



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, NOVEMBER 10, 2020
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: 6:30 p.m.

B. ROLL CALL:

Council:

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

Mayor:

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.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.

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. October 23, 2020 Special City Council Meeting; and**
- b. October 27, 2020 Regular City Council Meeting**

4. November 4, 2020 Claim Warrant in the amount of \$294,334.55.

5. November 4, 2020 Business License Report.

6. October Wages & Salaries: \$374,169.52.

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

7. October 2020 Treasurer's Report.
8. October 2020 Building Permit Valuation Report in the amount of \$364,868.
9. October 2020 City of Corning Wastewater Operations Summary Report.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

10. Ordinance No. 691, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code to Rezone Assessor Parcels No. 073-260-022 and 073-260-023 from R-1-8000 to R-1-4000 Single Family Residential. (Introduction and First Reading)
11. Ordinance No. 692, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code to Rezone Assessor Parcel No. 073-120-018 from R-1-8000 to R-1-4000, Single Family Residential. (Introduction and First Reading)

J. REGULAR AGENDA:

12. Seek approval of an exemption to allow property owner to remove a City Palm Tree at 911 Butte Street.
13. Approve Livestock Grazing Lease Amendment #2 with Norman D. Oilar to extend Lease an additional 5-years beginning January 1, 2021, set annual Lease amount at \$1,338 per year payable each year in advance on the last day of December, and authorize the City Manager to sign the Lease Agreement on behalf of the City.
14. Approve Agreement for School Resource Officer between the City and Corning Union High School District.
15. Approve waiver to allow Holiday Boutique/Craft Sale at 1890 North Street from November 7th through December 20, 2020.
16. Adopt Resolution 11-10-2020-01 authorizing the submittal of applications to the Department of Resources Recycling and Recovery Beverage Container Recycling City/County Payment Program and Related Authorizations.
17. Approve and authorize installation and purchase of fabricated modification from MTECH in the amount of \$35,870 to covert Fire Chief's Ford F-250 into a mini attack truck.

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, NOVEMBER 6, 2020



**CITY OF CORNING
SPECIAL CITY COUNCIL MEETING MINUTES
FRIDAY, OCTOBER 23, 2020
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 3:04 p.m.

B. ROLL CALL:

Council:

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

Mayor:

All members of the City Council were present except Councilor Valerio.

Flag Salute and Invocation.

C. PUBLIC COMMENTS:

City Manager Kristina Miller announced that she has been meeting with Rosie Flores and Cherilyn from DM-Tech regarding alternatives to the Solano Street "Treat Street". She announced the alternative selected for this year is a drive through "Treat Street and Vehicle Decorating Contest" to be held at Clark Park on Friday, October 30th. This event has been approved by the County Health Officer.

She stated she has completed a budget review and the FY 19/20 City Revenues are coming in as anticipated and that she will have more information to be presented at a future meeting. She stated that the City's Sales Tax is looking better than anticipated, as are TOT's (Transient Occupancy Taxes). She stated that the City's finances are doing okay so far.

D. REGULAR AGENDA:

1. Special Meeting to discuss potential expanded location of the Park associated with the Prop. 68 Park Grant Application.

City Manager Kristina Miller presented a projected view of the entire potential park site including the proposed additional Lot. She stated that during the Proposition (Prop.) 68 Park Grant Application on site meeting, it was suggested to include the adjacent property. Councilman Snow stated that the property owners are willing to sell this property as well the original Lots. It was stated that should the City not include this property, a lot line adjustment would need to be done due to existing structures on, or near the property line. It was stated that it is about 15 acres if City were to purchase all three Lots.

Councilor Demo stated he felt that the City should consider the purchase of all three Lots; Mayor Hatley and Councilors Snow and Burnett agreed.

Councilor Demo moved to include all three Lots in the Prop. 68 Grant Application; Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Burnett, and Demo. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**

City Manager Miller announced that the next Prop. 68 Park Grant Meeting will be held via ZOOM, a subsequent meeting on a date yet to be determined will be held to discuss safety.

By consensus of the Council it was determined that should the City be awarded the Grant and purchase the additional Lot, the structure would be demolished.

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING. 3:23 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 27, 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
Douglas Hatley Jr.**

Mayor:

All members of the City Council were present except Councilor Demo.

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 stated her concerns regarding the lack of applicants received to date for the City's Small Business COVID-19 Grant. She informed Council that City Staff has utilized numerous methods to get the word out, they have distributed informational flyers in English and Spanish to each business and posted information on numerous Social Media sites. 3CORE has informed us that to date, only 10 applications have been received. The application period closes at 5 p.m. on October 30th.

Ms. Miller then provided the latest Tehama County numbers related to County COVID-19 cases and stated that currently Tehama County is listed as having highest counts daily per population in the State. She announced that there has been another COVID related death in the County. Please wear your masks, practice social distancing, and if you have gatherings please do so outside, wear masks and social distance. She stated that most of the transmission is occurring from social gatherings, some are now occurring from association with businesses.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

A member of the audience stated that there has been a growing concern about the location of the new proposed Park. He stated that he lives on the corner of Marguerite and McLane and asked what can be done to stop the development of a Park at the proposed location at McLane and Divisadero. He was informed that the site had been selected and approved by the City Council. The City Attorney informed him of what could be done.

Delores May thanked the Fire Department for the Tri-Tip Dinner Drive Thru fundraiser during the Olive Festival.

