

**DUE TO THE COVID-19 LOCAL EMERGENCY THESE MEETINGS WILL BE HELD BY PHONE, TO PARTICIPATE, THE DIAL IN NUMBER IS:
(351) 999-4082**



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, MAY 12, 2020
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 6:00 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.

C. PUBLIC COMMENTS: None

D. REGULAR AGENDA:

- 1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8:
Property: APN No. 087-090-042.
Negotiating Party: Kristina Miller, City Manager
Property Negotiators: TA Legal Department
Under Negotiation: Utility Easement**

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

Mayor Hatley reported that Council met in Closed Session and gave the Property Negotiator direction to negotiate a Utility Easement.

Lisa M. Linnet, City Clerk

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All members of the City Council were present.

C. PLEDGE OF ALLEGIANCE: Not done due to background noise and echoing.

D. INVOCATION: Led by Mayor Hatley.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation – May 2020 as Older Americans Month in the City of Corning.** Virtually present to accept the Proclamation was Elaine Benwell of Corning Healthcare District Elder Services and Tina Bonham, District Manager.
2. **Proclamation – May 15, 2020 as Peace Officers Memorial Day – Present to accept the Proclamation was Corning Police Chief Jeremiah Fears.** Mr. Fears announced that this year, due to the Pandemic, there will not be a memorial celebration.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

Holly Rhodes: Addressed the Council regarding the homeless population near her family's business (Reilly's Motors) on Highway 99W and the placement of the wash stations, garbage and port-a-potty by the City near her family's business. She stated the area is no longer safe for her children to play or her grandmother, Audrey Reilly to work. She also stated that she was present to work towards a solution to this problem.

City Manager Miller and Councilor Snow both addressed Mrs. Rhodes concerns. Councilor Snow asked that the Council direct staff to remove the handwashing stations, porta potty and garbage bin at that location. City Attorney Collin Bogener stated that as this subject is not agendized, Council can direct Staff to place on this item on the next Agenda but could not take any actions tonight. City Manager Miller stated that she would seek an alternative location for these and report on this subject in the Friday Notes.

Councilor Demo stated he would also like to see something done about this issue.

Business from the Floor was reopened: Mayor Hatley asked the City Manager to provide a report on the status of Phase 2 "Reopening of Businesses". City Manager Miller stated the original Plan has been submitted to the State by the County Public Health Officer. The County Public Health Officer stated some changes were requested by the State which have been done and the Plan has been resubmitted and we are awaiting a response.

Councilor Snow asked the status of reopening City Hall stating that the City needs to be in the front. City Manager Miller responded stating that Staff is working on it however some precautions need to be put in place first and which she is also working on.

It was asked why ours has been delayed when surrounding jurisdictions were being allowed to open; City Manager Miller clarified that the County's Plan was submitted to the State for approval on Sunday and that the County and City could not move forward without this approval.

City Clerk Linnet verified with Council that they had received the letter from a resident relating to Speed Limit.

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.

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **Waive the reading and approve the Minutes with any necessary corrections of the April 28, 2020 Closed Session and Regular City Council Meeting.**
5. **May 6, 2020 Claim Warrant in the amount of \$248,268.24.**
6. **May 6, 2020 Business License Report.**
7. **April Wages & Salaries: \$362,461.65.**
8. **March and April 2020 Treasurer's Report. (Pulled - Will be presented at a future meeting.)**
9. **April 2020 Building Permit Valuation Report in the amount of \$190,437.**

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

10. April 2020 City of Corning Wastewater Operations Summary Report.

Councilor Valerio moved to approve Consent Items 3-7 and 9-10. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, Demo and Burnett. 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:

11. Public Hearing: Ordinance 688, an Ordinance of the City of Corning amending Section 16.21.030(A) and adding Section 17.10.032 off/and to the Corning Municipal Code, Rezone No. 2020-1.

John Stoufer presented this item stating that the City has been approached by a Developer as well as others regarding the City adopting a small lot designation. He then presented Staff's proposal for the creation of a small lot designation. He stated that this designation will mainly pertain to housing developments. He further explained that this has been discussed, presented and recommended for approval by the Planning Commission.

Mr. Stoufer explained that this would entail adding a section to the City's Municipal Code, the designation would be addressed on a case by case basis, and if approved would require a rezone. He further stated that he discussed the setbacks with the Fire Chief and received his input regarding Code requirements. As a result of this input, the decision was made to change/add language.

