B. Less the cost of "removable and reusable" Special Facilities which are provided, installed and financed by PGandE pursuant to Rule No. 21 \$(n/a)¹
- C. ADVANCE equal to PG&E's estimated installed Cost of Special Facilities which are financed by Applicant, including in lieu of cash payment, a credit for that portion of Special Facilities furnished and deeded to PG&E by Applicant (line A + line B) \$(41,768.00)¹
- D. Less PG&E's estimate of the cost of Special Facilities provided, installed and deeded to PG&E by Applicant (includes costs of design and administration by PG&E) \$(n/a)
- E. Plus the costs of design, administration and inspection by PG&E of Special Facilities provided, installed and deeded to PG&E by Applicant \$ n/a
- F. Plus REARRANGEMENT CHARGE which is equal to PG&E's estimated cost of rearranging existing facilities to accommodate the installation of Special Facilities \$ n/a
- G. Plus CIAC Tax if applicable (line C + line E+ line F x Applicable CIAC Tax² of 22 %) \$ 9,188.96
- H. Initial Charge (does not include monthly Cost-of-Ownership Charge--see below) \$ 50,956.96

III. Installed Cost of PGandE's Existing Facilities Allocated to Applicant's Use \$ ¹

¹ Used in calculation of the monthly COST OF OWNERSHIP CHARGE or EQUIVALENT ONE-TIME CHARGE.

² See the Income Tax Component of Contribution Provision in the Electric Preliminary Statement for the current applicable CIAC tax rate.



APPENDIX A -

AGREEMENT FOR INSTALLATION OR ALLOCATION OF SPECIAL FACILITIES FOR PARALLEL OPERATION ON NONUTILITY-OWNED GENERATION

IV. Monthly COST OF OWNERSHIP CHARGE

Special Facilities Financed By	Application Base	Current Percentage Rate ³	Monthly Charge
A. Applicant	ADVANCE (II.C above equals 1. plus 2. below)		
	1. Cost of Distribution facilities.....\$ 41,768.00		
	Less allowance for Existing facilities.....\$(n/a) ⁴		
	Net amount\$ 41,768.00	x 0.60%	= \$ 250.60 /mo.
	2. Cost of Transmission facilities.....\$ n/a		
	Less allowance for Existing facilities.....\$(n/a) ⁴		
	Net amount\$ n/a	x n/a	= \$ n/a /mo.
B. PG&E	"Removable and Reusable" Special Facilities (II.B above equals 3. plus 4. below)		
	3. Distribution facilities.....\$ n/a	x n/a	= \$ n/a /mo.
	4. Transmission facilities.....\$ n/a	x n/a	= \$ n/a /mo.
C. PG&E	Existing Facilities Allocated as Special Facilities (III. above equals 5. plus 6. below)		
	5. Distribution facilities.....\$ n/a	x n/a	= \$ n/a /mo.
	6. Transmission facilities.....\$ n/a	x n/a	= \$ n/a /mo.
D.	Monthly COST OF OWNERSHIP CHARGE.....		\$ 250.60 /mo.
V.	EQUIVALENT ONE-TIME CHARGE (in lieu of monthly COST OF OWNERSHIP CHARGE); check [] if applicable		
	\$250.60 /mo. (line IV.D) x 12 mo. x 13.07 (present worth factor).....		\$ 39,304.10

Complete the following section only in conjunction with revision of this Appendix.

This Appendix A supersedes Appendix A dated _____, 20____. The changes hereon are hereby agreed to by both parties on this _____ day of _____, 20____.

³This percentage rate is set forth in PG&E's current electric Rule No. 2 and is subject to change upon authorization by the California Public Utilities Commission.

⁴Where Special Facilities displace PG&E's existing facilities, this allowance assures the exclusion of PG&E's existing ownership costs from Applicant's monthly COST OF OWNERSHIP CHARGE or EQUIVALENT ONE-TIME CHARGE.

APPENDIX A -



AGREEMENT FOR INSTALLATION OR ALLOCATION OF SPECIAL FACILITIES FOR PARALLEL OPERATION ON NONUTILITY-OWNED GENERATION

This agreement is effective when accepted and executed by PG&E.

PACIFIC GAS AND ELECTRIC COMPANY

Company

Authorized by (Print)

Authorized by (Print)

Signature not required unless superseded.
Signature

Signature

Title

Title

Date

Date

SECOND AGREEMENT TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF CORNING

(Interconnection Agreement and Special Facilities Agreement)

This SECOND AGREEMENT TO INDEMNIFY, DEFEND AND HOLD HARMLESS (this "Agreement") is made as of the 15th day of September, 2016, by and among Fresh Air Energy XXVI, LLC (the "Original Owner"), California PV Energy 2, LLC ("Current Owner"), and the City of Corning, California (the "City") (collectively, the "Parties").

