



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, AUGUST 27, 2024
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

In compliance with the Americans with Disabilities Act and Title VI. If you need special assistance or translation services to participate in this meeting, please contact the City Clerk's Office at (530) 824-7033 or via email at rordaz@corning.org Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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

B. **ROLL CALL:**

Council: **Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli**
Mayor: **Robert Snow**

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

D. **INVOCATION:** Led by City Councilwoman Shelly Hargens.

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. **Waive the reading and approve the minutes of the August 13, 2024, City Council Closed Session & Regular Meetings with any necessary corrections.**
3. **August 21, 2024 Claim Warrant in the amount of \$212,633.17.**
4. **August 21, 2024 Business License Report.**

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

I. **PUBLIC HEARINGS AND MEETINGS:**

1. **Review 2024 CDBG funding opportunities and direct staff to being engineering and prepare for the 2024 CDBG application.**

J. **REGULAR AGENDA:**

1. **Ordinance No. 710, to amend section 2.04.010 to change the City Council regular meeting time to 5:30pm**
2. **Authorize the City to opt into the pre-negotiated contract and approve the purchase of one (1) new type 1 fire engine**
3. **Approve proposed Police Officer lateral stipend conditions and agreement**

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).

Demo:

Valerio:

Hargens:

Lomeli:

Snow:

N. ADJOURNMENT:

Posted: Friday, August 23, 2024



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, AUGUST 13, 2024
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

**Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow**

All members of the City Council were present.

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

C. PUBLIC COMMENTS: None.

D. REGULAR AGENDA:

1. Conference with Legal Counsel – Existing Litigation (§ 54956.9)
Name of Case: Fountain v. City of Corning, Case No.24CI-000071
2. Public Employment (§ 54957) – City Manager

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:23 PM, Mayor Snow reported that there were no reportable actions.



**CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, AUGUST 13, 2024
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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In compliance with the Americans with Disabilities Act and Title VI. If you need special assistance or translation services to participate in this meeting, please contact the City Clerk's Office at (530) 824-7033 or via email at rordaz@corning.org. Notification in advance of the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting.

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

B. ROLL CALL:

**Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow**

All members of the City Council were present.

- C. **PLEDGE OF ALLEGIANCE:** Led by the City Manager.
- D. **INVOCATION:** Led by Councilor Hargens.
- E. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:** None.
- F. **PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

Brooke Smith- Thanked Council members and the Fire Department for the generous donation to the Senior Center chair program. They have raised \$2445 in a few weeks. They are still needing to raise more funds and sponsoring chairs is still available so they can meet their goal to order more chairs for the Senior Center. Also, they are having an Ice Cream Social August 23, 2024 12-1 pm, All are invited.

City Manager, Brant- Brant is partnering up with Carrie Ferchaud the Executive Director at The Job Training Center regarding the layoffs that happened with The Andersen & Sons Shelling Company. Andersen & Sons laid off a significant amount of employees Friday July 26th. Of those employees laid off 75% are Tehama County residents and about 55% percent live in the city limits of Corning. The Job Training Center can help with resources in finding a new job, exploring training options, or assistance with utility bills. The City is looking into placing an accessible location in Corning for those needing assistance. The city webpage has a banner in English & Spanish with the link to access contact information to get the assistance needed (www.corning.org). More resources will be available to ranchers, farmers, and businesses affected as this develops.

- 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. **Waive the reading and approve the Minutes of the July 23, 2024, Regular City Council Meeting with any necessary corrections.**
 - 3. **August 8, 2024, Claim Warrant in the amount of \$ 593,140.33.**
 - 4. **August 8, 2024, Business License Report.**
 - 5. **July 2024 Wages & Salaries: \$425,136.01.**
 - 6. **July 2024 Treasurer's Report.**
 - 7. **July 2024 Building Permit Valuation Report in the amount of \$340,980.**
 - 8. **July 2024 City of Corning Wastewater Operations Summary Report.**
 - 9. **Authorize the Public Works Department to declare equipment surplus and dispose of the items listed in the best interest of the city.**
 - 10. **Accept resignation of Library Commissioner Sandy Sehorn effective January 1, 2025.**

Councilor Valerio moved to approve consent items 1-10; Councilor Hargens seconded the motion.
Ayes: Snow, Demo, Hargens, Lomeli, and Valerio. Absent: None. Abstain/Opposed: None. Motion was approved by a 5-0 vote

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

I. **PUBLIC HEARINGS AND MEETINGS:**

- 11. **Public Hearing: Adopt proposed Resolution 08-13-2024-01 setting two (2) annual City of Corning water rate increases of 10% per year beginning September 1, 2024 and subsequently on July 1, 2025.**

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

Presented by City Manager Brant Mesker who stated this is proposal for 2 annual rate increases of 10% for the first year starting on September 1, 2024, and the second increase scheduled on July 1, 2025. The breakdown of the fee increases is on the attached staff report but should there be any questions you may reach out to him.

Mayor Snow opened the Public Hearing at 6:41 pm. Ross Turner- He understands that the rate increase is necessary to balance out the deficit due to the lack of rate increases in the last year. Also, he wanted to know if commercial accounts were being increased at the same rate and Mr. Mesker confirmed that is correct. Last question from Mr. Turner was regarding utility accounts in tenant's name. He wanted to know if the landlord was responsible for paying any outstanding balances the tenants may leave the city with. Rubi Ordaz, City Clerk, responded with clarifying if the account is under the tenants' name, then the tenant is responsible for any balances due. If the account is under the landlords' name but a tenant lives in the home, then the landlord is responsible for the balance. If a tenant leaves the city with a pending balance, they are not allowed to open a new account until all debt has been paid in full. With no other questions the public hearing was closed at 6:46 pm.