City Manager Miller announced the "Drive Thru Treat Street" to be held at Clark Park from 3 p.m. to 5 p.m. on Friday, October 30th. She stated due to COVID-19 masks are required, and asked participants to please not mix households within vehicles. She also announced that there will also be a contest for the best decorated vehicle. Candy to be utilized for the Drive Thru Treat Street can be dropped off at City Hall, Staff would be happy to distribute it to participating businesses. If you wish to volunteer to hand out candy at the event, please contact City Hall.

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 October 13, 2020 Regular City Council Meeting.**
- 4. October 21, 2020 Claim Warrant in the amount of \$343,776.02.**

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

5. October 21, 2020 Business License Report.

Councilor Valerio moved to approve Consent Items 2-5; Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/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: None.

J. REGULAR AGENDA:

6. Review and adopt the revised and updated City of Corning Ergonomics Program.

This was presented by City Manager Kristina Miller who stated that this updated Program is requested by Northern California Cities Self Improvement Fund (NCCSIF), the City's Self Insurance Company. She stated that the City has purchased compliant office chairs for those employees needing them, keyboards, etc. to maintain compliance and regularly revisits and reviews the Program and compliance needs.

Councilor Snow moved to approve the updated 2020 City of Corning Ergonomics Program and authorize dissemination of the Program Documents to City Department Heads and Supervisors. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

7. Review and adopt the revised and updated City of Corning Driver Safety & Vehicle Use Policy.

Presented by City Manager Kristina Miller who stated that this is another recommended Program review and update by NCCSIF. Councilor Burnett moved to approve the updated 2020 City of Corning Driver Safety and Vehicle Use Policy and authorize dissemination of the Program Documents to City Department Heads and Supervisors. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

8. Authorize Payment for Invoice 20-206658-1 in the amount of \$32,409 under Task Order "A" to Armstrong Consultants, Inc.

Presented by Public Works Consultant Robin Kampmann. She explained that this is the first invoice from Armstrong Consultants, Inc. She explained that Armstrong Consultants, Inc. is providing various services in relation to the 2020 Corning Airport Fence Project under the Airport Engineering Services Agreement 2019-6. FAA (Federal Aviation Association) guidelines required that Staff contract with an independent consultant to prepare an Independent Fee Analysis (IFE) for the scope of work included in Task Order "A" (TOA). The IFE resulted in an allowable fee of \$141,340. Staff worked with Armstrong Consulting to reduce the original fee estimate of \$93,150 by removing items that were not needed due to project simplicity and need to preform the pre-bid meeting and bid opening via teleconference. The result of the IFE and negotiations with Armstrong resulted in a fee of \$78,990.

This first invoice for \$32,409 is for work preparing the documents for the Bid Process (project development, design, bidding services, construction administration, and construction administration) under Task Order "A". Mrs. Kampmann stated that the estimated funding for this Agreement is \$71,090 Federal Funding; \$3,950 State Funding; and \$63,950 from City.

Councilor Snow moved to authorize payment for invoice 20-206658-1 in the amount of \$32,409 under Task Order "A" to Armstrong Consultants, Inc. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

9. Authorize Staff to seek proposals for City Street Tree Pruning in the Southwest quadrant of the City.

Presented by Public Works Consultant Robin Kampmann who stated that Staff has prepared documents to seek proposals for pruning approximately 307 City Street Trees in the southwest quadrant of the City. This is a budgeted item in the amount of \$38,000. The Bid Contract is for street trees, not alley trees, however if the bids come in low enough those trees may be added.

Councilor Burnett moved to authorize Staff to seek proposals for the City Street Tree Pruning in the southwest quadrant of the City. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

10. First Quarter Budget review and discussion, FY 2020/2021.

City Manager Miller provided a 1st quarter budget review to address some of the effects caused by the COVID-19 pandemic. She stated that expenditures are coming in as anticipated. She then presented status updates on Sales Tax; Transactions and Use Tax (Measure A); Transient Occupancy Tax (TOT's); and the City's Water and Sewer Funds.

Sales Tax:

Sales tax generates a significant part of our General Fund; therefore decreases/increases in sales tax can seriously affect the Budget. Two industry groups (fuel sales & auto sales) typically account for over 65 – 75% of our sales tax revenues. The 2020/2021 fuel sales are projected to account for approximately 31% and 36% of our total sales tax revenue. The 2nd Quarter sales tax is down 25.17% or \$189,472, however due to COVID-19 the State is allowing businesses under certain circumstances a 60-day delay to file and pay their taxes, therefore we anticipate receiving more down the road which is anticipated to reduce the downfall to around \$50,000.

Transactions & Use Tax (Measure A):

Thus far the City has received \$193,425 in Measure A funds for the 2nd Quarter. We will receive an additional \$10,000 as a result of late/missing payments for a total of approximately \$204,000 for the 2nd Quarter of 2020, an \$83,000 decrease from the 2nd Quarter of 2019. Assuming no further major closures as a result of COVID-19, the City can anticipate being on target to receive \$1,045,000 for Fiscal Year (FY) 2020/21 which is on budget, however this amount is \$110,000 less than that received in FY 2018/19.