I. RECITALS

- A. Whereas, on December 3, 2015, the City of Corning executed a solar power purchase agreement (the "Power Purchase Agreement") with the Original Owner, an affiliate of Ecoplexus Inc. ("Ecoplexus"). Included in the Power Purchase Agreement was the obligation of the Original Owner to construct and install a solar power generating facility ("Facility") and to thereafter operate, deliver and sell all resulting power produced from the Facility at a stated amount and rate.
- B. Whereas, on December 23, 2015, the Original Owner, without novation, assigned its rights and obligations of the Power Purchase Agreement to the Current Owner pursuant to that certain Assignment and Assumption Agreement (the "Assignment").
- C. Whereas, the Facility will be connected with the energy transmission and distribution grid owned and operated by Pacific Gas and Electric Company ("PG&E") and as a condition precedent to such connection PG&E requires the City to execute and deliver (1) a PG&E Generating Facility Interconnection Agreement for Non-Exporting Generating Facilities ("Interconnection Agreement") and (2) an Agreement for Installation or Allocation of Special Facilities for Parallel Operation of Nonutility-Owned Generation and/or Electrical Standby Services (Electric Rules 2 and 21) ("Special Facilities Agreement").
- D. Whereas, the Original Owner and the Current Owner have requested that the City agree to execute and deliver the Special Facilities Agreement and to acknowledge, ratify and confirm the Interconnection Agreement.
- E. Whereas, the Original Owner and the Current Owner have agreed to indemnify the City as more fully set forth in this Agreement.

Now, therefore, in consideration of the foregoing and the promises and premises contained herein, the following terms and conditions hereto have been agreed upon by the parties:

II. AGREEMENT

- 1) The Parties agree that the above RECITALS are incorporated herein and made part of this Agreement.
- 2) Confirmation of Indemnification Rights.
 - a) To induce the City to execute and deliver the Special Facilities Agreement, Original Owner and Current Owner hereby acknowledge and confirm that pursuant to Section 7.10 of the Power

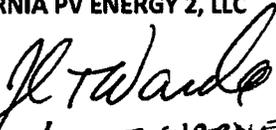
Purchase Agreement, the City is entitled to indemnification for any expenses, loss, liability, damage, fine, fee or other loss that it may incur relating to the Facility pursuant to any of Sections 3, 9 or 11 of the Special Facilities Agreement.

- b) To induce the City to acknowledge, confirm and ratify the Interconnection Agreement as the valid and binding agreement of the City, Original Owner and Current Owner hereby acknowledge and confirm that pursuant to Section 7.10 of the Power Purchase Agreement, the City is entitled to indemnification for any expenses, loss, liability, damage, fine, fee or other loss that it may incur relating to the Facility pursuant to the Interconnection Agreement.
 - c) In confirmation of the foregoing Sections 2(a) and 2(b), Original Owner and Current Owner, jointly and severally, agree to indemnify, defend, and hold harmless the City for any loss, liability, claim, damage, fine, fee, order, directive, or other harm of any kind that arises, in any way whatsoever, from the Interconnection Agreement and/or the Special Facilities Agreement related to the Facility as installed and operated by Original Owner and/or Current Owner.
- 3) City's Agreement to Execute.
- a) The City hereby agrees to execute and deliver to PG&E the Special Facilities Agreement and to provide a copy of such executed Special Facilities Agreement to Original Owner and Current Owner.
 - b) The City hereby agrees to ratify, acknowledge and confirm the execution of the Interconnection Agreement as the valid and binding act of the City, and to provide evidence of such ratification and confirmation to Original Owner and Current Owner.
- 4) The Parties acknowledge and agree that the Power Purchase Agreement and the Assignment remain fully enforceable against all Parties as provided under California law in accordance with their respective terms, including (a) the Original Owner under the Assignment Agreement, and (b) the Current Owner under the Power Purchase Agreement and the Assignment Agreement, all of which relate to the performance under the terms and conditions of the Power Purchase Agreement, including without limitation performance of the indemnification provisions referenced therein and herein.
- 5) All parties agree that this Agreement is intended confirm the protections to which the City is entitled under the Power Purchase Agreement. This Agreement is not intended to, and does not, take away or limit, in any way, the rights previously held by the City under the Power Purchase Agreement and/or the Assignment Agreement, including any and all rights to pursue all available remedies against the Original Owner and/or the Current Owner in the event that the Current Owner fails to perform under the Power Purchase Agreement and/or the Assignment Agreement. This agreement is not intended to, and shall not be construed to create a novation.

[End of Text]

WHEREFORE BY SIGNING BELOW EACH OF THE PARTIES AGREES THAT IT HAS READ AND UNDERSTANDS THE CONTENTS OF THIS AGREEMENT, AND THAT EACH OF THE PARTIES AGREES TO BE BOUND TO THE OBLIGATIONS HEREIN EFFECTIVE AS OF THE DATE FIRST SET FORTH ABOVE.