Mayor Snow added that when him and Valerio joined the City Council 8 years ago, they were given numbers forecasted on rates and if they didn't increase rates during a 10-12 year period the city would be in the red. This probably should have been done in small increments sooner since only one increase was done. The drought didn't help by lowering water usage and we still had a rate to meet to show income coming in. This is not something they want to do but it is necessary for the city to avoid having to do a larger increase in 2 years.

Councilor Demo moved to approve Resolution 08-13-2024-01 setting 2 annual water increases beginning September 1, 2024, and subsequently on July 1, 2025; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, Lomeli, and Valerio. Absent: None. Abstain/Opposed: None. Motion was approved by a 5-0 vote**

12. Public Hearing: Adopt proposed Resolution 08-13-2024-02 setting two (2) annual City of Corning sewer rate increases of 5% per year beginning September 1, 2024, and subsequently on July 1, 2025.

Presented by City Manager, Brant Mesker, who stated this is proposal for 2 annual rate increases of 5% for the first year starting on September 1, 2024, and the second increase scheduled on July 1, 2025. The breakdown of the fee increases is on the attached staff report but should there be any questions you may reach out to him.

Mayor Snow opened the public hearing at 6:48 pm, with no discussion, the hearing closed at 6:48pm.

Councilor Hargens moved to approve Resolution 08-13-2024-02 setting 2 annual sewer increases beginning September 1, 2024, and subsequently on July 1, 2025; Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Hargens, Lomeli, and Valerio. Absent: None. Abstain/Opposed: None. Motion was approved by a 5-0 vote**

J. REGULAR AGENDA:

13. Provide direction on Solar Project with Cenergy Power at the City's vacant property adjacent to the Wastewater Treatment Plant (WWTP).

Presented by City Manager Brant Mesker - Staff was approached by Cenergy Power requesting to lease land from the city to build and maintain a solar farm to generate clean energy for PG&E. For clarity this is not for the city to be reliant on that solar production but just leasing the ground to this entity.

Councilor Demo wanted clarification on the possibility of a 20% price reduction for certain residents that is being offered. Will it be a case-by-case option? He would also like to know a percentage on how many families would be benefited.

Councilor Lomeli asked what the \$100,000 donation to the city looked like. Mr. Mesker clarified it would be a contribution to the general fund.

Mayor Snow asked -With the 20 year lease up front and the additional 10 year extension what kind of penalties are on one side or the other? Is the city protected if the city needs to use the land 20-30 years from now? City Attorney, Collin, clarified this is a lease option so if they do move forward this will be negotiated at that time.

Councilor Hargens moved to provide direction on Solar Project with Cenergy Power at the city's vacant property adjacent to the Wastewater Treatment Plant (WWTP). Authorizing the City Manager to sign the lease option agreement. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Hargens, Lomeli, and Valerio. Absent: None. Abstain/Opposed: None. Motion was approved by a 5-0 vote**

14. Approve Plans & Specifications and authorize Staff to solicit Bids for the 2024 Almond and Fig Street Rehabilitation Project.

Presented by Contract City Engineer, Robin Kampmann, who recommends City Council approve the plans and specifications and authorize staff to seek bids for the 2024 Almond & Fig Street Rehabilitation Project.

Councilor Hargens asked for an estimated time of completion. Mrs. Kampmann stated it depends on the contractor's availability as well as the weather, but they are hoping to have it completed before the fall.

Ross Turner asked how this project is going to affect accessibility for Olive View School. Mrs. Kampmann assured this will be done in phases always allowing partial access. Also, timing around the more congested times before and after school.

Councilor Demo moved to approve the plans and specifications and authorize staff to seek bids for the 2024 Almond & Fig Street Rehabilitation Project. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, Lomeli, and Valerio. Absent: None. Abstain/Opposed: None. Motion was approved by a 5-0 vote**

15. Approve agreement with the Paskenta Bank of Nomlaki Indians for continuation of grant funds for the youth recreation and enrichment program.

Presented by Recreation Coordinator, Chrissy Meeds. The Promise Neighborhood Grant Project Director for the Paskenta Band of Nomlaki Indians approached the city with the offer of additional funding for the final round, for the City's Recreation Program. The proposed Agreement will provide funding in the amount of \$70,000 to the City's Recreation Program for the term of July 1, 2024, to June 30, 2025.

Councilor Hargens moved to approve agreement with the Paskenta Band of Nomlaki Indians for continuation of grant funds for the youth recreation and enrichment program. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Hargens, Lomeli, and Valerio. Absent: None. Abstain/Opposed: None. Motion was approved by a 5-0 vote**

16. Consideration of changing the City Council & Planning Commission meeting times.

Presented by City Manager, Brent Mesker. On behalf of City Council there has been a suggestion to change the City Council meeting start time from 6:30 p.m. to 5:30 p.m. Should a closed session be agendaized, in most cases, it would be scheduled for 5:00 p.m.

Councilor Demo would like for staff to verify with the planning commission that this time works for them as well.

City attorney, Collin, clarified that upon approval there would need to be an amendment to the ordinance to change the time of the meetings. As normal procedure there would be two readings and then the 30-day period after.

Mayor Snow stated he has been approached by community members that have an interest to attend council meetings, but the 6:30 pm time does not work for them. Also, it's in the best interest of staff due to them being off at 5:00 pm and having to wait until 6:30 pm for the meetings.

Brooke Smith-As part of the Planning Commission it really pushes it for her due to her job. The time change is not the greatest choice for her.

Councilor Demo moved to approve the time change for City Council meeting start time from 6:30 p.m. to 5:30 p.m. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Hargens, and Valerio. Absent: None. Abstain/Opposed: Lomeli. Motion was approved by a 4-1 vote, with consideration that this will go to Planning as well for approval.**

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).