TOT's (Transient Occupancy Tax):

TOT's is a 10% room tax collected at City Motels for stays of less than 30-days. For FY 2020/21 the City anticipated receiving \$325,000; this is \$275,000 less budgeted in FY 2020/21 due to temporary Camp Fire related increases returning to pre-Fire levels and COVID-19 decreasing travel. TOT receipts for April 1 – June 30, 2020 came in at \$62,172.67. The City is still awaiting payments for Jul 1 -September 30th but project to receive approximately \$120,000. I project the City will actually receive closer to \$400,000 for FY 2020/21 which is \$75,000 more than budgeted, I believe this is in part due to firefighters staying in our hotels during the recent fires. This is still \$150,000 less than that received in FY 2019/20, and more than \$200,000 less than that received in FY 2018/19.

Water & Sewer Funds:

As a result of California Governor's Executive Order N-42-20, the City is currently experiencing an increased amount of bad debt for accounts more than 90 days past due. Typically, the City's 90-day past due amount totals about \$24,000; in September 2020, the City's bad debt was up to \$63,197.

Conclusion:

The City's General Fund Revenues came in about \$100,000 higher than budgeted, there is no specific line item to attribute this to; the various City Departments have been successful in reducing expenditures in small amounts of \$1,000 or less across hundreds of line items. The City's expenditures came in about \$325,500 less than budgeted. City Manager Miller stated that overall, she anticipates the General Fund Balance increasing by about \$500,000 to \$2,425,000. The Measure A fund balance will remain at about \$1,110,000.

Informational Item; no action necessary.

11. Approve cancellation of the December 22, 2020 regularly scheduled City Council Meeting due to the Holidays.

Councilor Snow moved to approve the cancellation of the December 22, 2020 regularly scheduled City Council Meeting due to the Holidays. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

12. Approve Library Commission recommendation for purchase of Library furniture in an amount not to exceed \$15,027.81 from Fund 403 - Ridell Trust.

City Manager Kristina Miller presented this item stating that following the last City Library Commission Meeting, County Librarian Todd Deck created a priority list of Corning Library needs. Mr. Deck concluded that the Corning Library would best be served at this time by purchasing new furniture/fixtures as presented in the Staff Report that can be easily cleaned and sanitized. The items proposed, with the exception of a floor mat and 2 sanitizing stations which the City has purchased, comes to an estimated cost of \$15,027.81 including shipping fees and tax.

Councilor Burnett moved to approve City Library Commission and County Librarian recommendation to authorize the purchase of new Library furniture/fixtures in an amount not to exceed \$15,027.81 utilizing Ridell Trust Funds. Councilor Valerio seconded the motion. **Ayes: Hatley, Snow, Valerio, and Burnett. Absent/Abstain/Opposed: None. Motion was approved by a 4-0 vote with Demo absent.**

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: Attended Candidates Night at Corning Community Park and he thanks the Chamber of Commerce.

Valerio: Reported on his attendance at the Chamber of Commerce Meeting. He stated that the Hometown Christmas Drive Thru Parade has been approved by the County Health Officer and is scheduled for Saturday Dec. 5th at 6:00 – 8:00 p.m. with lineup starting at 5 p.m. He also stated that the Chamber is planning the annual Chamber of Commerce Installation Dinner

Demo: absent

Burnett: Stated that both of her meetings were cancelled.

Hatley: Nothing

N. ADJOURNMENT!: 7:10 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: November 4, 2020

SUBJECT: Cash Disbursement Detail Report for the
Tuesday November 10, 2020 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 10-30-20	\$	54,383.45
B.	Payroll Disbursements	Ending 10-29-20	\$	49,291.02
C.	Cash Disbursements	Ending 11-04-20	\$	116,602.29
D.	Payroll Disbursements	Ending 11-03-20	\$	74,057.79