CALIFORNIA PV ENERGY 2, LLC

By: 
Name: JOHN T. WARDLE
Title: Vice President

FRESH AIR ENERGY XXVI, LLC

By: Ecoplexus Inc., its sole member

By:
Name:
Title:

CITY OF CORNING, CALIFORNIA

By:
Name: Kristina Miller
Title: City Manager

ATTEST:

Jody Burgess, City Attorney

Effective Date: September 15, 2016

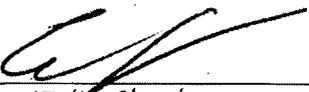
WHEREFORE BY SIGNING BELOW EACH OF THE PARTIES AGREES THAT IT HAS READ AND UNDERSTANDS THE CONTENTS OF THIS AGREEMENT, AND THAT EACH OF THE PARTIES AGREES TO BE BOUND TO THE OBLIGATIONS HEREIN EFFECTIVE AS OF THE DATE FIRST SET FORTH ABOVE.

CALIFORNIA PV ENERGY 2, LLC

By: _____
Name:
Title

FRESH AIR ENERGY XXVI, LLC

By: Ecoplexus Inc., its sole member

By: 
Name: Erik Stuebe
Title: President

CITY OF CORNING, CALIFORNIA

By: _____
Name: Kristina Miller
Title: City Manager

ATTEST:

Jody Burgess, City Attorney

Effective Date: _____, 2016

**ITEM NO.: J-13
APPROVE PROGRESS PAYMENT
ESTIMATE NO. 5 TO TRENT
CONSTRUCTION FOR THE DOWNTOWN
STREETSCAPE PROJECT IN THE
AMOUNT OF \$58,534.57**

September 27, 2016

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

**FROM: KRISTINA MILLER, CITY MANAGER
DAWN GRINE, DIRECTOR OF PUBLIC WORKS
ED ANDERSON, CITY ENGINEER**

SUMMARY:

Contractor Kendel Trent Construction submitted a pay request for work completed in the amount of \$58,534.57. Project Inspector Steve Lindeman and City Engineer Ed Anderson have accepted the work as complete. The Public Works Department has prepared the Progress Payment Estimate and Trent Construction will be due \$55,607.85. The City of Corning will "hold back" 5% of requested payment as project retention. Retention funds will not be released to the Contractor until 35-days after the City has recorded a Notice of Completion to the Tehama County Recorder's Office. The construction Progress Payment Estimate No. 5 and the work completed summary are attached for Council review.

BACKGROUND:

Contractor Kendel Trent Construction was awarded this project at the November 24, 2015 City Council Meeting. Construction began on April 18, 2016 and is estimated to continue through September. The Streetscape Project is funded from the State Transportation Improvement Program (STIP) and was authorized for construction at the California Transportation Commission meeting in May 2015.

Throughout the duration of the Streetscape Project the Contractor will submit monthly invoices. The work completed will be inspected and the necessary forms processed for payment to the Contractor. Caltrans, District 2, Local Assistance requires that the Contractor be paid for his services before they will process reimbursement funds to the City of Corning. Their estimated reimbursement turnaround time could take up to 3 weeks. All Contract Change Orders will follow the same administrative process.

The Public Works Director and City Engineer propose to take immediate action upon receiving pay request invoices and contract change orders from the Contractor so that construction progress and reimbursement payments are not delayed.

RECOMMENDATION:

That the Mayor and Council:

- 1. Approve Progress Payment Estimate No. 5 in the amount of \$58,534.57;**
- 2. Retain the 5% Contract Retention of \$2,926.72, and**
- 3. Issue payment in the amount of \$55,607.85 to Trent Construction for the Downtown Streetscape Project.**

PROGRESS PAYMENT ESTIMATE:**Caltrans Invoice No. 9**Downtown Area Rehabilitation & Enhancement Project
RPSTPLE-5161 (013)

Construction Progress Payment Estimate No. 5

OWNER:

City of Corning

CONTRACTOR:

Trent Construction, Gerber, CA

PERIOD OF ESTIMATE:

From: 8/1/16 through 8/31/16

CONTRACT CHANGE ORDER SUMMARY**ESTIMATE**

No.	Approval Date	Amount			
		Additions	Deductions		
1	CT - 5/27/16		(\$97,100.12)	1. Original Contract	\$1,295,208.57
2	6/14/16	\$7,863.95		2. Change Orders	\$ 301,217.40
3	6/22/16	\$229,794.17		3. Revised Contract (1+2)	\$1,596,425.97
4	8/23/16	\$160,659.40		4. Work Completed	\$1,286,156.29
				5. Stored Materials	\$ 7,920.00
				6. Subtotal (4+5)	\$1,294,076.29
				7. Retainage5%	\$64,703.81
				8. Previous Payments	\$1,173,764.63
				9. Amount Due (6-7-8)	\$ 55,607.85
TOTALS		\$398,317.52	(\$97,100.12)		
NET CHANGE		\$301,217.40			

CONTRACT TIMEOriginal (days) 270

Revised:

Remaining: 114

On Schedule x Yes

No

Starting Date: 4/18/16Projected Completion: 1/12/17**CONTRACTOR'S CERTIFICATION:**

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

ENGINEER'S CERTIFICATION:

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

Contractor: _____

By: Trent Construction

Date: _____

City Engineer: J. E. (Ed) Anderson

By: Ed Anderson

Date: _____

APPROVED BY OWNER:

Owner _____

By: Kristina Miller, City Manager

Date: _____

A	B	C	D	E	F	G	H	I	J	K	L		
Construction Progress Payment Estimate #5		Caltrans Invoice #9											
1	Owner: City of Corning	Period Covered: 8/1/16 through 8/31/16											
2	Contractor: Trent Construction, Gerber, CA												
3													
4													
5													
6													
7													
8	Bid Item	Description	Item	Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Stored Materials	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish
9	No.												
10	D1	Mobilization/Demobilization, complete		1	\$3,600.00	\$3,600.00		1.00		\$0.00	\$3,600.00	100.0%	\$0.00
11	D2	Sawcut pavement/concrete		2886	\$4.76	\$12,785.36		1.00		\$0.00	\$12,785.36	100.0%	\$0.00
12	D3	Remove/di/pose Misc. concrete		578	\$16.27	\$9,404.06		1.00		\$0.00	\$9,404.06	100.0%	\$0.00
13	D4	Remove/replace existing sign		10	\$300.00	\$3,000.00		1.00		\$0.00	\$3,000.00	100.0%	\$0.00
14	D5	Adjust existing Elect. & T/c. Sig boxes		20	\$300.00	\$6,000.00		1.00		\$0.00	\$6,000.00	100.0%	\$0.00
15	D6	Remove/di/pose existing curb/gutter		603	\$35.87	\$21,629.61		1.00		\$0.00	\$21,629.61	100.0%	\$0.00
16	D7	Remove/di/pose existing 4" sidewalk & 6" driveway		17220	\$4.83	\$83,172.60		1.00		\$0.00	\$83,172.60	100.0%	\$0.00
17	D8	Remove/di/pose existing trees		44	\$139.09	\$6,119.96		1.00		\$0.00	\$6,119.96	100.0%	\$0.00
18	D9	Remove/replace existing um/pot		1	\$600.00	\$600.00		0.00		\$0.00	\$0.00	0.0%	\$600.00
19	D10	Grind/di/pose existing asphalt concrete 2" depth		72830	\$0.30	\$21,849.00		1.00		\$0.00	\$21,849.00	100.0%	\$0.00
20	D11	Adjust existing vent grate		4	\$600.00	\$2,400.00		1.00		\$0.00	\$2,400.00	100.0%	\$0.00
21	D12	Remove/replace existing bike rack		1	\$600.00	\$600.00		1.00		\$0.00	\$600.00	100.0%	\$0.00
22	D13	Salvage/store "personalized" red bricks		1	\$3,000.00	\$3,000.00		1.00		\$0.00	\$3,000.00	100.0%	\$0.00
23	D14	Remove/di/pose reflector markers & Buttons		1	\$4,380.00	\$4,380.00		1.00		\$0.00	\$4,380.00	100.0%	\$0.00
24	C1	Install driveway curb/gutter		24	\$29.18	\$700.32		1.00		\$0.00	\$700.32	100.0%	\$0.00
25	C2	Install vertical curb/gutter		1376	\$29.18	\$40,151.68		1.00		\$0.00	\$40,151.68	98.0%	\$0.00
26	C5	Install 4" sidewalk		10823	\$6.00	\$64,938.00		1.00		\$0.00	\$64,938.00	100.0%	\$0.00
27	C6	Install 2" overlay		72830	\$1.32	\$96,135.60		1.00		\$0.00	\$96,135.60	100.0%	\$0.00
28	C7	Install thermoplastic lane striping		5250	\$1.02	\$5,355.00		1.00		\$0.00	\$5,355.00	100.0%	\$0.00
29	C8	Thermoplastic left turn arrow		9	\$150.00	\$1,350.00		1.00		\$0.00	\$1,350.00	100.0%	\$0.00
30	C9	Thermoplastic STOP & Bar Markings		5	\$384.00	\$1,920.00	0.20	0.80		\$384.00	\$1,920.00	100.0%	\$0.00
31	C10	Type 'D' reflectors		224	\$7.20	\$1,612.80	0.38	0.62		\$619.20	\$1,612.80	100.0%	\$0.00
32	C11	Parking stall corners		77	\$16.80	\$1,293.60		1.00		\$0.00	\$1,293.60	100.0%	\$0.00
33	C12	Bike Lane Symbol		12	\$144.00	\$1,728.00		1.00		\$0.00	\$1,728.00	100.0%	\$0.00
34	C13	C.I. tree grate		20	\$1,920.00	\$38,400.00		1.00		\$0.00	\$38,400.00	100.0%	\$0.00
35	C14	Trash Receptacle		12	\$2,607.30	\$31,287.60		0.00		\$0.00	\$0.00	0.0%	\$31,287.60
36	C15	Clean/Paint existing street lights		11	\$1,008.00	\$11,088.00		1.00		\$0.00	\$11,088.00	100.0%	\$0.00
37	C16	Erosion & Sediment Control		1	\$6,000.00	\$6,000.00		1.00		\$0.00	\$6,000.00	100.0%	\$0.00
38	C17	2% extra pavers (177 s.f.)		1	\$600.00	\$600.00		0.00		\$0.00	\$0.00	0.0%	\$600.00
39	C18	2% detectable pavers (34 s.f.)		1	\$600.00	\$600.00		0.00		\$0.00	\$0.00	0.0%	\$600.00
40	C19	Retrofit 6th St. Signal for camera		1	\$48,360.00	\$48,360.00	0.50	0.50		\$24,180.00	\$48,360.00	100.0%	\$0.00
41	C20	Traffic Control		1	\$36,900.00	\$36,900.00		1.00		\$0.00	\$36,900.00	100.0%	\$0.00
42	C21	Construction Staking		1	\$7,800.00	\$7,800.00		1.00		\$0.00	\$7,800.00	100.0%	\$0.00
43	L1	Irrigation Controller/Martini Plaza		1	\$8,994.00	\$8,994.00	0.75	0.00		\$6,745.50	\$6,745.50	75.0%	\$2,248.50
44	L2	1" Flow Sensor, 1 1/2" Master Valve, Backflow		1	\$3,920.40	\$3,920.40	0.80	0.00		\$3,136.32	\$3,136.32	80.0%	\$784.08
45	L3	PVC sleeve - House water lines under driveways/streets		920	\$31.97	\$29,412.40		1.00		\$0.00	\$29,412.40	100.0%	\$0.00
46	L4	1-1/2" PVC Sch. 40 Irrigation line		2920	\$7.27	\$21,332.40		1.00		\$0.00	\$21,332.40	100.0%	\$0.00
47	L5	Tree Bubblers		53	\$69.08	\$3,661.24	0.77	0.23		\$2,832.34	\$3,661.24	100.0%	\$0.00

