



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, JULY 28, 2020
CITY COUNCIL CHAMBERS
794 THRID STREET**

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

A. CALL TO ORDER: 5:30 p.m.

B. ROLL CALL:

Council: Robert Snow
Jose "Chuy" Valerio
Dave Demo
Karen Burnett
Mayor: Douglas Hatley Jr.

All members of the City Council were present except Councilmen Valerio and Demo.

C. PUBLIC COMMENTS: None

D. REGULAR AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL – Significant Exposure to Litigation pursuant to § 54956.9(b): Two Cases

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

Mayor Hatley reported that for:

- Item One: No reportable actions.; and
- Item Two: Provided direction to Staff.



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, JULY 28, 2020
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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.

All members of the City Council were present except Councilor Demo who is on a fire.

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

D. INVOCATION: Led by Councilwoman Burnett.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. Update on COVID-19 by City Manager Kristina Miller.

City Manager Kristina Miller announced that Tehama County Public Health has expanded their website to provide updated data; and the website is updated every day at midnight. She informed Council that as of the last update, Tehama County has 214 who have tested positive for COVID-19, a total of 99 cases in the last 14 days. She stated that Tehama County is currently at 7.6 %; 8% will place us on the Monitoring List. She further announced that there are currently 63% of

ICU hospital beds available within the County. She strongly encouraged everyone to continue to wear masks and practice social distancing to assist our businesses towards remaining open, to help our economy, and allow our schools to open.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

Public Works Consultant Robin Kampmann: Reported that Contractor Evan Johnson is now done with the concrete work at Yost Park. She explained that the City has experienced a few waterline breaks resulting in delays to the park project. She announced that the recently purchased piece of playground equipment (Spinner) is in and will be installed at Northside Park in the near future.

City Manager Kristina Miller: Requested the addition of two Urgency Items to tonight's Agenda under section K: **Items Placed on the Agenda from the Floor.** She explained that both items were brought to Staff after the posting of the Agenda and require immediate action. She stated these items were:

- **Urgency Item: Accept information and provide direction on whether or not to extend the City Pool opening.**
- **Emergency Item: Approve Emergency Water Services with Paskenta Community Services; a District within Tehama County; and**

She explained that the need to add these items as Urgency/Emergency Items. She explained that the first item requires immediate action due to the imminent date of the City Pool closure which is scheduled for August 10th; the next City Council Meeting is not until the day after, on August 11th. Should Council wish to extend the swim season there are necessary actions Staff will need to take immediately such as confirming the availability of Lifeguards, etc.

She explained that the City was contacted today by a representative of the Paskenta Community Services District who explained that their well is depleted to the point that they anticipate only having enough water to serve the community for possibly one more day. They are in an emergency situation and need to immediately find another temporary water source for their community.

Mayor Hatley called for a motion to add these items to the Agenda under Section K, Items placed on the Agenda from the Floor. Councilor Snow motioned to add these two items to the Agenda; Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent: Demo. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request separate discussion and/or action.

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes with any necessary corrections of the July 14, 2020 Closed Session and Regular City Council Meeting.**
4. **July 22, 2020 Claim Warrant in the amount of \$1,010,853.86.**
5. **July 22, 2020 Business License Report.**
6. **Ordinance 689, an Ordinance of the City of Corning adding Chapter 8.23 to Title 8 of the Corning Municipal Code imposing a Vacant Building Monitoring Fee to secure vacant buildings. (Second Reading & Adoption)**
7. **Ordinance 690, an Ordinance of the City of Corning adding Chapter 8.24 to Title 8 of the Corning Municipal Code regulating Long-Term Boarded and Vacant Buildings. (Second Reading & Adoption)**

Councilor Valerio moved to approve Consent Items 2-7; Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent: Demo. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.**I. PUBLIC HEARINGS AND MEETINGS:**

- 8. Rezone 2020-3, Tentative Tract Map 20-1001 (Magnolia Meadows), Jason & Anna Abel: Rezone approximately a 9.95-acre parcel from PD-Planned Development (R-1-8000) to R-1-4000 and create 53 Single Family Residential Lots. Location: West side of Marguerite Avenue just north of the Moon Road/Marguerite Avenue intersection and south of Maywood School. APN: 73-260-22 & 23.**

Presented by Planner 1 Christina Meeds who stated that Jason and Anna Able are looking to rezone and subdivide a 9.95-acre Parcel into 53 Single-family Residential Lots. She provided the history associated with this Tract Map and stated since the Tract Map was first presented, they have requested a reduction from the previous 61 lots to 53 lots. Ms. Meeds stated that this lot reduction will have no impacts to the previously completing environmental studies associated with the project.

Mayor Hatley opened the Public Hearing at 6:47 pm.; with no comments the Public Hearing was closed at 6:47 p.m. Councilor Snow confirmed that the reduction is to provide a larger lot size.