GRAND TOTAL \$ 294,334.55

REPORT.: Oct 30 20 Friday
 RUN....: Oct 30 20 Time: 12:15
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 10-20 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information----- Description
030146	10/22/20	HEN05	HENDERSON, OLIVIA	60.00 60.00	.00 .00	60.00 60.00	201006 201020	REC INSTRUCTOR-REC REC INSTRUCTOR-REC
			Check Total.....:	120.00	.00	120.00		
030147	10/26/20	ROD10	RODRIGUEZ, JESENIA	315.00	.00	315.00	201026	REC INTSRUCTOR-REC
030149	10/26/20	WEB02	WEBSTER, WAYNE C.	240.00	.00	240.00	201023	REC INSTRUCTOR-REC
030149	10/28/20	ARM02	ARMSTRONG	32409.00	.00	32409.00	202066580	AIRPORT FENCE PROJ-AIRPOR
030150	10/28/20	ATT02	AT&T	1015.87	.00	1015.87	15513321	COMMUNICATIONS-
030151	10/28/20	BAS01	BASIC LABORATORY, INC	92.80 135.80	.00 .00	92.80 135.80	2010830 2010831	ProfServices Water Dept ProfServices Water Dept
			Check Total.....:	228.60	.00	228.60		
030152	10/28/20	BDI00	BDI	232.60	.00	232.60	950151095	MAT & SUPPLIES-MECH MAINT
030153	10/28/20	BIG02	BIG VALLEY SANITATION, IN	125.00	.00	125.00	79408	BLD MAINT-SENIOR CENTER
030154	10/28/20	CHI06	CHICO POWER EQUIPMENT	99.24	.00	99.24	299382	CLEANING CONTRACT-STR
030155	10/28/20	COR08	CORNING LUMBER CO INC	1132.77	.00	1132.77	201025	MAT & SUPPLIES-
030156	10/28/20	DEP12	DEPT OF JUSTICE	148.00	.00	148.00	470937	PROF SVCS-
030157	10/28/20	HOL04	HOLIDAY MARKET #32	19.90	.00	19.90	003203057	MAT & SUPPLIES-WTR
030158	10/28/20	HOM03	HOME DEPOT	167.51 126.96 81.12 199.00 117.45 17.20	.00 .00 .00 .00 .00 .00	167.51 126.96 81.12 199.00 117.45 17.20	191449 2191244 6191396 6200241 7450922 7790905	MAT & SUPPLIES- PARK IMP FUND-PARK SPEC P MAT & SUPPLIES-PARKS PARK IMP FUND-PARK SPEC P BLD MAINT-AIRPORT BLD MAINT-AIRPORT
			Check Total.....:	709.24	.00	709.24		
030159	10/28/20	KN100	KNIFE RIVER CONSTRUCTION	514.97	.00	514.97	239027	A/C CITYWIDE-STR
030160	10/28/20	MUN02	MUNICIPAL CODE CORPORATIO	676.69	.00	676.69	00349883	PROF SVCS-CITY CLERK
030161	10/28/20	NOR03	NCCSIF	5000.00	.00	5000.00	2279	WORKMEN'S COMP-GEN CITY
030162	10/28/20	NOR15	NORTHERN CALIFORNIA GLOVE	355.53	.00	355.53	533218 A	MAT & SUPPLIES-
030163	10/28/20	PGE2B	PG&E	7940.12	.00	7940.12	201026	ELECT-WWTP
030164	10/28/20	RED15	RED TRUCK ROCK YARD, LLC	166.24	.00	166.24	1199	PARK IMP FUND-PARK SPEC P
030165	10/28/20	RON03	RON DUPRATT FORD	395.60 49.35	.00 .00	395.60 49.35	161899 164448	VEH OP/MAINT-POLICE VEH OP/MAINT-POLICE
			Check Total.....:	444.95	.00	444.95		
030166	10/28/20	SCP00	SCP DISTRIBUTORS LLC	944.97	.00	944.97	EN051295	MAT & SUPPLIES-WTR
030167	10/28/20	TAN00	T AND S DVBE, INC.	285.31	.00	285.31	20-2695	SIGN REPLACEMENT-STR
030168	10/28/20	USA01	USA BLUE BOOK	69.87	.00	69.87	394191	MAT & SUPPLIES-WTR
030169	10/30/20	\H075	JASON HUBBARD	37.76	.00	37.76	000C01001	MQ CUSTOMER REFUND FOR HU
030170	10/30/20	\I006	LILIA IBARRA	30.20	.00	30.20	000C01001	MQ CUSTOMER REFUND FOR IB
030171	10/30/20	\M143	JOHN MAKI	996.01	.00	996.01	000C01001	MQ CUSTOMER REFUND FOR MA
030172	10/30/20	\Y006	JUSTIN YORK	125.61	.00	125.61	000C01001	MQ CUSTOMER REFUND FOR YO
			Cash Account Total.....:	54383.45	.00	54383.45		
			Total Disbursements.....:	54383.45	.00	54383.45		
			Cash Account Total.....:	.00	.00	.00		

REPORT.: Oct 30 20 Friday
 RUN...: Oct 30 20 Time: 12:15
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 10-20 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
12192	10/29/20	AFL01	AMERICAN FAMILY LIFE	1077.38 142.16	.00 .00	1077.38 142.16	C01031 AFLAC INS.PRE TAX 1C01031 AFLAC INS.AFTER TAX
			Check Total.....:	1219.54	.00	1219.54	
12193	10/29/20	BLU02	BLUE SHIELD OF CALIFORNIA	16092.28	.00	16092.28	C01031 MEDICAL INSURANCE
12194	10/29/20	OEU01	OPERATING ENGINEERS #3	26362.00	.00	26362.00	C01031 MEDICAL INSURANCE
12195	10/29/20	OEU02	OPERATING ENG. (DUES)	325.00 780.00 549.00 826.00	.00 .00 .00 .00	325.00 780.00 549.00 826.00	C01031 UNION DUES MGMNT 1C01031 UNION DUES POLICE 2C01031 UNION DUES DISPATCH 3C01031 UNION DUES-MISC
			Check Total.....:	2480.00	.00	2480.00	
12196	10/29/20	PRI04	PRINCIPAL PLIC-SBD GRAND	2035.93 288.57 812.70	.00 .00 .00	2035.93 288.57 812.70	C01031 DENTAL INSURANCE 1C01031 VISION INSURANCE 2C01031 LIFE INSURANCE
			Check Total.....:	3137.20	.00	3137.20	
			Cash Account Total.....:	49291.02	.00	49291.02	
			Total Disbursements.....:	49291.02	.00	49291.02	
			=====	=====	=====	=====	