Demo: Announced he missed the Senior Center Meeting due to a doctor's appointment. The Senior Center will have an Ice Cream Social on August 23rd. The Corning Volunteer Fire Department will be cooking the Sunrise Breakfast for the Seniors at Corning High School on August 15th starting at 5:30 am.

Lomeli: Nothing to report, but she will have a meeting next week.

Hargens: Nothing to report.

Valerio: Tuesday Night Market will be on September 3rd from 5-8 pm on Solano St. Also, the 77th annual Olive Festival and Car/Tractor Show will be on Saturday October 12th from 8 am to 3 pm.

Snow: Nothing to report.

N. ADJOURNMENT: 7:12 pm.


Rubi Ordaz, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: August 21, 2024

SUBJECT: Cash Disbursement Detail Report for the
Tuesday August 27, 2024 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 08-21-24	\$ 109,694.46
B.	Payroll Disbursements	Ending 08-09-24	\$ 102,938.71
		GRAND TOTAL	<u>\$ 212,633.17</u>

REPORT.: Aug 21 24 Wednesday
 RUN...: Aug 21 24 Time: 14:11
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-24 thru 08-24 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
037480	08/20/24	AWA01	AWARDS COMPANY	-150.45	4287u	Ck# 037480 Reversed
037601	08/09/24	CAR12	CARREL'S OFFICE SOLUTIONS	20.14	AR66789	MAT & SUPPLIES-LIBRARY
037602	08/09/24	GRE06	GREG'S HEATING & A/C	205.00	26527	MAT & SUPPLIES-BLD MAINT
037603	08/09/24	HOU00	HOUSING TOOLS, LLC	375.00	3320	PROF SVCS-
037604	08/09/24	PAC29	PACE ANALYTICAL SERVICES,	234.56	242806034	PROF SVCS-WTR
037605	08/09/24	RDO00	RDO EQUIPMENT CO.	1242.77	P0818276	EQUIP MAINT-
037606	08/09/24	WAR05	WARREN, DANA KARL	190.00	240808	REC INSTRUCTOR-REC
037607	08/13/24	JON02	ROBERT C. JONES INSURANCE	938.00 416.00	240812 240812A	GEN INS-GEN CITY GEN INS-GEN CITY
			Check Total.....	1354.00		
037608	08/13/24	LAC01	LACY, CLINT	468.75	240810	REC INSTRUCTOR-REC
037609	08/13/24	PIT03	PITNEY BOWES, INC	500.77	102583484	OFFICE SUPPLIES-
037610	08/13/24	RES04	RESERVE ACCOUNT	3000.00	240809	COMMUNICATIONS-
037611	08/13/24	TPX00	TPX COMMUNICATIONS	1135.32	180731388	COMMUNICATIONS-
037612	08/13/24	UBE00	UBEO WEST LLC	425.53	4587597	EQUIP MAINT-DISPATCH
037613	08/13/24	VER02	VERIZON WIRELESS	228.06	997041930	PROP 30-MDC
037614	08/13/24	WAL02	WALKER PRINTING	629.56	44988	PRINT/ADVERT-DISPATCH
037615	08/13/24	KAU00	KAUR, GURPREET	300.00	240812	REIMBURSE DEPOSIT-RODGERS THEATRE
037616	08/15/24	BEN01	BENBOW, W.B.	695.75	00000573	WELL TELEMETRY-WTR CAP IMPROV
037617	08/15/24	BIG02	BIG VALLEY SANITATION, IN	125.00	136353	BLD MAINT-SENIOR CENTER
037618	08/15/24	COM06	COMCAST	13.29 13.29	240709 240809	COMMUNICATIONS-PW ADMIN COMMUNICATIONS-PW ADMIN
			Check Total.....	26.58		
037619	08/15/24	COR13	CORNING VOLUNTEER FIRE	77.97	142703	VEH OP/MAINT-FIRE
037620	08/15/24	CRE03	CREATIVE PRODUCT SOURCE,	273.50	CPI104110	TRAINING/ED-FIRE
037621	08/15/24	GRA02	GRAINGER, W.W., INC	67.35 66.43 80.08	921056498 921056499 921148188	SMALL TOOLS- SMALL TOOLS- MAT & SUPPLIES-BLD MAINT
			Check Total.....	213.86		
037622	08/15/24	GRE06	GREG'S HEATING & A/C	145.00	26539	WELL REPAIRS-WTR CAP IMPROV
037623	08/15/24	PAC29	PACE ANALYTICAL SERVICES,	234.56 102.03	242806256 242806257	PROF SVCS-WTR DEPT PROF SVCS-WTR DEPT
			Check Total.....	336.59		
037624	08/15/24	PGE01	PG&E	52471.89	240809	Electricity General City-
037625	08/15/24	PLA06	PLACEWORKS, INC.	8948.75	83709	PROF SVCS-PLANNING
037626	08/15/24	QUI02	QUILL CORPORATION	168.05 24.56 13.07 6.30	39843586 39891040 39966942 39980605	OFFICE SUPPLIES-DISPATCH OFFICE SUPPLIES-DISPATCH OFFICE SUPPLIES- OFFICE SUPPLIES-
			Check Total.....	211.98		
037627	08/15/24	SCP00	SCP DISTRIBUTORS LLC	6608.58	SN120990	MAT & SUPPLIES-
037628	08/15/24	TAN00	T AND S DVBE, INC.	204.73	24-1264	MAT & SUPPLIES-
037629	08/16/24	BDI00	BDI	.02 213.96	950384234 950384503	MAT & SUPPLIES- MAT & SUPPLIES-
			Check Total.....	213.98		
037630	08/16/24	CAL07	CA RURAL WATER ASSOC.	1364.00	202409	REQ/PERMITS STATE-WTR
037631	08/16/24	CAS06	CASCO	1046.55	492413	MAT & SUPPLIES-STR
037632	08/16/24	GRA02	GRAINGER, W.W., INC	36.32	921730574	SMALL TOOLS-
037633	08/16/24	KNI00	KNIFE RIVER CONSTRUCTION	1197.31	306349	A/C CITYWIDE-STR
037634	08/16/24	MOO07	MOORE & BOGENER, INC.	515.00 515.00	15184 15192	CONSULTING SVCS-LGL SVCS CONSULTING SVCS-LGL SVCS
			Check Total.....	1030.00		
037635	08/16/24	PGE09	PG&E	230.59	240814	ELECT-STONEFOX L&L-21, D2

