



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, JULY 9, 2019
CITY COUNCIL CHAMBERS
794 THIRD STREET**

The City Council 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 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: 6:30 p.m.

B. ROLL CALL:

Council:

**Robert Snow
Jose "Chuy" Valerio
Dave Demo
Karen Burnett
Douglas Hatley Jr.**

Mayor:

C. PLEDGE OF ALLEGIANCE: Led by the City Manager.

D. INVOCATION: Led by Mayor Hatley.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

F. PUBLIC COMMENTS AND 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.

- 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. July 3, 2019 Claim Warrant in the amount of \$676,391.77.**
- 3. July 3 2019 Business License Report.**
- 4. June Wages & Salaries: \$357,448.99.**
- 5. June 2019 Treasurer's Report.**
- 6. June 2019 Building Permit Valuation Report in the amount of \$425,652.**
- 7. June 2019 City of Corning Wastewater Operations Summary Report.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

- 8. Hearing to consider objections/appeals from Property Owners and adopt Resolution 07-09-2019-02 declaring a Public Nuisance on 1 Property located within the City limits and authorizing the Fire Chief and City Clerk to initiate the Abatement Procedures.**

J. REGULAR AGENDA:

9. Enact Urgency Ordinance No. 679 adding Chapter 16.40 to the Corning Municipal Code pertaining to the Authority of the City to create Underground Utility Districts
10. Adopt Resolution 07-09-2019-01, a Resolution declaring a Public Nuisance on 3 Properties within the City and authorized the Fire Chief to initiate Abatement Procedures.

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).

Snow:

Valerio:

Demo:

Burnett:

Hatley:

N. ADJOURNMENT!:

Lisa M. Linnet, City Clerk

POSTED: FRIDAY, JULY 5, 2019



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: July 3, 2019

SUBJECT: Cash Disbursement Detail Report for the
Tuesday July 9, 2019 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 06-28-19	\$	101,893.26
B.	Payroll Disbursements	Ending 06-24-19	\$	118,643.56
C.	Cash Disbursements	Ending 06-30-19	\$	361,016.16
D.	Cash Disbursements	Ending 07-03-19	\$	20,960.55
E.	Payroll Disbursements	Ending 07-02-19	\$	73,878.24

GRAND TOTAL **\$ 676,391.77**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
127693	06/21/19	SON03	SONSRAY MACHINERY, LLC	80347.76	.00	80347.76	2019621	MACH/EQUIP-
127694	06/24/19	MAR11	MARCUSSEN, MOLLY	67.81	.00	67.81	190624	MAT & SUPPLIES-REC
127695	06/25/19	COP02	COPY CENTER	137.06	.00	137.06	15604	OFFICE SUPPLIES-FINANCE
127696	06/25/19	CRO05	CROSS PETROLEUM	1500.74	.00	1500.74	CL83134	MAT & SUPPLIES-
127697	06/25/19	GRA02	GRAINGER, W.W., INC	90.62	.00	90.62	920581868	MAT & SUPPLIES-WTR
127698	06/25/19	HOL04	HOLIDAY MARKET #32	27.28	.00	27.28	321321206	MAT & SUPPLIES-BLD MAINT
127699	06/25/19	INT01	INTERLAND BUSINESS SUPPLY	26.99	.00	26.99	423	MAT & SUPPLIES-CITY CLERK
127700	06/25/19	KNI00	KNIFE RIVER CONSTRUCTION	558.57	.00	558.57	214026	A/C CITYWIDE-STR
127701	06/25/19	LEH03	LEHR AUTO ELECTRIC	3972.26	.00	3972.26	S126902	VEH REPLAC-CAP IMPROV
127702	06/25/19	MOO07	MOORE & BOGENER, INC.	1224.00	.00	1224.00	8554	CONSULT LIT-
127703	06/25/19	MOU02	MOULE'S TEHAMA COUNTY GLA	1237.51	.00	1237.51	60151	VEH OP/MAINT-POLICE
127704	06/25/19	MUN03	MUNNELL & SHERRILL, INC.	72.36	.00	72.36	303914	MAT & SUPPLIES-
127705	06/25/19	PGE2A	PG&E	41.92	.00	41.92	190617	ELECT-BLUE HERON CT
127706	06/25/19	QUI02	QUILL CORPORATION	52.77	.00	52.77	8089005	OFFICE SUPPLIES-FINANCE
				55.02	.00	55.02	8089039	MAT & SUPPLIES-
				.00	.00	.00	8089627	OFFICE SUPPLIES-WTR
			Check Total.....:	107.79	.00	107.79		
127707	06/25/19	RTA02	RTA CONSTRUCTION, INC.	3025.00	.00	3025.00	PPR: RETE	CAP REPLAC-SWR CAP IMPROV
127708	06/25/19	SSD02	SSDTTF	470.00	.00	470.00	190613B	TRAINING/ED-POLICE
127709	06/25/19	SUN13	SUN RIDGE SYSTEMS, INC	4281.00	.00	4281.00	5592	RIMS MAINT-DISPATCH
127710	06/25/19	UNI02	UNIFORMS, TUXEDOS & MORE	220.13	.00	220.13	169508	MAT & SUPPLIES-ACO
127711	06/27/19	BUR08	BURNETT, KAREN S.	138.69	.00	138.69	190627	REC INSTRUCTOR-
127712	06/27/19	CAL43	CALIFORNIA NARCOTIC OFFIC	35.00	.00	35.00	190624	TRAINING/ED-POLICE
127713	06/27/19	CHI13	CHICO PRINCESS PARTIES, L	1065.00	.00	1065.00	190627	REC INSTRUCTOR-REC
127714	06/27/19	GAB00	GABBARD, BRYAN	300.00	.00	300.00	190627	REC INSTRUCTOR-REC
127715	06/27/19	LAR04	LARSEN, MACKENZIE	90.00	.00	90.00	190627	REC INSTRUCTOR-REC
127716	06/27/19	PAT04	PATTON, JACQUELINE	345.00	.00	345.00	190627	REC INSTRUCTOR-REC
127717	06/27/19	STE00	STEALTH AUTO RECOVERY, IN	38.00	.00	38.00	190626	SMALL TOOLS-POLICE
127718	06/27/19	WEB02	WEBSTER, WAYNE C.	555.00	.00	555.00	190627	REC INSTRUCTOR-REC
127719	06/27/19	CHI13	CHICO PRINCESS PARTIES, L	50.95	.00	50.95	190627A	MAT & SUPPLIES-REC
127720	06/27/19	CHI13	CHICO PRINCESS PARTIES, L	542.50	.00	542.50	190627B	REC INSTRUCTOR-REC
127721	06/28/19	ROD10	RODRIGUEZ, JESENIA	690.00	.00	690.00	190628	REC INSTRUCTOR-REC
127722	06/28/19	VIN00	VINSON, MADELYN F.	210.00	.00	210.00	190628	REC INSTRUCTOR-REC
127723	06/28/19	ROB00	ROBERTS, FIONA	70.00	.00	70.00	190628	REC INSTRUCTOR-REC
127724	06/28/19	\B140	SHANE BUDDEN	38.60	.00	38.60	000B90601	MQ CUSTOMER REFUND FOR BU
127725	06/28/19	\D063	ELVIRA DE LA MORA	82.68	.00	82.68	000B90601	MQ CUSTOMER REFUND FOR DE
127726	06/28/19	\F083	BRAE FLEMING	64.68	.00	64.68	000B90601	MQ CUSTOMER REFUND FOR FL
127727	06/28/19	\P096	ALICIA PROFANT	147.13	.00	147.13	000B90601	MQ CUSTOMER REFUND FOR PR
127728	06/28/19	\S185	SARA SCHWEIKHART	21.23	.00	21.23	000B90601	MQ CUSTOMER REFUND FOR SC
			Cash Account Total.....:	101893.26	.00	101893.26		
			Total Disbursements.....:	101893.26	.00	101893.26		
			Cash Account Total.....:	.00	.00	.00		

