



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION AGENDA
TUESDAY, JANUARY 14, 2019
CITY COUNCIL CHAMBERS
794 THIRD STREET**

The City of Corning welcomes you to our meetings, which are regularly scheduled for the second and fourth Tuesdays of each month. Your participation and interest are encouraged and appreciated.

In compliance with the Americans with Disabilities Act, the City of Corning will make available to members of the 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: 4:00 p.m.

B. ROLL CALL:

Council:

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

Mayor:

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:

D. REGULAR AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Paragraph (1) of subdivision (d) of Government Code § 54956.9.

Two Cases:

a. Case No.: 2:18-cv-01550-KJM-AC; and

b. Case No.: CV24394

2. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:

Agency Negotiator: Greg Einhorn, Labor Relations Consultant

Bargaining Units: Management, Public Safety, Dispatcher, and Miscellaneous

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION:

POSTED: FRIDAY, JANUARY 10, 2020



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, JANUARY 14, 2020
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 are encouraged and is 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
Mayor: Douglas Hatley Jr.

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

D. INVOCATION: Led by Councilor Burnett.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

- 1. Proclamation: January 2020 as Human Trafficking Prevention Awareness Month in the City of Corning. Present to accept the Proclamation will be Maggie Michael, CalWorks Advocate.**
- 2. Proclamation: January 2020 as National Stalking Awareness Month in the City of Corning. Present to accept the Proclamation will be Maggie Michael, CalWorks Advocate.**
- 3. Proclamation: January 27th – 31st, 2020 as "The Great Kindness Challenge". Present to accept the Proclamation will be Erin Luevana, Tehama County Department of Education Recreation Specialist, SERRF Expanded Learning Program.**

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.

- 4. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 5. Waive the reading and approve the Minutes of the December 10, 2019 Closed Session & Regular Meeting of the City Council with any necessary corrections. (Pulled, to be presented at the next meeting.)**
- 6. January 8, 2020 Claim Warrant in the amount of \$547,611.56.**

7. **January 8, 2020 Business License Report.**
8. **December Wages & Salaries: \$358,288.66.**
9. **December 2019 Treasurer's Report.**
10. **December 2019 Building Permit Valuation Report in the amount of \$5,806,117.00.**
11. **December 2019 City of Corning Wastewater Operations Summary Report.**
12. **Adopt Ordinance No. 682, Repealing Section 17.50.230 and Adding Chapter 17.67 to the City of Corning Municipal Code (Second Reading & Adoption).**
13. **Accept Resignation from Recreation Commission Chairperson James Dodge effective immediately.**
14. **Approve recommendation of Meredith Allen for appointment to the City Recreation Commission.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS: None

J. REGULAR AGENDA:

15. **Appoint Vice-Mayor and City Representatives to Various Commissions/Committees.**
16. **Approve Agreement with the Paskenta Band of Nomlaki Indians for the City to provide Independent Contractor Services to the Tribe.**
17. **Award Palm Tree Pruning Project to West Coast Arborists, Inc. in the amount of \$145.00 per tree.**
18. **Adopt Resolution No. 01-14-2020-01 establishing an Administrative Policy for Utility Billing.**
19. **Adopt Ordinance 685, an Ordinance amending Chapter 13.08 of the Corning Municipal Code regarding the discontinuation of water service for failure to pay (Introduction and 1st Reading).**

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:

POSTED: FRIDAY, JANUARY 10, 2020

PROCLAMATION

January 2020

"Human Trafficking Prevention and Awareness Month"

WHEREAS, the United States was founded upon the principle that all people are created with the unalienable right to freedom, and the 13th Amendment to the Constitution makes slavery illegal.

WHEREAS, human trafficking is modern-day slavery, claiming nearly 40 million victims worldwide, and is currently found in the United States most often in the form of sexual exploitation, forced labor, involuntary servitude, and debt bondage; and

WHEREAS, this horrific crime denies human dignity and freedom, fuels organized crime, and exists in our nation, our State and our own Community.

WHEREAS, although awareness of this crime is growing, human trafficking continues to go unreported due to its isolating nature, misunderstanding of its definition, and the lack of awareness about its indicators.

WHEREAS, increased community education on identifying victims of human trafficking and increased knowledge of available resources and services for those affected by this crime can help restore freedom and dignity to survivors and contribute to decreasing the number of future victims.

WHEREAS, every business, organization, faith, community, family and individual can make a difference by choosing products not made by forced labor; working to protect our young people from sexual exploitation; addressing the problem of internet sex trafficking and pornography; acknowledging the problem and working toward solutions.

WHEREAS, the City of Corning joins Empower Tehama in their dedication to providing community outreach and education, legislative advocacy, training, promotion of services to survivors of human trafficking, and collaboration with law enforcement.

NOW, THEREFORE BE IT RESOLVED that I, Douglas Hatley, Jr., as Mayor of the City of Corning, do hereby proclaim January 2020 as Human Trafficking Prevention Month in the City of Corning. I encourage all citizens to become more informed of this growing problem, to be vigilant and report suspicious activity, and to work towards solutions to end trafficking in all its forms in our community. If you observe behavior that indicates possible human trafficking, contact the National Human Trafficking Hotline at 888-373-7888.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 14th day of January 2020.

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

PROCLAMATION

January 2020

“NATIONAL STALKING AWARENESS MONTH PROCLAMATION”

WHEREAS, under the laws of all fifty States, the U.S. Territories, the District of Columbia, and Federal Government, stalking is a crime.

WHEREAS, 6 - 7.5 million people are stalked in a one-year period in the United States, and the majority of victims are stalked by someone they know; and,

WHEREAS, 3 in 4 women killed by an intimate partner have been stalked by that intimate partner.

WHEREAS, many stalking victims lose time from work and experience serious psychological distress and lost productivity at a much higher rate than the general population; and

WHEREAS, many stalking victims are forced to protect themselves by relocating, changing their identities, changing jobs, and obtaining protection orders.

WHEREAS, many stalkers use technology – such as cell phones, global positioning systems (GPS), cameras, and spyware to monitor and track their victims.

WHEREAS, there is a need for great public awareness about the nature, criminality, and potential lethality of stalking; and,

WHEREAS, criminal justice systems can enhance their responses to stalking by regular training and assertive investigation and prosecution of the crime; and

WHEREAS, laws and public policies must be continually adapted to keep pace with new tactics used by stalkers; and,

WHEREAS, communities can better combat stalking by adopting multidisciplinary responses by teams of local agencies and organizations and by providing more and better victim services;

WHEREAS, the City of Corning is joining forces with Victim Service providers, Criminal Justice Officials, and concerned Citizens throughout the City of Corning and the United States to observe National Stalking Awareness Month.

NOW, THEREFORE BE IT RESOLVED that I, Douglas Hatley, Jr., as Mayor of the City of Corning, do hereby proclaim January 2020 as Stalking Awareness Month in the City of Corning. I encourage all citizens to become more informed of this growing problem, to be vigilant and report suspicious activity, and to work towards solutions to end stalking in all its forms in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 14th day of January 2020.

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

PROCLAMATION

**January 27th 31st, 2020
"The Great Kindness Challenge"**

WHEREAS, The Great Kindness Challenge was created and launched in 2011 by Kids for Peace, a global nonprofit based in Carlsbad, California, as a proactive, positive bullying prevention initiative; and

WHEREAS, The Great Kindness Challenge has now expanded to all 50 states with over 13 million students participating in 2019; and

WHEREAS, The Great Kindness Challenge is one week dedicated to students performing as many kind deeds as possible; and

WHEREAS, the Safe Education and Recreation for Rural Families (SERRF), Expanded Learning Program proudly demonstrates their commitment to improved school climate and increased student engagement by participating in The Great Kindness Challenge, and

WHEREAS, the SERRF, Expanded Learning Program is honored to unite all students across Tehama County in the spirit of acceptance, tolerance, kindness and respect;

NOW, THEREFORE BE IT RESOLVED that the City of Corning endorses The Great Kindness Challenge and are committed to supporting the 1,800 students of the SERRF Expanded Learning Program and their deeds of kindness.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 14th day of January 2020.

Douglas Hatley Jr., Mayor

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: January 8, 2020

SUBJECT: Cash Disbursement Detail Report for the
Tuesday January 14, 2020 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 12-18-19	\$	205,884.48
B.	Payroll Disbursements	Ending 12-18-19	\$	71,560.97
C.	Cash Disbursements	Ending 12-31-19	\$	38,719.67
D.	Payroll Disbursements	Ending 12-27-19	\$	48,072.82
E.	Cash Disbursements	Ending 01-08-20	\$	108,578.85
F.	Payroll Disbursements	Ending 01-02-20	\$	74,794.77

GRAND TOTAL \$ 547,611.56

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 12-19 Bank Account.: 1020

check umber	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information----- Description
28595	12/05/19	MIL14	MILLER, KRISTINA	49.37	.00	49.37	191022	CONF/MTGS-CITY COUNCIL
				20.76	.00	20.76	191203	CONF/MTGS-CITY ADMIN
				121.75	.00	121.75	191204	CONF/MTGS-CITY ADMIN
			Check Total.....:	191.88	.00	191.88		
28596	12/06/19	CHI13	CHICO PRINCESS PARTIES, L	360.00	.00	360.00	191206	REC INSTRUCTOR-REC
28597	12/10/19	RIO00	RIOS, DOMINGO HENRY	90.00	.00	90.00	191210	PANT REIMBURSEMENT-PW ADM
28598	12/11/19	AIR00	AIRGAS USA, LLC	56.45	.00	56.45	996696083	MAT & SUPPLIES-FIRE
28599	12/11/19	ARA02	ARAMARK UNIFORM SERVICES	90.69	.00	90.69	637105559	MAT & SUPPLIES-BLD MAINT
				90.69	.00	90.69	637119450	MAT & SUPPLIES-BLD MAINT
				90.69	.00	90.69	637132977	MAT & SUPPLIES-BLD MAINT
				90.69	.00	90.69	637146579	MAT & SUPPLIES-BLD MAINT
			Check Total.....:	362.76	.00	362.76		
28600	12/11/19	ATT17	AT&T	58.85	.00	58.85	191130	COMMUNICATIONS-FIRE
28601	12/11/19	BAS01	BASIC LABORATORY, INC	135.80	.00	135.80	1912621	ProfServices Water Dept
				135.80	.00	135.80	1912805	ProfServices Water Dept
			Check Total.....:	271.60	.00	271.60		
28602	12/11/19	BIG02	BIG VALLEY SANITATION, IN	185.00	.00	185.00	65154	CLEANING CONTRACT-STR
28603	12/11/19	CON08	CONSTELLATION - EXELON GE	9231.88	.00	9231.88	201911	ELECT-
28604	12/11/19	COO03	COOK CONSTRUCTION	23400.00	.00	23400.00	202	1414 SOUTH ST DEMO-BLD &
28605	12/11/19	COR11	CORNING SAFE & LOCK	15.09	.00	15.09	0580	MAT & SUPPLIES-REC
28606	12/11/19	CRO05	CROSS PETROLEUM	442.43	.00	442.43	CL90062	VEH OP/MAINT-FIRE
28607	12/11/19	EIN00	EINHORN, GREGORY PAUL	5175.00	.00	5175.00	13929	EE RELATIONS-LGL SVCS
28608	12/11/19	FIR05	FIRST NATIONAL BANK OMAHA	14.99	.00	14.99	191127	MAT & SUPPLIES-CITY ADMIN
28609	12/11/19	FIR11	FIRST NATIONAL BANK OMAHA	5951.77	.00	5951.77	191127	EQUIP REPLAC-
28610	12/11/19	FIR13	FIRST NATIONAL BANK OMAHA	126.49	.00	126.49	191127	MAT & SUPPLIES-
28611	12/11/19	FIR15	FIRST NATIONAL BANK OMAHA	1582.29	.00	1582.29	191127	MAT & SUPPLIES-REC
28612	12/11/19	GRE01	GREEN WASTE OF TEHAMA	31.23	.00	31.23	6901	BLD MAINT-PARKS
28613	12/11/19	PES01	PESTMASTER SERVICES, INC.	990.79	.00	990.79	230927	TREE/PEST & WEED SPRAY-
				671.63	.00	671.63	230929	TREE/PEST & WEED SPRAY-
			Check Total.....:	1662.42	.00	1662.42		
28614	12/11/19	PGE04	PG&E	469.48	.00	469.48	191201	TranspFacility-
28615	12/11/19	PGE05	PG&E	831.58	.00	831.58	191201	ELECT-
28616	12/11/19	PGE08	PG&E	29.77	.00	29.77	191201	MAT & SUPPLIES-REC
28617	12/11/19	PGE2A	PG&E	44.76	.00	44.76	191202	ELECT-CLELAND PROP
28618	12/11/19	TAN00	T AND S DVBE, INC.	10668.88	.00	10668.88	19-2906	MACH/EQUIP-STR
				17675.68	.00	17675.68	19-2937	MACH/EQUIP-STR
			Check Total.....:	28344.56	.00	28344.56		
28619	12/11/19	TEH33	TEHAMA COUNTY	15000.00	.00	15000.00	11.21.191	PARK VOL FUND-RECYCLE GRA
28620	12/11/19	TRI02	TRI-COUNTY NEWSPAPERS	110.48	.00	110.48	00247677	Print/Advert. City Clerk
				66.51	.00	66.51	00248041	Print/Advert. City Clerk
				78.82	.00	78.82	00248042	Print/Advert. City Clerk
				149.16	.00	149.16	00248401	Print/Advert. City Clerk
			Check Total.....:	404.97	.00	404.97		
28621	12/11/19	WAL02	WALKER PRINTING	45.05	.00	45.05	37466	MAT & SUPPLIES-PLANNING
28622	12/11/19	WHI08	WHITE, JACK	57.00	.00	57.00	191210	REIMBURSE FOR CCW RENEWAL
28623	12/12/19	GRO00	GROOTVELD, TROY	56.01	.00	56.01	191212	PANT REIMBURSEMENT-PW ADM
28624	12/12/19	AUT00	AUTO ZONE	38.78	.00	38.78	409560748	VEH OP/MAINT-POLICE
28625	12/12/19	BRA03	BRASIER, DEL	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28626	12/12/19	CRO05	CROSS PETROLEUM	975.60	.00	975.60	CL89647	MAT & SUPPLIES-
28627	12/12/19	DEM03	DEMO, CHRIS	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
28628	12/12/19	DEP12	DEPT OF JUSTICE	1800.00	.00	1800.00	419113	PROF SVCS-
28629	12/12/19	FIR10	FIRST NATIONAL BANK OMAHA	68.04	.00	68.04	12062019	COMMUNICATIONS-DISPATCH
28630	12/12/19	FIR14	FIRST NATIONAL BANK OMAHA	4216.45	.00	4216.45	12072019	OFFICE SUPPLIES-
28631	12/12/19	GOL03	GSFM / WFM	20.59	.00	20.59	I-062760	MAT & SUPPLIES-WTR
28632	12/12/19	GRA02	GRAINGER, W.W., INC	72.91	.00	72.91	937329007	MAT & SUPPLIES-SWR
28633	12/12/19	GRO00	GROOTVELD, TROY	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28634	12/12/19	HOL04	HOLIDAY MARKET #32	149.42	.00	149.42	158321312	CONF/MTGS-CITY COUNCIL
28635	12/12/19	JOH07	JOHNSTONE, TRACY	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28636	12/12/19	MOR02	RAY MORGAN COMPANY	298.82	.00	298.82	2781416	COMMUNICATIONS-
28637	12/12/19	MOS03	MOSHER, JEREMY	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28638	12/12/19	PEN01	PENDERGRAFT, JAMES	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28639	12/12/19	PGE01	PG&E	1272.54 339.48	.00 .00	1272.54 339.48	191204 191204A	ELECT- ELECT-
			Check Total.....:	1612.02	.00	1612.02		
28640	12/12/19	QUI02	QUILL CORPORATION	67.81	.00	67.81	2986453	OFFICE SUPPLIES-
28641	12/12/19	RIO00	RIOS, DOMINGO HENRY	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28642	12/12/19	SCH01	LES SCHWAB TIRE CENTER	659.74 74.97 64.00	.00 .00 .00	659.74 74.97 64.00	611003390 611003394 611003400	VEH OP/MAINT-POLICE VEH OP/MAINT-POLICE VEH OP/MAINT-FIRE
			Check Total.....:	798.71	.00	798.71		
28643	12/12/19	SWR01	SWRCB/AFRS	11470.25	.00	11470.25	LW1026413	REQ PERMITS STATE-WTR
28644	12/12/19	WHI06	WHITE, BRETT	225.00	.00	225.00	200101	SAFETY ITEMS-PW ADMIN
28645	12/13/19	ACC00	ACCESS INFORMATION MANAGE	186.63	.00	186.63	7826152	EQUIP MAINT-GEN CITY
28646	12/13/19	BUR08	BURNETT, KAREN S.	90.00 45.00	.00 .00	90.00 45.00	191212 191212A	REC INSTRUCTOR-REC REC INSTRUCTOR-REC
			Check Total.....:	135.00	.00	135.00		
28647	12/13/19	CAR12	CARREL'S OFFICE MACHINES	4.46	.00	4.46	AR21145	MAT & SUPPLIES-LIBRARY
28648	12/13/19	HOL04	HOLIDAY MARKET #32	7.92	.00	7.92	33321312/	CONF/MTGS-CITY COUNCIL
28649	12/13/19	NOR47	NORTHSTAR	6787.50	.00	6787.50	75112	PROF SVCS-PW ADMIN
28650	12/13/19	QUI02	QUILL CORPORATION	47.81	.00	47.81	3099675	MAT & SUPPLIES-CITY COUNC
28651	12/16/19	BUR08	BURNETT, KAREN S.	120.00 107.97	.00 .00	120.00 107.97	191216 191216A	REC INSTRUCTOR-REC MAT & SUPPLIES-REC
			Check Total.....:	227.97	.00	227.97		
28652	12/16/19	COM06	COMCAST	23.74	.00	23.74	191209	COMMUNICATIONS-PW ADMIN
28653	12/16/19	COR05	CORNING AUTO CENTER	34.75 54.75 34.75 34.75 34.75 34.75	.00 .00 .00 .00 .00 .00	34.75 54.75 34.75 34.75 34.75 34.75	37015 37018 37019 37021 37023 37024	VEH OP/MAINT- VEH OP/MAINT- VEH OP/MAINT-BLD & SAFETY VEH OP/MAINT- VEH OP/MAINT- VEH OP/MAINT-
			Check Total.....:	228.50	.00	228.50		
28654	12/16/19	DEM03	DEMO, CHRIS	89.97	.00	89.97	191216	PANT REIMBURSEMENT-PW ADM
28655	12/16/19	DEP03	DEPT OF TRANS/CAL TRANS	1560.79	.00	1560.79	20005606	Equip.Maint. St&Trf Light
28656	12/16/19	GRA02	GRAINGER, W.W., INC	33.04	.00	33.04	937707140	MAT & SUPPLIES-BLD MAINT
28657	12/16/19	INF00	INFRAMARK, LLC	68574.56	.00	68574.56	46710	PROF SVCS-
28658	12/16/19	JOH01	EVAN JOHNSON CONSTRUCTION	3285.42	.00	3285.42	135	CG&S REPLACEMENT-STR
28659	12/16/19	MUN03	MUNNELL & SHERRILL, INC.	222.31	.00	222.31	321960	MAT & SUPPLIES-
28660	12/16/19	PET03	PETTY CASH	271.42	.00	271.42	19-1216	PETTY CASH-
28661	12/16/19	PGE09	PG&E	265.41	.00	265.41	191219	ELECT-STONEFOX L&L-21, D2

