



**CITY OF CORNING  
SPECIAL CITY COUNCIL  
CLOSED SESSION MINUTES  
TUESDAY, FEBRUARY 13, 2018  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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: 5:30 p.m.**

**B. ROLL CALL:**

**Council:**

**Darlene Dickison  
Dave Linnet  
Jose "Chuy" Valerio  
Robert Snow  
Douglas Hatley Jr.**

**Mayor:**

All members of the City Council were present.

**C. PUBLIC COMMENTS:**

**D. REGULAR AGENDA:**

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d):  
One Case**
- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:  
Pursuant to Government Code 54957  
Title: City Manager.**

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

Mayor Hatley reported that Council met in Closed Session and gave direction to Staff.

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**Lisa M. Linnet, City Clerk**



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**Council:**

**Darlene Dickison  
Dave Linnet  
Jose "Chuy" Valerio  
Robert Snow  
Douglas Hatley Jr.**

**Mayor:**

All members of the City Council were present.

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

**D. INVOCATION: Led by Mayor Hatley.**

**E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:**

1. **Proclamation: February 2018 – Teen Dating Violence Awareness & Prevention Month.** Present to accept the Proclamation was Alternatives to Violence (ATV) Legal Advocate Maggie Michael. She stated that ATV is in the Schools in Red Bluff and hope to move into the Corning Schools in the future. She informed the Council and audience of upcoming Alternatives to Violence sponsored events.

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

Chief Tomlinson announced that the new Fire Truck has been ordered and should be receive sometime in November/December of 2018.

**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.

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 January 23, 2018 Special City Council Closed Session and Regular Meeting with any necessary corrections.**
4. **February 7, 2018 Claim Warrant in the amount of \$292,098.36.**
5. **February 7, 2018 Business License Report.**
6. **January 2018 Wages & Salaries: \$344,781.29.**
7. **January 2018 Treasurer's Report.**
8. **January 2018 Building Permit Valuation Report in the amount of \$142,547.**
9. **January 2018 City of Corning Wastewater Operations Summary Report.**

Councilor Dickison moved to approve Consent Items 2-9; Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**H. ITEMS REMOVED FROM THE CONSENT AGENDA: None**

**I. PUBLIC HEARINGS AND MEETINGS: None.**

**J. REGULAR AGENDA:**

10. **Adopt Resolution 02-13-2018-01 endorsing the Homeless Stakeholders Report that outlines key objectives of a Countywide Cooperative Plan to increase awareness about homelessness and address the issue of homelessness within Tehama County.**

City Manager Kristina Miller presented this item. Jaime Bonke, Assistant Director of the Tehama County Health Agency was present and thanked the City for participating in the Stakeholder groups/meetings.

Councilor Snow moved to adopt Resolution 02-13-2018-01 endorsing the Homeless Stakeholders report that outlines key objectives of a County-wide Cooperative Plan to increase awareness about Homelessness and address the issue of Homelessness within Tehama County. Councilor Dickison seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

11. **Adopt Resolution 02-13-2018-02 creating a "No Parking" Zone located on Solano Street at the northeast corner of Solano and First Street.**

Public Works Director Dawn Grine presented this item stating that this intersection is heavily used and hazardous due to vehicles parked immediately adjacent to the intersection resulting in obstructed views of oncoming traffic when attempting to enter onto Solano Street from First Street.

Councilor Dickison move that Mayor and Council adopt Resolution 02-13-2018-02 creating a "No Parking Zone" located on Solano Street at the northeast corner of Solano and First Streets; Councilor Linnet seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**12. Adopt Resolution 02-13-2018-03 creating "10-Minute Parking Zones" located near 711 Fourth Street.**

Public Works Director Dawn Grine presented this item and stated that Sweet Swirls business owner Shelly Hargens had requested the installation of 2 10-minute parking stalls directly in front of her business. She informed Council of the current diagonal parking stalls with a 2-hour parking limit at that location. Ms. Grine explained that Mrs. Hargens' customers visit the business for a minimal amount of time, just long enough to choose and purchase baked goods. She stated that currently the parking stalls are occupied for extended amounts of time making it difficult for Mrs. Hargens' customers to find short term parking.

Councilor Snow moved that Mayor and Council adopt Resolution 02-13-2018-03 creating two "10-Minute parking Zones" located near 711 Fourth Street and direct Public Works to paint the curb green and install a "10 Minute Parking" sign at same location. Councilor Linnet seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**13. Adopt Resolution 02-13-2018-04 waiving the 40-day notification requirements pursuant to Government Code Section 65402 for the purchase of the Corning Court Building by the County of Tehama. Address: 720 Hoag St., APN: 71-121-008-000.**

City Manager Kristina Miller presented this item stating that the County notified the City of their intention to purchase the former Court House Building located on Hoag Street in Corning. They informed the City that they intended to continue to sublease the building to North Valley Services therefore the use would not change. They are requesting the City waive the 60-day notification requirements (pursuant to Government Code Section 25351(d); and the 40-day notification requirement (pursuant to Government Code Section 65402).