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
11429	06/19/19	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	B90619	POLICE OFFICER ASSOC
11430	06/19/19	BAN06	BANNER BANK	1906.78	.00	1906.78	B90619	HSA DEDUCTIBLE
11431	06/19/19	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B90619	WITHHOLDING ORDER
11432	06/19/19	EDD01	EMPLOYMENT DEVELOPMENT	4466.94 1371.36	.00 .00	4466.94 1371.36	B90619 1B90619	STATE INCOME TAX SDI
Check Total.....:				5838.30	.00	5838.30		
11433	06/19/19	FED00	FEDERAL PAYROLL TAXES (EF	12466.73 16980.22 3971.26	.00 .00 .00	12466.73 16980.22 3971.26	B90619 1B90619 2B90619	FEDERAL INCOME TAX FICA MEDICARE
Check Total.....:				33418.21	.00	33418.21		
11434	06/19/19	ICM01	ICMA RETIREMENT TRUST-457	3701.05 170.00	.00 .00	3701.05 170.00	B90619 1B90619	ICMA DEF. COMP ICMA DEF. COMP ER PD
Check Total.....:				3871.05	.00	3871.05		
11435	06/19/19	PERS1	PUBLIC EMPLOYEES RETIRE	20865.67	.00	20865.67	B90619	PERS PAYROLL REMITTANCE
11436	06/19/19	PERS4	Cal Pers 457 Def. Comp	3121.47 475.00	.00 .00	3121.47 475.00	B90619 1B90619	PERS DEF. COMP. PERS DEF. COMP. ER P
Check Total.....:				3596.47	.00	3596.47		
11437	06/19/19	VAL06	VALIC	2354.79 150.00	.00 .00	2354.79 150.00	B90619 1B90619	AIG VALIC P TAX AIG VALIC P TAX ER P
Check Total.....:				2504.79	.00	2504.79		
11438	06/24/19	AFL01	AMERICAN FAMILY LIFE	1141.34 176.96	.00 .00	1141.34 176.96	B90630 1B90630	AFLAC INS.PRE TAX AFLAC INS.AFTER TAX
Check Total.....:				1318.30	.00	1318.30		
11439	06/24/19	BLU02	BLUE SHIELD OF CALIFORNIA	21547.15	.00	21547.15	B90630	MEDICAL INSURANCE
11440	06/24/19	OEU01	OPERATING ENGINEERS #3	16966.00	.00	16966.00	B90630	MEDICAL INSURANCE
11441	06/24/19	OEU02	OPERATING ENG. (DUES)	320.00 768.00 480.00 870.00	.00 .00 .00 .00	320.00 768.00 480.00 870.00	B90630 1B90630 2B90630 3B90630	UNION DUES MGMNT UNION DUES POLICE UNION DUES DISPATCH UNION DUES-MISC
Check Total.....:				2438.00	.00	2438.00		
11442	06/24/19	PRI04	PRINCIPAL PLIC-SBD GRAND	2710.75 404.83 793.80	.00 .00 .00	2710.75 404.83 793.80	B90630 1B90630 2B90630	DENTAL INSURANCE VISION INSURANCE LIFE INSURANCE
Check Total.....:				3909.38	.00	3909.38		
Cash Account Total.....:				118643.56	.00	118643.56		
Total Disbursements.....:				118643.56	.00	118643.56		

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
17744	06/30/19	ATT02	AT&T	1381.89	.00	1381.89	13234327	COMMUNICATIONS-
17745	06/30/19	ATT15	AT&T MOBILITY	601.02	.00	601.02	190619	MAT & SUPPLIES-
17746	06/30/19	BAS01	BASIC LABORATORY, INC	135.80 126.00	.00 .00	135.80 126.00	1906612 1906817	ProfServices Water Dept ProfServices Water Dept
			Check Total.....	261.80	.00	261.80		
17747	06/30/19	CAM02	FERGUSON ENTERPRISES INC.	181.28	.00	181.28	1467427	MAT & SUPPLIES-WTR
17748	06/30/19	COR01	CORNING VETERINARY CLINIC	277.52	.00	277.52	59673	PROF SVCS-ACO
17749	06/30/19	COR08	CORNING LUMBER CO INC	394.98	.00	394.98	190528	MAT & SUPPLIES-
17750	06/30/19	COR45	CORNING ACE HARDWARE	569.87	.00	569.87	190627	MAT & SUPPLIES-
17751	06/30/19	CRO05	CROSS PETROLEUM	1647.55	.00	1647.55	CL83543	VEH OP/MAINT-
17752	06/30/19	DEP03	DEPT OF TRANS/CAL TRANS	2236.24	.00	2236.24	00100462	Equip.Maint. St&Trf Light
17753	06/30/19	DLF00	DL FIRE PROTECTION	753.00 783.00 550.00 2229.00	.00 .00 .00 .00	753.00 783.00 550.00 2229.00	19-0507 19-0508 19-0509 19-0510	BLD MAINT-POLICE CERT FIRE EXT.- CERT FIRE EXT.- CERT OF EXT.-
			Check Total.....	4315.00	.00	4315.00		
17754	06/30/19	DOW01	DOWN RANGE	1072.50 1072.50	.00 .00	1072.50 1072.50	8059 8563	EQUIP REPLAC-CAP IMPROV EQUIP REPLAC-CAP IMPROV
			Check Total.....	2145.00	.00	2145.00		
17755	06/30/19	GRA02	GRAINGER, W.W., INC	18.86 43.75	.00 .00	18.86 43.75	921725039 921725040	MAT & SUPPLIES-POOL BLD MAINT-FIRE
			Check Total.....	62.61	.00	62.61		
17756	06/30/19	GRE06	GREG'S HEATING & A/C	855.00	.00	855.00	21901	BLD MAINT-
17757	06/30/19	HOM03	HOME DEPOT	85.47	.00	85.47	1190964	BLD MAINT-FIRE
17758	06/30/19	INL01	INLAND BUSINESS SYSTEMS	171.37	.00	171.37	IN381427	COMMUNICATIONS-
17759	06/30/19	JWW01	J.W. WOOD CO., INC.	2181.24	.00	2181.24	R616582	HYDRANT INSTALL-WTR CAP I
17760	06/30/19	LEH03	LEHR AUTO ELECTRIC	437.43	.00	437.43	SI31112	VEH REPLAC-CAP IMPROV
17761	06/30/19	MCC07	MCCOY'S HARDWARE & SUPPLY	610.15	.00	610.15	190627	MAT & SUPPLIES-
17762	06/30/19	MIL14	MILLER, KRISTINA	1072.48	.00	1072.48	190627	MAT & SUPPLIES-REC
17763	06/30/19	MTH00	M.T. HALL & ASSOCIATES, I	6955.00	.00	6955.00	1257	2019 STR PROJ-STR PROJ
17764	06/30/19	NAP01	NAPA AUTO PARTS	583.02	.00	583.02	190625	VEH OP/MAINT-
17765	06/30/19	NOR47	NORTHSTAR	187.50 327.50 10575.00	.00 .00 .00	187.50 327.50 10575.00	74229 74230 74232	PROF SVCS-DEV/ENG 2019 ST PROJ-STR PROJ PROF SVCS-PW ADMIN
			Check Total.....	11090.00	.00	11090.00		
17766	06/30/19	OFF01	OFFICE DEPOT	97.99	.00	97.99	331678439	OFFICE SUPPLIES-DISPATCH
17767	06/30/19	PGE01	PG&E	80.24	.00	80.24	190626	ELECT-CORNING COMMUNITY P
17768	06/30/19	PGE2B	PG&E	400.27	.00	400.27	000784784	SOLAR-WWTP
17769	06/30/19	QUI02	QUILL CORPORATION	56.97 201.50 15.40	.00 .00 .00	56.97 201.50 15.40	8228089 8228341 8266571	OFFICE SUPPLIES-FINANCE OFFICE SUPPLIES- OFFICE SUPPLIES-
			Check Total.....	273.87	.00	273.87		
17770	06/30/19	RIV04	RIVER CITIES COUNSELING,	12000.00 19740.13	.00 .00	12000.00 19740.13	377 725	RESTORE PROMISE NEIGHBORH COUNSELOR-BSCC PROP 47
			Check Total.....	31740.13	.00	31740.13		
17771	06/30/19	RON03	RON DUPRATT FORD	756.58	.00	756.58	63667	VEH OP/MAINT-POLICE
17772	06/30/19	SAF05	SAFARILAND, LLC	98.16 7.04 250.98	.00 .00 .00	98.16 7.04 250.98	I01021490 I0102149A I01021759	MAT & SUPPLIES-POLICE MAT & SUPPLIES-POLICE MAT & SUPPLIES-POLICE
			Check Total.....	356.18	.00	356.18		
17773	06/30/19	SCP00	SCP DISTRIBUTORS LLC	786.13	.00	786.13	SN024980	MAT & SUPPLIES-POOL