EXPORT.: Dec 18 19 Wednesday
 JN....: Dec 18 19 Time: 15:58
 Jn By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 12-19 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
28662	12/16/19	WAR05	WARREN, DANA KARL	166.25	.00	166.25	191216	REC INSTRUCTOR-REC
28663	12/16/19	AUT00	AUTO ZONE	96.96	.00	96.96	409559620	VEH OP/MAINT-POLICE
28664	12/16/19	COM01	COMPUTER LOGISTICS, INC	2860.00	.00	2860.00	81029	EQUIP MAINT-
28665	12/16/19	GOL07	GOLDEN WEST INDUSTRIAL SU	124.40	.00	124.40	2101047	SAFETY ITEMS-FIRE
28666	12/16/19	ROB04	ROBBINS, RON	225.00	.00	225.00	200101	UNIFORMS/CLOTH-POLICE
28667	12/16/19	VER02	VERIZON WIRELESS	190.05	.00	190.05	984330398	PROP 30-MDC
28668	12/17/19	COM01	COMPUTER LOGISTICS, INC	200.00	.00	200.00	81036	EQUIP MAINT-DISPATCH
28669	12/17/19	KNI02	KNIGHT, TYLER	361.73	.00	361.73	12142019	TRAINING/ED-POLICE
28670	12/18/19	BAK01	BAKER AND TAYLOR	48.04	.00	48.04	501589644	BOOKS/PERIODICS-LIBRARY
28671	12/18/19	HIN01	HINDERLITER, DE LLAMAS &	1619.59	.00	1619.59	0032707IN	PROF SVCS-FINANCE
28672	12/18/19	RED15	RED TRUCK ROCK YARD, LLC	129.30	.00	129.30	1085	MAT & SUPPLIES-STR
28673	12/18/19	JOH07	JOHNSTONE, TRACY	28.00	.00	28.00	121819	PANT REIMBURSEMENT-PW ADM
Cash Account Total.....:				205884.48	.00	205884.48		
Total Disbursements.....:				205884.48	.00	205884.48		
Cash Account Total.....:				.00	.00	.00		

check umber	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
11711	12/18/19	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	B91218	POLICE OFFICER ASSOC
11712	12/18/19	BAN06	BANNER BANK	638.58	.00	638.58	B91218	HSA DEDUCTIBLE
11713	12/18/19	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B91218	WITHHOLDING ORDER
11714	12/18/19	EDD01	EMPLOYMENT DEVELOPMENT	4273.84 1166.26	.00 .00	4273.84 1166.26	B91218 1B91218	STATE INCOME TAX SDI
Check Total.....:				5440.10	.00	5440.10		
11715	12/18/19	FED00	FEDERAL PAYROLL TAXES (EF	12012.59 16161.54 3779.68	.00 .00 .00	12012.59 16161.54 3779.68	B91218 1B91218 2B91218	FEDERAL INCOME TAX FICA MEDICARE
Check Total.....:				31953.81	.00	31953.81		
11716	12/18/19	ICM01	ICMA RETIREMENT TRUST-457	4489.78 140.00	.00 .00	4489.78 140.00	B91218 1B91218	ICMA DEF. COMP ICMA DEF. COMP ER PD
Check Total.....:				4629.78	.00	4629.78		
11717	12/18/19	PERS1	PUBLIC EMPLOYEES RETIRE	21709.96	.00	21709.96	B91218	PERS PAYROLL REMITTANCE
11718	12/18/19	PERS4	Cal Pers 457 Def. Comp	3556.43 475.00	.00 .00	3556.43 475.00	B91218 1B91218	PERS DEF. COMP. PERS DEF. COMP. ER P
Check Total.....:				4031.43	.00	4031.43		
11719	12/18/19	VAL06	VALIC	2513.85 180.00	.00 .00	2513.85 180.00	B91218 1B91218	AIG VALIC P TAX AIG VALIC P TAX ER P
Check Total.....:				2693.85	.00	2693.85		
Cash Account Total.....:				71560.97	.00	71560.97		
Total Disbursements.....:				71560.97	.00	71560.97		

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
128359	12/26/19	CAL43	CALIFORNIA NARCOTIC OFFIC	-45.00	.00	-45.00	10162019u	Ck# 028359 Reversed
128363	12/26/19	POR04	PORTILLO, MATTHEW	-72.34	.00	-72.34	10162019u	Ck# 028363 Reversed
128368	12/26/19	CAL43	CALIFORNIA NARCOTIC OFFIC	-45.00	.00	-45.00	10182019u	Ck# 028368 Reversed
128674	12/20/19	HUD01	HUDSON, LACEY	911.22	.00	911.22	12142019	TRAINING/ED-DISPATCH
128675	12/20/19	PAT04	PATTON, JACQUELINE	127.50	.00	127.50	191219	REC INSTRUCTOR-REC
128676	12/26/19	WHI06	WHITE, BRETT	70.98	.00	70.98	191219	PANT REIMBURSEMENT-PW ADM
128677	12/27/19	ATT13	AT&T	757.43	.00	757.43	191211	COMMUNICATIONS-DISPATCH
128678	12/27/19	BAS01	BASIC LABORATORY, INC	135.80	.00	135.80	1913044	ProfServices Water Dept
128679	12/27/19	COP02	COPY CENTER	524.86	.00	524.86	16185	OFFICE SUPPLIES-FINANCE
128680	12/27/19	COR11	CORNING SAFE & LOCK	22.09	.00	22.09	0593A	MAT & SUPPLIES-POLICE
128681	12/27/19	CRO05	CROSS PETROLEUM	1405.76	.00	1405.76	CL90425	VEH OP/MAINT-
128682	12/27/19	DEP12	DEPT OF JUSTICE	140.00	.00	140.00	424316	PROF SVCS-POLICE
128683	12/27/19	DOW01	DOWN RANGE	1930.50 160.75 229.52	.00 .00 .00	1930.50 160.75 229.52	9493 10430 11481	SAFETY ITEMS-POLICE SAFETY ITEMS-POLICE SAFETY ITEMS-POLICE
Check Total.....:				2320.77	.00	2320.77		
128684	12/27/19	GAY02	GAYNOR TELESYSTEMS, INC	520.00	.00	520.00	SWA320920	COMP REPLAC-POLICE
128685	12/27/19	GRO00	GROOTVELD, TROY	28.00	.00	28.00	191227	PANT REIMBURSEMENT-PW ADM
128686	12/27/19	LEA01	LEAGUE OF CALIF CITIES	200.00	.00	200.00	104975	ASSOC DUES-CITY ADMIN
128687	12/27/19	MOO07	MOORE & BOGENER, INC.	2569.80	.00	2569.80	9939	COLSULT LIT-
128688	12/27/19	NOR03	NCCSIF	21455.50	.00	21455.50	2187	WORKMENS COMP-GEN CITY
128689	12/27/19	SHA17	SHASTA COUNTY FIRE DEPART	1000.00	.00	1000.00	1920003	SAFETY ITEMS-FIRE
128690	12/27/19	WAL02	WALKER PRINTING	45.05	.00	45.05	37561	MAT & SUPPLIES-PLANNING
128691	12/30/19	BAS01	BASIC LABORATORY, INC	135.80 135.80	.00 .00	135.80 135.80	1913277 1913428	ProfServices Water Dept ProfServices Water Dept
Check Total.....:				271.60	.00	271.60		
128692	12/30/19	COR05	CORNING AUTO CENTER	297.34	.00	297.34	37166	VEH OP/MAINT-POLICE
128693	12/30/19	COR09	CORNING CHAMBER OF COMM.	4000.00	.00	4000.00	191230	CngChamberComm. Economic
128694	12/30/19	COR55	CORRY, CHASE	528.00	.00	528.00	12102019	K-9 PROGRAM-POLICE
128695	12/30/19	HAR00	HARGENS, MICHELE MARIE	750.00	.00	750.00	191227	REC INSTRUCTOR-REC
128696	12/30/19	NAP01	NAPA AUTO PARTS	7.78	.00	7.78	191224F	VEH OP/MAINT-FIRE
128697	12/30/19	OFF01	OFFICE DEPOT, INC.	56.51	.00	56.51	418524205	OFFICE SUPPLIES-DISPATCH
128698	12/30/19	RON03	RON DUPRATT FORD	64.40	.00	64.40	101571	VEH OP/MAINT-POLICE
128699	12/30/19	TEH20	TEHAMA CO DISTRICT ATTY	200.70	.00	200.70	CPD10/19-	PROF SVCS-POLICE
128700	12/30/19	WAL02	WALKER PRINTING	278.85	.00	278.85	37604	MAT & SUPPLIES-REC
128701	12/31/19	\C163	CANDELARIA CALDERA	15.57	.00	15.57	000B91201	MQ CUSTOMER REFUND FOR CA
128702	12/31/19	\S186	DOROTHY STRACK	10.00	.00	10.00	000B91201	MQ CUSTOMER REFUND FOR ST
128703	12/31/19	\T069	ROBERT E. THAYER II	6.63	.00	6.63	000B91201	MQ CUSTOMER REFUND FOR TH
128704	12/31/19	\U010	CLEOTILDE UBALDO	121.27	.00	121.27	000B91201	MQ CUSTOMER REFUND FOR UB
128705	12/31/19	\W070	DEANN NANCE	38.60	.00	38.60	000B91201	MQ CUSTOMER REFUND FOR WI
Cash Account Total.....:				38719.67	.00	38719.67		
Total Disbursements.....:				38719.67	.00	38719.67		
Cash Account Total.....:				.00	.00	.00		

REPORT.: Dec 31 19 Tuesday
 RUN....: Dec 31 19 Time: 11:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 12-19 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information-----	
							Invoice #	Description
11720	12/27/19	AFL01	AMERICAN FAMILY LIFE	1268.78	.00	1268.78	B91231	AFLAC INS.PRE TAX
				176.96	.00	176.96	1B91231	AFLAC INS.AFTER TAX
				Check Total.....:			1445.74	.00
11721	12/27/19	BLU02	BLUE SHIELD OF CALIFORNIA	21405.49	.00	21405.49	B91231	MEDICAL INSURANCE
11722	12/27/19	OEU01	OPERATING ENGINEERS #3	18922.00	.00	18922.00	B91231	MEDICAL INSURANCE
11723	12/27/19	OEU02	OPERATING ENG. (DUES)	384.00	.00	384.00	B91231	UNION DUES MGMNT
				768.00	.00	768.00	1B91231	UNION DUES POLICE
				540.00	.00	540.00	2B91231	UNION DUES DISPATCH
				812.00	.00	812.00	3B91231	UNION DUES-MISC
Check Total.....:			2504.00	.00	2504.00			
11724	12/27/19	PRI04	PRINCIPAL PLIC-SBD GRAND	2587.49	.00	2587.49	B91231	DENTAL INSURANCE
				395.40	.00	395.40	1B91231	VISION INSURANCE
				812.70	.00	812.70	2B91231	LIFE INSURANCE
Check Total.....:			3795.59	.00	3795.59			
Cash Account Total.....:			48072.82	.00	48072.82			
Total Disbursements.....:			48072.82	.00	48072.82			

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
28369	01/02/20	HEW01	HEWITT, MATTHEW	-1591.76	.00	-1591.76	10172019u	Ck# 028369 Reversed
28706	01/02/20	HEW01	HEWITT, MATTHEW	999.76	.00	999.76	12312019	TRAINING/ED-POLICE
28707	01/02/20	PRO11	PROFORCE LAW ENFORCEMENT	2295.08	.00	2295.08	396366	SAFETY ITEMS-POLICE
28708	01/02/20	COR07	CORBIN WILLITS SYSTEMS, I	744.31	.00	744.31	000C001011	EQUIP MAINT-FINANCE
28709	01/02/20	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000C001011	CngChamberComm. Economic
28710	01/02/20	DEM02	DEMO, DAVID LEWIS	104.70	.00	104.70	000C001011	PROF SVCS-FIRE DEPT
28711	01/02/20	MOO07	MOORE & BOGENER, INC.	5525.00	.00	5525.00	000C001011	CONSULTING SVCS-LEGAL SVC
28712	01/02/20	OCH01	OCHOA CLEANING	4392.00	.00	4392.00	000C001011	JANITORIAL SERVICES-
28713	01/02/20	PAT05	PATTERSON PROPERTIES	500.00	.00	500.00	000C001021	MAT & SUPPLIES-REC
28714	01/02/20	PIT01	PITNEY BOWES	188.09	.00	188.09	000C001011	Rents/Leases Finance Dept
28715	01/02/20	SCH16	SCHLERETH, DAYMON WAYNE	54.70	.00	54.70	000C001011	PROF SVCS-FIRE DEPT
28716	01/06/20	ADV04	ADVENTIST HEALTH	228.00	.00	228.00	PA2019122	EMP PHYSICALS-PW ADMIN
28717	01/06/20	ARA02	ARAMARK UNIFORM SERVICES	90.69	.00	90.69	637158808	MAT & SUPPLIES-BLD MAINT
				90.69	.00	90.69	637173672	MAT & SUPPLIES-BLD MAINT
				92.47	.00	92.47	637187108	MAT & SUPPLIES-BLD MAINT
				90.69	.00	90.69	637200729	MAT & SUPPLIES-BLD MAINT
				90.69	.00	90.69	637213133	MAT & SUPPLIES-BLD MAINT
			Check Total.....:	455.23	.00	455.23		
28718	01/06/20	ATT02	AT&T	1393.74	.00	1393.74	14089728	COMMUNICATIONS-
28719	01/06/20	ATT15	AT&T MOBILITY	683.04	.00	683.04	191219	COMMUNICATIONS-
28720	01/06/20	BIG02	BIG VALLEY SANITATION, IN	138.75	.00	138.75	66161	CLEANING CONTRACT-STR
28721	01/06/20	CAL35	CALIFORNIA BUILDING STAND	267.00	.00	267.00	2020-0103	SB 1473-BLD & SAFETY
28722	01/06/20	CHI13	CHICO PRINCESS PARTIES, L	255.00	.00	255.00	200106	REC INSTRUCTOR-REC
28723	01/06/20	COR08	CORNING LUMBER CO INC	497.44	.00	497.44	191225	MAT & SUPPLIES-
28724	01/06/20	COR11	CORNING SAFE & LOCK	11.31	.00	11.31	0599	MAT & SUPPLIES-REC
28725	01/06/20	COR45	CORNING ACE HARDWARE	615.42	.00	615.42	191227	MAT & SUPPLIES-
28726	01/06/20	CRO05	CROSS PETROLEUM	1275.96	.00	1275.96	CL90424	MAT & SUPPLIES-
28727	01/06/20	DEP09	DEPT OF CONSERVATION	691.32	.00	691.32	2020-0103	StrongMotion Bldg & Safet
28728	01/06/20	DM001	DM-TECH	119.90	.00	119.90	202001011	COMMUNICATIONS-GEN CITY
28729	01/06/20	DUR01	DURHAM PUMP	5890.00	.00	5890.00	0186396IN	WELL REPAIRS-WTR CAP IMPR
28730	01/06/20	GRA01	GRANDFLOW, INC	616.52	.00	616.52	149759	OFFICE SUPPLIES-FINANCE
28731	01/06/20	GRA02	GRAINGER, W.W., INC	41.06	.00	41.06	938683725	MAT & SUPPLIES-STR
28732	01/06/20	HIN01	HINDERLITER, DE LLAMAS &	300.00	.00	300.00	0032755IN	PROF SVCS-FINANCE
28733	01/06/20	HOL04	HOLIDAY MARKET #32	267.12	.00	267.12	208321212	MAT & SUPPLIES-
28734	01/06/20	HOM03	HOME DEPOT	140.74	.00	140.74	535954	ADA POOL-BLD MAINT
				60.32	.00	60.32	565207	ADA POOL-BLD MAINT
				113.40	.00	113.40	3161016	BLD MAINT-PARKS
				133.06	.00	133.06	4876116	BLD MAINT-BLD MAINT
			Check Total.....:	447.52	.00	447.52		
28735	01/06/20	INL01	INLAND BUSINESS SYSTEMS	60.36	.00	60.36	IN472724	COMMUNICATIONS-
28736	01/06/20	KN100	KNIFE RIVER CONSTRUCTION	488.49	.00	488.49	223788	A/C CITYWIDE-STR
28737	01/06/20	MCC07	MCCOY'S HARDWARE & SUPPLY	53.84	.00	53.84	191227	MAT & SUPPLIES-
28738	01/06/20	MUN03	MUNNELL & SHERRILL, INC.	48.49	.00	48.49	323903	MAT & SUPPLIES-
28739	01/06/20	PGE09	PG&E	204.15	.00	204.15	191216	ELECT-STONEFOX L&L-21, D2
28740	01/06/20	PGE2A	PG&E	42.27	.00	42.27	191216	ELECT-BLUE HERON CT
				43.27	.00	43.27	191226	ELECT-CORNING COMMUNITY P
				92.98	.00	92.98	191230	ELECT-MARTINI PLAZA
				190.79	.00	190.79	191230A	ELECT-MCDONALD, CASSANDRA,
			Check Total.....:	369.31	.00	369.31		
28741	01/06/20	PGE2B	PG&E	9288.96	.00	9288.96	191227	ELECT-WWTP

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
28742	01/06/20	QUI02	QUILL CORPORATION	38.77 21.11 418.79 13.24	.00 .00 .00 .00	38.77 21.11 418.79 13.24	3342238 3351170 3360521 3367705	MAT & SUPPLIES-BLD MAINT MAT & SUPPLIES-BLD MAINT OFFICE SUPPLIES- OFFICE SUPPLIES-PW ADMIN
			Check Total.....:	491.91	.00	491.91		
28743	01/06/20	RED12	REDDING FREIGHTLINER,	87.95	.00	87.95	X10100836	VEH OP/MAINT-
28744	01/06/20	RIV04	RIVER CITIES COUNSELING,	24103.83	.00	24103.83	731	COUNSELOR-BSCC PROP 47
28745	01/06/20	SEI01	SEILER, ROY R., CPA	2161.50	.00	2161.50	29454	PROF SVCS-FINANCE
28746	01/06/20	SIE07	SIEVERT CRANE & HOIST	11449.15	.00	11449.15	S86806	CAP REPLAC-SWR IMPROV
28747	01/06/20	STO07	STOUFFER, JOHN BEDFORD	2160.00	.00	2160.00	200102	PROF SVCS-PLANNING
28748	01/06/20	TAN00	T AND S DVBE, INC.	247.68	.00	247.68	19-2972	VEH OP/MAINT-
28749	01/06/20	TEH15	TEHAMA CO SHERIFF'S DEPT	122.50	.00	122.50	12202019	PROF SVCS-
28750	01/07/20	BAS01	BASIC LABORATORY, INC	579.00 135.80	.00 .00	579.00 135.80	2000020 2000023	ProfServices Water Dept ProfServices Water Dept
			Check Total.....:	714.80	.00	714.80		
28751	01/07/20	CEN17	CENTER FOR ECONOMIC DEVEL	145.00	.00	145.00	200106	CONF/MTGS-CITY ADMIN
28752	01/07/20	CRO05	CROSS PETROLEUM	862.43 301.51 60.78	.00 .00 .00	862.43 301.51 60.78	CL90809 CL91202 CL91203	MAT & SUPPLIES- VEH OP/MAINT-FIRE VEH OP/MAINT-BLD & SAFETY
			Check Total.....:	1224.72	.00	1224.72		
28753	01/07/20	LEA02	LEAGUE OF CA CITIES	100.00	.00	100.00	4883	ASSOC DUES-CITY ADMIN
28754	01/07/20	MIS01	MISSION LINEN SUPPLY	84.58	.00	84.58	511311425	MAT & SUPPLIES-
28755	01/07/20	PGE04	PG&E	565.20	.00	565.20	191231	TranspFacility-
28756	01/07/20	PGE2A	PG&E	96.99 35.48	.00 .00	96.99 35.48	191231 191231A	MAT & SUPPLIES-REC ELECT-CLELAND PROP
			Check Total.....:	132.47	.00	132.47		
28757	01/07/20	PGE2B	PG&E	453.10	.00	453.10	191216	ELECT-WWTP
28758	01/08/20	ATT17	AT&T	58.85	.00	58.85	191231	COMMUNICATIONS-FIRE
28759	01/08/20	CAR12	CARREL'S OFFICE MACHINES	4.33	.00	4.33	AR21895	MAT & SUPPLIES-LIBRARY
28760	01/08/20	CHI13	CHICO PRINCESS PARTIES, L	600.00	.00	600.00	200108	REC INSTRUCTOR-REC
28761	01/08/20	COR12	CORNING FORD MERCURY, INC	161.54 28.61	.00 .00	161.54 28.61	37469 37470	VEH OP/MAINT-POLICE VEH OP/MAINT-POLICE
			Check Total.....:	190.15	.00	190.15		
28762	01/08/20	CRO05	CROSS PETROLEUM	1960.73 52.58	.00 .00	1960.73 52.58	CL90810 1406098IN	VEH OP/MAINT- VEH OP/MAINT-FIRE
			Check Total.....:	2013.31	.00	2013.31		
28763	01/08/20	ECO05	ECORP CONSULTING, INC.	3091.25	.00	3091.25	89079	PROF SVCS-PLANNING
28764	01/08/20	EIN00	EINHORN, GREGORY PAUL	5220.00	.00	5220.00	13950	EE RELATIONS-LGL SVCS
28765	01/08/20	ENT02	ENTERPRISE-RECORD, MERCUR	350.26	.00	350.26	6439179	PRINT/ADVERT-CITY CLERK
28766	01/08/20	FIR05	FIRST NATIONAL BANK OMAHA	428.67	.00	428.67	191230	MAT & SUPPLIES-
28767	01/08/20	FIR10	FIRST NATIONAL BANK OMAHA	136.08	.00	136.08	01072020	COMMUNICATIONS-DISPATCH
28768	01/08/20	FIR13	FIRST NATIONAL BANK OMAHA	871.67	.00	871.67	191230	MAT & SUPPLIES-
28769	01/08/20	FIR14	FIRST NATIONAL BANK OMAHA	2524.02	.00	2524.02	01072020A	TRAINING/ED-
28770	01/08/20	FIR15	FIRST NATIONAL BANK OMAHA	1783.59	.00	1783.59	191230	MAT & SUPPLIES-
28771	01/08/20	FIR16	FIRST NATIONAL BANK OMAHA	1156.56	.00	1156.56	191230	MAT & SUPPLIES-REC
28772	01/08/20	HEN03	HENRY SCHEIN INC.,	90.08	.00	90.08	72502050	MAT & SUPPLIES-FIRE
28773	01/08/20	L&T00	L & T TOWING	165.00	.00	165.00	29134	VEH OP/MAINT-POLICE
28774	01/08/20	NAP01	NAPA AUTO PARTS	831.62	.00	831.62	191224	MAT & SUPPLIES-
28775	01/08/20	OFF01	OFFICE DEPOT, INC.	310.30	.00	310.30	418532314	OFFICE SUPPLIES-DISPATCH