REPORT.: Aug 21 24 Wednesday
 RUN....: Aug 21 24 Time: 14:11
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-24 thru 08-24 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
037636	08/16/24	PGE2A	PG&E	53.74	240814	ELECT-BLUE HERON CT
037637	08/16/24	SUN01	SUNRISE ENVIRONMENTAL	226.55	148369	BLD MAINT-FIRE
037638	08/16/24	VAL11	VALLEY PACIFIC PETROLEUM	270.51	24-790307	VAH OP/MAINT-FIRE
				91.67	24-790308	VEH OP/MAINT-BLD & SAFETY
			Check Total.....	362.18		
037639	08/16/24	VIK02	VIKING CONSTRUCTION	500.00	2024-01	WTR-DEVELOPER REIMBURMENT
037640	08/19/24	3AC00	3A CUSTOMS	1559.34	15020298	VEH REPLAC-CAP IMPROV
				1383.59	15020316	VEH REPLAC-CAP IMPROV
				1383.59	15020332	VEH REPLAC-CAP IMPROV
			Check Total.....	4326.52		
037641	08/19/24	ATT13	AT&T	723.89	240811	COMMUNICATIONS-DISPATCH
037642	08/19/24	CEN01	CTR OF EXCELLENCE IN EDU.	500.00	01-24A	TRAINING/ED-WTR
037643	08/19/24	GRA02	GRAINGER, W.W., INC	183.01	921859501	MAT & SUPPLIES-
037644	08/19/24	ROD10	RODRIGUEZ, JESENIA	1500.00	240816	REC INSTRUCTOR-REC (REC COORDINATOR)
037645	08/19/24	SHN00	SHN CONSULTING ENGINEERS	2665.00	122198	PROF SVCS-PLANNING
037646	08/19/24	USA01	USA BLUE BOOK	122.84	00456779	MAT & SUPPLIES-WTR
037647	08/19/24	VAL11	VALLEY PACIFIC PETROLEUM	2122.09	24-790305	MAT & SUPPLIES-
				2202.68	24-790306	VEH OP/MAINT-
			Check Total.....	4324.77		
037648	08/20/24	BAC01	BACKSTAGE LIBRARY WORKS,	420.78	51059	BOOKS/PERIODICALS-LIBRARY
037649	08/20/24	COR11	CORNING SAFE & LOCK	6.20	9980	EXTRA KEYS
				181.22	9997	THEATRE RE-KEY & KEYS
			Check Total.....	187.42		
037650	08/20/24	FER02	FERGUSON WATERWORKS #1423	1230.51	1866353	MAT & SUPPLIES-WTR
				83.94	1867265	MAT & SUPPLIES-WTR
			Check Total.....	1314.45		
037651	08/20/24	HIN01	HINDERLITER, DE LLAMAS &	300.00	SIN041977	PROF SVCS-FINANCE
037652	08/20/24	KNI00	KNIFE RIVER CONSTRUCTION	629.83	306446	A/C CITYWIDE-STR
				1272.79	306512	A/C CITYWIDE-STR
			Check Total.....	1902.62		
037653	08/20/24	QUI02	QUILL CORPORATION	12.38	39984171	OFFICE SUPPLIES-FINANCE
				246.73	40005813	OFFICE SUPPLIES-FINANCE
			Check Total.....	259.11		
037654	08/20/24	SCH01	LES SCHWAB TIRE CENTER	65.00	00519053	VEH OP/MAINT-FIRE
037655	08/21/24	COR12	CORNING FORD MERCURY, INC	63.51	60711	VEH OP/MAINT-POLICE
				31.61	60712	VEH OP/MAINT-POLICE
			Check Total.....	95.12		
037656	08/21/24	KNI00	KNIFE RIVER CONSTRUCTION	658.28	306617	A/C CITYWIDE-STR
037657	08/21/24	PAY01	PAYGOV.US LLC	3383.22	1450	BANKG/FEES/CHRG-FINANCE
037658	08/21/24	VES00	VESTIS GROUP, INC.	1.01	66634377A	MAT & SUPPLIES-BLD MAINT
				1.01	66640378A	MAT & SUPPLIES-BLD MAINT
			Check Total.....	2.02		
			Cash Account Total.....	109694.46		
			Total Disbursements.....	109694.46		
			=====			
			Cash Account Total.....	.00		