REPORT.: Nov 04 20 Wednesday
 RUN....: Nov 04 20 Time: 13:42
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 11-20 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
030173	11/02/20	COR07	CORBIN WILLITS SYSTEMS, I	759.00	.00	759.00	000C011011	EQUIP MAINT-FINANCE
030174	11/02/20	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000C011011	CngChamberComm. Economic
030175	11/02/20	DEM02	DEMO, DAVID LEWIS	104.70	.00	104.70	000C011011	PROF SVCS-FIRE DEPT
030176	11/02/20	MOO07	MOORE & BOGENER, INC.	5525.00	.00	5525.00	000C011031	CONSULTING SVCS-LGL SVCS
030177	11/02/20	OCH01	OCHOA CLEANING	4905.73	.00	4905.73	000C011011	JANITORIAL SERVICES-
030178	11/02/20	PAT05	PATTERSON PROPERTIES	500.00	.00	500.00	000C011021	MAT & SUPPLIES-REC
030179	11/02/20	PIT01	PITNEY BOWES	183.80	.00	183.80	000C011011	Rents/Leases Finance Dept
030180	11/02/20	SCH16	SCHLERETH, DAYMON WAYNE	54.70	.00	54.70	000C011011	PROF SVCS-FIRE DEPT
030181	11/02/20	AIR00	AIRGAS USA, LLC	60.76	.00	60.76	997516306	MAT & SUPPLIES-FIRE
030182	11/02/20	BAS01	BASIC LABORATORY, INC	46.40	.00	46.40	2011030	ProfServices Water Dept
				135.80	.00	135.80	2011031	ProfServices Water Dept
			Check Total.....	182.20	.00	182.20		
030183	11/02/20	CAM02	FERGUSON ENTERPRISES INC.	753.18	.00	753.18	1584171	MAT & SUPPLIES-WTR
030184	11/02/20	COR11	CORNING SAFE & LOCK	9.70	.00	9.70	0767	MAT & SUPPLIES-POLICE
030185	11/02/20	DEP03	DEPT OF TRANS/CAL TRANS	372.70	.00	372.70	SL210087	Equip.Maint. St&Trf Light
030186	11/02/20	EDD02	EMPLOYMENT DEVELOPMENT DE	3136.50	.00	3136.50	L03009899	UNEMPLOYMENT INS-GEN CITY
030187	11/02/20	HOP00	HOPKINS, MARISSA ANN	360.00	.00	360.00	201022	REC INSTRUCTOR-REC
				120.00	.00	120.00	201029	REC INSTRUCTOR-REC
			Check Total.....	480.00	.00	480.00		
030188	11/02/20	MAH02	MAHUTGA, DANIEL	205.00	.00	205.00	201021	REC INSTRUCTOR-REC
				105.00	.00	105.00	201028	REC INSTRUCTOR-REC
			Check Total.....	310.00	.00	310.00		
030189	11/02/20	MCB00	MCBRAYER'S HOME TOWN CAFE	575.00	.00	575.00	201030	BLD MAINT-TRANS FAC
030190	11/02/20	MCC07	MCCOY'S HARDWARE & SUPPLY	1001.07	.00	1001.07	201027	MAT & SUPPLIES-
030191	11/02/20	PGE04	PG&E	211.54	.00	211.54	201016A	TranspFacility-
030192	11/02/20	PGE08	PG&E	78.01	.00	78.01	201029	MAT & SUPPLIES-REC
030193	11/02/20	PGE2A	PG&E	79.37	.00	79.37	201026	ELECT-CORNING COMMUNITY P
				193.13	.00	193.13	201028	ELECT-MCDONALD, CASSANDRA,
				125.79	.00	125.79	201029	ELECT-CLELAND PROP
				58.82	.00	58.82	201028A	ELECT-MARTINI PLAZA
			Check Total.....	457.11	.00	457.11		
030194	11/02/20	QUI02	QUILL CORPORATION	254.49	.00	254.49	11511888	OFFICE SUPPLIES-
030195	11/02/20	RIV04	RIVER CITIES COUNSELING,	30487.99	.00	30487.99	742	COUNSELOR-PROP 47 CYCLE 2
030196	11/02/20	S&L00	S & L BREWER ENTERPRISES	250.00	.00	250.00	20CORN10	K9 PROGRAM-POLICE
030197	11/03/20	COR56	CORNING UNION ELEMENTARY	4220.00	.00	4220.00	201103	PROF SVCS-BLD & SAFETY
030198	11/03/20	CR101	CRITICAL REACH	200.00	.00	200.00	20-118	EQUIP MAINT-DISPATCH
030199	11/03/20	CRO05	CROSS PETROLEUM	269.16	.00	269.16	CL02084	VEH OP/MAINT-FIRE
030200	11/03/20	IMA01	IMAGE SALES, INC.	34.75	.00	34.75	0069149IN	MAT & SUPPLIES-POLICE
030201	11/03/20	MEY00	MEYER'S POLICE K-9 TRAINI	400.00	.00	400.00	1142	K9 PROGRAM-POLICE
030202	11/03/20	NAP01	NAPA AUTO PARTS	519.44	.00	519.44	201025	MAT & SUPPLIES-
030203	11/03/20	SCH01	LES SCHWAB TIRE CENTER	334.16	.00	334.16	611003742	VEH OP/MAINT-POLICE
030204	11/03/20	ROD10	RODRIGUEZ, JESENIA	75.00	.00	75.00	201103	REC INSTRUCTOR-REC
030205	11/03/20	BUR08	BURNETT, KAREN S.	90.00	.00	90.00	201103	REC INSTRUCTOR-REC
030206	11/04/20	ATT15	AT&T MOBILITY	698.98	.00	698.98	201019	COMMUNICATIONS-
030207	11/04/20	CAM02	FERGUSON ENTERPRISES INC.	67.23	.00	67.23	1584203	MAT & SUPPLIES-WTR
030208	11/04/20	DM001	DM-TECH	119.90	.00	119.90	202011011	COMMUNICATIONS-GEN CITY
030209	11/04/20	EMP03	EMPOWER TEHAMA	9001.27	.00	9001.27	083120	EMPOWER TEHAMA-PROP 47 (2
				5680.28	.00	5680.28	05312020	COUNSELOR-PROP 47 CYCLE 2
				12940.18	.00	12940.18	06302020	COUNSELOR-PROP 47 CYCLE 2
				16594.25	.00	16594.25	07312020	EMPOWER TEHAMA-PROP 47(2)
				7633.18	.00	7633.18	09302020	EMPOWEWR TEHAMA-PROP 47 (
			Check Total.....	51849.16	.00	51849.16		
030210	11/04/20	GRA01	GRANDFLOW, INC	319.42	.00	319.42	152549	OFFICE SUPPLIES-FINANCE