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
28776	01/08/20	PAT02	PATTERSON ELECTRIC, INC.	418.58	.00	418.58	5363	WELL REPAIRS-WTR CAP IMPR
28777	01/08/20	PES01	PESTMASTER SERVICES, INC.	990.79	.00	990.79	234829	TREE/PEST & WEED SPRAY-
28778	01/08/20	PGE01	PG&E	448.46	.00	448.46	200103	ELECT-
				524.98	.00	524.98	200103A	ELECT-
			Check Total.....:	973.44	.00	973.44		
28779	01/08/20	PGE05	PG&E	2485.23	.00	2485.23	191231	FIRE-ELECT & GAS
28780	01/08/20	ROS01	ROSS, DANNETTE	37.11	.00	37.11	01082020	TRAINING/ED-DISPATCH
28781	01/08/20	ROS02	ROSS, AMBER	28.00	.00	28.00	01072020	TRAINING/ED-ACO
28782	01/08/20	SAF05	SAFARILAND, LLC	163.86	.00	163.86	I01026030	MAT & SUPPLIES-POLICE
28783	01/08/20	SCH01	LES SCHWAB TIRE CENTER	65.00	.00	65.00	344323	VEH OP/MAINT-POLICE
				103.00	.00	103.00	611003443	VEH OP/MAINT-POLICE
			Check Total.....:	168.00	.00	168.00		
28784	01/08/20	THO01	THOMES CREEK ROCK CO	244.36	.00	244.36	191231	MAT & SUPPLIES-
28785	01/08/20	VAL07	VALLEY VETERINARY CLINIC,	79.54	.00	79.54	191390	PROF SVCS-ACO
			Cash Account Total.....:	108578.85	.00	108578.85		
			Total Disbursements.....:	108578.85	.00	108578.85		
			Cash Account Total.....:	.00	.00	.00		

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
11737	01/02/20	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	B91231	POLICE OFFICER ASSOC
11738	01/02/20	BAN06	BANNER BANK	6428.62	.00	6428.62	B91231	HSA DEDUCTIBLE
11739	01/02/20	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	B91231	WITHHOLDING ORDER
11740	01/02/20	EDD01	EMPLOYMENT DEVELOPMENT	5235.23	.00	5235.23	B91231	STATE INCOME TAX
				1388.87	.00	1388.87	1B91231	SDI
			Check Total.....	6624.10	.00	6624.10		
11741	01/02/20	FED00	FEDERAL PAYROLL TAXES (EF	13449.96	.00	13449.96	B91231	FEDERAL INCOME TAX
				16445.26	.00	16445.26	1B91231	FICA
				3846.04	.00	3846.04	2B91231	MEDICARE
			Check Total.....	33741.26	.00	33741.26		
11742	01/02/20	HEA05	HEALTHIEST YOU	18.00	.00	18.00	B91231	HEALTHIEST YOU
11743	01/02/20	ICM01	ICMA RETIREMENT TRUST-457	986.69	.00	986.69	B91231	ICMA DEF. COMP
				170.00	.00	170.00	1B91231	ICMA DEF. COMP ER PD
			Check Total.....	1156.69	.00	1156.69		
11744	01/02/20	PERS1	PUBLIC EMPLOYEES RETIRE	21822.11	.00	21822.11	B91231	PERS PAYROLL REMITTANCE
11745	01/02/20	PERS4	Cal Pers 457 Def. Comp	1813.43	.00	1813.43	B91231	PERS DEF. COMP.
				475.00	.00	475.00	1B91231	PERS DEF. COMP. ER P
			Check Total.....	2288.43	.00	2288.43		
11746	01/02/20	VAL06	VALIC	2072.10	.00	2072.10	B91231	AIG VALIC P TAX
				180.00	.00	180.00	1B91231	AIG VALIC P TAX ER P
			Check Total.....	2252.10	.00	2252.10		
			Cash Account Total.....	74794.77	.00	74794.77		
			Total Disbursements.....	74794.77	.00	74794.77		

Date.: Jan 8, 2020
Time.: 3:55 pm
Run by: LORI SIMS

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Item No.: G-7
Page.: 1
List.: NEWB
Group: WTFMBM

Business Name	Address	CITY/STATE/ZIP	Business Desc	Bus Start Date
ALPINE DEMOLITION SE	411 NASCA WAY	SACRAMENTO, CA 95831	DEMOLITION COMPANY	12/27/19
AT&T	965 HIGHWAY 99W	CORNING, CA 96021	RETAIL SALES OF TELECOMMUNICATIONS	12/17/19
CHRISTINA QUINONES	3516 VADNEY AVE	CORNING, CA 96021	MEDICAL INTERPRETING SERVICES /	12/27/19
EUGENE CLEANING SERV	5610 HOUGHTON AVE	CORNING, CA 96021	CLEANING HOUSES & COMMERCIAL BUILDINGS	12/27/19
MABRIEL ALLEN BAYLOR	25433 SOUTH AVE	CORNING, CA 96021	CUSTODIAN AT NEIGHBORHOOD FULL GOSPEL	01/06/20
PIPSONS QUALITY CONC	1340 JOHNSON ST	RED BLUFF, CA 96080	GENERAL CONTRACTOR	12/31/19
MERAZ PROF HOUSE CLE	3620 KIRKWOOD RD	CORNING, CA 96021	HOUSE CLEANING	12/17/19
TGW CONSTRUCTION	17725 REEDS CREEK RD	RED BLUFF, CA 96080	CONTRACTOR	12/26/19
MILLAS FARM SERVICES	1122 SOLANO ST	CORNING, CA 96021	FARM LABOR CONTRACTOR	12/05/19

**CITY OF CORNING
TREASURER'S REPORT
DECEMBER 2019**

<u>AGENCY</u>	<u>CURRENT BALANCE</u>	<u>RATE</u>
Local Agency Investment Fund	\$5,936,885.34	2.45%

Respectfully submitted,



Laura L. Calkins

City Treasurer

15605	12/20/2019	073-300-022	931 Snow Peak Street					Building	NEW 4 BED RM., 2 BATH SFD, W/ATT. GARAGE model 1531	\$171,500
15604	12/20/2019	073-300-021	921 Snow Peak Street					Building	New 5 Bedroom, 2 Bath SFD, W attached garage Model 1574	\$172,900
15603	12/20/2019	073-300-016	956 Sunny Street					Building	NEW 4 BED RM., 2 BATH SFD, W/ATT. GARAGE model 1531	\$171,500
15602	12/20/2019	073-300-013	983 Sunny Street					Building	New 3 Bedroom, 2 bath SFD, W/attached Garage. Model 1300	\$163,900
15601	12/20/2019	071-162-002-000	1615 1/2 South St.	Oliveira John B & Margaret	P.O. Box 555	Corning	96021	Electrical	Panel Change Out	\$1,700
15600	12/20/2019	073-300-012	973 Sunny Street					Building	NEW 3 BED RM. ,2 BATH, W/ATT. GARAGE MODEL 1394	\$167,300
15599	12/20/2019	073-300-010	953 Sunny Street					Building	New 5 Bedroom, 2 Bath SFD, W attached garage Model 1574	\$172,900
15598	12/20/2019	073-300-009	943 Sunny Street					Building	NEW 4 BED RM., 2 BATH SFD, W/ATT. GARAGE model 1531	\$171,500
15597	12/20/2019	073-300-007	923 Sunny Street					Building	New 5 Bedroom, 2 Bath SFD, W attached garage Model 1574	\$172,900
15596	12/19/2019	073-061-003-000	714 SECOND ST	PETERSON, EARL C JR & PETERSON, ROZETTA M	P O BOX 620	CORNING CA	96021	Building	Construct a new 60'x75'x18' Pre-Engineered metal building to replace structure that burnt down. Includes restroom and 3 offices.	\$350,000
15595	12/19/2019	073-034-008-000	884 COLUSA ST	Mcinnis Properties LLC	3204 Orange Ave.	Oroville	95966	Plumbing	Gas pipe repair @ roof penetration	\$500
15594	12/17/2019	071-044-005-000	1504 Colusa	Matthew D. Vereschagin	23680 Hoag Rd.	Corning	96021	Electrical	New Main Electrical Panel (200A)	\$3,000

15581	12/11/2019	073-300-020	916 Sunny Street					Building	New 5 Bedroom, 2 Bath SFD, W attached garage Model 1574	\$172,900
15580	12/11/2019	071-124-007-000	1512 MARIN ST	REYES, LEONCIO & CARMEN	1512 MARIN ST	CORNING CA 96021		Building	Wall Furnace Replacement	\$1,200
15579	12/10/2019	073-300-019	926 Sunny Street					Building	New 3 Bedroom, 2 bath SFD, W/attached Garage. Model 1300	\$163,900
15578	12/10/2019	073-300-018	936 Sunny Street					Building	New 5 Bedroom, 2 Bath SFD, W attached garage Model 1574	\$172,900
15577	12/9/2019	073-300-014	993 Sunny Street					Building	New 5 Bedroom, 2 Bath SFD, W attached garage Model 1574	\$172,900
15576	12/9/2019	073-300-008	933 Sunny Street					Building	New 3 Bedroom, 2 bath SFD, W/attached Garage. Model 1300	\$163,900
15575	12/9/2019	073-052-007-000	455 EL VERANO AVE	MENDOZA, MARIA ETAL	455 EL VERANO AVENUE	CORNING CA 96021		Solar	Install roof mounted solar PV system on main house. 7.36 kw, 23 panels, 200A/200A	\$16,192
15574	12/9/2019	071-350-026-000	423 RIO GRANDE CT	LOPER, EUGENE R & LOPER, PHYLLIS J	423 RIO GRANDE CT	CORNING CA 96021		Solar	Install roof mounted solar PV system on main house 3.52 kw 11 panels 125A/100A	\$7,744
15573	12/5/2019	073-072-004-000	916 Peach St.	Whigham, Mandy	1931 Roseleaf Court	Chico 96021		ReModel	Remodel, Roof, Windows, interior	\$30,000
15572	12/2/2019	071-043-004-000	1507 NORTH ST	BENNETT, ESTHER G	1507 NORTH ST	CORNING CA 96021		Electrical	Panel Change-out 100amp	\$1,500
\$5,806,117										

Total Records: 45

1/3/2020

**RECEIVED**

JAN 08 2020

CORNING CITY CLERK

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

Below is a summary of the Monthly Operations Report that will be available for City review on January 2020

- 1) Completed monthly reports.
- 2) Performed weekly Operator 10 maintenance on plant equipment.
- 3) Changed flow disk.
- 4) Collected first storm water sample
- 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) Presented Corning Volunteer Fire Dept with a donation check for \$1000.00 for Christmas food and gift drive.
- 10) Inframark staff responded to sewer spill on Hwy 99W. Blockage was cleared and clean up completed. All required notifications and reports were completed.

- 11) Cleaned SO₂ pump
- 12) Exercised lift station stand –by pump
- 13) Exercised emergency generator.
- 14) Submitted monthly ESMR and DMR
- 15) Basic labs on site to collect 3rd quarter priority pollutants sample.
- 16) Completed monthly test on chemical leak detectors.
- 17) Completed monthly receiving water sampling and lab test
- 18) Completed monthly facility inspection.
- 19) Lab Director Dr. Richard Jacobs on site to review lab data.
- 20) Annual maintenance performed on lift station pumps.
- 21) Telstar on site to perform annual maintenance on chemical delivery system.
- 22) Calstar Energy on site to perform annual maintenance and calibration of chemical room exhaust fan.

December 2019

Domestic Treated Flow Monthly Average = 696,000 GPD

ITEM NO.: G-12
ADOPT ORDINANCE NO. 682,
REPEALING SECTION 17.50.230 AND
ADDING CHAPTER 17.67 TO THE CITY
OF CORNING MUNICIPAL CODE
(SECOND READING AND ADOPTION)

January 14, 2020

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CHRISSE MEEDS, PLANNER 1 *CM*
JOHN STOUFER, PLANNING CONSULTANT

SUMMARY:

The attached Ordinance was presented to City Council for introduction and review at the December 10, 2019 City Council meeting. It is now being brought back to Council for final adoption.

BACKGROUND:

At the June 11th City Council meeting, Council, by consensus, directed Staff to move forward in researching and amending our Sign Regulations to allow off premise advertising and regulate Flag Signs within the City of Corning. Council expressed concern on the importance of off-site advertising for businesses not located on major arterial streets (Solano Street, Highway 99W, or South Ave). However, there were concerns that allowing any business to advertise off street may impact the City aesthetically.

Staff prepared an amendment to the current Sign Regulations (Resolution No. 10-25-05-01) to allow businesses not located on major arterial streets to advertise off site for directional purposes only. The proposed regulations would only allow one sign per parcel to prevent an overload of advertising signage and establish a permitting process for an Administrative Use Permit. Should the proposed sign meet the proposed standards and requirements, the Applicant could apply for an Administrative Use Permit that would be reviewed and approved by the Planning Commission. Staff also drafted regulations that would regulate flag signs. This includes language to ensure flag signs are only posted in a safe location, allow one flag sign per business per parcel, and posted outside only during business hours to prevent rapid deterioration.

Historically the City's Sign Regulations were adopted by Resolution. Staff recommends adopting the Sign Regulation with the off-premises advertising and flag Sign Regulations as an Ordinance so it will be codified into our Municipal Code.

The proposed changes to the sign regulations are as follows:

Repeal Section 17.50.230 of the Corning Municipal Code which reads as follows:

Corning shall adopt and may periodically amend Regulations for the placement of outdoor advertising signs by Resolution of the City Council.

Add Chapter 17.67 "Outdoor Advertising Sign Regulations":

The changes made to the previously adopted Sign Regulations are as follows:

Adding Section 17.67.080 to the "Outdoor Advertising Sign Regulations" as follows:

17.67.080. Off-premises Signs

A. General Standards

1. An Administrative Use Permit must be obtained for any off-premises sign.

2. Off Premise Sign Permits shall only be issued to businesses that are not located on a major arterial.
3. Off-premise signs are permitted for directional purposes only. Off premise signs for advertising are expressly prohibited.
4. Not more than one off premise sign is allowed per business.
5. Written approval of property owner is required as a condition of issuing the sign permit. This agreement must include owner's authorization to install sign and note who assumes responsibility for maintenance of the sign, and for removing the sign at end of approved term.
6. No off-premises sign(s) shall project over any public right-of-way or sidewalk.
7. Off-premise signs must be located on commercial or industrial zoned property only.
8. Must be approved by the Planning Commission.
9. Any off-premise sign must not exceed a total height of four (4) feet.
10. Any off-premise sign must not exceed a maximum area of twelve (12) square feet.
11. Planning Commission must approve the design of all off-premise signs.
12. Only one off-premise sign per parcel is permitted.
13. Must comply with all terms of the Outdoor Advertising Act, B&P Code Section 5200

Add Section 17.67.090 to the Outdoor Advertising Sign Regulations to read as follows:

17.67.090. Flag Signs.

A. On-site flag signs shall be permitted so long as they comply with the following requirements:

1. Each flag sign shall not exceed a maximum size of twenty-five (25) square feet in sign area. Only one side of a flag will be counted for the purposes of determining sign area.
2. The maximum height of the flag sign, including any support structures, poles or hinges may be no greater than ten (10) feet.
3. Flag signs may not be located in a residential zoning district and shall only be permitted within the designated commercial downtown area, on commercial zoned properties, and on industrially zoned properties.
4. Flag signs shall be prohibited in the public right-of-way.
5. Flag signs shall be allowed to be displayed only during the business hours of the business for which the flag sign has been established.
6. Only one flag sign is permitted per business.
7. Flag signs shall not be placed in an area where they would in any way block the view of drivers of vehicles or pedestrians when at or approaching intersections or driveways.
8. Flag signs shall not use, incorporate or affix materials and accessory attachments not a part of the flag itself (streamers, balloons, wind socks, reflectors, etc.) to increase visibility.
9. Flag signs shall not be attached to utility poles, light fixtures, traffic control devices or similar objects.

ENVIRONMENTAL:

The California Environmental Quality Act (CEQA) Section 15061 (b) (3) states: "a project is exempt from CEQA if: The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA."

This section is based on the idea that CEQA applies jurisdictionally to activities which have the potential for causing environmental effects. Where an activity has no possibility of causing a significant effect, the activity will not be subject to CEQA. This approach has been

noted with approval in a number of appellate court decisions including the State Supreme Court opinion in *No Oil, Inc. v. City of Los Angeles*.

Planning Commission Recommendation:

At the November 19th, 2019 Planning Commission meeting, the Commission voted 5:0 to recommend that the City Council adopt the CEQA Factual Sub-finding and Legal Finding as presented in the staff report and approve and adopt Ordinance No. 682.

STAFF RECOMMENDATION:

Staff recommends the following Factual Sub-findings, Legal Findings and Action for consideration by the City Council:

Factual Sub-finding #1

Ordinance No. 682 will add a Chapter 17.67 to the Corning Municipal Code that will amend and codify Outdoor Advertising Sign Regulations in the City of Corning.

Legal Finding #1

The addition of Ordinance No. 682 to the Corning Municipal Code is to place previous regulations adopted by Resolutions into a separate Chapter of the Code for easier public access and will not cause a significant effect on the environment and is therefore exempt from CEQA pursuant to Section 15061 (b) (3)

Factual Subfinding #2

On November 19, 2019 the City of Corning Planning Commission reviewed Ordinance No. 682 and the proposed modifications to the Outdoor Advertising Sign Regulations.

Legal Finding #2

The City of Corning Planning Commission voted 5:0 that the adoption of Ordinance No. 682 is exempt from CEQA pursuant to Section 15061 (b) (3) and to recommend that the Council adopt Ordinance No. 682.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **ACCEPT FOR SECOND READING AND ADOPT ORDINANCE NO. 682, AN ORDINANCE OF THE CITY OF CORNING REPEALING SECTION 17.50.230 AND ADDING CHAPTER 17.67 TO THE CITY OF CORNING MUNICIPAL CODE; and**
- **DIRECT THE CITY CLERK TO READ THE ORDINANCE BY TITLE AND PUBLISH THE ORDINANCE AS REQUIRED BY LAW.**

ACTION:

Move to adopt the two Factual Subfindings and Legal Findings as presented in the staff report and Direct the City Clerk to waive the first reading, except by title only, of Ordinance No. 682.

Or;

Make a motion to deny approval of Ordinance No. 682.

Attachments:

Exhibit "A" Ordinance No. 682

EXHIBIT "A"

ORDINANCE NO. 682

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY CORNING ADDING
CHAPTER 17.67 TO THE CORNING MUNICIPAL CODE PERTAINING TO
REGULATION OF OUTDOOR ADVERTISING SIGNS**

THE CITY COUNCIL OF THE CITY OF CORNING does hereby find, determine and declare as follows:

WHEREAS, signs are an essential element of any community. As such, their location, number, size, design, and relationship to each other and to other structures have a significant influence upon a community's appearance and welfare, and a resultant effect upon a viewer's perception of the community. Signs serve a useful purpose in communicating messages, whether commercial, non-commercial, merely informative, or otherwise; and

WHEREAS, where signs are not properly regulated and maintained, they contribute to visual clutter, confusion, aesthetic blight, and create an unpleasant impression. They may cause traffic hazards and impede rather than enhance commerce and communication. In such situations, signs may fail to achieve their original objective of communication. Failure to appropriately regulate signs adversely affects the public health, safety and welfare of the community; and

NOW THEREFORE, The People of the City of Corning do Ordain as follows:

Chapter 17.67

Outdoor Advertising Sign Regulations

Sections:

17.67.010. Purpose

17.67.070 Off-Premises Signs

17.67.020 Definitions

17.67.080 Flag Signs

17.67.030 Generally

17.67.090 Welcome Wayfinding

17.67.040 Exempt Signs

17.67.100 Violations

17.67.050 Permitted Outdoor Advertising Signs

17.67.110 Severability

17.67.060 Prohibited Outdoor Advertising Signs

17.67.010 Purpose

The purpose of this Ordinance is to create a comprehensive and balanced system of sign regulation which will facilitate communication and simultaneously serve various public interests, including but not limited to safety and community aesthetics. It is the intent of this Ordinance to authorize signs that encourage a desirable urban character consistent with the General Plan, preserve appearance of the City overall, eliminate confusing, distracting, or dangerous sign displays which interfere with vehicular traffic and pedestrian safety, and promote the fair and equal treatment of sign users.