REPORT.: Aug 21 24 Wednesday
 RUN....: Aug 21 24 Time: 14:11
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 08-24 thru 08-24 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
14565	08/09/24	BAN03	POLICE OFFICER ASSOC.	250.00	C40807	POLICE OFFICER ASSOC
14566	08/09/24	CAL37	CALIFORNIA STATE DISBURSE	486.23	C40807	WITHHOLDING ORDER
14567	08/09/24	EDD01	EMPLOYMENT DEVELOPMENT	9179.16	C40807	STATE INCOME TAX
				2127.86	1C40807	SDI
				27.14	2C40807	STATE INCOME TAX
				64.21	3C40807	SDI
			Check Total.....	11398.37		
14568	08/09/24	FED00	FEDERAL PAYROLL TAXES (EF	24035.70	C40807	FEDERAL INCOME TAX
				23972.54	1C40807	FICA
				5606.60	2C40807	MEDICARE
				168.80	3C40807	FEDERAL INCOME TAX
				723.84	4C40807	FICA
				169.28	5C40807	MEDICARE
			Check Total.....	54676.76		
14569	08/09/24	MIS03	MISSIONSQUARE - PLAN#3020	592.99	C40807	MISSIONSQUARE 457
				122.50	1C40807	MISSIONSQUARE 457 ER
			Check Total.....	715.49		
14570	08/09/24	PERS1	PUBLIC EMPLOYEES RETIRE	29268.74	C40807	PERS PAYROLL REMITTANCE
				.00	1C40807	PERS PAYROLL REMITTANCE
			Check Total.....	29268.74		
14571	08/09/24	PERS4	Cal Pers 457 Def. Comp	2563.08	C40807	PERS DEF. COMP.
				472.50	1C40807	PERS DEF. COMP. ER P
			Check Total.....	3035.58		
14572	08/09/24	VAL06	VALIC	2837.54	C40807	AIG VALIC P TAX
				270.00	1C40807	AIG VALIC P TAX ER P
			Check Total.....	3107.54		
			Cash Account Total.....	102938.71		
			Total Disbursements.....	102938.71		
				=====		

Date.: Aug 21, 2024
 Time.: 2:15 pm
 Run by: LORI SIMS

CITY OF CORNING
 NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
 List.: NEWB
 Group: WTFMBM

Business Name	Address	CITY/STATE/ZIP	Business Desc	Bus Start Date
COVILLE ELECTRIC	9324 ACACIA AVE	FONTANA, CA 92335	ELECTRICAL CONTRACTOR, INSTALLS SOLAR PV	08/16/24
DISCOTECA RUIZ	1206 SOLANO ST	CORNING, CA 96021	MERCANTILE RETAIL @ A STORE FRONT ALREAD	08/21/24
FLOWER MASSAGE & SPA	965 HIGHWAY 99W	CORNING, CA 96021	MASSAGE, FACIALS, CUPPING	08/08/24
HILL ENTERPRISES TOW	22680 SOUTH AVE	CORNING, CA 96021	TOWING, LIGHT & MEDIUM DUTY TOWING	08/21/24
JEFF'S CAR WASH, LLC	1603 SOLANO ST	CORNING, CA 96021	SELF SERVE CAR WASH	08/21/24
PRESTIGE POOLS	1 VIA LOS ARBOLES	CHICO, CA 95928	POOL CLEANING, MAINTENANCE OF RESIDENTIA	08/21/24
RED LINE INSTALLATIO	3187 RODEO AVE	CHICO, CA 95973	SETUP & SITE WORK FOR MANUFACTURED HOMES	08/19/24

**ITEM NO.: I-1
PUBLIC HEARING: REVIEW 2024
CDBG FUNDING OPPORTUNITIES
AND DIRECT STAFF TO BEGIN
PREPERATION OF THE 2024 CDBG
APPLICATION**

August 27, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: BRANT MESKER, CITY MANAGER 
RUBI ORDAZ, ADMINISTRATIVE SERVICES MANAGER **

SUMMARY

The 2024 State NOFA involving approximately \$44 million in CDBG funds is anticipated to be released this summer. It is anticipated that applicants will be allowed to apply for one project up to approximately \$3.3 million and up to two competitive applications, one program and one planning grant, each up to approximately \$300,000.

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program authorizes the use of funds to assist low- and moderate-income families or aid in the prevention or elimination of slums or blight. There are two types of CDBG programs: "entitlement" and "non-entitlement". Metropolitan cities and urban counties are entitled to receive annual grants under the "entitlement" program – direct from HUD. Metropolitan cities are principal cities or Metropolitan Areas (MAs) or other cities within MAs that have populations of at least 50,000. Urban Counties are within MAs that have population of 200,000 or more excluding the population of metropolitan cities within their boundaries. The "non-entitlement" program is administered by the State Department of Housing and Community Development (HCD) and where the City can apply for funding under a competitive application process.

The 2024 State NOFA involving approximately \$44 million in CDBG funds is anticipated to be released this summer. It is anticipated that applicants will be allowed to apply for one project up to approximately \$3.3 million and up to two competitive applications, one program and one planning grant, each up to approximately \$300,000.

The City, as required by the State and HUD regulations and procedures, has conducted a public hearing to discuss the funding and potential application(s) and allow for public input. This is now the time for the staff to provided recommendations for Council consideration and request Council review of potential CDBG programs/activities and provide direction on the projects/activities that staff should include in the application(s).

Project/Activity Selection

In order to be considered eligible, a suggested project/activity must meet one or more of the three National Objectives listed in CDBG Federal Statutes:

- Benefit to low- and moderate-income persons;
 - Prevention or elimination of slums and blight; or
-

Staff Report: Potential Projects for 2024 CDBG Program

- Meeting an urgent community need which pose an immediate threat to the health and welfare of the community (State designates when the “urgent need” objective is allowed for a NOFA).

The benefit to low- and moderate-income persons is the most predominately used National Objective. In order to benefit low- or moderate-income persons, the project/activity must either benefit an area that is comprised of at least 51% low- or moderate-income households, or the program benefits individually qualified households (i.e., each participating household is income certified).

In addition to meeting one of the three National Objectives, the project/activity must also fall under one of the activity categories listed below.