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
27773	06/30/19	SCP00	SCP DISTRIBUTORS LLC	680.24	.00	680.24	SN025225	MAT & SUPPLIES-WTR
				1147.60	.00	1147.60	SN025247	MAT & SUPPLIES-POOL
			Check Total.....:	2613.97	.00	2613.97		
27774	06/30/19	SNL00	SNL GROUP INC.	279878.23	.00	279878.23	CPR#2	2019 STR PROJ-STR PROJ
27775	06/30/19	STO07	STOUFFER, JOHN BEDFORD	2520.00	.00	2520.00	190701	PROF SVCS-PLANNING
27776	06/30/19	TEH15	TEHAMA CO SHERIFF'S DEPT	3400.00	.00	3400.00	235	VEH REPLAC-CAP IMPROV
27777	06/30/19	TH001	THOMES CREEK ROCK CO	276.16	.00	276.16	190701	MAT & SUPPLIES-STR
27778	06/30/19	USA01	USA BLUE BOOK	148.29	.00	148.29	930237	MAT & SUPPLIES-WTR
				171.42	.00	171.42	932860	MAT & SUPPLIES-WTR
				57.14	.00	57.14	932861	MAT & SUPPLIES-WTR
			Check Total.....:	376.85	.00	376.85		
27779	06/30/19	WAL02	WALKER PRINTING	129.77	.00	129.77	36570	PRINT/ADV-DISPATCH
			Cash Account Total.....:	361016.16	.00	361016.16		
			Total Disbursements.....:	361016.16	.00	361016.16		

REPORT.: Jul 03 19 Wednesday
 JN...: Jul 03 19 Time: 16:24
 In By.: LORI

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 07-19 Bank Account.: 1020

PAGE: 001
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice #	Description
27729	07/01/19	COR07	CORBIN WILLITS SYSTEMS, I	744.31	.00	744.31	000B907011	EQUIP MAINT-FINANCE
27730	07/01/19	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000B907011	CngChamberComm. Economic
27731	07/01/19	COR18	CORNING SENIOR CENTER	2700.00	.00	2700.00	B90307A	SENIOR CENTER-GEN CITY
27732	07/01/19	DEM02	DEMO, DAVID LEWIS	104.70	.00	104.70	000B907011	PROF SVCS-FIRE DEPT
27733	07/01/19	MOO07	MOORE & BOGENER, INC.	5525.00	.00	5525.00	000B907011	CONSULTING SVCS-LEGAL SVC
27734	07/01/19	OCH01	OCHOA CLEANING	2233.21	.00	2233.21	000B907011	JANITORIAL SERVICES-
27735	07/01/19	PAT05	PATTERSON PROPERTIES	500.00	.00	500.00	000B907011	MAT & SUPPLIES-REC
27736	07/01/19	PIT01	PITNEY BOWES	171.39	.00	171.39	000B907011	Rents/Leases Finance Dept
27737	07/01/19	SCH16	SCHLERETH, DAYMON WAYNE	54.70	.00	54.70	000B907011	PROF SVCS-FIRE DEPT
27738	07/01/19	SEC05	SECOND CHANCE PET RESCUE	1583.34	.00	1583.34	000B907011	PROF SVCS-ACO
27739	07/02/19	ALB01	ALBERTSON, MARGE	550.00	.00	550.00	20190702	TRAINING/ED-
27740	07/02/19	MCI04	MCINTYRE, JASON	14.00	.00	14.00	190628	TRAINING/ED-POLICE
27741	07/03/19	COM01	COMPUTER LOGISTICS, INC	2860.00	.00	2860.00	80508	EQUIP MAINT-
				200.00	.00	200.00	80537	COMP REPLAC-POLICE
			Check Total.....:	3060.00	.00	3060.00		
27742	07/03/19	DM001	DM-TECH	119.90	.00	119.90	201907011	COMMUNICATIONS-GEN CITY
27743	07/03/19	SIE01	SIERRA LANDSCAPE & MAINT	2600.00	.00	2600.00	190702	LANDSCAPE MAINT-
			Cash Account Total.....:	20960.55	.00	20960.55		
			Total Disbursements.....:	20960.55	.00	20960.55		
			Cash Account Total.....:	.00	.00	.00		