Downtown Area Rehabilitation and Enhancement Project

A		B		C		D		E		F		G		H		I		J		K		L			
Bid Item No.	Description	Item	Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Stored Materials	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish	G		H		I		J		K		L		
													Unit Price	Bid Value	Qty This Prd	Prev Qty	Stored Materials	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish				
7																									
8																									
9																									
48	L6	Quick Coupler Valves	15	\$318.00	\$4,770.00		1.00		\$0.00	\$4,770.00									\$4,770.00	100.0%	\$0.00			\$0.00	
49	L7	Gate Valves	12	\$335.41	\$4,024.92		1.00		\$0.00	\$4,024.92									\$4,024.92	100.0%	\$0.00			\$0.00	
50	L8	Red Maple Trees	20	\$390.78	\$7,815.60	1.00			\$7,815.60	\$7,815.60	1.00							\$7,815.60	\$7,815.60	100.0%	\$0.00			\$0.00	
51	L9	Palm Trees	6	\$1,569.60	\$9,417.60		1.00		\$0.00	\$9,417.60								\$0.00	\$9,417.60	100.0%	\$0.00			\$0.00	
52	L10	Perennials (228) & shrubs (40)	1	\$18,620.64	\$18,620.64	0.75	0		\$14,030.65	\$14,030.65	75.4%							\$14,030.65	\$14,030.65	75.4%	\$4,589.99			\$4,589.99	
53	L11	Top soil (48cy) & Bark (10cy)	1	\$5,916.00	\$5,916.00		1		\$0.00	\$2,958.00	50.0%							\$0.00	\$2,958.00	50.0%	\$2,958.00			\$2,958.00	
54	L12	90-day Maint. Irrigation & landscape	1	\$7,200.00	\$7,200.00				\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$7,200.00			\$7,200.00	
55	Deduct LS		1	\$100.00	\$100.00				\$0.00	\$0.00								\$0.00	\$0.00		\$0.00			\$0.00	
56	D1A	Mobilization/Demobilization	1	\$6,000.00	\$6,000.00	0.50	0.00		\$0.00	\$3,000.00	50.0%							\$0.00	\$3,000.00	50.0%	\$3,000.00			\$3,000.00	
57	D2A	Sawcut Pavement/concrete	2234	\$4.76	\$10,633.84		0.80		\$0.00	\$8,507.07	80.0%							\$0.00	\$8,507.07	80.0%	\$2,126.77			\$2,126.77	
58	D3A	Remove/dispose concrete	1320	\$16.27	\$21,476.40		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$21,476.40			\$21,476.40	
59	D4A	Remove/replace sign	4	\$300.00	\$1,200.00	0.25	0.00		\$0.00	\$300.00	25.0%							\$0.00	\$300.00	25.0%	\$900.00			\$900.00	
60	D5A	Adjust Elect. & Tfc. Sig. boxes	10	\$300.00	\$3,000.00	1.00	0.00		\$0.00	\$3,000.00	100.0%							\$0.00	\$3,000.00	100.0%	\$0.00			\$0.00	
61	D6A	Remove/dispose curb/gutter	440	\$35.87	\$15,782.80	0.60	0.00		\$0.00	\$9,469.68	60.0%							\$0.00	\$9,469.68	60.0%	\$6,313.12			\$6,313.12	
62	D7A	Sawcut gutter pan only	138	\$35.87	\$4,950.06		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$4,950.06			\$4,950.06	
63	D8A	Remove existing sidewalk	7719	\$4.83	\$37,282.77	0.60	0.00		\$0.00	\$22,369.66	60.0%							\$0.00	\$22,369.66	60.0%	\$14,913.11			\$14,913.11	
64	D9A	Remove existing Trees	19	\$139.09	\$2,642.71	0.15	0.75		\$0.00	\$396.41	90.0%							\$0.00	\$396.41	90.0%	\$2,246.27			\$2,246.27	
65	C1A	Driveway depressed curb/gutter	215	\$28.80	\$6,192.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$6,192.00			\$6,192.00	
66	C2A	Vertical curb/gutter	594	\$6.00	\$3,564.00	0.60	0.00		\$0.00	\$17,107.20	60.0%							\$0.00	\$17,107.20	60.0%	\$6,542.88			\$6,542.88	
67	C5A	4" concrete sidewalk	4395	\$6.00	\$26,370.00	0.50	0.00		\$0.00	\$13,185.00	50.0%							\$0.00	\$13,185.00	50.0%	\$13,185.00			\$13,185.00	
68	C6A	gutter pan & conform	138	\$23.47	\$3,238.86		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$3,238.86			\$3,238.86	