REPORT.: Nov 04 20 Wednesday
RUN....: Nov 04 20 Time: 13:42
Run By.: LORI SIMS

CITY OF CORNING
Cash Disbursement Detail Report
Check Listing for 11-20 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
030211	11/04/20	INL01	INLAND BUSINESS SYSTEMS	166.41	.00	166.41	IN1672648 COMMUNICATIONS-
030212	11/04/20	INT01	INTERLAND BUSINESS SUPPLY	94.80	.00	94.80	1009 OFFICE SUPPLIES-FINANCE
030213	11/04/20	LNC01	LN CURTIS & SONS	7.27	.00	7.27	INV437787 SMALL TOOLS-FIRE
030214	11/04/20	PGE01	PG&E	1161.52 336.36	.00 .00	1161.52 336.36	201102 ELECT- 201102A ELECT-
			Check Total.....:	1497.88	.00	1497.88	
030215	11/04/20	PGE04	PG&E	184.57	.00	184.57	201102 TranspFacility-
030216	11/04/20	PGE05	PG&E	730.67	.00	730.67	201102 FIRE-ELECT & GAS
030217	11/04/20	QUI02	QUILL CORPORATION	162.63 77.55 103.41 182.02	.00 .00 .00 .00	162.63 77.55 103.41 182.02	11511450 OFFICE SUPPLIES- 11767676 OFFICE SUPPLIES- 11800203 OFFICE SUPPLIES- 11801520 OFFICE SUPPLIES-
			Check Total.....:	525.61	.00	525.61	
030218	11/04/20	SEI01	SEILER, ROY R., CPA	1929.60	.00	1929.60	29961 PROF SVCS-FINANCE
030219	11/04/20	TRI02	TRI-COUNTY NEWSPAPERS	135.10	.00	135.10	00261254 Print/Advert. City Clerk
030220	11/04/20	WAL11	WALBERG INC.	480.00	.00	480.00	5949 EQUIP MAINT-SWR
			Cash Account Total.....:	116602.29	.00	116602.29	
			Total Disbursements.....:	116602.29	.00	116602.29	
				=====	=====	=====	
			Cash Account Total.....:	.00	.00	.00	

REPORT.: Nov 04 20 Wednesday
 RUN....: Nov 04 20 Time: 13:42
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 11-20 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
12200	11/03/20	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	C01103 POLICE OFFICER ASSOC
12201	11/03/20	BAN06	BANNER BANK	845.22	.00	845.22	C01103 HSA DEDUCTIBLE
12202	11/03/20	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	C01103 WITHHOLDING ORDER
12203	11/03/20	EDD01	EMPLOYMENT DEVELOPMENT	4323.09 1248.53	.00 .00	4323.09 1248.53	C01103 STATE INCOME TAX 1C01103 SDI
Check Total.....:				5571.62	.00	5571.62	
12204	11/03/20	FED00	FEDERAL PAYROLL TAXES (EF	12501.11 15640.38 3657.86	.00 .00 .00	12501.11 15640.38 3657.86	C01103 FEDERAL INCOME TAX 1C01103 FICA 2C01103 MEDICARE
Check Total.....:				31799.35	.00	31799.35	
12205	11/03/20	HEA05	HEALTHIEST YOU	9.00	.00	9.00	C01103 HEALTHIEST YOU
12206	11/03/20	ICM01	ICMA RETIREMENT TRUST-457	4175.05 185.00	.00 .00	4175.05 185.00	C01103 ICMA DEF. COMP 1C01103 ICMA DEF. COMP ER PD
Check Total.....:				4360.05	.00	4360.05	
12207	11/03/20	PERS1	PUBLIC EMPLOYEES RETIRE	23735.90	.00	23735.90	C01103 PERS PAYROLL REMITTANCE
12208	11/03/20	PERS4	Cal Pers 457 Def. Comp	3322.04 520.00	.00 .00	3322.04 520.00	C01103 PERS DEF. COMP. 1C01103 PERS DEF. COMP. ER P
Check Total.....:				3842.04	.00	3842.04	
12209	11/03/20	TEH16	TEHAMA COUNTY SHERIFF'S O	110.89	.00	110.89	C01103 WageOrder F#20000149
12210	11/03/20	VAL06	VALIC	3087.76 232.50	.00 .00	3087.76 232.50	C01103 AIG VALIC P TAX 1C01103 AIG VALIC P TAX ER P
Check Total.....:				3320.26	.00	3320.26	
Cash Account Total.....:				74057.79	.00	74057.79	
Total Disbursements.....:				74057.79	.00	74057.79	