- Public Service: Examples include subsistence payments, security deposits, childcare, health care, recreation programs, fair housing counseling, drug and alcohol abuse counseling and testing, homeless services, senior services, and nutrition services benefitting low- and moderate-income persons.
- Planning and Technical Assistance: The product must show a connection to assisting with an eligible CDBG activity that, if implemented, meets a National Objective. Product(s) are submitted to the State at the time of completion. The grant requires a five percent cash match to be expended prior to expenditure of CDBG funds. Examples include studies, analysis, and data gathering.
- Housing Activities:
 - Homeownership Assistance Program: assistance with loans for down-payment or closing costs.
 - Housing Rehabilitation Program for Single Family Homes: loans for repairs and improvements of owner-occupied units
- Business Assistance: Examples include financing of working capital, furniture, equipment, and property repairs/improvements.
- Microenterprise Assistance: Examples include business training, financing of working capital, furniture, equipment, and property repairs/improvements.

Potential CDBG Projects

In order to provide Council with a list of potential projects, staff has reviewed Council-adopted policies to propose the following list of potential projects. The Council may want to discuss additional activities including those that may be received during the public hearing.

Proposed Project:

City of Corning Community Recreation Center and Plaza Project- Proposed components include recreation center building, plaza, amphitheater, splash pad, walkways, fitness station, play area (ADA/Inclusive), tables and benches, parking area.

FISCAL IMPACT

Adams Ashby Group, Inc., the city's Grant Administration Consultant, estimates the cost to prepare an infrastructure application to be \$7,500 not including environmental or engineering costs required to complete the application. The costs associated with the preparation of applications are an eligible expenditure of CDBG General Administration funds under the current grant contract.

PUBLIC NOTIFICATION

The public hearing notices were published in
Facebook/Instagram on August 15, 2024
Corning Library on August 15, 2024
City of Corning Website on August 15, 2024
Local Bulletin Board on August 15, 2024

RECOMMENDATION

- **REVIEW 2024 CDBG FUNDING OPPORTUNITIES AND DIRECT STAFF TO BEGIN PREPERATION OF THE 2024 CDBG APPLICATION**

PUBLIC NOTICES**Notice of Public Meeting for Discussion of Possible State CDBG Application**

NOTICE IS HEREBY GIVEN that the City of Corning will conduct a public meeting on August 27th, 2024 at 6:30pm at 794 Third street, Corning to discuss possible applications for funding under the State Community Development Block Grant (CDBG) Program and to gather residents' ideas for possible activities to be included in the application.

The City of Corning anticipates submitting an application during the next CDBG program year. The City of Corning has or anticipates receiving approximately \$0.00 in CDBG Program Income.

The purpose of this hearing is to review CDBG eligible activities and collect residents' views on housing and community development needs (which includes services, facilities, and/or infrastructure that will improve livability within the community).

The following information related to the project is available at 794 Third street, Corning between the hours of 8:00am-5pm on Monday- Friday or by emailing the contact listed below:

Rubi Ordaz, City Clerk
530.824.7033
rordaz@corning.org

- A. Amount of funds available and range of activities that may be undertaken.
- B. Information on proposed project(s).
- C. Estimated amounts of funds proposed to be used for activities benefiting persons of low- and moderate-income.
- D. Plans for minimizing displacement of persons as a result of activities associated with CDBG funds and plans for providing assistance to persons displaced as a result of CDBG-funded activities.
- E. Records regarding the past use of CDBG funds.

If you are unable to attend the public hearing, you may direct written comments to the City of Corning, at the address above, or you may contact Rubi Ordaz by telephone or email at 530.824.7033 rordaz@corning.org no later than 3pm on August 25th, 2024 to ensure placement in the official record of the hearing.

The City of Corning does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identify, age, religion or disability. If you require specific accommodations to participate in the public hearing, please contact Rubi Ordaz at least 2 days prior to the scheduled hearing.

**ITEM NO.: J-1
ORDINANCE NO 710, TO AMEND
SECTION 2.04.010 TO CHANGE THE
CITY COUNCIL REGULAR MEETING
TIME TO 5:30PM (1ST READING)**

August 27, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: BRANT MESKER; CITY MANAGER 
COLLIN BOGENER, CITY ATTORNEY**

BACKGROUND:

For many years, the City Council of the City of Corning has held its regular meeting on the second and fourth meeting at 6:30 p.m. This is set forth in Section 2.04.020 of the Corning Municipal Code. The code section was last amended in 2014, but it is believed that the meeting start time had been in effect for long before then.

During the August 13, 2024, regular meeting of the City Council, staff was directed to amend section 2.04.010 to change the meeting start time from 6:30 p.m. to 5:30 p.m. One reason for the proposed change was to allow more members of the public the ability to attend the meeting as the new start time is soon after most community members are done with work, enabling them to travel to the meeting directly after work. Another reason was to permit staff to finish their day earlier and travel home. Most staff have been at the office since 8:00 a.m. and do not leave the office during the period of time between 5:00 p.m. when the office closes and 6:30 p.m. when the meeting starts. The earlier time would decrease the further time at City Hall.

If there is a closed session, those would be held at 5:00 p.m. However, if the item to be discussed requires more time, it would be placed on the agenda after the regular meeting.

RECOMMENDED ACTION:

- 1. Direct the Clerk to Read by Title Only**
- 2. Adopt an Ordinance 710 (First Reading) to amend Section 2.04.010 of the Corning Municipal Code to change the City Council regular meeting start time and set for adoption (Second Reading) on September 10, 2024.**

**ITEM NO.: J-2
AUTHORIZE THE CITY TO OPT INTO THE
PRE-NEGOTIATED CONTRACT AND
APPROVE THE PURCHASE OF ONE (1)
NEW TYPE 1 FIRE ENGINE**

August 27, 2024

TO: HONORABLE MAYOR AND COUNCIL

FROM: BRANT MESKER, CITY MANAGER
TOM TOMLINSON, FIRE CHIEF

SUMMARY:

Staff requests Council's authorization to purchase a new Type 1 Fire Engine from Golden State Fire Apparatus/Pierce. The proposal attached is for approximately \$823,398.34. This is an approximate due to availability of International/Navistar cab and chassis. This purchase price includes a 100% pre-payment discount in the amount of \$78,143.52. This purchase will be made through a pre-negotiated Sourcewell contract which will allow for a savings of \$8,404.40. This purchase would be bonded, therefore reducing the City's liability with the pre-payment purchase.