Councilor Linnet moved to adopt Resolution 02-13-2018-04, a Resolution waiving notification requirements per Government Code Section 65402 as they relate to purchasing the former Court Building located at 720 Hoag Street. Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**14. Approve Agreement between the City and Corning Union High School District for School Resource Officer (SRO) services.**

City Manager Kristina Miller presented this item explaining that past funding for this service had been provided through various grants however having no grant funding available for this fiscal year it has been budgeted 100% from the City's General Fund. She stated that the proposed Agreement, if approved, would begin February 1, 2018 and terminate on June 30, 2019 and can be renegotiated and extended upon termination date. If approved, this Agreement would provide funding up to \$6,919.40 per month or \$62,274.60 per year from the Corning High School District if completed with zero SRO absences from the District for critical incidents and/or emergencies.

Councilor Dickison moved to approve proposed Agreement between the City and Corning Union High School District for School Resource Officer (SRO) Services beginning February 1, 2018 and terminating on June 30, 2019. Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**15. Accept the Notice of Substantial Completion and take ownership from Pilot for the South Corning Waterline Project.**

Public Works Director Dawn Grine presented this item followed by a legal explanation presented by City Attorney Jody Burgess. Mr. Burgess stated that new information has recently been discovered and consists of the following:

- That a portion of this waterline was placed through property owned by Wright Bros. and there is no Easement in place and against Title for the Wright Brothers Property – Tehama County APN 087-050-057 ("Property"), yet the Pilot water lines are presently in ground at this location, i.e. there is no record legal right to allow this line to exist; and
- The Wright Bros Property is encumbered by a third party mortgage (at least according to the records reviewed today) for a substantial sum of money, which means any Easement

provided by Pilot to the City would be junior to this Loan/Mortgage. If that loan were to ever be defaulted and foreclosure proceedings occur, our Easement would be wiped out; lost forever, therefore to protect the City a Subordination Agreement would need to be acquired.

Councilor Linnet moved for Mayor and Council to accept the Notice of Substantial Completion with the suggested modification by City Attorney Jody Burgess (**that the City shall receive the executed Grant Deed Easement from Wright Brothers Development, LLC over Tehama County APN 087-050-057 ("Property") in the area identified in the Easement Description by Wesley E. Gilbert dated February 8, 2018, for the use, installation, maintenance, repair of underground public utilities. In addition, the City's Grant Deed Easement shall be superior to any loan against the Property; however, the City recognizes the time necessary to obtain a Subordination Agreement given the need for third party lender cooperation in this regard. Therefore, until such time as the City's Grant Deed Easement is made superior in title over the Property, Pilot shall execute an Agreement with the City that requires Pilot to pay all costs incurred by the City to secure the Easement through Domain proceedings should that ever be required**) and take ownership from Pilot for the South Corning Waterline. Councilor Snow seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

Robert and Linda Lucero, affected property owners, asked why this was not discovered prior to 4:30 p.m. today. Mr. Burgess stated that he didn't know as it was Pilot's Project (a private party). Another affected property owner that was present urged the City Council to accept the project.

**16. Approve the proposed City of Corning Feral Cat Program.**

City Manager Kristina Miller presented this item. She explained that Council had approved funding in the amount of \$3,000 for a Feral Cat Program in the 2017/18 City Budget and although this isn't the best Plan, it is a start. She stated that the proposed Plan provides spaying of feral cats at \$45 per cat and \$35 per cat for neutering with voucher obtained at the Corning Police Department or City Hall and is good only at Mill Creek Veterinary Hospital in Los Molinos only on the last Friday of the month by appointment. This fee includes rabies shots and right ear tipping (which allows identification of a spayed/neuter cat. Based on these rates, between 66-85 feral cats can be spayed or neutered. The program requires citizens to live trap (City has two traps available) the feral cat(s), make the appointment, transport the cat to the Veterinary Hospital, pick up and return the animal to the location where trapped following the procedure.

Councilor Snow moved to approve the proposed Feral Cat Program for the City of Corning as presented; and Councilor Dickison seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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

**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 Senior Center meeting tomorrow morning and on Thursday the Community Action Agency Tripartite Meeting. She stated she attended the Chamber of Commerce Installation Dinner on Saturday where she presented the Chamber with a matching funds check from the City.

**Linnet:** Reported that the next JPA meeting is March 1<sup>st</sup>. He also stated that on Saturday at 10:00 a.m. there will be another cleanup just south of where the last one was done (south of the Green Doors Tavern). City Manager Miller confirmed that they would be transporting rubbish to the Tehama County Landfill; she then stated she would reactivate the credit.

**Valerio:** Announced that Thursday, February 15<sup>th</sup> is the Corning in the Evening at 5:30 p.m. at the at Kelly's Tax Service and stated that he also attended the Chamber of Commerce Installation Dinner at Rolling Hills Casino's Carlinos Room.

**Snow:** Reported that Jared Smith was declared Fireman of the Year at the Fire Department's Chief's Dinner. He also stated that the Sales Tax Increase Measure approved by the voters contributed to funding the new Fire Truck.

**Hatley:** The Wine and Food Festival at Rolling Hills Casino on the 24<sup>th</sup>. The Exchange Club Banquet is also the 24<sup>th</sup>.

**N. ADJOURNMENT!: 7:20 p.m.**

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**Lisa M. Linnet, City Clerk**