Date.: Nov 4, 2020
Time.: 2:00 pm
Run by: LORI SIMS

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMBM

Business Name	Address	CITY/STATE/ZIP	Business Desc	Bus Start Date
ABSOLUTE BEST PLUMBI	2163 FAIR ST	CHICO, CA 95928	PLUMBING SERVICE AND REPAIR	10/22/20
BILL'S MOBILE SERVIC	1730 BLUE HERON CT	CORNING, CA 96021	MOBILE MECHANIC FOR FARM SITES (TRACTORS	10/30/20
C.REEDS MOBILE WELDI	382 LA MESA CT	CORNING, CA 96021	MOBILE WELDING SERVICE AND REPAIR	10/30/20
OHM SOLAR SOLUTIONS	629 ENTILER AVE BLD7 STE74	CHICO, CA 95928	INSTALLING SOLAR PV AND BATTERY EQUIPMEN	10/30/20
YAYA'S TACO SHOP	615 FOURTH ST	CORNING, CA 96021	TACO SHOP	10/22/20

CITY OF CORNING
TREASURER'S REPORT
OCTOBER 2020

<u>AGENCY</u>		<u>BALANCE</u>	<u>RATE</u>
Local Agency Investment Fund	\$	8,047,892.66	0.84%

Respectfully submitted:

Laura L. Calkins
City Treasurer

Monthly Permit Report

11/4/2020

Total Records: 28

10/01/2020 - 10/31/2020

Permit No.	Permit Date	PROJECT ADDRESS	Owner Name	Permit Type	Project Description	Project Cost
20239	10/28/2020	2187 North Street	WESTON, JASON	Electrical	New 100A Solar Ready MPU	\$2,500
20238	10/27/2020	1208 Chicago Avenue	BLACK, JUNE D ETAL	Building	Installation of 8' x 32' wood deck cover attached to house. Repair Carport	\$700
20237	10/27/2020	1450 Meadowbrook	VENTURA, ELIZABETH	HVAC	Wall furnace replacement	\$1,000
20236	10/27/2020	585 Marguerite Avenue	CULBERTSON, JAMES J ETAL TRS CULBERTSON FAMILY TR	Building	Replace front exterior boards damaged by sprinkler	\$600
20235	10/27/2020	2187 North	WESTON, JASON	Electrical	New 200A MSP with 200A main breaker on end feed	\$2,500
20234	10/26/2020	2083 Blossom Avenue	JOHNSON, DEBBIE L	Solar	Roof Mount Solar - 6.38 KW / 22 Panels	\$22,968
20233	10/23/2020	1208 Chicago Ave.	BLACK, JUNE D ETAL	Roof	Tear off & reroof w/comp. shingles & replace some of the plywood - owner already completed job	\$5,500
20232	10/23/2020	Cancelled	Leon Maria De Los Angeles	Electrical	relocating main electrical panel and home rewire	\$0
20231	10/22/2020	417 Chestnut St	MARTIN, LINDA S	Mechanical	Remove & Replace existing wood stove insert with EPA Cert insert	\$5,469
20230	10/21/2020	1224 Butte st	SMITH, IRENE	Roof	remove comp shingles and replace w/new comp shingles	\$11,130
20229	10/20/2020	703 Chestnut Street	MARTINEZ, GUILLERMO LOPEZ ETAL	Fence	Install 6' wood fence on sideyard, 4' from front of house to front property line	\$500
20228	10/19/2020	Outside City Limits	POGUE, THAIS ETAL	Solar	PV(26) Modules At 320 Watts 8.320 Kw-DC / 7.447 Kw-AC (26)Optimizers Ground Mounted (1)SE7600H Inverter No Panel Upgrade	\$0
20227	10/16/2020	1609 Tehama St.	Ambadekar Anurag ETAL	Solar	Roof Mount PV System 10.230KW 31 Modules	\$69,159

Permit No.	Permit Date	Project Address	Owner Name	Permit Type	Project Description	Project Cost
20226	10/14/2020	1504 4th	Reza Noemy	Solar	Roof Mount PV System 4.650KW 15 Modules	\$15,224
20225	10/13/2020	272 Rio Bravo Ct.	Donald E. Perry Trust 10/3/08	Electrical	5.232 kw Roof Mounted Grid Tied Solar System Installation	\$22,236
20224	10/13/2020	433 North Street	BARBO FAMILY TRUST 11/8/17, BARBO, LEONARD F ETAL	Electrical	Remove (E) 100amp Main Panel. Install (N) 100amp Main Panel.	\$1,500
20223	10/13/2020	1974 Elizabeth	NEREY, PABLO ETAL	Solar	Installation of roof mounted solar PV system 2.56 Kw	\$5,632
20222	10/13/2020	811 Hoag	O'QUINN, JOHN R	Building	Tuff Shed accessory building 10x20	\$7,466
20221	10/9/2020	Outside City Limits	PALOS, JOSE LUIS	HVAC	HVAC Changeout: 2.5 Ton, 14 SEER, Split, A/C	\$0
20220	10/9/2020	272 Rio Bravo Ct.	PERRIN, LURLINE A TRUSTEE PERRIN L/TRUST 11/14/06	Roof	Tear Off, Re-Roof	\$6,400
20219	10/8/2020	Outside City Limits	GORDON, JACK TRUSTEE GORDON FAMILY TRUST 6/26/91	Roof	Remove comp shingles on home,carport &garage. Install new comp shingles	\$0
20218	10/8/2020	1503 Yolo	Leon, Karen M. Rubalcava	Building	14x14 storage shed	\$3,500
20217	10/8/2020	1913 Taft	THUEMLER, JAMES KEITH & THUEMLER, DANA L	Plumbing	Repair sewer line	\$75
20216	10/6/2020	450 Clear Creek Street Corning CA 96021	Raema Jimenez Fernando Jimenez Valdovinos	Building	Awning on outdoor Area	\$2,000
20215	10/5/2020	407 Houghton Ave Corning CA 96021	TURNER, JONATHAN M	Roof	Roofing: Garage/Shed and Carport; Electrical, Wiring	\$3,500
20214	10/2/2020	1745 Toomes Avenue	O'CONNOR, ANGELA M	Roof	Tear off and reroof with comp. shingles	\$31,500
20213	10/2/2020	1745 Toomes Ave.	Wolf John K. ETAL	Solar	Roof Mount PV System 25.730KW 83 Modules	\$112,208
20212	10/1/2020	822 Fairview Avenue	PRECIADO, OSCAR	Solar	Roof Mount Solar - 9.30 KW / 30 Panels	\$31,601
TOTAL:						\$364,868