check umber	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
11458	07/02/19	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	B90702	POLICE OFFICER ASSOC
11459	07/02/19	BAN06	BANNER BANK	1162.57	.00	1162.57	B90702	HSA DEDUCTIBLE
11460	07/02/19	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B90702	WITHHOLDING ORDER
11461	07/02/19	EDD01	EMPLOYMENT DEVELOPMENT	4596.16 1449.96	.00 .00	4596.16 1449.96	B90702 1B90702	STATE INCOME TAX SDI
			Check Total.....:	6046.12	.00	6046.12		
11462	07/02/19	FED00	FEDERAL PAYROLL TAXES (EF	13260.01 17855.08 4175.72	.00 .00 .00	13260.01 17855.08 4175.72	B90702 1B90702 2B90702	FEDERAL INCOME TAX FICA MEDICARE
			Check Total.....:	35290.81	.00	35290.81		
11463	07/02/19	HEA05	HEALTHIEST YOU	18.00	.00	18.00	B90702	HEALTHIEST YOU
11464	07/02/19	ICM01	ICMA RETIREMENT TRUST-457	4038.66 170.00	.00 .00	4038.66 170.00	B90702 1B90702	ICMA DEF. COMP ICMA DEF. COMP ER PD
			Check Total.....:	4208.66	.00	4208.66		
11465	07/02/19	PERS1	PUBLIC EMPLOYEES RETIRE	20587.36	.00	20587.36	B90702	PERS PAYROLL REMITTANCE
11466	07/02/19	PERS4	Cal Pers 457 Def, Comp	3121.47 475.00	.00 .00	3121.47 475.00	B90702 1B90702	PERS DEF. COMP. PERS DEF. COMP. ER P
			Check Total.....:	3596.47	.00	3596.47		
11467	07/02/19	VAL06	VALIC	2354.79 150.00	.00 .00	2354.79 150.00	B90702 1B90702	AIG VALIC P TAX AIG VALIC P TAX ER P
			Check Total.....:	2504.79	.00	2504.79		
			Cash Account Total.....:	73878.24	.00	73878.24		
			Total Disbursements.....:	73878.24	.00	73878.24		

Date.: Jul 3, 2019
Time.: 4:54 pm
Run by: LORI

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Item No.: **C-3**
Page: 1
List: NEWB
Group: WTFMBM

Business Name	Address	CITY/STATE/ZIP	Business Desc	Bus Start Date
EMINGUIN HOME SOLUTIO	3564	CENTRAL AVE. SUITE 2B RIVERSIDE, CA 92506	SOLAR INSTALLER	06/25/19
MEGA ASPHALT PAVING	385	FREEPOR T AVE. SUITE#4 SPARKS, NV 89431	ASPHALT/PAVING CONTRACTOR	06/26/19

CITY OF CORNING
TREASURER'S REPORT
JUNE 2019

<u>AGENCY</u>	<u>CURRENT BALANCE</u>	<u>RATE</u>
Local Agency Investment Fund	\$2,896,864.32	2.55%

Respectfully submitted:



Laura L. Calkins
City Treasurer

15347	6/25/2019	071-133-005-000	1202 SOLANO ST County CA	HERNANDEZ, JUAN ETAL	1202 SOLANO ST	CORNING CA 96021	Fire Protection	COMMERCIAL FIRE SPRINKLERS FOR M OCCUPANCY AND SUPPLY WATER TO R-3 UNIT ON 2ND. STORY.	\$6,700
15346	6/25/2019	071-045-010-000	304 SIXTH ST	ABEL, JASON & ABEL, ANNA	6409 PIEDMONT RD	CORNING CA 96021	Demo	Demo All Existing Structures	\$7,000
15345	6/24/2019	071-152-013-000	909 TOOMES AVE	HERNANDEZ, ANTONIO	909 TOOMES AVE	CORNING CA 96021	Electrical	Correct Unpermitted Service (Electrical) Change Out. 125 amp	\$600
15344	6/24/2019	073-034-008-000	884 COLUSA ST	Mcinnis Properties LLC	3204 Orange Ave.	Oroville	Roof	Tear Off, Re-Roof, Primary House, Detached Garage & 2nd Garage	\$9,000
15343	6/21/2019	073-045-005-000	518 EAST ST	HERNANDEZ, IGNACIO	518 EAST ST	CORNING CA 96021	Roof	Tear Off, Re-roof	\$4,500
15342	6/21/2019	071-232-012-000	1327 WEST ST	OLIVEIRA, JOHN B & MARGARET A	P O BOX 555	CORNING CA 96021	Roof	Tear Off, Re-Roof	\$6,550
15341	6/20/2019	073-010-054-000	710 SOLANO ST	HOWELL, JEFFREY R & APRIL C	DBA CORNING PHYSICAL THERAPY	17 DANA POINT RD CHICO CA 95928	HVAC	AC Condenser & Evaporator Coil	\$6,800
15340	6/18/2019	071-126-016-000	1438 MARIN ST	ZEPEDA, ARMANDO ACEVEDO	1438 MARIN STREET	CORNING CA 96021	Building	enlarge one bed rm., move laundry rm. add sink to 1/2 bath.	\$1,200
15339	6/18/2019	073-182-005-000	1534 MARGUERITE AVE	DALTON, JASON E ETAL	1534 MARGUERITE AVE	CORNING CA 96021	Electrical	Install 225A Main Service Panel w/ 200A Main Breaker	\$2,500
15338	6/18/2019	071-046-013-000	1424 COLUSA ST	BORER, NATHANIEL M ETAL	1424 COLUSA STREET	CORNING CA 96021	Electrical	Install 125A Main Service Panel w/new 100A main breaker	\$2,000
15337	6/13/2019	073-153-010-000	420 ALMOND ST	DOTSON, TINA ETAL	420 ALMOND ST	CORNING CA 96021	Solar	roof mount p.v. system 5.7 kw	\$20,000

15335	6/12/2019	071-062-024-000	2056 DOLLA CT	THUEMLER, JAMES B & THUEMLER, ALICE R	2056 DOLLA CT	CORNING CA 96021	Electrical	Replacing 100 Amp. Panel	\$1,800
15334	6/10/2019	071-191-017-000	1820 TAFT AVE	HILLER, KEITH J & HILLER, JENNIFER	P O BOX 2275	FLOURNOY	ReModel	HOUSE REMODEL	\$30,000
15333	6/10/2019	073-101-006-000	716 WALNUT ST	CHRISTENSE N, PATRICK T ETAL	716 WALNUT ST	CORNING CA 96021	Solar	ROOF MOUNT P.V. SYSTEM 6.84 KW	\$19,997
15332	6/7/2019	073-081-005-000	504 MARIN ST	RAMIREZ, SAUL	504 MARIN ST	CORNING CA 96021	Solar	ROOF MOUNT P.V. SYSTEM 7.695 KW	\$27,000
15331	6/7/2019	073-084-009-000	420 SOUTH ST	WOOD, RICHARD D ETAL	420 SOUTH ST	CORNING CA 96021	Solar	ROOF MOUNT P.V. SYSTEM 9.12 KW.	\$32,000
15330	6/7/2019	073-094-008-000	804 SOUTH ST	LANGENDER FER, JEREMY L	804 SOUTH ST	CORNING CA 96021	Solar	ROOF MOUNT P.V. SYSTEM 12.8 KW	\$44,800
15329	6/7/2019	071-051-002-000	1317 NORTH ST	JOHNSON, DEBRA	1317 NORTH ST	CORNING CA 96021	Solar	ROOF MOUNT P.V. SYSTEM 3.8 KW.	\$14,608
15328	6/6/2019	071-122-012-000	1614 MARIN ST	PARKER LIVNG TRUST 02/28/95	PARKER, ROBERT A TR	24887 2ND AVENUE LOS MOLINOS CA 96055	Mechanical	REPLACE FREESTANDING WILLIAMS HEATER	\$1,994
15327	6/5/2019	073-101-006-000	716 WALNUT ST	CHRISTENSE N, PATRICK T ETAL	716 WALNUT ST	CORNING CA 96021	HVAC	install 3 ton 17 seer hvac unit w/ ducts	\$19,200
15326	6/5/2019	071-080-007-000	1936 SOLANO ST	WILLIAMS, ANN ELIZABETH ETAL	P O BOX 677	CORNING CA 96021	Plumbing	Replacing grease trap	\$2,139
15318	6/3/2019	071-153-002-000	1809 SOLANO ST	99 CENT PLUS GROCERY INC	2013 SOLANO ST	CORNING CA 96021	Building	ADDING SIDES AND END WALLS AND GABLE ENDS, DOOR, WINDOW	\$4,420
15317	6/3/2019	071-244-024-000	1139 FOURTH AVE	HALL, DAVID B & HALL, CONNIE E	7756 CO ROAD 9	ORLAND CA 95963	Building	GENERAL REHAB OF BALCONIES FOR TWO UNITS.	\$15,000
Total Records: 33					7/1/2019				\$425,652

