



**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**