69	C7A	Clean/Paint existing street lights	6	\$1,200.00	\$7,200.00		0		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$7,200.00			\$7,200.00	
70	C8A	Install tree grate	9	\$1,920.00	\$17,280.00		0.00		\$0.00	\$4,320.00	25.0%							\$0.00	\$4,320.00	25.0%	\$12,960.00			\$12,960.00	
71	C9A	Install bench/Martini Plaza	3	\$2,400.00	\$7,200.00		0		\$0.00	\$3,600.00	50.0%							\$0.00	\$3,600.00	50.0%	\$3,600.00			\$3,600.00	
72	C10A	Install street light/Martini Plaza	2	\$10,200.00	\$20,400.00	0.15	0.00		\$0.00	\$3,060.00	15.0%							\$0.00	\$3,060.00	15.0%	\$17,340.00			\$17,340.00	
73	C11A	2% extra pavers (58sf)	1	\$240.00	\$240.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$240.00			\$240.00	
74	C12A	2% detectable pavers (12sf)	1	\$240.00	\$240.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$240.00			\$240.00	
75	C13A	Traffic Control	1	\$240.00	\$240.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$240.00			\$240.00	
76	C14A	Construction Staking	1	\$12,300.00	\$12,300.00	0.60	0.00		\$0.00	\$7,380.00	60.0%							\$0.00	\$7,380.00	60.0%	\$4,920.00			\$4,920.00	
77	LA-1	PVC sleeve - House water lines under driveways/streets	1	\$1,800.00	\$1,800.00	0.60	0.00		\$0.00	\$1,080.00	60.0%							\$0.00	\$1,080.00	60.0%	\$720.00			\$720.00	
78	LA-2	1-1/2" PVC Sch. 40 Irrigation line	345	\$31.97	\$11,029.65	1.00	0		\$11,029.65	\$11,029.65	100.0%							\$11,029.65	\$11,029.65	100.0%	\$0.00			\$0.00	
79	LA-3	Tree Bubblers	1270	\$7.27	\$9,232.90	0.50	0		\$0.00	\$4,588.75	49.7%							\$0.00	\$4,588.75	49.7%	\$4,644.15			\$4,644.15	
80	LA-4	Quick Coupler Valves	9	\$85.69	\$771.21		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$771.21			\$771.21	
81	LA-5	Gate Valves	5	\$318.00	\$1,590.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$1,590.00			\$1,590.00	
82	LA-6	Red Maple Trees	4	\$335.41	\$1,341.64		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$1,341.64			\$1,341.64	
83	LA-7	Perennials (77) & shrubs (4)	9	\$390.78	\$3,517.02		0		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$3,517.02			\$3,517.02	
84	LA-8	Top soil (12cy) & Bark (3cy)	1	\$5,026.80	\$5,026.80		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$5,026.80			\$5,026.80	
85	LA-9	90-day Maint. Irrigation & landscape	1	\$1,530.00	\$1,530.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$1,530.00			\$1,530.00	
86	A2-1	Remove/rep new Thermoplastic	1	\$6,000.00	\$6,000.00		0.00		\$0.00	\$0.00	0.0%							\$0.00	\$0.00	0.0%	\$6,000.00			\$6,000.00	
87	A2-2	Install thermoplastic striping	1	\$4,440.00	\$4,440.00		1.00		\$0.00	\$4,440.00	100.0%							\$0.00	\$4,440.00	100.0%	\$0.00			\$0.00	
88	A2-3	Paint Bike lane symbol	2940	\$1.02	\$2,998.80		1		\$0.00	\$0.00	100.0%							\$0.00	\$0.00	100.0%	\$0.00			\$0.00	
89	A2-4	Thermoplastic left turn arrow	6	\$38.40	\$230.40	0.67	0.33		\$153.60	\$153.60	100.0%							\$153.60	\$153.60	100.0%	\$0.00			\$0.00	
90	A2-5	Install reflectors	4	\$150.00	\$600.00	0.50	0.50		\$300.00	\$300.00	100.0%							\$300.00	\$300.00	100.0%	\$0.00			\$0.00	
91	A2-6	Paint Parking stall corners	62	\$7.20	\$446.40		1.00		\$0.00	\$446.40	100.0%							\$0.00	\$446.40	100.0%	\$0.00			\$0.00	
92	A2-7	Traffic Control	44	\$16.80	\$739.20	1.00	0.00		\$0.00	\$739.20	100.0%							\$0.00	\$739.20	100.0%	\$0.00			\$0.00	
			1	\$4,200.00	\$4,200.00	0.50	0.00		\$2,100.00	\$2,100.00	50.0%							\$2,100.00	\$2,100.00	50.0%	\$2,100.00			\$2,100.00	

