

**CITY OF CORNING  
CITY COUNCIL AGENDA  
TUESDAY, APRIL 22, 2008  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Hill  
Dickison  
Zuniga  
Turner  
Strack**

**Mayor:**

**C. INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**1. Proclamation – May 2008 “Relay for Life Month”**

Present to accept the Proclamation will be Jean Anderson from the Relay for Life Committee.

**2. Proclamation – May 7, 2008 Tehama County Peace Officers' Memorial Day**

Present to accept the Proclamation will be Deputy Coroner Kurt Lampe representing the Tehama County Peace Officers Association.

**3. Proclamation – May 26, 2008 Loyalty Day in the City of Corning**

Jim Darrow, past Commander of VFW Post 4218 will be present to accept the Proclamation.

**4. Presentation to Friends of the Theatre – Dorinda Walker:**

Corning 4-H member Dorinda Walker will present to the Friends of the Theatre \$2,000 that she has collected through various can drives she has held.

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

**F. DORIS DRUM, CORNING HIGH SCHOOL LIAISON REPORT:**

**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 requests separate discussion and/or action.**

**5. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**

6. Waive the Reading and Approve the Minutes of the April 8, 2008 meeting with any necessary corrections.
7. April 16, 2008 Claim Warrant - \$3,214,556.32.
8. Business License Report – April 16, 2008.
9. Treasurer’s Report – March 2008.
10. Wages and Salaries – March 2008 - \$317,679.86.
11. Ordinance 631 to Adopt New Uniform Building codes and Permit Adjustment of Building Fees by Resolution. (Second Reading)
12. Recommend Appointment of Gloria Church to the Corning Library Commission.
13. March 2008 Building Permit Valuation Report - \$397,104.85
14. Resolution No. 04-22-08-01 Authorizing Use of Safe Deposit Box at Premier West Bank.
15. Authorization to Purchase Police Vehicle.

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

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

16. Authorize Exception to Municipal Code 13.08.240 Allowing a Parcel of Less than 5 Acres to Drill a Water Well and Approve a Request for an Agricultural Well within the City Limits.
17. Recreation Progress Report and Consideration of Joint Use Agreement between the City and Corning Elementary and Corning High School.
18. Approve 2008/2009 Capital Improvement Budget for all City Departments.

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

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

L. **REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

19. Hill:
20. Dickison
21. Zuniga:
22. Turner:
23. Strack: Update on South Avenue Interchange and Caltrans Projects.

M. **ADJOURN TO CLOSED SESSION:**

**PUBLIC EMPLOYMENT**

Pursuant to Government Code Section 54957:  
City Manager Evaluation

**CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION:  
Pursuant to Government Code Section 54956.9  
Three potential cases.**

**N. ADJOURNMENT!:**

**POSTED: APRIL 18, 2008**

## PROCLAMATION

### MAY 2008 RELAY FOR LIFE MONTH IN THE CITY OF CORNING

**WHEREAS**, the American Cancer Society is the nationwide community-based voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer through research, education, advocacy and service, and

**WHEREAS**, by these efforts the overall, age-adjusted cancer mortality rate is declining for the first time in human history and will continue to do so; and

**WHEREAS**, people are alive today because the knowledge we have gained has translated directly into prevention, early detection and improved treatment, and

**WHEREAS**, "Relay For Life" is the national signature event of the American Cancer Society and has just surpassed \$3 billion dollars in funds raised since the first Relay for Life held in 1985; and

**WHEREAS**, the "Relay for Life" is unique in this community in that it blends fundraising, cancer awareness and prevention activities, fellowship and support for cancer survivors and family members; and

**WHEREAS**, the Tehama County unit of the American Cancer Society will hold its 11<sup>th</sup> annual "Relay for Life" on May 17<sup>th</sup> and 18<sup>th</sup>, 2008, honoring over 200 cancer survivors, and

**WHEREAS**, "Relay for Life" is about being a community that takes up the fight against cancer and acknowledges that there is no finish line until a cure is found.

**NOW, THEREFORE I, GARY R. STRACK, AS MAYOR OF THE CITY OF CORNING, DO HEREBY PROCLAIM THE MONTH OF MAY 2008 AS "RELAY FOR LIFE" MONTH IN THE CITY OF CORNING AS WE JOIN THE AMERICAN CANCER SOCIETY IN THE FIGHT AGAINST CANCER.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Corning to be affixed this 22nd day of April 2008.