17.67.020. Definitions:

A. As used in this chapter, unless otherwise stated:

1. "Advertising" means the act of calling public attention to one's product or service.
2. "Major Arterial" means Solano Street, Highway 99W, or South Ave.
3. "Off-premise Sign" means any sign which directs attention to a business, service, product or entertainment not sold or offered or only incidentally sold or offered on the premises on which the sign is located.
4. "Political sign" means a sign indicating the name and/or picture of an individual seeking election to a public office, or relating to a forthcoming public election or referendum, or pertaining to the advocating by persons, groups or parties of political views or policies.
5. "Portable sign" means any sign set upon the ground in such a manner that it would be considered moveable or temporary.
6. "Service Club" means an association of business or professional people with the aims of promoting community welfare and goodwill.
7. "Sign" means any card, cloth, paper, metal, painted or wooden sign of any character placed for outdoor advertising purposes on or to the ground or any tree, wall, bush, rock, fence, building, structure or thing, either privately or publicly owned.

17.67.030. Generally

- A. The following specific land use regulations are intended to be applied within the various zoning districts of the City of Corning. Whenever conflict occurs between the regulations in this chapter and another, the more restrictive regulation shall apply.
- B. It is unlawful for any person to construct, maintain, display or alter a sign within the City, except in conformance with this chapter, the Uniform Sign Code, the Outdoor Advertising Act, and other applicable California law.
- C. In addition to complying with these regulations, applicants for sign permits may need to acquire sign construction permits issued in accordance with the Uniform Sign Code and are advised to consult with the Corning Building and Safety Department before installing outdoor advertising signage.

17.67.040. Exempt Signs

- A. The following signs shall be allowed and shall not be included in the determination of type, number or area of signs allowed in each zone district. Furthermore, no permit for the installation, replacement or refacing of these signs is required.
 1. Official federal, state or local government flags, emblems and historical markers, traffic directional and information signs and notices issued by any court, person or officer in performance of a public duty or any other sign that is required to be posted by any government agency.
 2. Temporary signs warning of construction, excavation or similar hazards so long as the hazard exists.
 3. One temporary sign per parcel with a display surface of each sign not exceeding 40 square feet per side used to indicate owner, builder, architect and pertinent data regarding building construction on the building site during construction only.
 4. Temporary real estate signs indicating that the property on which the sign is located is for sale, rent or lease. One such sign with a single display surface not exceeding sixteen (16) square feet per side is permitted along each street frontage.
 5. Parking lot and other private traffic directional signs, and miscellaneous permanent information signs in Commercial, Industrial or Public zones indicating address, hours and days of operation, menus, or similar information.
 6. Price signs for fuel sales. Not more than 2 price signs for each frontage, with a single display area not exceeding 20 square feet each, or a double display area not exceeding forty (40) square feet each, located on the premises but not within the public right of way.

7. Bulletin boards for public, charitable or religious institutions.
8. Temporary window signs.
9. Clustered service club signs.
10. Signs painted on walls which do not exceed the square footage or height that would be allowed for any other type of sign.
11. Temporary political signs when placed on private property.
12. Temporary banners, advertisements and directional signs for community activities or events when approved by the City of Corning and located on public property.

17.67.050. Permitted Outdoor Advertising Signs

A. The following outdoor advertising signs, which shall advertise the business or businesses occurring on the site, are permitted.

1. In R-1 Zones:

- a. "Home Occupation" signs that do not exceed two (2) square feet in display area.

2. In R-2, R-3, R-4 Zones:

- a. "Home Occupation" signs that do not exceed two (2) square feet in display area.
- b. Monument signs displaying the name, address and contact information for the multi-family residential, church or institutional use authorized onsite. Such monument signs shall not exceed four (4) feet in height, or eight (8) feet in width nor thirty-two (32) square feet of display area per side.

3. In C-1 Zones:

- a. Exterior wall, projecting or suspended signs pertaining to the business or use conducted on the premises, which shall be attached parallel to and not project more than two (2) feet from a wall of a building, or be suspended beneath a canopy which is a structural part of a building, provided that any suspended sign shall be eight (8) feet or more above any sidewalk. No sign shall project above the roof ridgeline of the building on the site, and the sum of the areas of all such signage shall not exceed 15% of the "building face area" to which it is attached. "Building face area" is the product of the height and the width of a building façade where the signage is affixed. Wall-mounted, projecting or hanging signs may be internally or externally illuminated. Floodlights utilized for external illumination shall be directed inward and downward onto the property illuminated.
- b. One freestanding sign per parcel may be permitted upon the securing of a Use Permit in each particular case. Freestanding signs may not exceed twenty-five (25) feet in height, or fifty (50) square feet in display area per side in C-1 zones. Freestanding signs shall be placed within landscaped planters sized not smaller than the sum of the display area of freestanding signage. (Rewrite of 17.18.020.F)

4. In C-2 Zones:

- a. Exterior wall, projecting or suspended signs pertaining to the business or use conducted on the premises, which shall be attached parallel to and not project more than two feet from a wall of a building, or be suspended beneath a canopy which is a structural part of a building, provided that any suspended sign shall be eight feet or more above any sidewalk. No sign shall project above the roof ridgeline of the building on the site, and the sum of the areas of all such signage shall not exceed 20% of the "building face area" to which it is attached. "Building face area" is the product of the height and the width of a building façade where the signage is affixed. Wall-mounted, projecting or hanging signs may be internally or externally illuminated except as provided below. Floodlights utilized for external illumination shall be directed inward and downward onto the property illuminated.

- b. Exterior wall, projecting or suspended signs within "Priority Zone 1" as identified in the Corning Façade Improvement Program Design and Financial Workbook (dated July 1999) shall not be internally illuminated, except that "neon" signage is permitted.
 - c. One freestanding sign per parcel which may not exceed thirty-five (35) feet in height, nor seventy-five (75) square feet per side in display area. Freestanding signs shall be placed within landscaped planters sized not smaller than the sum of the display area of the freestanding signage. Freestanding signs placed within "Priority Zone 1" as identified in the Corning Façade Improvement Design and Financial Workbook (dated July 1999) shall not be internally illuminated, except that "neon" signage is permitted.
 - d. A second freestanding sign on a single parcel or a single sign exceeding the height or area limit may be permitted upon approval of a use permit.
- 5. In C-3, CH, SPMU, M-1 & M-2 Zones:**
- a. Exterior wall, projecting or suspended signs pertaining to the business or use conducted on the premises, which shall be attached parallel to and not project more than two (2) feet from a wall of a building, or be suspended beneath a canopy which is a structural part of a building, provided that any suspended sign shall be eight (8) feet or more above any sidewalk. No sign shall project above the roof ridgeline of the building on the site, and the sum of the areas of all such signage shall not exceed 25% of the "building face area" to which it is attached. "Building face area" is the product of the height and the width of a building façade where the signage is affixed. Wall-mounted, projecting or hanging signs may be internally or externally illuminated. Floodlights utilized for external illumination shall be directed inward and downward onto the property illuminated.
 - b. One freestanding sign per parcel which may not exceed 45 feet in height, nor 120 square feet per side in display area. Freestanding signs shall be placed within landscaped planters sized not smaller than the sum of the display area of the freestanding signage.
 - c. A second freestanding sign on a single parcel or a single sign exceeding the height or area limit may be permitted upon approval of a use permit.
 - d. On properties within 1000 feet of the Interstate 5 right of way, one freestanding freeway-oriented sign per parcel. Signs within Highway 99-W Specific Plan Area must conform to the Design Guidelines of that document.
- 6. In all Commercial or Industrial Zones:** One freestanding "portable sign" per operating business, conforming to the following requirements:
- 1) The sign may be no higher than five (5) feet above grade.
 - 2) The sign may be no wider than three (3) feet and is limited to a maximum of fifteen (15) square feet of display area per side.
 - 3) Portable signs must be placed within two (2) feet of the curb and must provide at least five (5) feet of pedestrian path between the sign and the nearest wall.
 - 4) Portable signs shall not be closer than twenty (20) feet to the next nearest portable sign.
 - 5) Portable signs may not obstruct vehicle sight distance by placing a sign too close to as street corner.
 - 6) If located on public property, the is subject to enforcement of Public Works Director.
 - 7) May be displayed only during operating business hours.
 - 8) Must be stabilized to resist wind.

17.67.060. Prohibited Outdoor Advertising Signs

The following signs are prohibited within the City of Corning:

- A. Billboards, except "Welcome/Wayfinding Signs" as permitted by Section 17.67.090 of the Outdoor Advertising Sign Regulations. Dangerous or hazardous signs, as determined by the Building Official.
- B. Obsolete signs which advertise a business no longer operating on the site.
- C. Signs erected at or near the intersection of any street or driveway to obstruct free and clear vision.
- D. Roof signs where the highest point of the sign exceeds the highest point of the roof to which it is affixed.
- E. Political signs on public property.
- F. Signs that do not comply with these regulations.
- G. Signs Mounted on Vehicles. No person shall park any vehicle, equipment (cranes or boom trucks), or trailer on a public right-of-way, on public property, or on private property so as to be visible from a public right-of-way that has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products and services or directing people to a business or activity located on the same or nearby property. This section is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a business or commercial vehicle

17.67.070. Off-Premises Signs

A. General Standards

1. An administrative use permit must be obtained for any off-premises sign.
2. Off premise sign permits shall only be issued to businesses that are not located on a major arterial.
3. Off-premise signs are permitted for directional purposes only. Off premise signs for advertising are expressly prohibited.
4. Not more than one off premise sign is allowed per business
5. Written approval of property owner is required as a condition of issuing the sign permit. This agreement must include owner's authorization to install sign and note who assumes responsibility for maintenance of the sign, and for removing the sign at end of approved term.
6. No off-premises sign(s) shall project over any public right-of-way or sidewalk.
7. Off-premise signs must be located on commercial or industrial zoned property only.
8. Must be approved by the Planning Commission.
9. Any off-premise sign must not exceed a total height of four (4) feet.
10. Any off-premise sign must not exceed a maximum area of twelve (12) square feet.
11. Planning Commission must approve the design of all off-premise signs.
12. Only one off-premise sign per parcel is permitted.
13. Must comply with all terms of the Outdoor Advertising Act, B&P Code Section 5200.

17.67.080. Flag Signs

- B. On-site flag signs shall be permitted so long as they comply with the following requirements:
 1. Each flag sign shall not exceed a maximum size of twenty-five (25) square feet in sign area. Only one side of a flag will be counted for the purposes of determining sign area.
 2. The maximum height of the flag sign, including any support structures, poles or hinges may be no greater than ten (10) feet.

3. Flag signs may not be located in a residential zoning district and shall only be permitted within the designated commercial downtown area, on commercial zoned properties, and on industrially zoned properties.
4. Flag signs shall be prohibited in the public right-of-way.
5. Flag signs shall be allowed to be displayed only during the business hours of the business for which the flag sign has been established.
6. Only one flag sign is permitted per business.
7. Flag signs shall not be placed in an area where they would in any way block the view of drivers of vehicles or pedestrians when at or approaching intersections or driveways.
8. Flag signs shall not use, incorporate or affix materials and accessory attachments not a part of the flag itself (streamers, balloons, wind socks, reflectors, etc.) to increase visibility.
9. Flag signs shall not be attached to utility poles, light fixtures, traffic control devices or similar objects.

17.67.090. Welcome Wayfinding

- C. "Welcome/Wayfinding Signs" is a freestanding "off-premises" sign that includes a community "welcome" message and directional information to 10 or fewer businesses which shall be displayed on individual placards. The "Welcome/Wayfinding" signs shall be located within 100 feet of the Edith Ave./Hwy. 99W./Solano St. intersection or the South Ave./Hwy. 99W. Intersection and comply with the following regulations and design standards;
1. Not more than two signs shall be permitted. Only one sign will be permitted at each intersection.
 2. Have a maximum of 10 business placards per sign. Five placard spaces will be reserved for businesses associated with the olive industry or an agricultural operation that welcomes visitors to its site.
 3. Businesses displaying placards shall be located within the City of Corning or be associated with the olive industry an agricultural operation that welcomes visitors to its site.
 4. Each business or businesses placing a placard on the sign must make an initial non-refundable deposit of \$100.00 with the City of Corning for future removal of the placard if that particular business ceases to exist or the businesses fail to maintain the sign or plaque in proper condition as determined by the City Council.
 5. The maximum size shall be 350 cubic feet, maximum height 30 feet above grade, maximum width of 15 feet including support structures.
 6. Incorporate the Corning marketing logo with graphics, color, design, and style as adopted by the City Council into the "Welcome" message. Each placard placed on the sign must be identical in size, style, color and design.
 7. Be composed of materials that are durable for the projected life span of the sign and protected with approved graffiti resistant coatings.
 8. Be designed and constructed to minimize maintenance and located in an area that will not impede vehicular sight distance at the intersections and minimize the likelihood of being struck by an errant vehicle.
 - a. Be located where maintenance can be easily performed.
 9. Must obtain an Encroachment Permit from the City of Corning Public Works Department, if applicable, a building permit from the City of Corning Building Department and comply with any applicable Local, State, and Federal regulations.
 10. Prior to issuance of a Building Permit for the sign the applicant(s) must submit a scaled colored drawing or photo of the sign in the location where it will be constructed for review by the Planning Commission. If in their review the Planning

Commission determines that the proposed sign does not conform to these regulations and design standards, then the building permit will be denied.

17.67.100. Violations

Violation of any section or provision of this chapter shall be an infraction and violators shall be subject to the provisions of Chapter 1.08.

17.67.110 Severability

If any section, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this article. The Council hereby declares that it would have passed this Ordinance and adopted this article and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

This Ordinance shall take effect 30 days after its final passage, the welfare of the City of Corning requiring it.

The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be posted and/or published in accordance with the law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on December 10, 2019, and enacted at a regular meeting of the City Council of the City of Corning held on January 14, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Ordinance (Ordinance 682) was duly introduced to the City Council of the City of Corning at a regular meeting of said Council held on December 10, 2019 and adopted at a regular meeting of the City Council on January 14, 2020 by the votes listed above.

Lisa M. Linnet, City Clerk

**SUMMARY OF ORDINANCE NO. 682 OF THE CITY OF CORNING,
CALIFORNIA, ADDING CHAPTER 17.67 OF THE CORNING
MUNICIPAL CODE PERTAINING TO THE REGULATION OF
OUTDOOR SIGNS**

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. 682 introduced by the Corning City Council on December 10th, 2019 and scheduled for consideration of adoption on January 14th, 2020 at its meeting held in the City Council Chambers 794 Third Street, Corning, California.

The purpose of Ordinance No. 682 is to regulate the use of outdoor signs in the City of Corning in an effort to remove visual clutter, confusion, aesthetic blight, and create an unpleasant impression. This includes the ban of dangerous/hazardous signs, obsolete signs, signs erected at or near residences, certain roof signs, political signs on public property, signs mounted on vehicles, and off premises signs subject to certain exceptions. A large portion of these rules have been in effect as regulations adopted by resolution, with this new Ordinance simply seeking to codify the requirements.

A certified copy of the full text of the Ordinance is posted and available for review in the City Clerk's Office at 794 Third Street, Corning, California. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. This Ordinance was introduced by the City Council of the City of Corning on December 10th, 2019 and is scheduled for consideration of adoption on January 14th, 2020.

Lisa Linnet, Corning City Clerk

Posted at Corning City Hall and Published on or before December 19th, 2019.

**ITEM NO.: G-13
ACCEPT RESIGNATION FROM
RECREATION COMMISSION
CHAIRPERSON JAMES
DODGE EFFECTIVE
IMMEDIATELY**

January 14, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LISA M. LINNET, CITY CLERK *LML*

SUMMARY:

On January 4, 2020, Recreation Commission Chairperson James Dodge submitted via email his resignation from the Recreation Commission (see attached email) due to other obligations and commitments.

RECOMMENDATION:

**MAYOR AND COUNCIL ACCEPT THE RESIGNATION RECREATION
CHAIRPERSON JAMES DODGE EFFECTIVE IMMEDIATELY.**

Lisa Linnet

From: James Dodge
Sent: Wednesday, January 8, 2020 1:56 PM
To: Lisa Linnet
Subject: Re: Recreation Commission Meeting 01/07/2020

Thank you Lisa,

I just have too much on my plate right now. Not enough hours in the day!

Best Regards,

James

Sent from my iPhone

On Jan 8, 2020, at 1:47 PM, Lisa Linnet <llinnet@corning.org> wrote:

Hi James:

I am sorry to hear that you are leaving the Commission, we will miss you. You do not have to send anything in writing, the email will work.

Sincerely,

Lisa

From: James Dodge
Sent: Saturday, January 4, 2020 7:59 AM
To: Christina Meeds <cmeeds@corning.org>; Lisa Linnet <llinnet@corning.org>
Subject: Re: Recreation Commission Meeting 01/07/2020

Good morning ladies

I will not be able to attend the meeting on Tuesday. I'm coaching JV girls basketball at the high school and we are starting regular season games this coming week which means every Tuesday from now until mid-February, I'll be yelling at officials for making bad calls.

I'm sorry for the late notice. I've got so much on my plate right now, it might be best if I step away for a little while as softball will be starting up right after basketball. Hard to be part of everything!

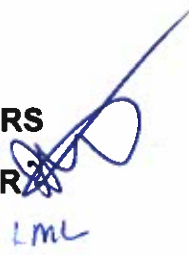
Do I need to write a letter?

Thank you,
James Dodge
Sent from my iPhone

**ITEM NO.: G-14
APPROVE RECOMMENDATION
OF MEREDITH ALLEN FOR
APPOINTMENT TO THE CITY
RECREATION COMMISSION**

January 14, 2020

TO: HONORABLE COUNCILMEMBERS
FROM: DOUGLAS HATLEY, JR., MAYOR
LISA M. LINNET, CITY CLERK



SUMMARY:

Following review of the application submitted, I recommend Meredith Allen to serve as a Commissioner on the City's Recreation Commission.

BACKGROUND:

The City has received an application from Meredith Allen to serve on the City's Recreation Commission. Mrs. Allen resides within the City and has been very active within the community and has attended and actively participated in each of the public meetings related to City's most recent Park Grant Application.

Mrs. Allen's occupations are Physical Therapy Assistant and Style Consultant with Premier Designs

RECOMMENDATION:

MAYOR AND CITY COUNCIL APPOINT MEREDITH ALLEN TO THE RECREATION COMMISSION EFFECTIVE IMMEDIATELY TO FILL VACANT TERM WHICH WILL EXPIRE ON JUNE 30, 2021.



CITY OF CORNING

APPLICATION FOR COMMISSION APPOINTMENT

Date: 1/8/2020

- Planning Commission
- Recreation Commission
- Library Commission
- Airport Commission

Name: Meredith Allen

Home Address: Corning, CA 916021

Phone No.: _____

Business Address: _____

Phone No.: _____

Occupation: Physical Therapy Assistant / Style Consultant

Do you reside within the City of Corning? Yes No Premier Designs

What qualifications do you have that will assist the Commission of your choice in fulfilling its functions? I would love to see the city be able to support the recreational need of the community. I can relate well to others and am open to new ideas.

Have you served on other Boards, Committees, or Commissions? Yes No

If so, please list them:

Have you researched the time and travel commitments associated with serving on this Commission? Yes No

Can you meet those commitments? Yes No

Please comment on your reasons for seeking this appointment.

Meredith A Allen
Signature

STATE LAW REQUIRES THAT APPOINTMENTS TO BOARDS AND COMMISSIONS BE CONSIDERED BY THE CITY COUNCIL IN OPEN SESSION AND YOU MAY BE ASKED TO BE PRESENT FOR AN INTERVIEW.

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY EMPLOYER AND PROVIDER

**ITEM NO: J-15
APPOINT VICE MAYOR AND CITY
REPRESENTATIVES TO VARIOUS
COMMISSIONS/COMMITTEES**

January 14, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: DOUGLAS HATLEY JR., MAYOR
ANGEL JOHNSON GARMAN, DEPUTY CITY CLERK

SUMMARY:

Vice Mayor:

Councilman Robert Snow is currently the Council appointed Vice-Mayor. Based upon the "City Council Procedures for Meetings", the Council shall select a Vice-Mayor from its membership with the position being held for a one-year term. The selection shall be held annually at the first regular City Council Meeting in December. Vacancies in the Vice-Mayor position shall be filled in the same manner for the unexpired portion of any term.

Commission/Committee Representatives:

The Mayor makes unilateral appointments to various local Commissions and Committees subject to Council approval or disapproval. The Mayor offers the below listed recommended appointments to the various Committees, Commissions or Boards for Council review, discussion and action.

BACKGROUND:

Mayor:

By a unanimous vote of the Council, the "General Procedures of the Council" portion of the City Council Procedures for meetings was amended on March 24, 2009. The amended section now states the following:

The Council shall select a Vice-Mayor from its membership with the position being held for a one-year term. Although the same person may be selected to serve more than once, the Council's preference is each time to attempt to select one of its members who has not previously served in that capacity. The selection shall be held annually at the regular Council meeting held on the first Tuesday in December. Vacancies in the Vice-Mayor position shall be filled in the same manner for the unexpired portion of any term.