On the advice of the City Attorney and by Council consensus, Staff was directed to make the changes stated, re-advertise and bring the revised Ordinance back to Council as a first reading at the next meeting.

The Public Hearing was not opened following Staff presentation. No action was taken.

J. REGULAR AGENDA:

12. Review and adopt Resolution 05-12-2020-01, a Resolution adopting a Risk Management Program for the City of Corning.

Presented by City Manager Kristina Miller who informed Council that this was recommended by the City's Insurance Provider. She stated that the City may have had a Policy, however we were unable to locate it and even had we located it, it would have been outdated and should be updated. She then presented the proposed Policy. She stated that there is a typo, Staff is proposing a five-year review rather than the stated three. She then stated she recommends approval.

Councilor Demo moved, having reviewed the proposed Risk Management Administrative Policy to approve the proposed Policy and adopt Resolution No. 05-12-2020-01, a Resolution adopting a Risk Management Program for the City of Corning. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Demo and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

13. Review and adopt Resolution 05-12-2020-02, a Resolution approving the second amendment to the amended and restated Joint Powers Agreement reconstituting the Tehama County/Red Bluff Landfill Management Agency as the Tehama County Solid Waste Management Agency.

Presented by Tehama County Solid Waste Management Agency Manager Rachel Ross. Mrs. Ross provided the breakdown of requirements and deadlines associated with the various Senate and Assembly Bills (SB 1323 and AB 1826) relating to such things as solid waste, organics, recycling, hazardous waste grant management, and management of closure-post closure and corrective responsibilities of all phases of the Tehama County/Red Bluff Landfill. She stated that her Agency is recommending approval.

Councilor Demo moved to adopt Resolution 05-12-2020-02 approving the second amendment to the amended and restated Joint Powers Agreement reconstituting the Tehama County/Red Bluff Landfill Management Agency as the Tehama County Solid Waste Management Agency. Councilor

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

14. Choose a Park location for the Stationary Fitness Stations and authorize and direct Staff to purchase a Neutron Spinner to replace the removed slide at Northside Park.

Presented by City Manager Kristina Miller who informed Council of the discussion and recommendation of the Recreation Commission following a regular meeting and subsequent special meetings. She stated that the City Engineer had calculated the installation costs for the Recreation Commissions selected location at Northside Park as well as the other presented options. Also included with this Staff Report is the Recreation Commissions equipment recommendation for a replacement for the slide at Northside Park.

Councilor Snow stated he believed it to be more cost effective to place the fitness stations at Corning Community Park. Councilors Valerio, Demo and Burnett agreed. Councilor Burnett stated she would like to see the City purchase the "Spinner" to replace the slide at Northside Park and suggested the slide be removed for safety reasons; City Manager Miller stated it had been removed.

Councilor Snow moved to locate the fitness stations at Corning Community Park/Lennox Fields and to authorize the purchase of the recommended Spinner to replace the removed slide at Northside Park. Councilor Demo seconded the motion. **Ayes: Hatley, Snow, Valerio, Demo and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.** City Manager Miller confirmed the fitness station location at Corning Community Park would be as initially presented.

15. Approve Task Order "A" to Armstrong Consultants, Inc. for professional services for the 2020 Corning Airport Fence Project under Airport Engineering Services Contract 2019-6.

Public Works Consultant Robin Kampmann presented this item and announced a correction, she clarified the Bids need to be reviewed based upon the base bid plus the alternate item. Four bids were received, the lowest responsive bid was provided by Woida Enterprises dba Arrow Fence with a base bid of \$204,538.40 and a bid alternate of \$13,800, for a total of \$218,338.40.

She also stated that the City would not be awarding the bid until the submitted application is approved, the Contractor has been informed of this. She then provided the costs. She stated also if the City wishes to include the decorative black steel entrance fencing that has a wrought iron look, it would not be covered by the grant, the City would be required to fund this cost (\$13,800) from the City's Airport Fund.

Councilor Demo moved to accept the Bids received, award recommendation without alternate decorative item, and authorize the City Manager to sign and submit the revised Grant Application. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Demo and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None

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

Snow: None

Valerio: None, phone line disconnected

Demo: None

Burnett: None

Hatley: None

N. ADJOURNMENT!: 7:53 p.m.

Lisa M. Linnet, City Clerk