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**GARY R. STRACK, MAYOR**

**PROCLAMATION**

**MAY 7, 2008  
TEHAMA COUNTY PEACE OFFICERS'  
MEMORIAL DAY**

**WHEREAS**, the Community of Corning recognizes the important role our Police Officers have in maintaining a free and peaceful society; and

**WHEREAS**, the City of Corning recognizes that these dedicated men and women who serve in the law enforcement profession have made a commitment to preserving freedom and security though they face extraordinary risk and danger; and

**WHEREAS**, Wednesday, May 7, 2008, will be observed in the City of Corning and throughout Tehama County as Tehama County Peace Officers' Memorial Day in commemoration of those Peace Officers who have given their lives in the line of duty; and

**NOW, THEREFORE**, I, Gary R. Strack, Mayor of the City of Corning do **HEREBY PROCLAIM THAT WEDNESDAY, MAY 7, 2008, SHALL BE OBSERVED IN THE CITY OF CORNING AS: TEHAMA COUNTY PEACE OFFICERS' MEMORIAL DAY** in conjunction with National Police Week and California Peace Officers' Memorial Day.

**I DO FURTHER PROCLAIM** that the City Hall and Transportation Center flags will be flown at half-staff on this day in honor of all peace officers killed in the line of duty, and that this Proclamation will be posted at the Corning Police Department for all to see.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 22<sup>nd</sup> day of April 2008.

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**Gary R. Strack, Mayor**

PROCLAMATION  
APRIL 26, 2008  
AS  
LOYALTY DAY IN THE CITY OF CORNING

WHEREAS, America was founded by patriots who risked their lives to bring freedom to our Nation and in 1958 Congress established May first of each year as Loyalty Day after a nine-year effort by the Veterans of Foreign Wars (VFW) of the United States; and

WHEREAS, on Loyalty Day, we celebrate the blessings of freedom and remember our responsibility to continue our legacy of liberty; and

WHEREAS, our Nation has never been united simply by blood, birth, or soil, but instead has always been united by the ideals that move us beyond our background and teach us what it means to be Americans, and,

WHEREAS, we are a people that deeply believe in freedom and self-government, values embodied in our cherished documents and defended by our troops over the course of generations; and,

WHEREAS, we are inspired by the patriotic service of the men and women who wear our Nation's uniform with honor and decency, and by the military spouses and families who stand by their loved ones thus representing the best of the American spirit; and

WHEREAS, these brave Soldiers, Sailors, Airman, Marines, and Coast Guardsmen are the beloved sons and daughters of our land and protect the freedoms we all enjoy today; and

WHEREAS, more than 400,000 Americans have made the supreme sacrifice, laying down their lives so others could live free;

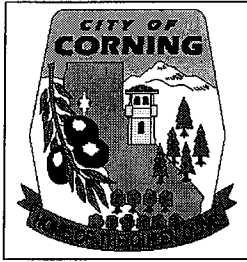
NOW, THEREFORE, I, Gary R. Strack, Mayor of the City of Corning, do **HEREBY DECLARE APRIL 26, 2008 AS "LOYALTY DAY" IN THE CITY OF CORNING.**

I DO FURTHER encourage all citizens to participate in this national observance and to display the flag of the United States on Loyalty Day as a symbol of pride in our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 22<sup>th</sup> day of April 2008.

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Gary R. Strack, Mayor



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, APRIL 8, 2008  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Hill  
Dickison  
Zuniga  
Turner  
Strack**

**Mayor:**

All Council members were present.

**C. INVOCATION AND PLEDGE OF ALLEGIANCE:**

City Manager Stephen Kimbrough led the Pledge of Allegiance.

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

**1. Proclamation – May 2008 “ Child Abuse Prevention Month”**

Mayor Strack presented the Proclamation to Delores May, Robert Thayer, Gene May and Randy Wright from the Corning Exchange Club.

**E. BUSINESS FROM THE FLOOR:**

Dave Linnet addressed the Council regarding the Use Permit for his Tire Shop. He presented the Council with pictures of his business site and stated that he intends to submit a new Use Permit application in order to address the Conditions of Approval placed on his current Permit.

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

- 2. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 3. Waive the Reading and Approve the Minutes of the March 25, 2008 meeting with any necessary corrections.**
- 4. April 2, 2008 Claim Warrant - \$295,571.71.**
- 5. Business License Report – April 2, 2008.**
- 6. Authorize Public Works to seek Bids for a three-year Concrete Contract for Curb, Gutter and Sidewalk Installation.**
- 7. Resolution No. 04-08-08-02; Clarifying the No Parking Zone Description on Resolution 03-25-08-01 previously approved by City Council.**
- 8. Waive Recreational Use Fee for 1<sup>st</sup> Annual Westside American Legion Fundraiser at Yost Park.**
- 9. March 2008 – SWWC Services Inc. Wastewater Operation Summary Report.**