<u>Item & Quantity</u>	<u>Total Cost</u>
❖ 1 PIERCE/IHC TYP 1 FIRE ENGINE	\$823,398.34

The build of this engine will be a close match to Engine 12 which was purchased in 2019 and include similar equipment and mechanisms to reduce initial training and increase familiarity with a like engine in the fleet. The estimated build/lead time for the new engine is 36 to 38 months. This engine will be replacing a 1997 KME Type 1 engine.

BACKGROUND:

In 2019 The Corning Volunteer Fire Department purchased a Pierce Type 1 Engine. This engine was financed which is very close to being paid in full.

FUNDING:

Staff proposes to use \$823,398.34 from the FIRE CAPITAL REPLACEMENT FUND (076). This is for payment due at time of order. Should the City not take advantage of the 100% prepayment discount and utilize the payment due at time of completion option the cost would be \$907,803.99. Total savings to the City by utilizing the Sourcewell pricing and the 100% pre-payment option is \$84,405.65. This purchase was not a budgeted item for this fiscal year therefore an appropriation is required. The Fire Capital Replacement Fund (076) balance would support this purchase and a transfer in the amount of \$500,000 was included in this year's fiscal budget. With a potential 38 month build this project became a priority.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **CITY COUNCIL DETERMINES THAT THIS PURCHASE IS EXEMPT FROM THE CITY'S PURCHASING POLICY PER SECTION 3.12.082 A-4 OF THE CORNING MUNICIPAL CODE;**
- **AUTHORIZE THE CITY TO OPT INTO THE SOURCEWELL CONTRACT PRICING AND APPROVE THE PURCHASE OF ONE (1) TYPE ONE FIRE ENGINE FROM GOLDEN STATE FIRE APPARATUS/PIERCE WITHOUT GOING OUT FOR**

**FORMAL BID, AND AUTHORIZE THE CITY MANAGER TO SIGN ANY NECESSARY
PROCUREMENT DOCUMENTS, AND**

- **AUTHORIZE A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF
\$823,398.34, PLUS TAX, LICENSE, AND REGISTRATION FOR COST OF THE FIRE
ENGINE.**

CORNING FIRE DEPARTMENT

Golden State Fire Apparatus/ Pierce Quote Information

July 18, 2024

The following quote is for:

- One (1) Build To Order, Pierce/ IHC Type 1 Engine
- Current day duplicate to current Pierce job 32492
- **NOTE: This quote is an estimate only and is valid for the date of issuance. This is due to a delay with International Trucks and their release of their latest model year chassis; which will be required for this vehicle. Once International Trucks releases the required information for this new model year chassis (which is not known at this time), an accurate quote or detailed proposal can be prepared for consideration**

The following quote includes the following:

- Third party performance bond.
- Pre-construction conference at customer location.
- One factory final inspection trip for three (3) customer representatives.
- Delivery of vehicle from the factory to dealership. Pre-delivery inspection at the dealership.
- Final delivery to customer location.
- DMV registration.
- State sales tax.
- California tire fee.
- Current day, vehicle completion is approximately 36 to 38 months from time of order.

**100% PRE-PAYMENT
PAYMENT DUE AT TIME OF ORDER**

#	Description	Unit Price
A	Pierce/ IHC Type 1 Engine	\$848,844.76
B	Discount For Sourcewell Consortium Purchase	(\$8,404.40)
C	Discount For 100% Pre-Payment	(\$78,143.52)
	7.75% State Sales Tax	\$59,078.00
	California Tire Fee	\$10.50
	Performance Bond	\$2,013.00
	GRAND TOTAL	\$823,398.34

PAYMENT DUE AT TIME OF COMPLETION

#	Description	Unit Price
A	Pierce/ IHC Type 1 Engine	\$848,844.76
B	Discount For Sourcewell Consortium Purchase	(\$8,404.40)
	7.75% State Sales Tax	\$65,134.13
	California Tire Fee	\$10.50
	Performance Bond	\$2,219.00
	GRAND TOTAL	\$907,803.99

ITEM NO: 7-3
APPROVE PROPOSED POLICE OFFICER
LATERAL STIPEND CONDITIONS AND
AGREEMENT

October 24, 2023

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: BRANT MESKER, CITY MANAGER 

BACKGROUND:

At the October 24, 2023, City Council Meeting, Council authorized two police officer lateral stipends in the amount of \$25,000. Council authorized the City Manager to negotiate and sign the lateral stipend agreement. In the interest of transparency and public information this request is coming to Council for approval. This is second lateral stipend agreement and would be the last stipend available.

Lateral Stipends have become a common hiring incentive by local governments in law enforcement. The is to attract, incentivize and retain experienced officers. The Police Department has a lateral officer that has past all background requirements and is anticipated to start the beginning of September.

Approval of the agreement will allow the Officer to start in the beginning of September and know that he will be eligible for the stipend prior to the start date.

FINANCIAL:

In the current budget, the initial \$15,000 stipend would be paid out of salary and benefits, with the following consecutive annual payments paid out of salary and benefits in those fiscal years.