Downtown Area Rehabilitation and Enhancement Project

A		B		C		D		E		F		G		H		I		J		K		L	
7	Bid Item No.	Item		Bid Qty	Unit Price	Bid Value	Qty This Prd	Prev Qty	Stored Materials	Value This Prd	Total Completed and Stored to Date	% Compl	Balance to Finish										
		Description																					
93	A3-1	Install/activate existing streetlight/City Hall		1	\$6,000.00	\$6,000.00		0.40		\$0.00	\$2,400.00	40.0%	\$3,600.00										
94	A4-1	1" EMT		2165	\$13.20	\$28,578.00		0.50		\$0.00	\$14,289.00	50.0%	\$14,289.00										
95	A4-2	Outdoor, duplex receptacle @ trees		26	\$192.00	\$4,992.00		0.00		\$0.00	\$0.00	0.0%	\$4,992.00										
96	A5-1	1" EMT		860	\$10.80	\$9,288.00		0.00		\$0.00	\$0.00	0.0%	\$9,288.00										
97	A5-2	Outdoor, duplex receptacle @ trees		9	\$192.00	\$1,728.00		0.00		\$0.00	\$0.00	0.0%	\$1,728.00										
98	A6-1	Grind/excavate for crosswalk		5100	\$7.41	\$37,791.00		1.00		\$0.00	\$37,791.00	100.0%	\$0.00										
99	A6-2	Install colored, stamped crosswalk		5100	\$9.60	\$48,960.00		1.00		\$0.00	\$48,960.00	100.0%	\$0.00										
100	A7.1	Grind/excavate for crosswalk		1500	\$7.41	\$11,115.00	1.00	0.00		\$11,115.00	\$11,115.00	100.0%	\$0.00										
101	A7.2	Install colored, stamped crosswalk		1500	\$9.60	\$14,400.00	1.00	0.00		\$14,400.00	\$14,400.00	100.0%	\$0.00										
102	A8.1	Remove/Replace existing sidewalk		800	\$12.00	\$9,600.00		0.00		\$0.00	\$0.00	0.0%	\$9,600.00										
103	A8.2	1" EMT		80	\$5.40	\$432.00		0.00		\$0.00	\$0.00	0.0%	\$432.00										
104	A8.3	1 1/2" PVC Sch. 40 irrigation line		80	\$7.27	\$581.60		0.00		\$0.00	\$0.00	0.0%	\$581.60										
105	Alt. 1.1	Install 4" stamped colored concrete		10556	\$9.60	\$101,337.60		1.00		\$0.00	\$101,337.60	95.0%	\$0.00										
106	Alt. 1.2	Install Truncated Dome		556	\$34.54	\$19,204.24		1.00		\$0.00	\$19,204.24	80.0%	\$0.00										
107	Alt. 2.1	Install 4" stamped colored concrete		2454	\$9.60	\$23,558.40		0.00		\$0.00	\$0.00	0.0%	\$23,558.40										
108	Alt. 2.2	Install Truncated Dome		192	\$34.54	\$6,631.68		0.00		\$0.00	\$0.00	0.0%	\$6,631.68										
109	CCO#1	Add Intersection Work 4th				\$77,081.44		1.00		\$0.00	\$77,081.44	100.0%	\$0.00										
110	CCO#1	Add Intersection Work 5th				\$77,081.44		1.00		\$0.00	\$77,081.44	100.0%	\$0.00										
111	CCO#1	Add Intersection Work 6th				\$77,081.44		1.00		\$0.00	\$77,081.44	100.0%	\$0.00										
112	CCO#1	Add Storm Drain Inlet				\$1,552.50		1.00		\$0.00	\$1,552.50	100.0%	\$0.00										
113	CCO#1	Delete Add Bid #1, Demo				-\$102,968.58	0.60	0.00		-\$61,781.15	-\$61,781.15	60.0%	-\$41,187.43										
114	CCO#1	Delete Add Bid #1, Construction				-\$160,207.28	1.00	0.00		-\$160,207.28	-\$160,207.28	100.0%	\$0.00										
115	CCO#1	Delete Add Bid #5				-\$11,016.00	1.00	0.00		-\$11,016.00	-\$11,016.00	100.0%	\$0.00										
116	CCO#1	Delete Add Bid #7				-\$25,515.00	1.00	0.00		-\$25,515.00	-\$25,515.00	100.0%	\$0.00										
117	CCO#1	Delete Add Bid #2				-\$30,190.08		0.00		\$0.00	\$0.00	0.0%	-\$30,190.08										
118	CCO#2	Change plastic valve boxes				\$7,863.95		1.00		\$0.00	\$7,863.95	100.0%	\$0.00										
119	CCO#3-1	Reinstate portion of CCO#1				\$66,985.83	0.88	0.042061		\$59,035.77	\$61,853.26	92.3%	\$5,132.57										
120	CCO#3-2	Reinstate portion of CCO#1				\$154,792.34	0.52	0.00		\$80,343.35	\$80,343.35	51.9%	\$74,448.99										
121	CCO#3-3	Reinstate portion of CCO#1				\$8,016.00		0.00		\$0.00	\$0.00	0.0%	\$8,016.00										
122	CCO#4-1	Additional ex/grad at bulb				\$47,674.81		1.00		\$0.00	\$47,674.81	100.0%	\$0.00										
123	CCO#4-2	Additional ex/grad at 3rd				\$12,315.42		1.00		\$0.00	\$12,315.42	100.0%	\$0.00										
124	CCO#4-3	Unsuitable soil to meet				\$61,000.00		1.00		\$0.00	\$61,000.00	100.0%	\$0.00										
125	CCO#4-4	Light pole foundation				\$1,748.00		1.00		\$0.00	\$1,748.00	100.0%	\$0.00										
126	CCO#4-5	Roof Drains				\$328.19		1.00		\$0.00	\$328.19	100.0%	\$0.00										
127	CCO#4-6	Pavement transitions				\$6,965.60		1.00		\$0.00	\$6,965.60	100.0%	\$0.00										
128	CCO#4-7	Traffic Loops				\$7,360.00		1.00		\$0.00	\$7,360.00	100.0%	\$0.00										
129	CCO#4-8	Crosswalk Reinforcement				\$8,439.28		1.00		\$0.00	\$8,439.28	100.0%	\$0.00										
130	CCO#4-9	Stripe crosswalk				\$9,193.10		1.00		\$0.00	\$9,193.10	100.0%	\$0.00										
131	CCO#4-10	Upgrade electrical				\$5,635.00		0.50		\$0.00	\$2,817.50	50.0%	\$2,817.50										
132																							
133																							
134																							
135																							
136																							
137																							