Current Vice-Mayor Robert Snow was appointed at the December 11, 2018 City Council Meeting.

Current Commission/Committee Representatives:

Vice Mayor: Robert Snow.

Tehama County Transportation Commission: Douglas Hatley, Alternate: Dave Demo

Tehama County Indian Gaming Local Community Benefit Committee: Douglas Hatley and Lisa M. Linnet.

Wayfinding Signs Adhoc Committee: Karen Burnett and Douglas Hatley

LAFCO (Tehama County Local Agency Formation Commission): Dave Demo

Tehama County Heritage Committee: Darlene Dickison

Tehama County Community Action Agency: Karen Burnett

Tehama County Solid Waste Management Agency (JPA): Dave Demo, Alternate: Doug Hatley

3CORE: Kristina Miller and Doug Hatley

Corning Chamber of Commerce Non-Voting Representative: Jose "Chuy" Valerio

Everett Freeman Promise Program Grant Steering Committee: Tony Cardenas and Jeremiah Fears

Corning Community Foundation: Karen Burnett

Senior Center Representative: Dave Demo

Tehama Vehicle Abatement Authority: Ron Robbins

NCCSIF: Kristina Miller and Tom Watson

Airport Land Use Commission: Louis Davies, City Airport Commissioner

Mosquito Abatement Authority: Ross Turner

Tehama County Flood Control & Water Conservation District Groundwater Commission: Dave Demo

RECOMMENDATION:

- ❖ **MAYOR AND COUNCIL DISCUSS AND SELECT VICE MAYOR; AND**
- ❖ **REVIEW, DISCUSS AND APPROVE THE MAYORS RECOMMENDED APPOINTMENT OF VICE MAYOR AND REPRESENTATIVES TO THE BELOW LISTED COMMITTEES, COMMISSIONS AND BOARDS:**

Vice Mayor: Councilman Robert Snow.

Tehama County Transportation Commission: Douglas Hatley, Alternate: Dave Demo

Tehama County Indian Gaming Local Community Benefit Committee: Douglas Hatley and Lisa M. Linnet.

Wayfinding Signs Adhoc Committee: Karen Burnett and Douglas Hatley

LAFCO (Tehama County Local Agency Formation Commission): Dave Demo

Tehama County Heritage Committee: Darlene Dickison

Tehama County Community Action Agency: Karen Burnett

Tehama County Solid Waste Management Agency (JPA): Dave Demo, Alternate: Doug Hatley

3CORE: Kristina Miller and Doug Hatley

Corning Chamber of Commerce Non-Voting Representative: Jose "Chuy" Valerio

Everett Freeman Promise Program Grant Steering Committee: Tony Cardenas and Jeremiah Fears

Corning Community Foundation: Karen Burnett

Senior Center Representative: Dave Demo

Tehama Vehicle Abatement Authority: Ron Robbins

NCCSIF: Kristina Miller and Tom Watson

Airport Land Use Commission: Louis Davies, City Airport Commissioner

Mosquito Abatement Authority: Ross Turner

Tehama County Flood Control & Water Conservation District Groundwater Commission:
Kristina Miller

AB3030 TAC: Steve Lindeman

Tehama County Integrated Waste Management Task Force (AB939): Steve Lindeman

CITY COUNCIL PROCEDURES FOR MEETINGS

Meeting Schedule

Regular meetings are held in the Council Chambers of City Hall, 794 Third Street, Corning, California. Regular Council Meetings are scheduled for the second and fourth Tuesday evenings of each month or as otherwise established by resolution of the City Council in January of each calendar year. The public sessions of meetings begin at 7:30 p.m. with closed sessions generally being convened earlier as needed. No Council meeting will be held in the event that a regular meeting of the Council falls on a legal holiday or the day prior to a holiday.

Annual resolution may set dates of Council meetings.

Special Meetings

Special meetings may only be called by the Mayor or by three members of the City Council. Written notice, unless waived, must be given to the City Council and to the media 24 hours prior to a special meeting (Cal Govt Code Section 54956). The call and notice of the meeting must be posted at least 24 hours prior to the meeting in a location freely accessible to members of the public. No business other than that announced may be discussed.

The Mayor or three Council members may call a special meeting.

24 hours advance notice required.

Adjourned Meetings/Continued Hearings

Meetings of the City Council may be adjourned from time to time. A copy of the notice of adjournment shall be posted on or near the door to the Council Chambers within 24 hours after the time of the adjournment.

Meetings may be adjourned and continued to a later date if posted.

Any hearing may be continued to any subsequent meeting of the City Council but if it is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance shall be posted immediately following the meeting at which the hearing was continued.

Workshop or Study Sessions

The City Council may convene its own workshop or study sessions which are not designed to make decisions for the City but are designed to train Council and staff, study various issues and facilitate the exchange of information. Such workshops or study sessions may include the Planning Commission, staff members, consultants, and others and shall comply with all of the requirements of the Ralph M. Brown Act.

Study sessions are permitted as are joint meetings with Planning Commission.

Public Participation

At all regular and special meetings, public comments must be permitted before or during consideration of any agendized item. Public comment is appropriate on any matter within the jurisdiction of the City Council. A three minute time limit shall apply unless the Council makes an exception due to special circumstances.

Public must be allowed to participate.

Notice/Minutes

Notice requirements of the Brown Act shall be complied with for all meetings (72 hours for regular meetings); minutes of the meeting shall be taken by the City Clerk or designee and shall be available for public inspection.

72 hours posted notice required for regular meetings

Placing Items on Agenda

City Council: A Council member may request an item be considered on a future agenda and staff will prepare a staff report if formal Council action is required. Council members may make this request during the "Council Reports" portion of a meeting or between Council meetings with the Council Clerk prior to the adopted agenda deadline.

Council members, City Manager, City Attorney, or members of the Public may place items on the agenda.

City Manager/City Attorney: Either the City Manager or the City Attorney may place matters on the agenda without special permission from the City Council.

Members of the public: A member of the public may request an item be placed on a future agenda during the public comment period of a meeting or through other communication with Council members or with staff. If the City Council or City Manager consent, such item will be agendized. To be placed on the agenda, such an item will have to be submitted by the adopted agenda deadline with sufficient details to alert the public what will be discussed or requested.

Emergency items: Emergency and non-agendized items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare.

Urgency items: On occasion, after the agenda is posted an item arises on which the Council would like to act. Non-agendized items may be added to the agenda only if the Council makes findings that (1) the need to consider the item arose after the posting of the agenda and (2) that there is a need to take immediate action at this meeting of the City Council. These findings must be

Urgency items may be added in certain limited situations following posting of the agenda.

approved by a 4/5 vote; if less than four members of Council are present, the findings require a unanimous vote of those present.

Order of Business

The City Council establishes the general order of meetings. This section summarizes each meeting component.

1. Closed sessions (closed to the public):

The ability of a City Council to conduct sessions not open to the public is restricted by state law to ensure open proceedings. Certain defined circumstances exist wherein a City Council may meet without the public in attendance. Such circumstances include:

a. Real Property: Closed sessions to discuss the purchase, sale, exchange or lease of real property may be conducted. The location of the real property and the identities of the City's negotiator; and the person(s) with whom the City may negotiate must be announced in open session prior to the closed session (Cal Govt Code Section 54956.8).

b. Litigation: Closed sessions may be conducted to discuss pending litigation or a significant exposure to litigation, or the decision to initiate litigation. The litigation or title must be identified in open session prior to the closed session unless the Council states that to do so would jeopardize its ability to conclude existing settlement negotiations or serve legal documents (Cal Govt Code Section 54956.9).

c. Compensation (salaries and benefits) of employees: Closed sessions may be held to discuss employee compensation; to review the City's position and instruct designated representatives (Cal Govt Code Section 54957.6).

d. Personnel: Closed sessions are allowed to discuss the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear complaints against the employee unless the employee requests a public hearing (Cal Govt Code Section 54957).

e. Confidentiality: Members of the Council, employees of the City, or anyone else present shall not disclose to any person the content or substance of any discussion which takes place in a closed session unless authorized to do so by the Council or required by court order or provisions of law.

f. Scheduling: Typically closed sessions will be scheduled prior to the public portions of the meeting. This is done so that public portions of the meeting are not interrupted by closed sessions. In addition, such sessions may require the attendance of special legal counsel and

Closed sessions may be conducted only for subjects specified in the Brown Act.

Real Property negotiations

Litigation

Personnel

Labor Negotiations (Meet and Confer)

Contents of discussion within closed sessions shall not be disclosed.

Closed Session Scheduling.

consultants. In an attempt to manage the costs of these professionals, it is beneficial to conduct closed sessions at a set time.

g. Announcements: Prior to each closed session, the purpose of the closed session shall either be announced from the dais or by reference to the published agenda.

Immediately after each closed session an announcement shall be made from the dais either (1) summarizing any reportable action taken in closed session or (2) stating that no reportable action was taken. When no reportable action was taken, it is advisable to announce the general nature of the business conducted in closed session to enhance public confidence in the process.

2. Proclamations, Appointments, Recognitions, Presentations.

This is the time for Council proclamations, presentations, and for special recognition of persons, organizations, activities, and events. Unless any Council member objects, in which case a vote is required, proclamations will be read aloud and considered adopted by consensus of the entire Council.

3. Public Participation.

a. Scheduled Citizens: Persons who have, by the deadline set for the agenda, requested to address the Council are usually given the opportunity to do so at this time. The subject they wish to discuss is identified on the agenda and any supporting materials are usually sent out with the agenda packets to the Council members.

b. Public Comment on Non-Agendized Items: This is the time for members of the public to address the Council on non-agendized matters. If the matter is expected to take more than five minutes, it should be moved to the end of the regular agenda. The purpose for this is to avoid inconveniencing those who have planned ahead and taken the necessary steps to have their issues properly agendized. Persons who wish to raise non-agendized items should be cautioned that in most cases the Brown Act prohibits the Council from taking formal action on the item but that they will be heard and then the matter will be referred to staff for appropriate follow-up and usually agendized for the next meeting if formal Council action is necessary.

c. Public Comment on Agendized Items: The Brown Act requires that the public be given the opportunity to address the Council on all matters on the agenda (matters to be discussed in either open or closed session,

Closed session announcements are required both before and following each closed session.

Proclamations do not require voting unless there is an objection raised.

The public should be invited to comment on all items, even if no public hearings are scheduled.

Lengthy non-agendized items should be considered at the end of the agenda.

but not the right to enter the closed sessions) before action is taken on those items. At the beginning of each meeting, the Mayor should inform persons in the audience that they are welcome to come forward to the podium and wait to be recognized if they wish to address the Council on any items under discussion.

d. General Rules for Public Participation:

No member of the public may be required to provide an address as a precondition to participation but they may be invited to do so voluntarily so that the Clerk will be able to get in touch with them if necessary. Reasonable time limits may be placed on each speaker and limits may be placed on the number of times each person is allowed to speak.

Speakers are limited to three minutes unless the Council makes an exception due to special circumstances. Speakers may be directed not to use profanity or make personal attacks on Council members or staff, but speakers cannot be restricted from being critical of Council, staff or other public officials. They may not be prohibited from "criticizing the policies, procedures, programs or services of the City or the acts or omissions" of City officials.

Time limits may be placed on speakers, but criticism of the City and its officials may not be restricted.

4. Approval/Correction of Minutes.

Minutes of the City Council meetings shall be submitted to the Council for approval and/or correction in draft form at a subsequent regular meeting. It is the policy of the City Council that only members of the Council and the City Clerk have the authority to make revisions to the minutes subject to a majority vote of the City Council. Council members having only typographical corrections to minutes are encouraged to provide such corrections to the City Clerk directly and need not wait to submit such corrections at a meeting.

5. Consent Calendar.

Those items on the Council agenda which are considered to be of a routine and non-controversial nature by the City Manager are placed on the "Consent Calendar". These items shall be approved, adopted, accepted, etc., by one motion of the Council. For example, final reading and adoption of ordinances, various resolutions approving agreements, minor budgetary items, status reports, and routine city operations are usually on the consent agenda.

Council members or members of the public may request that any item listed under "Consent Calendar" be removed from the Consent Calendar, and Council will then take action separately on this item. Items which are removed ("pulled") by members of the Council for

Council members or members

discussion will typically be heard immediately following adoption of the Consent Calendar unless the Council chooses to move such items to a later place in the agenda.

Minor questions: A Council member may ask questions on any item on the Consent Calendar. When a Council member has a minor question for clarification concerning a consent item which will not involve extended discussion, the question will be addressed before adoption of the Consent Calendar. Council members are encouraged to seek clarifications prior to the meeting, if possible.

No vote: When a Council member wishes to pull an item simply to register a dissenting vote, the Council member shall inform the presiding officer that he or she wishes to register a dissenting vote without discussion. This item will be handled along with the rest of the Consent Calendar, and the City Clerk will register this member's "no" vote in the minutes on this particular item even though such member then votes to approve the Consent Calendar.

6. Public Hearings.

The City Council schedules "public hearings" from time to time on various issues, usually because of legal requirements that special opportunities to be given to the public, or to certain segments of the public specially affected by the matter, to listen to the discussion and to provide input to the Council before a decision is made.

When a public hearing is scheduled, staff should be asked to present a staff report first; then the public hearing should be opened and the public should be invited to speak; then the public hearing should be closed and the matter returned to the Council for discussion and action.

Once the public hearing has been closed, persons from the audience should not be allowed to participate in the Council discussions unless in response to a specific question posed by a member of the Council to someone in the audience.

Although it is proper to do so, there is no legal requirement to structure the public hearing so that proponents of the measure or project speak first followed by those in opposition with a conclusion [or rebuttal] by the proponents. However, if the Mayor or Council prefers to conduct the hearing in this manner it may prove useful to do so when there are several different speakers and extended debate.

7. Regular Business Items.

Regular items are shown on the agenda in the order they will be considered unless, before discussion of

of the public may remove items from the consent calendar for discussion.

The order of the agenda may be changed.

An item does not have to be pulled from the consent calendar to register a dissenting vote.

A standard procedure should ordinarily be followed when conducting public hearings.

regular agenda items begins, a motion is made and passes which will change the order of the agenda to accommodate a request and to change the order of the agenda.

8. Staff and Council Reports.

This time on the agenda provides members of the Council an opportunity to briefly discuss matters not specifically agendized including brief announcements, questions of staff and requests for items to be placed on the agenda at a future meeting. Examples of appropriate communications would be sharing of information of general interest received from outside agencies, sharing comments or inquiries received from individuals or from the public, raising requests to agendize future items, making reports of his or her own activities or making announcements of general interest to the public.

State law provides that Council can take action only on such matters which have been noticed at least three days in advance of the meeting unless special circumstances are found to exist (as mentioned above). Formal action or approval on non-agendized items is not allowed and such items should normally be placed on the agenda of the next regular meeting if formal Council action is required.

General Procedures of the Council

1. Vice-Mayor: Rotation.

"The Council shall select a Vice-Mayor from its membership with the position being held for a one year term. Although the same person may be selected to serve more than once, the Council's preference is each time to attempt to select one of its members who has not previously served in that capacity. The selection shall be held annually at the regular Council meeting held on the first Tuesday in December. Vacancies in the Vice-Mayor position shall be filled in the same manner for the unexpired portion of any term."

2. Duties of Presiding Officer.

The Mayor is the presiding officer and acts as the Chair at all Council meetings. In the absence of the Mayor, the Vice-Mayor serves as the presiding officer. The Mayor states every question coming before the Council before it takes action, announces the decision of the Council on each vote, maintains order during the meetings, conducts any public hearings, explains the purpose and order of the proceedings to the public in attendance, greets and thanks all participants and, with the assistance of the City Attorney, decides questions of order. The Mayor also makes any legally required announcements including, but

Staff and Council reports should be brief and no formal action should be requested in such reports.

The Vice-Mayor shall be selected from its membership with the position being held for a one year term. (Revised on March 24, 2009 by a 5-0 vote of the City Council.)

The Mayor directs the meetings. Direct questioning of staff from members of the public should be avoided.

not limited to, the announcements required by the Brown Act.

The Mayor appears at public functions to represent the City unless the Council designates another person to do so with regard to a specific event.

The Mayor has authority to unilaterally make appointments to committees, commissions and boards subject to Council approval or disapproval. Council member appointments to committees, commissions and boards do not require Council action.

The Mayor makes unilateral appointments subject to Council approval or disapproval.

3. Signing of City Documents.

The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts and other documents which have been adopted by the City Council and require an official signature except in those cases where the City Manager or another individual has been specifically authorized by Council action to sign particular documents. In the event the Mayor is unavailable, the Vice-Mayor is authorized to sign on behalf of the City in his or her place.

The Mayor signs all official documents unless the Council designates someone else to do so.

4. Quorum.

Three-fifths of the Council members constitute a quorum for the transaction of business.

3/5 is a quorum.

5. Distribution of Agenda and Written Materials.

At least 72 hours prior to regular meetings of the Council (and 24 hours prior to any special meetings), an agenda must be posted which contains a brief general description of each item to be transacted or discussed at the Council meeting. Copies of that agenda will be mailed before each meeting to each Council member and to members of the public and the press who have requested to receive copies.

Agendas must be posted at least 72 hours before each Council meeting.

Writings which are public records distributed during Council meetings shall be made available to the public in attendance at that same meeting if such documents were prepared by City staff or City officials. If prepared by some other person, copies of such documents will be made available following the meeting. A reasonable fee may be charged to offset the actual cost of making such copies.

6. Closed Session Procedures and Announcements.

Prior to any closed session, the Mayor or his or her designee shall generally describe the subjects to be discussed in such session or shall refer the public to the numbered item on the agenda which describes the subject.

At the conclusion of each closed session, the Council shall reconvene and the Mayor shall announce

any final decisions made on subjects required to be reported or, if there are no such subjects, shall generally describe what the Council did in closed session without compromising the integrity and confidentiality of what was discussed.

Closed session announcements are legally required.

Council members, outside of closed session, shall not inform others about the content of any closed session discussions or decisions unless authorized to do so by the Council or required to do so by court order or provisions of law.

Closed sessions are confidential.

7. Discussion and Voting Rules.

Discussion:

a. Obtaining the floor: A member of the City Council or staff shall first address the Mayor and gain recognition. Comments and questions should be limited to the issue before the Council. Members of the public should not be allowed to directly question staff members in attendance, but all such questions should be addressed through the Mayor for response.

b. Questions of staff: The Mayor, or any member of the Council upon being recognized by the Mayor, may direct questions to any member of the staff who is in attendance.

c. Interruptions: Once recognized, a Council member should not be interrupted while speaking except to make a point of order or personal privilege. If a Council member is called to order while speaking, the individual should cease speaking until the question of order is determined.

d. Tabling procedures: A motion to table immediately stops discussion and causes a vote to postpone the matter indefinitely or to a date and time certain.

Voting:

e. Procedures used for motions: The Council follows a simplified version of Robert's Rules of Order. Those rules are summarized in a chart attached hereto and are hereby adopted as governing the precedence and administration of motions.

f. Requirement to vote: All Council members present who are not abstaining are required to vote. It shall be the duty of the recording clerk to ensure that a vote is taken on every matter requiring formal action and that each and every non-abstaining member actually casts a vote which such clerk then records in the minutes of the meeting. Silence when a vote is called for shall be interpreted as an Ayes vote.

Most actions require a vote on a motion, resolution, or ordinance.

Robert's Rules have been simplified--See attached chart.

All Council members not abstaining must vote.

g. Requirement of a second: A second is required on all matters before they can proceed to a vote. If no second is received, the motion dies for lack of a second. Seconding a motion does not indicate or imply that the member doing so will vote in favor of the motion. It simply allows the matter to be discussed and proceed to a vote.

h. Motions and votes by presiding officer: The presiding officer, whether it be the Mayor or Vice-Mayor or any other member of the Council, is allowed to make and second motions and to cast votes in the same manner as any other member of the Council.

i. Roll call votes: Any member of the Council may request that a matter being voted on be handled by roll call vote. Upon such a request being made, the clerk shall poll the Council and record the votes being cast.

j. Right of protest: A Council member is never required to state the reason for a dissenting vote.

k. Disqualification and abstention from voting: Members of the Council are required to vote on all matters coming before the entire Council for a vote unless an individual member is disqualified due to a conflict of interest as defined in the City's "Conflict of Interest Code". If a member has a question whether or not he or she has a conflict, he or she should discuss that issue with the City Attorney or seek advice from the Fair Political Practices Commission before the meeting whenever time permits. If a member abstains due to a conflict, he or she shall state the general nature of the conflict so that the audience is aware of what is occurring and then he or she shall leave the Council chambers until the matter then before the Council has been resolved.

l. Tie votes: A tie vote is equivalent to a vote which has failed. A tie vote to grant or approve something doesn't represent consent nor does it represent denial of permission to act. It leaves the status unchanged and, if the proponent of the action requires permission to move forward, he or she has simply failed to obtain it.