STIPEND AMOUNT AND CONDITIONS:

The proposed \$25,000 stipend is conditioned upon the satisfactory completion of the POST Field Training Program. The distribution of the stipend amount would be as follows:

- Upon completion of the requirements, the Police Officer will be paid a stipend of FIFTEEN THOUSAND DOLLARS (\$15,000), gross wages before withholding, followed by an:
- Additional TWO THOUSAND DOLLARS (\$2,000) gross wages before withholding each year for FIVE (5) years upon completion of satisfactory employee performance evaluation.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE:

- **APPROVE POLICE OFFICER LATERAL STIPEND CONDITIONS AND AGREEMENT IN THE TOTAL AMOUNT OF \$25,000 FOR THE EMPLOYMENT OF ONE LATERAL POLICE OFFICER.**

**POLICE OFFICER LATERAL STIPEND CONDITIONS AND AGREEMENT
WITH THE CITY OF CORNING
FOR EMPLOYMENT WITH THE CORNING POLICE DEPARTMENT**

This AGREEMENT, effective as of _____ (the "Effective Date"), by and between _____ (hereafter "Police Officer"), and the City of Corning, California, which is a general law city located at 794 Third Street, Corning, California 96021 (hereafter "City").

RECITALS

Police Officer is to satisfactorily complete the Corning Police Department's Peace Officer Standards and Training ("POST") Basic Law Enforcement Field Training Program, and any subsequent customary and/or necessary training to allow for employment as a peace officer in the State of California.

The City desires to pay such non-mandated costs, as further outlined herein, upon Police Officer agreeing to satisfactorily complete the POST Field Training Program. Upon completion of these requirements, Police Officer will be paid a stipend of FIFTEEN THOUSAND DOLLARS (\$15,000), gross wages before withholding, followed by an additional TWO THOUSAND DOLLARS (\$2,000) gross wages before withholding each year for FIVE (5) years upon completion of satisfactory employee performance evaluation.

AGREEMENT

NOW, THEREFORE, the parties incorporate the Recitals into this Agreement as though fully set forth below, and with recognition that good and valuable consideration is had by both parties, the receipt of which is hereby acknowledged, agree as follows:

A. Obligations of the City:

1. In addition to, and separate from, any payment of monthly wages and benefits, City agrees to a stipend of **FIFTEEN THOUSAND DOLLARS (\$15,000)**, gross wages before withholding, upon satisfactory completion of the following:
 - a) The mandated POST requirements
 - b) The mandated POST Field Training Program
 - c) The mandated Police Department Training

B. Representations and Warranties of Police Officer:

1. Peace Officer represents and warrants that he/she presently possesses, and shall maintain, all of the following minimum criteria:
 - a) A valid California Driver's license;
 - b) A satisfactory diving record;
 - c) At no time before signing this Agreement, or thereafter, the Police Officer has been, or is charged with any involvement in, or alleged by a law enforcement agency, to have committed a felony or misdemeanor violation;
 - d) An act that violates Section XIV of the POST Academy discipline Policy entitled "Breach of Conduct and Demeanor" (Policy), and that is determined by the

- Chief of Police, in his/her sole and absolute discretion, warrants termination of this Agreement;
- e) An act that displays a lack of integrity as determined by the Chief of Police, in his sole and absolute discretion;
 - f) An act that is unethical or immoral as determined by the Chief of Police, in his sole and absolute discretion;
 - g) An act that is potentially capable of causing detriment to the reputation of the Police Officer, the City of Corning, the Corning Police Department, or its Police Chief, which shall be determined by the Chief of Police in his sole and absolute discretion;
 - h) That the position of Full-Time Step "A" Police Officer is subject to a one-year probationary period. If during the one-year probationary period, the Chief of Police determines the Police Officer is not performing to the standards of the Corning Police Department, the position can be terminated.

C. Reimbursement of Costs to the City:

1. Police Officer shall be obligated to repay the City the monies received as set forth in Section (A)(1) of this Agreement upon any of the following circumstances:
 - a. Failure to complete three (3) years of continued employment as a peace officer with the City. Termination for reasons of a physical or mental incapacity that precludes the Police Officer from performing the duties of a police officer shall not constitute a breach of this Agreement if a licensed physician, approved by the City, certifies that the Police Officer (the Employee) is unable to perform the duties of a police officer.
 - b. In the event that the Police Officer is called to active military duty or is granted a leave of absence for any reason, the term of this Agreement as expressed in paragraph 1 above, shall be extended for a period of time equal to the time of military service or approved leave of absence.
2. Repayment to the City under this Agreement shall be made in United States dollars and occur within thirty-days after receipt of written demand by the City for repayment.

D. Miscellaneous Terms:

1. The invalidity of any portion of this Agreement will not, and shall not, be deemed to affect the validity of any other provision. In the event that any portion of this Agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect, as if they had been executed by both parties subsequent to the expungement of the invalid provision.
2. The waiver of any covenant or condition by the City shall not be construed as a waiver of a subsequent breach of the same convenance or condition. The waiver of exercise of any legal right hereunder shall not be construed as a waiver of any other action or right the City may have pursuant to the terms of this Agreement.
3. In the event of breach of this Agreement, Police Officer agrees and consents to the City withholding stipend sums due to Police Officer (as an Employee) from the City.
4. This Agreement may not be assigned to any other person, firm, or organization without the express written consent of the City.
5. This Agreement shall constitute the entire agreement between the parties as to the issues contained within this Agreement, and any prior agreement, understanding,

or representation of any kind, regarding the issues contained within this Agreement, preceding the date of this Agreement shall not be binding upon either party, except to the extent incorporated in this Agreement.

6. Any modification of this Agreement, or additional obligations assumed by either party in connection with this Agreement, shall be binding only if evidenced in writing, signed by each party or an authorized representative of each party.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first written above.

Craig Bassett, Chief of Police

Date

**Brant Mesker, City Manager
City of Corning, California**

Date

Lateral Officer

Date