10. **Resolution No. 04-08-08-01 Creating a No Parking Zone located at 3070 Highway 99-W.**
11. **Ordinance 631 to Adopt New Uniform Building codes and Permit Adjustment of Building Fees by Resolution. (Second Reading)**
12. **Approve Contract Change Order No. 3 Eliminating the Marguerite Avenue Overlay Project and Approve an Increase in Asphalt Cost for the Sunrise Excavating, Inc. 2007 Street Paving Project Contract.**
13. **Approve Janitorial Scope of Service Amendment Increasing Contractual Fees by \$50 monthly for Cleaning Services at the Transportation Center Recreation Department.**
14. **Request to Postpone Masonry Wall and Approve Certificate of Occupancy; Salado Orchard Apartments; Pacific West Communities.**

Councilor's Hill and Turner asked to pull Consent Agenda Item 14. Councilor Hill also requested clarification on item 8, asking if they will clean up after the event; she was informed that they would.

Councilor Hill motioned approval of Consent Agenda Items 2-10 and 12-13. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

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

14. **Request to Postpone Masonry Wall and Approve Certificate of Occupancy; Salado Orchard Apartments; Pacific West Communities.**

Councilor Hill stated that she believes the wall should be completed. Councilor Zuniga asked the estimated date of completion; Planning Director Brewer stated that it will entail a rezone for the second phase. Mr. Brewer briefed the Council on discussions with Pacific West Communities relating to the second phase stating that they are seeking a delay pending a decision by the City in relation to Phase II. Mayor Strack stated that the Staff Report states 120 days for the postponement.

Mr. Brewer stated that the Agreement the City Attorney has reviewed calls for the 120 days and a deposit placed with the City for the construction of the wall. Mayor Strack stated that he had no problem with granting the 120-day extension rather than requiring the fence construction with the expense attached, only to possibly require its removal depending on the outcome of Phase II. Councilor Hill suggested a requirement calling for the installation of a temporary fence, such as that in front of the current construction to be placed where the permanent masonry fence was required to be placed during the interim.

Councilor Hill motioned to approve the Improvement Agreement with Pacific West Communities with provision that they immediately install temporary fencing along the south boundary of Assessor's Parcel No. 71-120-70. Councilor Dickison seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

**H. REGULAR AGENDA:**

15. **Cal-Trans Presentation on the Draft Interstate 5 (I-5) Transportation Concept Report.** Caltrans Associate Transportation Planner Kathy Grah and Scott White, Chief, Office of System Planning – Caltrans narrated the presentation.

Comments: Ed Anderson asked if the comments would be consolidated by the City and forwarded to Kathy Grah, Mayor Strack stated yes. Barbara O'Keeffe thanked the Council and Staff for having Caltrans here tonight to make their presentation.

**16. Approve Annual Agreement with Tri-County Economic Development Corporation.**

City Manager Kimbrough stated that the matching funds required by the City have been reduced from the previous years required contribution. Councilor Hill motioned to approve the annual participation in the Tri-County Economic Development Corporation and commit \$3,000 from the City's General Fund as the City's share of the local grant match. The motion was s **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion approved by a vote of 5-0.**

**17. Recreation Program Progress Report for City Council, Discussion and Action.**

Mayor Strack asked about the software necessary for Recreation Supervisor Kimberly Beck to take over the web site maintenance. Councilor Hill suggested using the Pet Show revenues to fund the software purchase. This was approved by consensus of the Council.

I. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

J. **COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:** None.

K. **REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

18. **Hill:** Reported on League of CA Cities Policies Committee meeting. Councilor Hill stated that a couple of local youth are interested in attending the League of California Cities meeting stating that they are willing to raise funds to attend. By Council consensus it was approved for them to begin fund raisers to attend the League Conference.

19. **Dickison:** LAFco announced that the meeting was cancelled and is tentatively rescheduled for May.

20. **Zuniga:** None.

21. **Turner:** None.

22. **Strack:** None.

L. **ADJOURN TO CLOSED SESSION:** 8:43 p.m.

**PUBLIC EMPLOYMENT**

**Pursuant to Government Code Section 54957:  
Planning Director**

M. **RECONVENE AND REPORT ON CLOSED SESSION:** 9:45 p.m.

Council met with and continued discussion to closed session following the next City Council meeting under City Manager Evaluation.

N. **ADJOURNMENT!:** 9:46 p.m.

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**Lisa M. Linnet, City Clerk**



# MEMORANDUM

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** LORI SIMS  
ACCOUNTING TECHNICIAN

**DATE:** April 16, 2008

**SUBJECT:** Cash Disbursement Detail Report for the  
Tuesday, April 22, 2008 Council Meeting

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**PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:**

A. Cash Disbursements Ending 04-16-18 \$ 3,214,556.32

**GRAND TOTAL \$ 3,214,556.32**