Councilor Snow moved to accept and adopt the 8 Factual Subfindings and Legal Findings as presented in the Staff Report; and approve Rezone 2020-3 and Tentative Tract Map 20-1001 subject to the 45 Conditions of Approval as presented in the Staff Report. Councilor Valerio seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent: Demo. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

J. REGULAR AGENDA:

- 9. Request City Council direction on Outdoor Dining Permit and other Financial Assistance for Businesses as a result of the COVID-19 State of Emergency.**

Presented by City Manager Kristina Miller. She announced that at the last City Council Meeting, Council directed her to research possible options for the City to assist our local businesses in response to the current State restrictions enacted as a result of COVID-19. Options she is suggesting are:

1. Assisting Restaurants to transition their businesses to outdoor dining utilizing one (or both) of the two proposed Temporary Permits, one a Temporary Permit for Outdoor Dining on Private Property (parking lots, etc.); the other a Temporary Permit for Outdoor Dining expanded into the Public Right-of-Way (sidewalks, adjacent public parking lots, etc.);
2. Redirect the budgeted \$5,000 funding allocated for materials & supplies in support of Community Events; and approving an allocation of an additional \$5,000 from the City's General Fund Reserves. If approved, this funding would be utilized to purchase such items as tables, chairs, shade structures, etc. and then leased to our local businesses under a No-Cost Agreement. These items will provide future benefit to the City as they can be utilized by the City for future community events such as Food Truck Tuesdays when we are allowed to resume these events. Currently the City rents these items for our events.
3. Grant the City Manager full discretion and purchase authorization to acquire the equipment (chairs, tables, shade structures, etc.) that will assist our local businesses toward opening compliance and transitioning to meet the latest State restrictions. It was reiterated that these items could be used for future City use such as for Food Truck Tuesday Events, Community Events, etc.

City Manager Miller stated that Staff has contacted local businesses and they have shown an interest in this assistance.

Councilmembers stated their support in assisting our City Businesses and confirmed that the Lease of this equipment would be at no cost to the Businesses, and that the Businesses would just be required to provide indemnification for the City.

Councilor Burnett moved to:

1. Approve the Temporary Permit Process for Restaurants to transition to outdoor dining within the Public Right-of-Way or within private properties; and /Snow, approved by a 4-0 vote with Demo absent;
2. Waive all Temporary Outdoor Dining Application and Permit Fees for the period of the COVID-19 State of Emergency;
3. Authorize the lease of equipment to support business' transition to outdoor operations;
4. Approve the transfer of \$5,000 from General Fund Reserves to account number 001-6150-3190; and
5. Direct Staff to draft and authorize the City Manager to execute Equipment Lease Agreements.

Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent: Demo. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

- **Urgency Item: Approve Emergency Water Services with Paskenta Community Services; a District within Tehama County.**

Paskenta Water Operator Wayne Jobe stated the reasons for the urgent need for the water. He announced that District is working with the State to obtain funding for the purchase of the water. Public Works Consultant Robin Kampmann provided a history of the City providing this water.

Mayor Hatley asked if the District has any plans for installing a well to mitigate this issue. Mr. Jobe stated that they are working on it, they have tested some sites for a new well and have also discussed the possibly of installing a water storage tank.

Councilor Snow moved to approve the Emergency Water Services Agreement with Paskenta Community Services District. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent: Demo. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

- **Urgency Item: Accept information and provide direction on whether or not to extend the City Pool Opening.**

Presentation by City Manager Kristina Miller who stated at the beginning of the season, Council directed her to bring this item back for consideration. She stated prior to COVID-19 she thought that this was possible, however the attendance has not been great during the pool season. The first session was 3-weeks long and following review of attendance, it was found to be low. She then obtained clearance through the County Public Health Officer to have 1-week swim sessions, which were found also to be extremely low. Some nights and on Saturdays there were no swimmers. She provided numbers for lap swim and day & night registered swim use. She confirmed that should Council decide to extend the Pool opening, the City would only have Lifeguards available for night swim.

In conclusion she stated that she does not recommend extending the opening of the Pool due to lack of use and costs incurred by the City to maintain the pool opening during this time.

Councilor Valerio stated that some people are unable to register or pay online (currently no cash is accepted due to COVID-19). A member of the public stated that pool information is not easily found, and, in the past residents could pay to reserve the pool for private events; this has not been allowed this year. She stated that allowing pool parties could offset associated pool costs. City Manager Miller explained that under the Public Health Guidelines the City cannot allow private pool parties.

Councilor Snow stated he was in favor of allowing entrance to kids to swim whether they pay or not since we are already paying the Lifeguards. Recreation Coordinator Meeds stated this could be a problem should a child that is registered show up late and we allowed non-registered kids in, we could possibly be over our allowed limit of swimmers (20 in big pool; 10 in little pool). He proposed allowing in a certain number, leaving a few spots open for those possibly running late. He suggested offering free pool swim for the remainder of the season.

Councilor Snow moved to offer free pool swim for the remainder of the Season; Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent: Demo. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

The Pool will close on August 10th due to no motion on the floor to extend the pool opening.

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION: None

M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Snow: Nothing

Valerio: Nothing

Demo: Absent

Burnett: Announced that they are having a fabulous time with the hands-on Crafts Recreation Program. They are social distancing and the kids are working with their parents on their individual projects.

Hatley: Nothing.

N. ADJOURNMENT!: 7:28 p.m.

Lisa M. Linnet, City Clerk