On the other hand, a tie vote to deny or disapprove something does not represent either approval or denial. It also leaves the situation unchanged and, if the proponent of the action requires permission to move forward, he or she has again failed to obtain it.

If a tie vote occurs on an appeal of an action coming up from the Planning Commission, the appeal has neither been granted nor denied. Since the status quo is unchanged, the end result is the equivalent of a denial of the appeal since the appellant in order to overturn the action taken by the Planning Commission must obtain

Silence is an "Ayes" vote.

Motions die without being seconded.

A member seconding a motion isn't indicating he or she favors such motion.

The Mayor may make or second motions.

If a member abstains, he or she should explain why and then leave the Chambers.

Tie votes on appeals are the equivalent of a denial of the appeal.

Tie votes leave the status unchanged.

some action at Council level. A tie vote is the equivalent of no action, except insofar as it satisfies the legal requirement that the matter be presented to the Council for consideration.

If a tie vote occurs with the fifth member of the Council absent from the meeting and not due to the abstention of such member, the matter will automatically be continued until the next Council meeting when such member can be present to cast a vote unless there is a time limit imposed by law which precludes such a continuance.

m. Public participation following a motion: Public participation in the discussion should be avoided in most cases after a motion has been made unless it is specifically invited by a member of the Council.

8. Consensus, Motions, Resolutions and Ordinances.

a. Consensus: Occasionally it is appropriate for the Mayor to simply request a "consensus" of the Council on routine issues such as referring matters to staff without taking a formal vote. Proclamations are considered to be adopted by consensus without a vote unless any member of the Council requests a vote be conducted.

Some actions may be taken by consensus.

b. Motions: Most actions of the City Council may be taken by motion on a voice vote. With some exceptions, motions pass upon the affirmative vote of a majority of the members voting. For example, if two members are absent or abstain from voting, a 2-1 vote is sufficient to adopt most motions.

c. Resolutions: Resolutions are a more formal way of memorializing actions of the City Council. A resolution, rather than a motion, is only necessary when required by law and requires at least three votes for approval. Condemnation resolutions require the affirmative vote of at least four members.

Resolutions require at least 3 votes in favor of adoption.

d. Ordinances: With the exception of urgency matters, ordinances cannot be adopted until at least five days following their introduction and can only be adopted at a regular City Council meeting. Changes to an ordinance once introduced, except for minor clerical changes, require the ordinance to be reintroduced and at least five more days to pass before adoption. Ordinances require the affirmative vote of at least three Council members. Ordinances do not have to be read in full at the time of introduction or adoption (they may be read by "short title" only) if the Council votes to read only the title. The Council usually votes to do so as one of the items on

Ordinances require at least 3 votes in favor of adoption.

its "Consent Calendar." Ordinances become effective 30 days after their adoption except for urgency ordinances, ordinances calling elections, improvement proceeding ordinances and certain other ordinances which take effect immediately:

10. Rules for Hearings.

a. Legislative Matters: When the Council has a "legislative" matter before it, the individual Council members may investigate the issue before the meeting, discuss the matter with whomever they wish and, if they consider it politically expedient, even announce their "position" on the issue before the meeting of the entire Council. They, of course, cannot seek a consensus on the issue before the meeting by contacting a majority of the other members of the Council [either personally or by contacting one and, in turn, having that one contact another ("seriatim meetings")].

Proper to take positions on legislative matters at any time.

b. Quasi-Judicial Matters: When the matter coming before the Council is of a "quasi-judicial" nature (i.e. appeals from Planning Commission matters such as use permits; consideration of tentative parcel maps; etc.), the individual members of the Council must scrupulously avoid discussing such matters with proponents, opponents or others before the meeting. If any Council member happens to receive information outside of the meeting which such member will take into account in making a decision, he or she must report that information to the rest of the Council in public during the discussion period.

If FINDINGS are required to be made, Council members should be careful to declare precisely what evidence they have considered which allows them to make the required findings. In doing so, they can refer to information in the staff report and adopt that information as a part of their motion. However, they should keep in mind that the staff report was prepared prior to the public hearing and that new information not previously known to staff may come out during the hearing. Council may rely on staff to outline what findings are required to be made to support a particular motion, but the Council itself is responsible to state on the record what facts it has considered which supports each of the required findings.

Findings are usually required to be made to support quasi-judicial decisions.

**ITEM NO.: J-16
APPROVE AGREEMENT WITH THE
PASKENTA BAND OF NOMLAKI INDIANS
FOR THE CITY TO PROVIDE INDEPENDENT
CONTRACTOR SERVICES TO THE TRIBE
FOR THE IMPLEMENTATION OF THE
CORNING RECREATION PROGRAM**

January 14, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: KRISTINA MILLER; CITY MANAGER
CHRISSE MEEDS, RECREATION COORDINATOR *um*

BACKGROUND:

The City was awarded \$200,000 in 2018 and \$130,000 in CY 2019 to implement a Youth Recreation and Enrichment Program through the Promise Neighborhood Grant administered by the Paskenta Band of Nomlaki Indians. The funding allowed the City to develop a new recreation, youth enrichment, and educational program, known as Corning Recreation. Funding can be used for the salary of a Recreation Coordinator, course/program Instructors, Volunteer stipends, materials/supplies, and online reservation software. Assuming available Federal funding, it is anticipated the Agreement will again be extended through calendar year 2020 at a reduced level of \$75,000. Approximately 64% of program costs will be covered through the grant. To sustain the program the remaining \$43,000 must be funded through the General Fund. The City exceeded all programmatic goals of the grant since its inception.

CONTRACTUAL TERM/RESPONSIBILITIES:

Term: January 1, 2020 through December 31, 2020.

Responsibilities:

CC.Y3-1.O.2 Youth Recreation & Enrichment Program (1/20 – 12/20, not to exceed \$75,000):

- a) Continues funding for the Corning Youth Recreation and Enrichment Program with a goal that at least 500 children/youth must participate in the program by December 31, 2020.

FINANCIAL:

- Contract is not to exceed \$75,000 for the term of January 1, 2020 - December 31, 2020. The annual cost to operate the program in CY 2019 was \$118,000, excluding City Manager unreimbursed personnel time. Estimated cost for CY 2020 to the General Fund is \$43,000.
- Funding contingent upon congressional appropriation and evidence of successful implementation, executing and fulfillment of local objectives.
- A soft-match of \$5,000 per month through administrative support, facility usage, volunteers, and/or direct support is required.
- The funding breakdown is as follows:

TASK (Exhibit A)	SERVICES	TOTAL (1/2020 – 12/2020)
CC.Y4-1.O.2.	Youth Recreation & Enrichment Program	\$75,00.00

RECOMMENDATION:

MAYOR AND CITY COUNCIL:

- 1. APPROVE AGREEMENT FOR CITY TO PROVIDE INDEPENDENT CONTRACTOR SERVICES TO THE PASKENTA BAND OF NOMLAKI INDIANS AS IT RELATES TO THE AWARDED UNITED STATES DEPARTMENT OF EDUCATION GRANT, PR/AWARD NO. U215B160003-16B IN THE AMOUNT OF \$75,000; AND**
- 2. AUTHORIZE THE CITY MANAGER TO SIGN ALL ASSOCIATED DOCUMENTS.**

INDEPENDENT CONTRACTOR AGREEMENT

This INDEPENDENT CONTRACTOR AGREEMENT (hereinafter the "Agreement") is made and entered into as of the first day of **January, 2020** by and between the Paskenta Band of Nomlaki Indians (the "Tribe"), a federally recognized Indian tribe, and the **City of Corning** ("Contractor").

WHEREAS, the United States Department of Education awarded PR/Award Number U215B160003-16B to the Tribe for the Everett Freeman Promise Neighborhood Initiative:

WHEREAS, the Tribe and certain organizations with which it collaborates provide various services to Tribe members and the surrounding community, including education in Tehama County, California, that depend on grant funds from federal and state agencies and foundations;

WHEREAS, the United States Department of Education awarded a grant for calendar year 2019 (the "Grant Funds") to the Tribe supporting a continuum of solutions to improve the academic and development outcomes of children, youth and young adults residing within the Corning Union Elementary School District attendance area and to students currently enrolled in the Corning Union High School District;

WHEREAS, the Tribe has determined that successful administration of the Grant requires partnerships with local entities such as Contractor to achieve cradle-to-college and career outcomes and desires to engage and contract for the services of Contractor to perform certain tasks as set forth herein;

WHEREAS, the Tribe is required under federal law to conduct background investigations to ensure certain minimum standards of character for individuals whose job requires contact with and/or control over children and the Tribe has enacted a background investigation policy (the "Policy") that requires that employees of entities who partner with the Band in connection with the Grant ("Contractor Employees") be subject to background investigations to the satisfaction of the Band before any Contractor Employee may be hired to work in connection with the Grant; and

WHEREAS, Contractor desires to enter into this Agreement and perform as an independent contractor for and on behalf of the Tribe and is willing to do so on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the promises, covenants, and the terms and conditions contained herein, the parties hereby mutually agree:

1. **Engagement.** The Tribe hereby engages Contractor as an independent contractor only, and Contractor hereby accepts such engagement with the Tribe upon the terms and conditions set forth in this Agreement.

2. **Relationship of Parties/Independent Contractor Status.** Contractor shall provide services related to managing the Grant Funds, as more particularly described in **Exhibit A**

attached to this Agreement (the "Scope of Work"), to and on behalf of the Tribe hereunder as an independent contractor, and nothing contained in this Agreement shall be construed to create the relation of employer and employee between the Tribe and Contractor.

(a) *Status as Independent Contractor.* This Agreement does not constitute a hiring by either party. It is the parties' intention that Contractor shall have an independent contractor status and that neither Contractor nor any of its members, managers, employees, contractors or agents (any such person, "Contractor Personnel") shall be an employee of the Tribe for any purposes, including, but not limited to, the application of the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, and California and tribal unemployment, workers' compensation, and wage and hour laws. Contractor represents and warrants that Contractor and each Contractor Personnel shall perform the services set forth in the Scope of Work as an independent contractor for whom no federal or state income tax will be withheld by the Tribe and that Contractor and all Contractor Personnel will be responsible for paying any income taxes, occupational taxes and other taxes, if any, to the appropriate governmental entities in accordance with all provisions of federal and state law. Contractor hereby promises and agrees to indemnify the Tribe for any damages or expenses, including taxes, penalties, costs, expenses and fees and attorneys' fees, incurred by the Tribe resulting from Contractor's failure to pay any such taxes.

(b) *Withholding of Taxes.* Contractor recognizes and understands that the Tribe shall not be responsible for withholding taxes with respect to compensation paid for services performed under this Agreement. If the Tribe is at any time required to pay or withhold any taxes or make any other payment with respect to fees payable to Contractor under this Agreement, Contractor authorizes the Tribe to make corresponding deductions from any sum due to Contractor under this Agreement. At the Tribe's request, Contractor shall provide proof of required tax payments.

(c) *Benefits.* No Contractor Personnel shall be entitled to any of the benefits that may be provided to the employees of the Tribe, including without limitation any group life insurance, hospitalization, retirement or pension benefits, sick leave, vacation leave, worker's compensation or other benefits afforded to the Tribe's employees. Contractor acknowledges that no Contractor Personnel shall have any claim against the Tribe hereunder or otherwise for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance benefits, or employee benefits of any kind. In the event that any Contractor Personnel is subsequently reclassified as an employee, such reclassification will not be done on a retroactive basis to require the payment of such benefits.

(d) *Equipment.* Use of equipment and/or supplies purchased with Promise Neighborhood federal funds shall be governed by the Office of Management and Budget (OMB) Guidance (2 CFR 200.313 and 200.315) and any applicable successor guidance from the OMB. Contractor acknowledges he has reviewed such guidance and shall comply with all current and any future OMB requirements set forth therein.

(e) *Location/Schedule.* Neither Contractor nor any Contractor Personnel will be required to follow or establish a regular or daily work schedule or work out of a particular location; provided, that Contractor [and/or Contractor Personnel] shall be available to meet regularly with the Promise Neighborhood Director to discuss strategy and progress of the allocation of Grant Funds.

(f) *Contractor's Authority to Determine Manner and Means of the Carrying out the Work.* Within the Scope of Work, as defined herein, Contractor shall retain discretion in the manner and means of carrying out Contractor's activities and responsibilities under this Agreement; provided, that Contractor and all Contractor Personnel shall adhere to instructions from the Tribe regarding final decisions for how to allocate and expend the Grant Funds and shall not knowingly or recklessly enter into any binding commitments or contracts regarding how to allocate and expend the Grant Funds on behalf of the Tribe with any third party without prior written authorization from the Tribe.

(g) *Limited Agency Relationship.* The Tribe shall not be liable for any obligations incurred by Contractor unless specifically authorized in writing. Contractor shall not act as an agent of the Tribe, ostensibly or otherwise, nor bind the Tribe in any manner, nor represent that it has authority to so act unless Contractor has first received authority in writing from the Tribe that specifically sets forth the terms of such authority and the scope of the action authorized to be taken by Contractor on behalf of the Tribe.

3. **Term.** The term of this Agreement shall commence on **January 01, 2020** and unless sooner terminated in accordance with the terms of this Agreement, and shall end on **December 31, 2020**. The term may be extended upon the mutual written agreement of the parties.

4. **Scope of Engagement.** Contractor and its personnel shall (i) use diligent efforts and professional skills and judgment; (ii) perform all services in accordance with any applicable specifications provided herein and by the Tribe, and (iii) perform all services in accordance with recognized standards of the applicable industry and profession and consistent with past practice. Services under this Agreement will be provided by Contractor personnel. Subject to the confidentiality provisions set forth in Section 9 hereof and applicable law, the Contractor is expressly free to perform services for other persons and entities while performing services in accordance with this Agreement.

5. **Compensation.** The parties agree that the Contractor will be compensated for services performed pursuant to this Agreement, payable with approval of the Promise Neighborhood Project Director. Contractor is solely responsible for any travel or other costs or expenses incurred by Contractor or any Contractor Personnel in connection with the performance of the services pursuant to this Agreement.

6. **Termination.** Notwithstanding any other provision of this Agreement, this Agreement may be terminated:

(a) by the mutual agreement of both parties;

(b) by either party if one party commits a material breach of any of the terms or provisions of this Agreement and does not cure such breach within ten (10) days after receipt of written notice given by the other party; or

(c) by either party with 60 days prior written notice.

Upon expiration or termination of this Agreement for any reason, or at any other time upon the Tribe's written request, Contractor shall [PROMPTLY/WITHIN 30 days] after such expiration or termination:

(a) deliver to the Tribe all Deliverables (as set forth in the Scope of Work, whether complete or incomplete);

(b) deliver to the Tribe all tangible documents and materials (and any copies) containing, reflecting, incorporating, or based on the Confidential Material;

(c) permanently erase all of the Confidential Material from Contractor's computer or other device systems; and

(d) certify in writing to the Tribe that you have complied with the requirements of this clause.

(e) Return equipment and supplies to the Tribe as required by OMB Guidance, including 2 CFR 200.313 and 200.315 and all applicable successor guidance.

7. Contractor's Compliance with Law. Contractor represents that it and all Contractor Personnel will perform such services in conformance with all tribal, state and federal laws, rules, regulations and codes of ethics of any kind that may be required by or applicable to the Scope of Work.

Contractor shall comply with all regulations and requirements applicable to the Grant Funds and shall maintain complete records evidencing such compliance. The Contractor shall promptly provide the Tribe copies of such records as requested by the Tribe. Notwithstanding the foregoing, or anything to the contrary contained herein: (a) the Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 74017671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Department of Education and the Regional Office of the Environmental Protection Agency. (b) The Contractor certifies that it is not listed on the government-wide exclusions in the System for Award Management ("SAM") in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." The Contractor shall promptly notify the Tribe if it becomes listed in SAM and shall immediately forfeit all rights hereunder. (c) The Contractor certifies that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress,

or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. The Contractor certifies that it has disclosed and will disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. (d) The Contractor shall comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the Environmental Protection Agency guidelines. (e) The Contractor acknowledges that the Grant Funds have been awarded pursuant to Catalog of Federal Domestic Assistance Fund for the Improvement of Education Number 84.215 ("CFDA 84.215"). The Contractor shall abide by all requirements of CFDA 84.215, including but not limited to reporting, audit and recordkeeping requirements. The Contractor shall provide reports, undergo audit(s) and maintain records as required under CFDA 84.215 in the forms and formats specified therein.

8. Compliance with Tribe Policy on Background Investigations.

(a) Background Investigations.

- (i) In compliance with the Policy and federal law, the Contractor agrees to subject all Contractor Employees to a fingerprint check through the Criminal Justice Information Services Division of the Federal Bureau of Investigation.
- (ii) The Contractor will ensure that background investigations are conducted at no cost to the Tribe; however, the Contractor may expend Grant funds to comply with the Policy's background investigations requirements.
- (iii) No Contractor Employee will be employed or hired in connection with the Grant unless the Tribe is satisfied that the individual has the necessary overall character and fitness to care for the safety and well-being of a child, as determined in accordance with Section 11 of the Policy.
- (iv) The Contractor shall maintain in its internal records copies of the results of all investigations performed under this Agreement, which must detail each step taken during the investigation.
- (v) The Contractor will certify to the Tribe in writing that there is nothing in the background investigation of each Contractor Employee performing services in connection with the Grant indicating that the employment of each Contractor Employee would be in conflict with the Policy, federal law, or this Agreement. The Contractor's certification to the Tribe shall be

in the form attached hereto as **Exhibit B** (the "Certification") as a way to ensure compliance with the Policy, the Contractor shall promptly deliver all required Certifications to the Tribe.

- (vi) All background investigations conducted by the Contractor shall comply in all respects with the Fair Credit Reporting Act. In doing so, the Contractor shall take all steps to maintain the confidentiality of the investigation process and to ensure that the Tribe is only notified of final determinations of the Contractor via delivery of the Certifications.
- (vii) The Tribe, at its sole discretion, retains the right to approve or disapprove all Contractor Employees providing services in connection with the Grant at any time.

(b) *Confirmation of Certifications.* The Tribe may at its sole discretion confirm the Contractor's performance of background checks to ensure compliance with this Agreement. When requested, the Contractor shall provide the Tribe with evidence of the Contractor's background investigation, as is required to be maintained by the Contractor pursuant to this Agreement.

(c) *Liaison.* The Contractor shall designate a liaison who shall be available to answer any questions or to address any concerns that may arise during the performance of this Agreement.

9. Proprietary Information.

(a) Contractor hereby acknowledges that the Tribe has made, or may make, available to Contractor certain confidential financial information, membership information, and other confidential and/or proprietary information of, or licensed to, the Tribe (the "Confidential Material"). Contractor and all Contractor Personnel shall treat as confidential and proprietary any Confidential Information belonging to the Tribe or any third party that is disclosed to the Contractor or any Contractor Personnel, or that the Contractor or any Contractor Personnel otherwise becomes aware of, in the course of Contractor's services under this Agreement. The Confidential Material is the exclusive property of the Tribe. Contractor shall not, without the prior written consent of the Tribe, disclose or reveal any of said Confidential Material to any third party or use such information for any purposes other than to provide the services required under this Agreement. Contractor further agrees to comply with all reasonable rules established from time to time by the Tribe for the protection of the confidentiality of the Confidential Material. Notwithstanding the foregoing, Contractor may disclose Confidential Material to the extent so required by law or order of court or government agency; provided, that Contractor uses best efforts to give reasonable prior notice of any such disclosure to the Tribe.

(b) Contractor further agrees that all intellectual property developed by Contractor or any Contractor Personnel while accomplishing the Scope of Work (a "Development")

shall be considered a work-for-hire under applicable law and shall be the sole and exclusive property of the Tribe, and in the event that any Development does not qualify for treatment as work-for-hire under applicable law, Contractor hereby assigns to the Tribe all rights, title, and interest in and to such Development and agrees to execute any document necessary to effect such assignment.

(c) Contractor also agrees that, immediately upon request from the Tribe, Contractor shall return to the Tribe all Confidential Material or proprietary property or documents obtained by Contractor in the performance of services under this Agreement. Contractor shall notify each person to whom any authorized disclosure is made that such disclosure is made in confidence and that the Confidential Material shall be kept in confidence by such persons.

10. **Assignment.** This Agreement may not be assigned by either party unless agreed to in writing by the Tribe and Contractor.

11. **Hold Harmless/Indemnification.** Contractor hereby releases and agrees to hold the Tribe harmless of any and all claims Contractor or any Contractor Personnel might have against the Tribe as a result of personal injuries sustained during the term of this Agreement, except to the extent resulting from the Tribe's negligence. Each of the parties to this Agreement shall defend, indemnify, and hold harmless the other from any and all damages expenses or liability resulting from or arising out of, any representations, acts, omissions, negligence or misconduct on the part of the indemnifying party, violation of law or from any breach or default of this Agreement which is caused or occasioned by the acts of the indemnifying party, or its owners, members, principals, employees or associates. The Tribe may satisfy such indemnity (in whole or in part) by way of deduction from any payment due to Contractor.