RECEIVED

JUL - 1 2019

**CITY OF CORNING
PUBLIC WORKS**

**CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT
JUNE 2019**

Below is a summary of the Monthly Operations Report that will be available for City review on July 2019

- 1) Completed monthly reports.
- 2) Performed weekly Operator 10 maintenance on all plant equipment.
- 3) Changed flow disk.
- 4) Performed pretreatment inspection on Valley Prune
- 5) Staff meeting to discuss plant operations and issues.
- 6) Changed chart on So3 analyzer.
- 7) Safety meeting and daily tailgate meeting
- 8) Inspected eyewash and emergency showers.
- 9) Cleaned So2 pump.
- 9) Completed annual LOTO inspection.
- 10) Changed gear oil in all 3 aerators.
- 12) Exercised lift station stand –by pump
- 13) Exercised emergency generator.

- 14) Performed monthly plant inspection
- 15) Submitted monthly ESMR and DMR
- 16) Cleaned drying beds.
- 17) Completed monthly test on chemical leak detectors.
- 18) Completed monthly receiving water sampling and lab test
- 19) Regional Board on site to collect coliform sample.
- 20) Lab Director Dr. Richard Jacobs on site to review lab data.
- 21) Completed annual storm water evaluation
- 22) Washed down EQ basin
- 23) Completed annual storm water report and submitted to PWD for approval.
- 24) Collected first Quarter Priority Pollutant sample.

June 2019

Domestic Treated Flow Monthly Average = 643,966 GPD

**ITEM NO: I-8
HEARING TO CONSIDER
OBJECTIONS/APPEALS FROM PROPERTY
OWNERS, AND ADOPT RESOLUTION 07-09-
2019-02 DECLARING A PUBLIC NUISANCE
ON 1 PROPERTY LOCATED WITHIN THE
CITY LIMITS AND AUTHORIZING THE FIRE
CHIEF AND CITY CLERK TO INITIATE THE
ABATEMENT PROCEDURES**

July 9, 2019

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
TOM TOMLINSON, FIRE CHIEF
LISA M. LINNET, CITY CLERK**

SUMMARY:

On June 25, 2019 City Council adopted Resolution 06-25-2019-03 declaring a "Public Nuisance" on one (1) property located within the City. Now, following a Public Hearing to accept comments/appeals by the "Nuisance Property" Owners (as listed on the attached Exhibit "A") present, the Fire Chief and City Clerk request authorization to initiate nuisance abatement procedures and to proceed with declaring the property owners guilty of a misdemeanor for each day such violation continues and set civil penalties of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) for each day the violation continues and authorize the City Clerk to initiate the lien process if necessary to recoup any costs associated with the abatement process.

BACKGROUND:

Pursuant to Municipal Code Chapter 8.14, the City's Weed Abatement Officer, in this case the Fire Chief has identified one (1) property within the City Limits as being a public nuisance. The Corning Municipal Code provides the following direction relating to Weed Abatement:

Section 8.14.020: Definitions:

- (a) "Weed Abatement Officer" means the Corning Fire Chief or other public officer designated by the City Council to perform the duties imposed by this article upon the superintendent.
- (b) "Weeds" means weeds which when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds", as used in this article also include any of the following:
 - 1) Weeds which bear seeds of a downy or wingy nature.
 - 2) Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
 - 3) Weeds which are otherwise noxious or dangerous.
 - 4) Poison Oak or Poison Ivy when the conditions of growth are such as to constitute a menace to the public health.
 - 5) Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Section 8.14.030 Violations of Chapter: This Section stipulates that any person violating the provisions of this Section or any other provision of this Chapter shall be guilty of a misdemeanor for each day such violation continues and sets civil penalties of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) for each day the violation continues.

(Ord. No. 2005-01 (part), 674, 6-12-2018);

Section 8.14.040 – Periodic Council Resolutions declaring nuisances: Authorizes the City Council to periodically, by Resolution, declare as public nuisances and abate:

(a) All weeds growing upon the streets, sidewalks, or private property in the City; and

(b) All rubbish, refuse and dirt upon parkways, sidewalks or private property in the City.

(Ord. No. 656, § 2, 10-14-2014);

Section 8.14.170 - Council order to proceed. If objections have not been made or after the City Council has disposed of those made, it shall order the Weed Abatement Officer to abate the nuisance by having the weeds, rubbish, refuse, and dirt removed. The order shall be made by motion or resolution.

(Ord. No. 656, § 2, 10-14-2014)

Section 8.14.230 - Abatement by private contractors. Abatement of the nuisance may in the discretion of the City Council be performed by contract awarded by the City Council on the basis of competitive bids let to the lowest responsible bidder pursuant to Government Code Sections 37903, 37904, 37905 and 37931 to 37935 inclusive. In such event the Contractor shall keep the account and submit the itemized written report for each separate parcel of land.

(Ord. No. 656, § 2, 10-14-2014)

Section 8.14.240 - Special assessment process. The cost of abatement in front of or upon each parcel of land and the costs incurred by the City of Corning in enforcing abatement upon the parcels, including investigation, boundary, determination, measurement, clerical and other related costs constitutes a special assessment against that parcel.

After the assessment is made and confirmed, a lien attaches on the parcel upon recordation of the order confirming the assessment in the office of the Tehama County recorder, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes as imposed by Government Code Section 39578 would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the costs of abatement and the costs of enforcing abatement, as confirmed, relating to such property shall be transferred to the unsecured roll for collection.

(Ord. No. 656, § 2, 10-14-2014)

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION 07-09-2019-02 DECLARING THE FOLLOWING:

- **A PUBLIC NUISANCE EXISTS ON THE ONE (1) PROPERTY LISTED ON THE ATTACHED EXHIBIT “A”;**
- **FIND THAT SUCH CONDITIONS ARE SEASONAL AND RECURRENT NUISANCES; and,**
- **AUTHORIZE THE FIRE CHIEF AND CITY CLERK TO INITIATE ABATEMENT PROCEDURES INCLUDING, BUT NOT LIMITED TO ISSUING MISDEMEANOR VIOLATIONS AND CIVIL PENALTIES ON THIS PROPERTY/PARCEL AS SPECIFIED IN THE CITY’S MUNICIPAL CODE AS WELL AS LIENS TO RECOUP COSTS INCURRED BY THE CITY FOR ABATEMENT.**

RESOLUTION 07-09-2019-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
DECLARING A PUBLIC NUISANCE ON THE ONE (1) PROPERTY
LISTED ON THE ATTACHED
EXHIBIT "A"**

WHEREAS, the Corning Municipal Code Chapter 8.14, Weed Abatement, Section 8.14.010 explains that these regulations are intended to address the recurring health and safety problems arising out of weeds and rubbish on property within the City of Corning and are designed to alleviate those problems and protect the citizen's health, safety and property.

