



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, MARCH 9, 2021
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

B. **ROLL CALL:**

Council: Dave Demo
Karen Burnett
Shelly Hargens
Jose "Chuy" Valerio
Mayor: Robert Snow

All members of the City Council were present.

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

D. **INVOCATION:** Led by Councilor Burnett.

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

1. **COVID-19 Update by City Manager.**

City Manager Miller stated that the State is relooking at the tiering system once again. She acknowledged and thanked the County Public Health Department and stated that they are doing a great job, people are getting their appointments for the COVID-19 vaccinations.

F. **PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:** None

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

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**

3. **Waive the reading and approve the Minutes of the following meetings with any necessary corrections:**

a. **February 22, 2021 Special Joint Meeting of the City Council and Planning Commission.**

b. **February 23, 2021 City Council Closed Session and Regular Meeting.**

4. **March 3, 2021 Claim Warrant in the amount of \$306,680.27.**

5. **March 3, 2021 Business License Report.**

6. **February 2021 Wages & Salaries: \$384,324.67.**

7. **February 2021 Treasurer's Report.**

8. **February 2021 Building Permit Valuation Report in the amount of \$1,838,845.**

9. **February 2021 City of Corning Wastewater Operations Summary Report.**

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

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

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

J. **REGULAR AGENDA:**

10. Request authorization for appropriation of \$3,167.87 from Police Department Speed Plate fund 071-9267-2116 to Miscellaneous Supplies fund 001-6150-2114 for purchase of ammunition.

Presented by Police Chief Fears.

Councilor Demo moved to approve the appropriation of funds in the amount of \$3,167.87 from Police Department Speed Plates Fund 071-9267-2116 to Misc. Supplies Fund 001-6150-2114 for the purchase of ammunition. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

11. Approve a new 5-year Agreement with Corning Junior Rodeo Association.

Presented by City Manager Kristina Miller who stated that the City does not charge the Corning Rodeo Association for this Agreement as they have installed the associated facilities used by the Association and maintain these facilities.

Councilor Burnett moved to approve the renewal of a 5-year Lease Agreement between the City of Corning and the Corning Junior Rodeo Association. Councilor Demo seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

City Attorney Collin Bogener requested adding an Urgency Item to tonight's Agenda, specifically Urgency Item J-12, and explained that it was not posted on the original Agenda on Friday and explained the reason for this request. He stated that the City Council has the ability to do this pursuant to Government Code section 54554(b)(2) if (a) the need exists to take action immediately, and (b) the need came to the attention of the City after the agenda was posted. It was explained that two votes are needed for this item; one is a determination through a 4/5 vote to add the item to the Agenda, the second is a vote to adopt/approve the item.

Councilor Demo moved to add Urgency Item J-12 to tonight's City Council Agenda; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

12. Added Urgency Item, Adopt Resolution 03-09-2021-01 authorizing the immediate expenditure of City Funds pursuant to Public Contract Code Section 20168 to abate property located at 1507 Colusa St.; and transfer of \$20,000 in General Fund Reserves to Fund 001-9095-4300 Building and Safety.

Presented by City Attorney Collin Bogener. He stated that the City needs to act immediately to abate the code violations at 1507 Colusa Street. He also explained that normally the City must go through the competitive bidding process however, this is not required when public interest and necessity demand immediate expenditure of public money to safeguard life, health, or property. The City believes that an immediate response is required in this situation.

City Manager Miller stated that up to \$20,000 in General Fund Reserves will be expended to abate the nuisances and recovery of the abatement costs will be sought by invoicing the owner. If not paid after 30-days, a lien will be placed on the property to recoup all associated costs. This is allowed under Section 8.08.120 of the Corning Municipal Code.

Councilor Burnett moved to approve and adopt:

- Resolution No. 03-09-2021-01 authorizing the immediate expenditure of public funds pursuant to Public Contract Code section 20168 to abate the property located at 1507 Colusa Street; and
- Authorize \$20,000 in General Fund Reserves to be transferred to Fund 001-9095-4300, Building and Safety.

Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: See above added Urgency Item J-12.

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION: None

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

Demo: Nothing

Burnett: Reported on attendance and actions taken at the Solid Waste Management Meeting.

Hargens: Nothing

Valerio: Nothing other than stating that the Chamber Installation Dinner is tentatively scheduled for March 24th.

Snow: Nothing

City Manager Miller reported on recent discussions and actions by the Groundwater Monitoring Committee.

N. ADJOURNMENT!: 6:53 p.m.

Lisa M. Linnet, City Clerk