12. **Governing Law.** This Agreement shall be governed by, and construed in accordance with, the laws of the Tribe and the laws of the State of California. In the event of any conflict between the laws of the Tribe and the laws of the State of California, the laws of the Tribe shall control in all respects.

13. **Modification.** This Agreement cannot be amended or modified in any respect, unless such amendment or modification is evidenced by a written instrument executed by both Contractor and the Tribe.

14. **Obligations Beyond Terms of Agreement.** The obligations of Contractor and the Tribe set forth in Sections 9 and 11 shall survive the termination or expiration of this Agreement.

15. **Severability.** If any term or provision of this Agreement or its application to any party or circumstances shall be declared invalid, illegal or unenforceable in any jurisdiction, such invalidity, illegality or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction. In such event, the parties shall use their best efforts to replace the invalid or unenforceable provision by a provision that, to the extent permitted by the applicable law, achieves the purposes intended under the invalid or unenforceable provision.

16. **Entire Agreement.** This Agreement constitutes the entire Agreement between the Tribe and Contractor with respect to the subject matter hereof and supersedes and cancels any prior understanding or Agreement, written or oral, express or implied, between the Tribe and Contractor relating to the subject matter hereof.

17. **Counterparts.** This Agreement may be executed in two counterparts (including via facsimile or other electronic transmission), each of which shall be deemed to be an original, but all of which taken together shall constitute one and the same instrument.

18. **Insurance.** Throughout the term of this Agreement and any extensions or renewals thereof, the Contractor shall maintain at his/her/its sole expense general liability insurance in such amounts as the Tribe shall reasonably require and approve, listing the Tribe as an additional insured. Upon execution of this Agreement, and at any time thereafter upon five (5) days of a request from the Tribe, the Contractor shall provide the Tribe with written evidence satisfactory to the Tribe of the Contractor's compliance with the insurance requirements under this Agreement.

[Signature page follows.]

IN WITNESS WHEREOF, the Tribe and Contractor have caused this Independent Contractor Agreement to be executed by their duly authorized representatives as of the date first written above.

PASKENTA BAND OF NOMLAKI INDIANS

By: _____
Name: Title: Date:

CITY OF CORNING

By: _____
Name: Title: Date:

EXHIBIT A
SCOPE OF WORK FOR CITY OF CORNING

I. SERVICES

CC.Y4.O.1. Youth Recreation and Enrichment Program

Jan 2020 – Dec 2020: \$75,000

Contribution to Target Promise Neighborhood Results: # and % who demonstrate age-appropriate functioning at three years-old and at the start of kindergarten (GPRA 2); # and % of students at or above grade level on the state English Language Arts assessment and math (GPRA 4); # and % of students who are physically active (GPRA 8); number of students who feel safe (GPRA 10); and, # and % of parents who read to their children.

The City of Corning will continue to facilitate and manage the Youth Recreation and Enrichment Program. The Youth Recreation and Enrichment Program will provide a range of diversified recreation, enrichment, and educational programs in support of improving the mental, physical well-being and learning outcomes children and youth. Programs provide opportunity for physical activity, community involvement, education, leadership development and learning to diverse populations of children living in the target area. The City of Corning will:

- Assess needs and desires expressed by target populations in the region. Adjust recreation programs to meet the changing demographics and community trends.
- Enhance community partnerships.
- Provide programs that serve all ages, all abilities, and cultural and language backgrounds.
- Implement strategies to ensure program access while meeting the goal of sustainability.

The City of Corning will be reimbursed during the 2020 calendar year in the amount of \$75,000 for staffing, materials, and other services incurred in the implementation of the Youth Recreation and Enrichment Program. The City of Corning will keep an inventory of all supplies and devices purchased using Promise Neighborhood funds.

Promise Neighborhood funds can only be used to supplement, not supplant, current programs and resources.

Promise Neighborhood has developed the following specific outcome to determine the program's success and ongoing allotment of grant funds:

- By December 31, 2020, at least 500 children and youth will participate in city supported Youth Recreation and Enrichment Program activities.
- The number of participants served by program activities will be reported on the quarterly report by type of activity.

II. PAYMENT SCHEDULE

Payment on this Contract will not exceed **\$75,000** for the term **January 01, 2020 – December 31, 2020**. Funds for this term are contingent upon congressional appropriation and evidence of successful implementation, execution and fulfillment of local objectives.

TASK	SERVICES	TOTAL
		01/2020-12/2020
CC.Y4-1.O.2.	Youth Recreation and Enrichment Program	\$75,000
	TOTAL	\$75,000

Invoice(s), requested **monthly and no later than quarterly**, will include an accounting of time spent on services by task.

PN funds *cannot* be used to purchase or reimburse for food, beverages, supplies and property for personal use, and any items that constitute gift of public funds. Prior approval required for any items and/or activities not explicitly included in the tasks listed above.

All products and publications funded under this contract must include the following statement:

“Funding for these services is in part through a U.S. Department of Education Promise Neighborhood Grant Program (CFDA 84.215N) administered by the Paskenta Band of Nomlaki Indians” and use the Corning Promise logo on all materials disseminated using Promise Neighborhood funds.

III. MATCHING CONTRIBUTION

Partnering contractors will provide matching contributions or in-kind contributions as part of the Contract. Contractor will maintain necessary documentation of matching (in-kind) funds and provide monthly or semi-annual reports on matching funds with guidance, as needed, provided by the Promise Neighborhood Project Director. The contribution must be supported by detailed records, compliant with federal requirements.

The Contractor is expected to provide matching services of **\$25,000** which can be through administrative support, facility usage, volunteers, direct funding, for the Youth Recreation and Enrichment Program.

IV. PROGRESS MONITORING

Partnering contractor will provide a summary of their project and progress in achieving tasks in a report and/or meet with the Project Director on a quarterly basis.

Report submissions due:

- *April 15* for January 1 – March 30 activities;
- *July 15* for April 1 – June 30 activities;
- *October 15* for July 1 - September 30 activities; and,
- *January 15* for October 1 – December 31 activities.

EXHIBIT B

**INDEPENDENT CONTRACTOR CERTIFICATION
TO THE
PASKENTA BAND OF NOMLAKI INDIANS**



We, the undersigned Independent Contractor, hereby certify, to the Paskenta Band of Nomlaki Indians ("Tribe") that **City of Corning** ("Independent Contractor") has determined in accordance with the Independent Contractor Agreement ("Agreement") between the Tribe and **City of Corning**, dated July 2018, and the Tribe's Public Law 101-630 Background Investigation Policy ("Policy") that _____ ("Employee"):

has passed a background investigation and has the necessary overall character and fitness to care for the safety and well-being of a child;

OR

will be employed and/or retained by Independent Contractor in a capacity for which Employee will NOT be in regular contract with or have control over children at any time.

The Independent Contractor further certifies that employment of the above named contractor employee would not otherwise conflict with the Policy, Federal law, or the Agreement.

Independent Contractor: **City of Corning**.

NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

ITEM NO: J-17
AWARD BID FOR THE CITY PALM TREE
PRUNING TO WEST COAST
ARBORISTS, INC. IN THE AMOUNT OF
\$145 PER TREE, NOT TO EXCEED
BUDGETED \$40,000 AND AUTHORIZE
CITY MANAGER TO EXECUTE
CONTRACT

January 14, 2020

**TO: HONORABLE MAYOR AND COUNCILMEMBERS
OF THE CITY OF CORNING**

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

SUMMARY:

On Friday, January 3, 2020, the City received one (1) bid for the City Palm Tree Pruning.

Staff recommends awarding the Bid to West Coast Arborists, Inc., who has been determined the lowest responsive and responsible bidder. The budgeted \$40,000 will allow the City to prune up to 275 Palm trees at the proposed amount of \$145 per tree.

BACKGROUND:

Each year the Public Works Department request Council approval to seek proposals for the pruning of city trees within the City Limits. Please see attachment "A" for past awarded projects for tree Pruning.

The 2019/2020 City Budget has allocated a total of \$40,000 to fund the pruning of city trees; Tree Pruning/Public Works Streets 111-8002-3000. The proposed scope of work, attachment "B", included 221 palm trees primarily located north of Solano Street between 5th Street and East Street and at Woodson Park. Due to the ability to trim an additional 54 palm trees within the allocated budget staff will expand the area to include additional trees.

RECOMMENDATION:

MAYOR AND COUNCIL:

- 1. AWARD BID FOR THE CITY PALM TREE PRUNING TO WEST COAST ARBORISTS, INC. IN THE AMOUNT OF \$145 PER TREE, NOT TO EXCEED \$40,000; and,**
- 2. AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT.**

Exhibit "A"



CITY OF
CORNING
SCOPE OF WORK AND SPECIFICATIONS FOR
MAINTENANCE OF CITY STREET TREES

Scope of Work:

Scope of work Includes

- Removal of damaged or dead fronds, loose petioles or boots, palm flowers and fruit stalks and fruits/seeds. Loose petioles or boots are to be removed by hand. If they cannot be removed manually, they are to be left on the tree. Skirting of the palm trees will not be included in this scope of work.
- Cleanup and disposal of removed material and debris generated from removal.

The area of work will encompass palm trees located within the City of Corning City Limits as shown on the attached map and listed below, for an estimated total of up to 230 palm trees. Additional locations may be included at the direction of the Public Works Director.

Location	No. of Trees
Palm Ave.	7
Center St. & West Ave.	1
3 rd St.	8
4 th St.	54
5 th St.	24
North St.	8
Butte St.	59
Yolo St.	19
Colusa St.	25
Tehama St.	4
Woodson Park	12
Total	221

Each bidder shall be responsible for reviewing the areas to be bid and asking any questions of the Assistant Public Works Director Steve Lindeman at (530) 624-9296 before presenting their bid proposal for the work described.

Requirements of Bid:

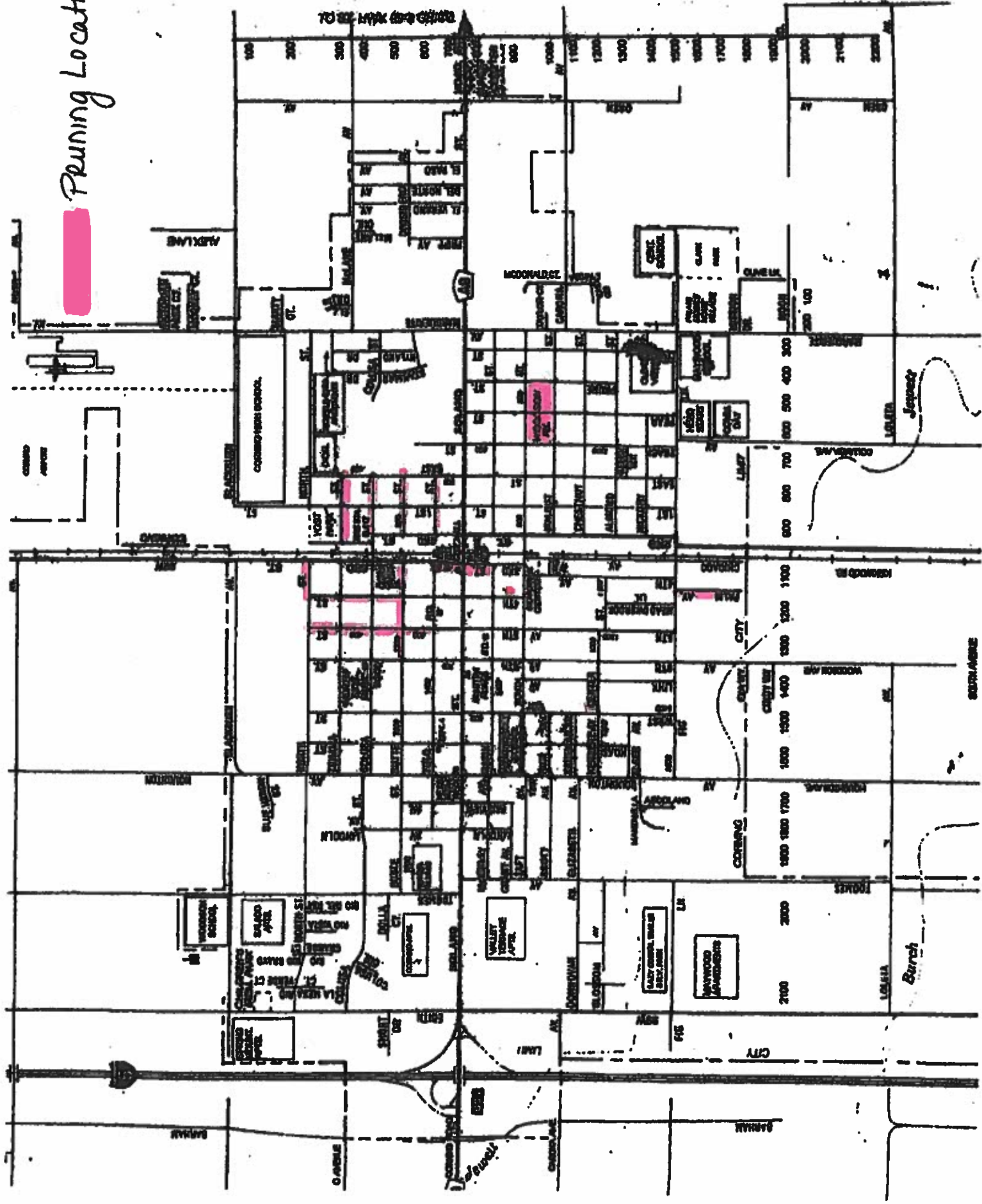
This project requires the payment of Prevailing Wages to ALL EMPLOYEES with the Certified Payroll reported to the DIR and made available to City Hall upon request. Contractor shall also be responsible for the following:

- Compliance with all Articles of the Contract for Street Tree Pruning Services
- Obtaining a City of Corning Business License.
- State Contractors License

Exhibit "A"

- Registration with the DIR
- Provide City a Performance Bond
- Provide City a Payment Bond
- Notifying residents three days prior to pruning work in their area.
- Sweep street, sidewalk and any lawn areas removing all wood chip debris and small branches.
- Clean all debris (tree trimmings, leaves, etc.) from work site. Contractor will be responsible for debris disposal.
- Work hours are from 7:00 a.m. to 6:00 p.m. Monday through Friday.
- Must provide own State Regulated road signage at each end of working site.
- Contractor shall complete work within 30 days after the date of execution of the Contract

Pruning Location



**ITEM NO.: J-18
ADOPT RESOLUTION NO. 01-14-2020-01
ESTABLISHING AN ADMINISTRATIVE
POLICY FOR UTILITY BILLING.**

January 14, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: KRISTINA MILLER, CITY MANAGER
COLLIN BOGENER, CITY ATTORNEY

BACKGROUND:

On September 28, 2018, Governor Brown signed into law SB 998, the Water Shutoff Protection Act, which changes the requirements and procedures relative to the discontinuation of residential water service for non-payment beginning February 1, 2020 for any urban water supplier (provides over 3,000 connections).

SB 998 requires every urban and community water system with more than 200 water service connections to have a written policy on the discontinuation of residential water service for nonpayment. That policy must be available on the water supplier's website. The policy must be in five languages, in addition to English, listed in Civil Code Section 1632 (Spanish, Chinese, Korean, Vietnamese and Tagalog) and in any other language spoken by at least 10% of the people residing in the system's service area.

SB 998 sets forth the specific provisions and requirements for water service discontinuation, which includes a 60-day waiting period before service can be discontinued. The water supplier will also be required to contact, by telephone or in writing, the customer named on the account at least seven (7) business days before discontinuing service. If notice is given by telephone, the system must: (a) offer to provide the customer the system's written policy on discontinuation of water service; and (b) offer to discuss options to avoid discontinuing water service, including alternative payment schedules, deferred payments, minimum payments, amortization and bill review and appeal. The new law also includes required processes if the water supplier is unable to contact the customer as well as a specific mandate for a customer appeals process.

SB 998 also offers opportunities for payment arrangements, provisions for low-income customers and very specified conditions and/or circumstances which a water supplier will be prohibited from discontinuing water service for non-payment.

SB 998 also mandates that water suppliers must report annually on its website and to the State Water Resources Control Board the number of service discontinuations for inability to pay. The State Water Resources Control Board (State Board) must post that information on its website. Community water systems subject to all of the requirements set forth above who fail to comply with the requirements of this new law will be subject to enforcement by the State Board and the California Attorney General.

The City Attorney, City Manager and Finance Department have worked together to amend the current water discontinuation policy in order to comply with SB 998.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION NO. 01-14-2020-01 ESTABLISHING AN ADMINISTRATIVE POLICY FOR UTILITY BILLING.

RESOLUTION NO. 01-14-2020-01

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CORNING
ESTABLISHING AN ADMINISTRATIVE POLICY
FOR UTILITY BILLING**

WHEREAS, the City Council has thoroughly reviewed the billing practices of the City of Corning and taken public input and;

WHEREAS, the City Manager and City Staff are charged with the responsibility of administering the utility system, which includes Water Service, Sewer Service and Residential Refuse billing, and;

WHEREAS, the City Manager has the responsibility to establish administrative practices and policies to carry out the policy of the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Corning does hereby approve the policy for the Administration of Water, Sewer and Residential Garbage Service and Billing Practices as written in Attachment A of this Resolution.

The foregoing Resolution was duly passed and adopted by the City Council of the City of Corning at a regular meeting held on this 14th day of January 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Douglas Hatley Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

I Lisa M. Linnet, City Clerk of the City of Corning, County of Tehama, California **DO HEREBY CERTIFY** that the foregoing Resolution (Resolution No. 1-14-2020-01.) 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 14th day of January 2020 by the votes listed above. The above Resolution has not been amended or altered and is in full force and effect on the date stated above.

**Lisa M. Linnet
City Clerk**

ADMINISTRATIVE POLICY FOR UTILITY BILLING
ADOPTED BY RESOLUTION NO. 01-14-2020-01
CITY CODE GOVERNS SEWER SERVICE, WATER SERVICE AND THE
FRANCHISED DELIVERY OF REFUSE SERVICE TO THE CITIZENS
AND BUSINESSES IN CORNING

1. The Sewer Service rules and regulations are contained in Chapter 13.04 of the City Code.
2. Water Service is governed by Chapter 13.08 of the City Code
3. Refuse Service is governed by Chapter 8.06 titled, "Solid Waste Disposal" in the City Code. The Franchise Hauling Agreement also describes how trash service is delivered.
4. The Franchise Hauling Agreement allows in Section 4.3 of the Agreement: *"Contractor shall furnish all labor, materials, and equipment required to collect and shall collect Bulky Goods, waste oil and waste oil filters from the curbside of residences in the City in accordance with the schedule set forth herein."*

ESTABLISHING UTILITY SERVICE

1. New Customers must complete the application form provided by the Finance Department. If the customer is a tenant, the customer shall pay a "New Customer Fee" of \$50, which will be applied to the final bill and any balance will then be refunded when service is terminated by the customer.
2. The New Customer Fee is transferable to a new residence or business when a customer moves: If there is no balance remaining on their bill.

ADMINISTRATION OF DELINQUENT ACCOUNTS

1. All bills are delinquent thirty days after the date stamped on the bill. The City will not discontinue residential service for nonpayment until the payment by customer has been delinquent for at least sixty (60) days. At least seven (7) days prior to the disconnection of service, the City will contact the customer in writing or by telephone to provide notice of the disconnection as set forth below:
 - A. If the notice is by telephone, the City will offer to provide the customer with the City's written policy on discontinuation of water service and discuss options to avoid discontinuing water service, including alternative payment schedules, deferred payments, minimum payments, amortization and bill review and appeal.
 - B. If notice is given in writing, the notice will be mailed to the customer at the address where service is provided, unless the customer's address is not the address of the property receiving service, then the notice will be sent to both the customer's address and the address of the property receiving the service. The notice to the address receiving service will be addressed to "Occupant" and include the following:
 - a. Customer's name and address;
 - b. Amount of delinquency;
 - c. Date by which payment or arrangement for payment is required to avoid discontinuation of service;
 - d. Description of the process to apply for an extension of time to pay the amount owing;
 - e. Description of the procedure to petition for review and appeal of the bill giving rise to the delinquency; and
 - f. Description of the procedure by which a customer can request a deferred, amortized, reduced or alternative payment schedule.