Whereas, Section 8.14.020 defines "Weeds" as weeds that when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds," as used in this article, also includes any of the following:

1. Weeds which bear seeds of a downy or wingy nature.
2. Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
5. Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Whereas, the City's Weed Abatement Officer/Fire Chief has identified the following one (1) property listed on the attached Exhibit "A" as a public nuisance.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CORNING DOES HEREBY DECLARE AND FIND AS FOLLOWS:

1. A public nuisance exists on the one (1) property identified in Exhibit "A" hereto.
2. Authorize the Weed Abatement Officer and City Clerk to initiate abatement procedures as specified in the City's Municipal Code including, but not limited to finding the owners guilty of a misdemeanor for each day such violation continues and fining civil penalties of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) for each day the violation continues.
3. Authorizing the City Clerk to lien the said properties for any associated costs incurred by the City for abatement procedures.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on July 9, 2019 by the following vote:

**AYES:
OPPOSED:
ABSENT:
ABSTAIN:**

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

EXHIBIT "A" (Resolution 07-09-2019-02)

APN NO.'s	Physical Address	Owner/Responsible Party	APN Mailing Address
071-173-008-000	1216 South Street	Keith & Patricia Jolley	Keith & Patricia Jolley 3513 Beacon Dr. Anderson, CA 96007
Total Properties: 1			

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Resolution (Resolution No. 07-09-2019-02) was duly introduced, approved and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 9th day of July, 2019 by the votes listed above.

Lisa M. Linnet, City Clerk

**ITEM NO: J-9
ENACT URGENCY ORDINANCE NO. 679
ADDING CHAPTER 16.40 TO THE
CORNING MUNICIPAL CODE
PERTAINING TO THE AUTHORITY OF
THE CITY TO CREATE UNDERGROUND
UTILITY DISTRICTS**

July 9, 2019

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEER CONSULTANT
COLLIN BOGENER, CITY ATTORNEY**

BACKGROUND:

The purpose of the Urgency Ordinance No. 679 is to give the City Council authority to establish Underground Utility Districts by passing Resolutions designating the Districts. This done in furtherance of the health, safety, and welfare of the citizens of the City of Corning, to reduce outages caused by winds and storms, to remove potential obstacles for traffic accidents, and to enhance the aesthetic appearance of the City. It is for these health, safety, and welfare reasons that the City seeks to treat this as an Urgency Ordinance.

The California Public Utilities Commission (the "Commission") is the State Agency responsible for regulating privately owned electric, telecommunications, and natural gas companies. The Commission has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground. The Commission rules permit cities to adopt rules designating certain areas within its jurisdiction as Underground Districts.

The proposed Ordinance seeks to give the City authority to designate certain areas as Underground Utility Districts by passing a Resolution making underground installation of Overhead Facilities mandatory. The Resolution will only be passed following a Public Hearing where property owners and all affected persons having overhead facilities can appear and provide input on the Resolution. Notice of the Public Hearing will be provided at least 10 days before the hearing to these individuals.

Urgency Ordinance:

The Ordinance is being proposed as an Urgency Ordinance which would be adopted pursuant to Government Code Section 36937(b). Under that section, ordinances adopted to protect the health, safety and welfare with a four-fifths vote of the City Council become effective immediately for adoption. Given the safety hazards presented by overhead facilities, as outlined above, it is critical that this Ordinance is adopted.

RECOMMENDATION:

MAYOR AND COUNCIL CONSIDER, INTRODUCE AND ENACT PROPOSED URGENCY ORDINANCE NO. 679, AN URGENCY ORDINANCE ADDING CHAPTER 16.40 TO THE CORNING MUNICIPAL CODE PERTAINING TO THE AUTHORITY OF THE CITY TO CREATE UNDERGROUND UTILITY DISTRICTS.

ORDINANCE NO. 679

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING ADDING CHAPTER 16.40 TO THE CORNING MUNICIPAL CODE PERTAINING TO THE AUTHORITY OF THE CITY TO CREATE UNDERGROUND UTILITY DISTRICTS

THE COUNCIL OF THE CITY OF CORNING DOES ORDAIN AS FOLLOWS:

WHEREAS, the California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32; and

WHEREAS, pursuant to certain criteria, CPUC rules allow participating Cities and Counties to establish legislation authorizing the creation of Underground Utility Districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground; and

WHEREAS, the City Council has determined the public necessity, health, safety and welfare requires the underground installation of new, replacement, and relocated poles, overhead wires and associated overhead structures used for supplying electric, communication, or similar or associated services within the City.

WHEREAS, in recent years, poles, overhead wires and associated overhead structures have caused numerous and significant fire-related disasters, road closures, power outages due to downed utility lines in the City, including multiple significant fires in the region in the recent years caused by electrical sources.

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") and the State of California Guidelines for Implementation of CEQA ("State CEQA Guidelines"), commencing with Section 15000 of Title 14 of the California Code of Regulations, the City is the "Lead Agency" for the preparation and consideration of environmental documents for this Ordinance; and

WHEREAS, the City Council finds and determines that this Ordinance is not subject to CEQA pursuant to Section 15060(c)(2), 15060(c)(3), and 15378 of Title 14 of the California Code of Regulations because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility that it may have a significant effect on the environment, and because it is not a "project", as that term is defined in Section 15378 of the State CEQA Guidelines; and

WHEREAS, this Ordinance is being proposed as an Urgency Ordinance which would be adopted pursuant to Government Code Section 36937(b). Under that section, Ordinances adopted to protect the health, safety, and welfare, passed with a 4/5 vote become effective immediately upon adoption; and

WHEREAS, the City Council determines that this Ordinance is a valid exercise of its local police power.

Chapter 16.40

UNDERGROUND UTILITIES

Sections:

- 16.40.010 Definitions**
- 16.40.020 Purpose**
- 16.40.030 Unlawful Acts**
- 16.40.040 Public Hearing to Consider Designating Underground Utility Districts**
- 16.40.050 Report by the Public Works Director**
- 16.40.060 Council May Designate Underground Utility Districts by Resolution**
- 16.40.070 Exemptions**
- 16.40.080 Applications for Exception**
- 16.40.090 Notice to Property Owners and Utilities**
- 16.40.100 Responsibilities of Utilities**
- 16.40.110 Responsibility of Property Owners**
- 16.40.120 Responsibilities of City**

16.40.010 Definitions. As used in this Chapter:

- A. **"City"** means the City of Corning, California.
- B. **"Council"** means the City Council of the City of Corning.
- C. **"Commission"** means the Public Utilities Commission of the State of California.
- D. **"Department"** means the Public Works Department of the City.
- E. **"Public Works Director"** means the Public Works Director of the City of Corning or designee.
- F. **"Overhead Facilities"** means any poles, towers, supports, wires, cables, lines, fiber optics, conduits, conductors, guys, stubs, platforms, crossarms, braces, transformers, capacitors, insulators, cutouts, switches, communication circuits, appliances, apparatus, appurtenances, and other equipment and structures located above ground used to supply electricity or communications services in or through the City.
- G. **"Person"** means and includes Individuals, Partnerships, Firms, Utilities, Corporations, and Public Agencies affected by an Underground Utility District.
- H. **"Underground Facilities"** means any concrete pads, vaults, pull boxes, conduits, cables, fiber-optics, transformers, switches, pedestal-mounted terminal boxes, meter cabinets, or concealed ducts located on or below ground in the City used to supply electricity or communications services in or through the City.
- I. **"Underground Utility District"** or **"District"** means that area in the City within which Overhead Facilities are required to be removed or otherwise installed underground, as such area is described in a Resolution adopted pursuant to the provisions of Section 16.40.060 of this Code.
- J. **"Utility"** or **"Utilities"** includes all Persons with Underground Facilities and/or Overhead Facilities in the City.