\$1,596,425.97

\$7,920.00

\$58,534.57

\$1,294,076.29

81.1%

\$302,349.68

**ITEM NO.: J-14
AUTHORIZE PUBLIC WORKS DIRECTOR
TO MOVE FORWARD WITH
ALTERATION OF THE STREETScape
BULB OUTS INITIATING A CONTRACT
CHANGE ORDER WITH TRENT
CONSTRUCTION**

SEPTEMBER 27, 2016

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

**FROM: KRISTINA MILLER, CITY MANAGER
DAWN GRINE, DIRECTOR OF PUBLIC WORKS 
ED ANDERSON, CITY ENGINEER**

SUMMARY:

Now that the bulb outs are completed and are fully landscaped with irrigation, plants and bark, we can better observe how traffic flow is adjusting to the newly constructed street corners. It is evident that vehicles initiating a right turn from any one of the side streets (within the project limits) onto Solano Street are having difficulties completing the turn without causing some minor to extreme damage to the landscaping on the northwest and southeast corners at each of the project-limit intersections.

Once the Contractor has satisfactorily completed his obligations of the Downtown Streetscape Project the maintenance of the street, sidewalks and bulb outs will fall upon the Public Works Department. The bulb out landscaping very well could become a daily and more expensive task than previously anticipated.

Public Works Director Dawn Grine has asked Trent Construction to prepare a cost estimate to "fill-in" the aforementioned project bulb out landscaping area with the stamped concrete keeping the integrity of the decorative concept of the project intact.

This action will not prevent vehicles from encroaching into the bulb out, but it would alleviate continued damage to the landscaped areas and possible damage to vehicles.

Caltrans District 2 Area Manager Kurt Lervold does not foresee a problem approving a Contract Change Order for the alteration of the project bulb outs.

RECOMMENDATION:

That Mayor and Council Authorize the Public Works Director to move forward with the alteration of the Downtown Streetscape bulb outs initiating a Contract Change Order with Trent Construction