- C. If the City is unable to contact the customer by telephone or by written notice (i.e. mailed notice is returned as undeliverable), the City shall make a good faith effort to visit the residence and leave, or make other arrangements to post in a conspicuous location, a notice of imminent discontinuation for non-payment, and a copy of this discontinuation policy.
 - D. If the customer or the tenant of the customer appeals the water bill to the City through the process set forth under Corning Municipal Code section 13.08.210, then the City will not discontinue service while the appeal is pending.
2. The City will not discontinue residential water service if the customer meets all the following conditions:
- A. The customer or the tenant of the customer submits a certificate of a primary health provider that discontinuation of water service would (i) be life threatening, or (ii) pose a serious threat to the health and safety of a resident of the premises where the residential service is provided; and
 - B. The customer demonstrates that he or she is financially unable to pay for residential service within the City's normal billing cycle. The customer will be deemed "financially unable to pay" if any of the customer's household is (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household's annual income is less than 200% of the federal poverty level; and
 - C. The customer is willing to enter into an alternative payment schedule consistent with the written policies provided pursuant to subdivision (a) of Section 116906 of the California Health and Safety Code, with respect to all delinquent charges.
3. If all of the conditions of section 2 above are met, then:
- A. The City will offer the customer an alternative payment schedule of the unpaid balance over a reasonable period of time, not to exceed 12 months. The City will set the parameters of the option. However, the City may allow a longer repayment period if the 12-month period would cause undue hardship to the customer.
 - B. The customer will be required to pay the past due amounts in the agreed payment schedule plus the current water service charges each month. All late penalties will be waived during the alternative payment period. Failure to pay the alternative payment amount plus the current charges each billing period will nullify the amortization agreement and the water service may be terminated.
 - C. The City will discontinue service no sooner than five (5) business days after it posts a final notice of intent to discontinue service in a prominent place on the customer's property if either of the following has occurred:
 - a. The customer fails to comply with the agreed upon payment arrangement for 60 days or more; or
 - b. While undertaking an agreed upon payment arrangement, the customer does not pay his or her current service charges for 60 days or more.
4. If the property receiving service is an individually metered residential service to detached single-family dwellings, multi-unit residential structures or mobile home parks, where the property owner or manager, not the tenant, is the customer of record:
- A. At least ten (10) days (7 days if the property is a detached single-family dwelling) prior to the possible termination of water service, the City will take every good faith effort to inform the occupants by written notice that water service will be terminated. The written notice must also inform the tenants that they have the right to become customers to whom the service will be billed, without having to pay any of the delinquent amounts.

- B. If one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the City's satisfaction, or there is a physical means to selectively terminate service to those tenants/occupants who have not met the City's requirements, then the Water Department may make service available only to those tenants/occupants who have met the requirements.
5. This Ordinance and any related policy shall be available on the City of Corning website in English and the five languages listed under Civil Code Section 1632, which are Spanish, Korean, Chinese, Vietnamese, and Tagalog. It must also be available in any other language spoken by at least 10% of the people residing in the City of Corning jurisdiction.
 6. Customers who fail to pay their utility bill after their final notice is posted on the property as a "Door Hanger", shall have their water turned off, until such bill is paid.

To re-establish service following turn-off, the customer shall have the accounts "New Customer Fee" increased to two hundred dollars (\$200) and pay a twenty-five dollar (\$25) non-refundable reconnection fee. For a residential customer who demonstrates household income below 200 percent of the federal poverty line, the fee to re-establish service shall be as follows:
 - 1) Fifty dollars (\$50) during normal City Finance Department operating hours, subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For reconnection of residential service during nonoperational hours, the re-establish service fee shall be one hundred fifty dollars (\$150), subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.
 - 2) A residential customer shall be considered to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKS, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
 7. For Commercial Accounts, where an account receives two (2) "Notice of Intent to Turn Off Water", (Door Hanger) followed by a turn off of water twice, such customer shall deposit four (4) months average utility bill in order to restore and retain service. Such deposit is considered a "New Customer Fee" and is not refundable until the final termination of service by the customer.
 8. There will be a \$25 fee for any checks returned by the bank for Non-Sufficient Funds (NSF).

CLOSING ACCOUNTS

1. When a customer moves from the account location, and closes their account, the "New Customer Fee" shall be applied against any unpaid balance and the remainder shall be refunded within ten days of the date upon which the customer gives notice of termination of service.
2. Should a customer abandon the premises, leaving a bill unpaid, the "New Customer Fee" shall be applied to the unpaid balance, and any remaining balance due shall be referred to collection.
3. When an account is closed, the charges for water, sewer and residential trash service shall cease until service is initiated by the next occupant/customer.

RESIDENTIAL REFUSE SERVICE

1. City may provide customer billing for residential refuse service on the monthly Utility bill.
2. New customers shall choose either the regular residential service with the 96-gallon roller cart, or if they are a senior citizen, 60 or older, they may opt for the 32-gallon roller cart at the lower rate, but only if their need for trash disposal is small enough to fit the 32-gallon cart.

INTERNAL ACCOUNTING MANAGEMENT

1. Upon receipt of payment, Finance Department Staff will distribute the payment to each of the utility funds, including water, sewer and trash. Other service charges may also be placed upon the utility bill, such as curb and gutter installation payments, and these will be distributed to that appropriate fund.
2. When partial payments are made by the customer, the payment shall first apply against sewer service, then water service and third, trash service, because any unpaid trash bills over 90 days delinquent will be recommended for property tax lien following the end of the fiscal year.
3. Finance Department Staff has the authority to negotiate and agree to partial payments by customers, in order to assist delinquent customers in bringing their bills current.
4. Delinquent Customers are always encouraged to work with Finance Department Staff to avoid water service turn-off.

SERVICE DISPUTES OVER TRASH SERVICE

1. Customers are encouraged to resolve conflicts directly with Corning Disposal Service through telephone or direct contact.
2. The City Code provides the following method of final resolution of service disputed: ***"8.06.105 Rate and Service Disputes. Because the refuse customer service rates are based upon volume hauled and the level of service must be determined through agreement between the solid waste franchised hauler and the customer, disagreements may from time to time occur between these parties. The customer or franchised hauler may, therefore, present the situation to the City Director of Public Works for resolution. The circumstances of the dispute shall be presented in letterform clearly stating the issues disagreed upon and the solution sought. The Director of Public Works shall review the disputed issue and make a determination, which shall be final. The authority of the Director of Public Works to administratively resolve disputes in the foregoing manner does not include authority to approve adjustments in the rates themselves, which are charged for differing levels and types of service."***

EXCERPTS FROM CITY CODE PERTAINING TO UTILITY BILLING AUTHORITY

- The authority to combine charges on the monthly statement is contained in:

Section 13.08.140 Service charges--Billing--Payment.

All charges for water service and sewer service, and any other service rendered by the City, may be billed upon the same bill and collected as one item; if all or part of the bill is not paid, any or all of the services for which the bill is rendered may be discontinued. (Ord. 111 §13, 1953).

Section 13.04.362 Billing and payment of all charges and fees.

B. All periodic user fees shall be due and payable when billed at the close of each period. These charges shall be payable at the office of the City and shall become delinquent upon the expiration of thirty days after the end of the period to which such charges are applicable.

C. All bills for all charges shall be issued by the City and may be combined with bills or statements for any other service furnished by the City to the person billed, and may be paid either separately or together with payment for such other services. All statements may be delivered either in person or by mail addressed to any person using the connection in respect of which the charge is made, at Corning, California.

Section 13.08.130 Water fees--Payment.

All money due from water rentals and sales shall be due and payable to the city finance department at City Hall within five days, commencing of the first day of the month following the period for which the billing is made. The city council may, by resolution, provide that billings shall be made monthly, bimonthly, quarterly, or otherwise as may appear to be to the economic advantage of the city. If

any person permits water rentals to become delinquent for a period of two months, the water service shall be turned off and water cut off from the premises and shall not be turned on again until all water rents and charges are paid in full, accompanied by such fee for reinstatement as may be fixed by the council, by resolution. The process for discontinuation of water service shall be set forth in a policy passed by the city council through resolution.

- **The authority to Lien for unpaid Water charges is contained in:**

Section 13.08.150 Charges as lien--Nonpayment--Disconnection.

Any charge levied by the City by or pursuant to this chapter or the resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City water distribution system is made a lien upon the premises.

- **The authority to Lien for unpaid Sewer charges is contained in:**

Section 13.04.360 Responsibility for payment of all charges and fees.

All sewer connection charges and periodic service charges against any premises shall be billed to the following persons:

- A. **For any person with a connection to the City sewerage system, to the person who requested such connection or to his successor in interest...**

The Sewer Enterprise

Section 13.04.299A ARTICLE IV. CHARGES AND FEES:

Section 13.04.300 Charges and fees.

Charges and fees are as set out in Article IV of this chapter. (Ord. 541 (part), 1993)

Section 13.04.310 General.

Other City chapters prescribe annexation fees, connection charges, capital improvement fees and user fees. This article is supplementary to the provisions of those chapters. (Ord. 541 (part), 1993).

Section 13.04.320 Types and amount of charges and fees.

The City Council shall from time to time establish by chapter, resolution or order fees and charges for sewage service provided by the City. Such fees shall be based on cost and influencing factors such as flow and pollutant mass emission rates and volumes, and on the degree of effort required for purposes of billing, inspection, sampling, monitoring and administration. Fees and charges may include, but are not limited to:

- A. **Permit fees to recover the costs of application processing, user classification, inspection, sampling and monitoring. Fees shall be assessed for permits or services at the time the permit application is filed and must be paid before a permit will be issued;**
- B. **Appeal fees to recover the administrative cost of appeal filing. Fees shall be assessed at the time the appeal is filed;**
- C. **User fee (service charge) to recover the costs of bonded debt retirement and interest, and operation and maintenance (including replacement), to satisfy provisions of federal or state laws and any other sewerage system related costs appropriately recoverable via service charges;**
- D. **Annexation fees and connection charges;**
- E. **Capital improvement fees;**
- F. **Expansion fees.**

The sewer fees shall be as follows:

Capital Improvement	\$ 546.00
Sewer Plant Expansion	\$ 1,854.00
Four-inch Sewer Lateral	\$ 655.00

The City public works crew will do the installation from the main to the property line, except in subdivisions. (Ord. 555 (part), 1995; Ord. 541 (part), 1993).

Section 13.04.330 Dedication of funds collected as user fees.

The funds coming to the City under this chapter shall be used only and solely for the purposes of constructing, maintaining, operating, preserving, extending and replacing the sewerage system, including the storm sewer system, and to repay loans, bonds and other instruments financing the costs associated with the sewerage facilities. (Ord. 570, 1997; Ord. 541 (part), 1993).

Section 13.04.340 Classification of users.

All users shall be classified by assigning each one to the user classification category, according to the principal activity conducted on the user's premises. The purpose of such classification is to facilitate the regulation of wastewater discharges based on wastewater constituents, characteristic, and volume, to provide an effective means of source control, and to establish a system of user charges and fees which will insure an equitable recovery of the City's costs. (Ord. 541 (part), 1993).

Section 13.04.342 Determination of user charges.

Each user not required to obtain a wastewater discharge permit shall pay a fixed unit charge based on general wastewater constituents, characteristics and volume as set forth in the City's schedule of user charges and fees. Users who are issued a wastewater discharge permit under the provisions of this chapter shall pay a user charge determined by estimating or measuring the wastewater constituents, characteristics and volume. (Ord. 541 (part), 1993).

Section 13.04.350 Capital improvement fee (connection charge).

Capital improvement fee shall provide for the payment to the City of a pro rata of capital value of the sewage systems of the City, which amount shall be fixed by the City Council as condition precedent to connection to the sewerage system. (Ord. 541 (part), 1993).

Section 13.04.360 Responsibility for payment of all charges and fees.

All sewer connection charges and periodic service charges against any premises shall be billed to the following persons:

- A. For any person with a connection to the City sewerage system, to the person who requested such connection or to his successor in interest; or
- B. For any person not having a connection to the City sewerage system, to the person requesting such connection or to his successor in interest. (Ord. 541 (part), 1993).

Section 13.04.362 Billing and payment of all charges and fees.

- A. All sewer connection charges shall be payable in advance and prior to completion of connection, at the office of the City.
- B. All periodic user fees shall be due and payable when billed at the close of each period. These charges shall be payable at the office of the City and shall become delinquent upon the expiration of thirty days after the end of the period to which such charges are applicable.
- C. All bills for all charges shall be issued by the City and may be combined with bills or statements for any other service furnished by the City to the person billed, and may be paid either separately or together with payment for such other services. All statements may be delivered either in person or by mail addressed to any person using the connection in respect of which the charge is made, at Corning, California.
- D. Any payments made in advance of due date or delinquency date shall be without discount.

E. The City Council may by resolution determine that billings for user fees may be made monthly, bimonthly, quarterly or otherwise as may appear to be to the economic advantage of the City. (Ord. 541 (part), 1993).

Section 13.04.364 Charges may be adjusted.

No statement or bill shall be conclusive as to the matter set forth there-in, nor shall the filing of the same preclude the City from collecting by appropriate action such sum as is actually due and payable under the provisions of this chapter. (Ord. 541 (part), 1993).

The Water Enterprise

Section 13.08.120 Water fees--Establishing rates.

The City Council, by resolution shall determine and fix the rates to be charged to water users in the City, or from the City water system. (Ord. 555 (part), 1995; Ord. 554 (part), 1995; Ord. 534, 1992; Ord. 516, 1991; Ord. 496 §3, 1989).

Section 13.08.130 Water fees--Payment.

All money due from water rentals and sales shall be due and payable to the city finance department at City Hall within five days, commencing on the first day of the month following the period for which the billing is made. The city council may, by resolution, provide that billings shall be made monthly, bimonthly, quarterly, or otherwise as may appear to be to the economic advantage of the city. If any person permits water rentals to become delinquent for a period of two months, the water service shall be turned off and water cut off from the premises and shall not be turned on again until all water rents and charges are paid in full, accompanied by such fee for reinstatement as may be fixed by the council, by Resolution. The process for discontinuation of water service shall be set forth in a policy passed by the city council through resolution.

Section 13.08.140 Service charges--Billing--Payment.

All charges for water service and sewer service, and any other service rendered by the City, may be billed upon the same bill and collected as one item; if all or part of the bill is not paid, any or all of the services for which the bill is rendered may be discontinued. (Ord. 111 §13, 1953).

Section 13.08.150 Charges as lien--Nonpayment--Disconnection.

Any charge levied by the City by or pursuant to this chapter or the resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City water distribution system is made a lien upon the premises. The water superintendent is authorized and it shall be his duty to disconnect the water upon failure of the person to whom such charge or rental is billed to pay the charges as set forth in this chapter. (Ord. 111 §20, 1953).

ITEM NO.: J-19
ADOPT ORDINANCE NO. 685, AN
ORDINANCE AMENDING CHAPTER 13.08 OF
THE CORNING MUNICIPAL CODE
REGARDING THE DISCONTINUATION OF
WATER SERVICE FOR FAILURE TO PAY
(Introduction and 1st Reading)

January 14, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: KRISTINA MILLER, CITY MANAGER
COLLIN BOGENER, CITY ATTORNEY

BACKGROUND:

On September 28, 2018, Governor Brown signed into law SB 998, the Water Shutoff Protection Act, which changes the requirements and procedures relative to the discontinuation of residential water service for non-payment beginning February 1, 2020 for any urban water supplier (provides over 3,000 connections).

SB 998 requires every urban and community water system with more than 200 water service connections to have a written policy on the discontinuation of residential water service for nonpayment. That policy must be available on the water supplier's website. The policy must be in five languages, in addition to English, listed in Civil Code Section 1632 (Spanish, Chinese, Korean, Vietnamese and Tagalog) and in any other language spoken by at least 10% of the people residing the system's service area.

SB 998 sets forth the specific provisions and requirements for water service discontinuation, which includes a 60-day waiting period before service can be discontinued. The water supplier will also be required to contact, by telephone or in writing, the customer named on the account at least seven (7) business days before discontinuing service. If notice is given by telephone, the system must: (a) offer to provide the customer the system's written policy on discontinuation of water service; and (b) offer to discuss options to avoid discontinuing water service, including alternative payment schedules, deferred payments, minimum payments, amortization and bill review and appeal. The new law also includes required processes if the water supplier is unable to contact the customer as well as a specific mandate for a customer appeals process.

SB 998 also offers opportunities for payment arrangements, provisions for low-income customers and very specified conditions and/or circumstances which a water supplier will be prohibited from discontinuing water service for non-payment.

SB 998 also mandates that water suppliers must report annually on its website and to the State Water Resources Control Board the number of service discontinuations for inability to pay. The State Water Resources Control Board (State Board) must post that information on its website. Community water systems subject to all of the requirements set forth above who fail to comply with the requirements of this new law will be subject to enforcement by the State Board and the California Attorney General.

The proposed change to the Corning Municipal Code ensures that the City is compliant with SB 998 by removing language allowing the City to terminate water service for non-payment in a period less than 60-days. Instead, the proposed Ordinance will allow the City Council to set forth the discontinuation policy through a Resolution, which should also be in front of the Council.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **BY MOTION, INTRODUCE FOR FIRST READING, ORDINANCE NO. 685, AN ORDINANCE AMENDING CHAPTER 13.08 OF THE CORNING MUNICIPAL CODE REGARDING THE DISCONTINUATION OF WATER SERVICE FOR FAILURE TO PAY; and**
- **DIRECT THE CITY CLERK TO READ THE ORDINANCE BY TITLE ONLY**

ATTACHMENTS

Exhibit "A" is a redline version of the current ordinance with the proposed changes.

Exhibit "B" is Proposed Ordinance No. 685

Exhibit "A"

Chapter 13.08 Water Service Regulations

13.08.130 - Water fees-Payment.

All money due from water rentals and sales shall be due and payable to the city finance department treasurer at City Hall~~his office in the city during a period of~~within five ~~days~~, commencing ~~of~~on the first day of the month follow-ing the period for which the billing is made. The city council may, by resolution, provide that billings shall be made monthly, bimonthly, quarterly, or otherwise as may appear to be to the economic advantage of the city. If any person permits water rentals to become delinquent for a period of two months, the water service shall be turned off and water cut off from the premises and shall not be turned on again until all water rents and charges are paid in full, accompanied by such fee for reinstatement as may be fixed by the council, by resolution. ~~A customer's water service may be discontinued if water service furnished at a previous location, to that customer, is not paid for within ten days after presentation of the bill. The process for discontinuation of water service shall be set forth in a policy passed by the city council through resolution.~~

Section 13.08.150 Charges as lien--Nonpayment--Disconnection.

Any charge levied by the City by or pursuant to this chapter or the resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City water distribution system is made a lien upon the premises. ~~The water superintendent is authorized and it shall be his duty to disconnect the water upon failure of the person to whom such charge or rental is billed to pay the charges as set forth in this chapter.~~

ORDINANCE NO. 685

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING CHAPTER 13.08 "WATER SERVICE REGULATION" TO THE CITY OF CORNING MUNICIPAL CODE TO REVISE THE PROCEDURES FOR DISCONTINUATION OF WATER SERVICE DUE TO FAILURE TO PAY

THE CITY COUNCIL OF THE CITY OF CORNING does hereby find, determine and declare as follows:

WHEREAS, the City of Corning (the "City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, the City owns and operates a public water system that supplies water to residential, commercial, and industrial customers throughout the City's jurisdiction; and

WHEREAS, in 2018, the California Legislature adopted Senate Bill 998 which expanded protections to customers regarding the discontinuation of water service for nonpayment. SB 998 requires all urban and community water systems that supplies water to over 200 service connections to develop a written policy on discontinuation, and that said policy be available on the City's website and be provided to customers upon request. The bill further prohibits an urban and community water system from discontinuing residential service for non-payment until a payment by a customer has been delinquent for at least 60 days; and

WHEREAS, the City Council of the City of Corning seeks to amend Chapter 13.08 of Title 13 of the Corning Municipal Code to ensure consistency with the requirements of SB 998 and related laws.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Corning as follows:

SECTION 1. Chapter 13.08 "WATER SERVICE REGULATION" of Title 13 "Public Services" of the City of Corning Municipal Code is hereby added to read as follows:

Chapter 13.08 Water Service Regulations

13.08.130 - Water Fees-Payment.

All money due from water rentals and sales shall be due and payable to the city finance department at City Hall within five days, commencing on the first day of the month following the period for which the billing is made. The city council may, by resolution, provide that billings shall be made monthly, bimonthly, quarterly, or otherwise as may appear to be to the economic advantage of the city. If any person permits water rentals to become delinquent for a period of two months, the water service shall be turned off and water cut off from the premises and shall not be turned on again until all water rents and charges are paid in full, accompanied by such fee for reinstatement as may be fixed by the council, by resolution. The process for discontinuation of water service shall be set forth in a policy passed by the city council through resolution.

Section 13.08.150 Charges as lien--Nonpayment--Disconnection.

Any charge levied by the City by or pursuant to this chapter or the resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City water distribution system is made a lien upon the premises.

This Ordinance shall take effect 30 days after its final passage, the welfare of the City of Corning requiring it.

The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be posted and/or published in accordance with the law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on January 14, 2020, and enacted at a regular meeting of the City Council of the City of Corning held on _____ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Ordinance (Ordinance 685) was duly introduced to the City Council of the City of Corning at a regular meeting of said Council held on January 14, 2020 and adopted at a regular meeting of the City Council on _____ by the votes listed above.

Lisa M. Linnet, City Clerk