16.40.020 Purpose.

To improve the reliability of electrical and communication services for the benefit of residential and commercial Utility customers, to increase property values, to enhance the aesthetic appearance of the City; to reduce the cost of tree trimming and replacement of Overhead

Facilities; to reduce outages caused by winds, storms, and accidents; to reduce the risk of fires and improve Public safety by removing potential obstacles in traffic accidents; and to otherwise provide for the health, safety, and welfare of the public or to protect and improve the quality of the public's urban environment, the City deems it necessary that, where feasible and within the Council's jurisdiction, all existing and future Overhead Facilities be undergrounded in or through the City.

16.40.030 Unlawful Acts.

- A. It shall be unlawful for any Person to construct, install, or erect Overhead Facilities in the City of Corning except as otherwise provided in this Chapter.
- B. Whenever the Council, by resolution, creates an Underground Utility District, it shall be unlawful for any Person to keep, maintain, continue, or replace Overhead Facilities in the District after the date such Overhead Facilities are ordered to be removed by such Resolution, except as to those Overhead Facilities minimally necessary to furnish service to an owner or occupant of property prior to and during the process of undergrounding said Overhead Facilities, and except as otherwise provided for in this Chapter.

16.40.040 Public Hearing to Consider Designating Underground Utility Districts.

A public hearing shall be held to ascertain if the creation of an Underground Utility District will further the public health, safety, and welfare by promoting one or more of the purposes set forth in Section 16.40.020 of this Chapter. The Council may propose any part or parts of the City as a single District or as multiple Districts. The City Clerk shall notify all affected Property Owners within the proposed District or Districts, as shown on the last equalized assessment roll, and all affected Persons having Overhead Facilities present within the proposed District or Districts by mail or other approved method of the date, time, and place of any such hearing at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing, all Persons interested shall be given an opportunity to be heard.

16.40.050 Report By The Public Works Director.

Prior to holding any Public Hearing pursuant to Section 16.40.040 of this Chapter, the Public Works Director shall notify all affected Utilities and shall prepare a report for submission at such hearing containing, among other information, the roadway limits, justification for recommending District formation, estimated costs and schedule, and identification of any exemptions.

16.40.060 Council May Designate Underground Utility Districts By Resolution.

If, after any such public hearing the Council determines that the creation of an Underground Utility District will further the public health, safety, and welfare by promoting one or more of the purposes set forth in Section 16.40.020 of this Chapter, the Council shall, by resolution, designate the proposed area of an Underground Utility District and order the removal and underground installation of existing Overhead Facilities within that District, except as otherwise provided in this Chapter. Such resolution shall include a description of the area comprising such District; a determination as to whether the undergrounding will avoid or eliminate a heavy concentration of Overhead Facilities; whether the street, road, or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; whether the street, road, or right-of-way adjoins a civic area or public recreation area or an area of unusual scenic interest to the general public; or whether the undergrounding will reduce fire risk and/or enhance electric service reliability. The decision of the Council shall be final and conclusive.

16.40.070 Exemptions.

This Chapter and any resolution adopted pursuant to Section 16.40.060 of this Chapter shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Poles used for street lighting, traffic signals, or other types of traffic management;
- B. Overhead wires attached to the exterior surfaces of a building by means of a bracket or other fixture and extending on one location of the building to another location on the same building or to an adjacent building without crossing any public street;
- C. Overhead Facilities determined, in writing, by the Commission or other Agency having Regional, State, or Federal jurisdiction to be exempt from undergrounding at the Utility's cost;
- D. Surface-mounted Underground Facilities;
- E. Temporary poles, overhead wires, and associated overhead structures used or to be used in conjunction with construction projects; or
- F. Repair, replacement, improvement, modernization, or upgrading of existing Overhead Facilities not within an Underground District created pursuant to Section 16.40.060 and only where such repair, replacement, improvement, modernization, or upgrading does not change the location or character of such Overhead Facilities.

16.40.080 Applications For Exception.

- A. Emergency Exception. Notwithstanding the provisions of this Chapter, the Public Works Director may grant special permission to any Person, on such terms as the Public Works Director may deem appropriate, in the case of emergency or unusual circumstances, to erect temporary Overhead Facilities so long as the subject Overhead Facilities will not adversely impact public health, safety, and welfare.
- B. Appeals. The applicant aggrieved or affected by the determination of the Public Works Director with respect to the granting, denial, or conditional approval of an exception under Section 16.40.080 of this Chapter may appeal the decision to the Corning City Council. An appeal shall be in writing and shall be filed with the City Clerk within ten days after the mailing of a notice of decision by the Public Works Director. The appeal shall state the grounds therefor. The Corning City Council shall consider the appeal within forty-five days following the filing of the appeal, unless on the date set for such consideration, the Corning City Council, for cause or at the request of the applicant, continues the matter. The Corning City Council may reverse, or wholly or partly affirm, or may modify the decision of the Public Works Director and may make such decisions or may impose such conditions as the facts warrant with respect to the appeal. The decision of the Corning City Council shall be final. Notice of the City Council's decision shall be mailed to the applicant.

16.40.090 Notice To Property Owners and Utilities.

Within ten days after the effective date of a Resolution adopted pursuant to Section 16.40.060, the City Clerk shall notify all affected Persons, including those owning real property, within the District created by the Resolution of the adoption thereof. Notification by the City Clerk shall be made by mailing, or other approved method, a copy of the Resolution adopted pursuant to Section 16.40.060 together with a copy of this Chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected Persons.

16.40.100 Responsibilities Of Utilities.

- A. Any Person with Overhead Facilities in or through the City shall at its own expense and in a timely manner complete any demolition, alteration, or construction necessary and supply any materials and equipment needed to comply with the provisions of this Chapter. Notwithstanding the foregoing, with respect to Overhead Facilities located on private property (within an Underground Utility District) for which the City has issued a discretionary development permit that is conditioned, among other things, upon removal

of such Overhead Facilities, the Utility and the owner of the private property shall be jointly and severally responsible for the demolition, alteration, or construction (including the supply of materials and equipment) necessary to comply with the provisions of this Chapter.

- B. Underground construction by any Person shall be accomplished in accordance with established construction standards, including those adopted by the Department, and in accordance with any applicable standards and Federal, State, and local codes and regulations pertaining to underground construction and installation standards and shall be completed within the timeframe for removal of Overhead Facilities specified in or established pursuant to this Chapter or Resolution.

16.40.110 Responsibility Of Property Owners.

Every Person owning, leasing, occupying, or renting a building or structure within a District created pursuant to 16.40.060 shall construct or accommodate construction and access by Utilities, as applicable, and provide that portion of the service connection on the Person's property between the facilities referred to in Section 16.40.050 and the termination facilities on or within the building or structure being served, all in accordance with the applicable rules, regulations, and tariffs of the respective Utility that pertain to service connections and are on file with the Commission or are approved by the Council.

16.40.120 Responsibilities of City.

- A. City shall, at its own expense, remove City-owned Overhead Facilities within an Underground Utility District as determined by Resolution.
- B. Department shall coordinate with other Utilities to facilitate removal of Overhead Facilities in a timely manner.

Severability

The City Council hereby declares that should any section, paragraph, sentence, phrase, term or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

Savings Clause; Continuity

Neither the Adoption of this Ordinance nor the repeal of any other Ordinance of this City shall in any manner affect the prosecution for violations of Ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this Ordinance, insofar as they are substantially the same as Ordinance provisions previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

Effective Date

This Ordinance shall take effect immediately pursuant to Government Code Section 36937(b) in order to preserve the public health, safety, and peace.

Vote Requirement

This is an Urgency Ordinance and requires a 4/5 vote of approval of all of the members of the City Council and goes into effect immediately upon its adoption.

Publication Of Urgency Ordinance

This Interim Urgency Ordinance shall be certified by the City Clerk and shall be published once within fifteen (15) days of its adoption. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall have it posted in three (3) public places designated by the City Council.

The foregoing Ordinance was introduced and passed as an urgency measure at a regular meeting of the City Council of the City of Corning, held on July 9, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Douglas Hatley Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

Published:

**ITEM NO: J-10
ADOPT RESOLUTION 07-09-2019-01, A
RESOLUTION DECLARING A PUBLIC
NUISANCE ON 3 PROPERTIES WITHIN
THE CITY AND AUTHORIZE THE FIRE
CHIEF TO INITIATE ABATEMENT
PROCEDURES.**

July 9, 2019

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
TOM TOMLINSON, FIRE CHIEF
LISA M. LINNET, CITY CLERK**

SUMMARY:

A declaration of "Public Nuisance" is being requested from the City Council in reference to the three (3) property listed on the attached Exhibit "A" based upon the conditions listed in Chapter 8.14, Weed Abatement of the City's Municipal Code. Staff is also requesting authorization for the City's Fire Chief to initiate nuisance abatement procedures.

BACKGROUND:

Pursuant to Municipal Code Chapter 8.14, the City's Weed Abatement Officer, in this case the Fire Chief, has identified three (3) property within the City Limits as being a public nuisance. The Corning Municipal Code provides the following direction relating to Weed Abatement:

Section 8.14.020: Definitions:

- (a) "Weed Abatement Officer" means the Corning Fire Chief or other public officer designated by the City Council to perform the duties imposed by this article upon the superintendent.
- (b) "Weeds" means weeds which when mature bear wingy or downy seeds which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds", as used in this article also include any of the following:
 - 1) Weeds which bear seeds of a downy or wingy nature.
 - 2) Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
 - 3) Weeds which are otherwise noxious or dangerous.
 - 4) Poison Oak or Poison Ivy when the conditions of growth are such as to constitute a menace to the public health.
 - 5) Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Section 8.14.030 Violations of Chapter: This Section stipulates that any person violating the provisions of this Section or any other provision of this Chapter shall be guilty of a misdemeanor for each day such violation continues and sets civil penalties of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) for each day the violation continues.

(Ord. No. 2005-01 (part), 674, 6-12-2018)

Section 8.14.040 – Periodic Council Resolutions declaring nuisances: Authorizes the City Council to periodically, by Resolution, declare as public nuisances and abate:

(a) All weeds growing upon the streets, sidewalks, or private property in the City; and

(b) All rubbish, refuse and dirt upon parkways, sidewalks or private property in the City.

(Ord. No. 656, § 2, 10-14-2014);

Section 8.14.170 - Council order to proceed. If objections have not been made or after the City Council has disposed of those made, it shall order the Weed Abatement Officer to abate the nuisance by having the weeds, rubbish, refuse, and dirt removed. The order shall be made by motion or resolution.

(Ord. No. 656, § 2, 10-14-2014)

Section 8.14.230 - Abatement by private contractors. Abatement of the nuisance may, in the discretion of the City Council, be performed by contract awarded by the City Council on the basis of competitive bids let to the lowest responsible bidder pursuant to Government Code Sections 37903, 37904, 37905 and 37931 to 37935 inclusive. In such event the Contractor shall keep the account and submit the itemized written report for each separate parcel of land.

(Ord. No. 656, § 2, 10-14-2014)

Section 8.14.240 - Special assessment process. The cost of abatement in front of or upon each parcel of land and the costs incurred by the City of Corning in enforcing abatement upon the parcels, including investigation, boundary, determination, measurement, clerical and other related costs constitutes a special assessment against that parcel.

After the assessment is made and confirmed, a lien attaches on the parcel upon recordation of the order confirming the assessment in the office of the Tehama County recorder, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes as imposed by Government Code Section 39578 would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the costs of abatement and the costs of enforcing abatement, as confirmed, relating to such property shall be transferred to the unsecured roll for collection.

(Ord. No. 656, § 2, 10-14-2014)

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION 07-09-2019-01 DECLARING THE FOLLOWING:

- **A PUBLIC NUISANCE EXISTS ON THE THREE (3) PROPERTIES LISTED ON THE ATTACHED EXHIBIT "A",**
- **FIND THAT SUCH CONDITIONS ARE SEASONAL AND RECURRENT NUISANCES;**
- **AND AUTHORIZE THE FIRE CHIEF TO INITIATE ABATEMENT PROCEDURES ON THESE PROPERTIES/PARCELS AS OUTLINED IN THE CITY'S MUNICIPAL CODE.**

RESOLUTION 07-09-2019-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
DECLARING A PUBLIC NUISANCE ON THE THREE (3) PROPERTIES
LISTED ON THE ATTACHED
EXHIBIT "A"**

WHEREAS, the Corning Municipal Code Chapter 8.14, Weed Abatement, Section 8.14.010 explains that these regulations are intended to address the recurring health and safety problems arising out of weeds and rubbish on property within the City of Corning and are designed to alleviate those problems and protect the citizen's health, safety and property.

Whereas, Section 8.14.020 defines "Weeds" as weeds that when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds," as used in this article, also includes any of the following:

1. Weeds which bear seeds of a downy or wingy nature.
2. Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
5. Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Whereas, the City's Weed Abatement Officer/Fire Chief has identified the following three (3) property listed on the attached Exhibit "A" as a public nuisance.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CORNING DOES HEREBY DECLARE AND FIND AS FOLLOWS:

1. A public nuisance exists on the three (3) properties identified in Exhibit "A" hereto.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on July 9, 2019 by the following vote:

AYES:

OPPOSED:

ABSENT:

ABSTAIN:

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

EXHIBIT "A" (Resolution 07-09-2019-01)

APN NO.'s	Physical Address	Owner/Responsible Party	APN Mailing Address
071-192-035-000	1013 Toomes Avenue	Juan Loya	Juan Loya 23308 Odom Dr. Hayward, CA 94541
071-262-001-000	1392 Link Street	Marcelo Castillo Olivera	Marcelo Castillo Olivera 3392 Burnham Ave. Corning, CA 96021
073-046-005-000	803 Butte Street	Dolores Arendale, ETAL	Dolores Arendale, ETAL 3101 N Ellis St. Chandler, AZ 85224
Total Properties: 3			

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Resolution (Resolution No. 07-09-2019-01) was duly introduced, approved and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 9th day of July, 2019 by the votes listed above.

Lisa M. Linnet, City Clerk