**CITY OF CORNING
WASTEWATER OPERATION SUMMARY REPORT
OCTOBER 2020**

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

- 1) Completed monthly reports.
- 2) Attended biweekly Covid-19 awareness meeting.
- 3) Changed flow disk.
- 4) Completed concrete repairs to North clarifier
- 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) Calibrated SO3 analyzer
- 10) Collected and delivered quarterly bioassay samples.
- 11) Cleaned SO2 pump
- 12) Exercised lift station stand –by pump

- 13) Exercised emergency generator.
- 14) Submitted monthly ESMR and DMR
- 16) Completed monthly test on chemical leak detectors.
- 17) Completed monthly receiving water sampling and lab test
- 18) Completed monthly facility inspection.
- 19) Collected samples from truck wash facilities, analyzed for EC levels as required by salinity study.
- 20) Collected samples for annual chronic toxicity test.
- 21) Submitted annual biosolids report to EPA
- 22) Removed EQ basin pumps and delivered to Feather River Electric for repair and service.
- 23) Submitted 2021 ELAP renewal application.
- 24) Inframark staff cleaned trouble spots and sections 4 & 8 of sewer collection system.
- 25) Collected and delivered annual Standard Minerals sample from City Wells.

October, 2020

Domestic Treated Flow Monthly Average = 679,935GPD

**ITEM NO: I-10
ORDINANCE 691, AN ORDINANCE TO AMEND
TITLE 17 ZONING OF THE CITY OF CORNING
MUNICIPAL CODE, INCORPORATING REZONE
2020-03 FOR ASSESSOR PARCEL NO'S. 073-
260-022 & 023. (First Reading)**

November 10, 2020

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
CHRISSY MEEDS, PLANNER 1**

PROJECT DESCRIPTION & LOCATION:

Rezone 2020-3, Tract Map 20-1001: Jason & Anna Abel (Magnolia Meadows) propose to rezone approximately 9.95 acres from a PD, Planned Development to a R-1-4000, Single Family Residential, 4,000 sq. ft. minimum lot size and subdivide the parcel into 53 parcels. Located on the west side of Marguerite Avenue just north of the Moon Road/Marguerite Avenue intersection and south of Maywood School. APN: 073-260-022 & 023

The R-1-4000, Small Lot Designation was reviewed by the Planning Commission on April 21, 2020. On June 23, 2020, the City Council approved Ordinance 688 allowing reduced lot sizes to 4,000 sq. ft. on interior lots and 4,500 sq. ft. on corners.

GENERAL PLAN LAND USE DESIGNATION:

Multi-Family Residential.

ZONING DESIGNATION:

PD, Planned Development (existing) R-1-4000 (proposed).

Planning Commission Recommendation:

On June 16, 2020, the Corning Planning Commission recommended to the Corning City Council to approve the Rezone 2020-2 on a 3 – 0 vote. On the same date the Planning Commission reviewed the Magnolia Meadows Tentative Subdivision Map that showed 61 Single Family Residential (SFR) lots and recommended on a 3.- 0 vote the City Council approve the Tentative Subdivision Map. There has been a modification to the map since that date. The modification is a reduction in lots from 61 to 53 SFR lots to allow for slightly larger lot sizes, but still fall within the small lot subdivision guidelines. The changes proposed do not warrant further Planning Commission review.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

Mitigated Negative Declaration, A mitigated negative declaration means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

In 2004 when a Tentative Tract Map for the Green Garden Subdivision was being considered for approval, Staff completed a CEQA Initial Study that identified certain potentially significant effects that could be attributable to the development of this project. Staff determined that those effects could be substantially lessened by the imposition of mitigation measures and conditions. Prior to approving the Green Garden Subdivision, the City Council adopted the Mitigated Negative Declaration and a Notice of Determination filed for the project.

CEQA Section 15162 Subsequent EIR's and Negative Declarations reads as follows:

- (a) When an EIR has been certified, or a Negative Declaration adopted for a Project, no subsequent EIR shall be prepared for that Project unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
- (1) Substantial changes are proposed in the Project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation Measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Green Garden Subdivision proposed to create a 61parcel Subdivision in a Planned Development Zoning District at the same location of Tentative Tract Map 20-1001. The Development proposed 13 conventional Single-family residential parcels, and 48 forty (40) foot-wide parcels where two dwelling units would share a common wall at a property line. The project also had a common paved parking lot in the southwest corner of the project site.

Tentative Tract Map 20-1001 proposes to create the same number of parcels as the previously approved Green Garden Subdivision. The City adopt a Mitigated Negative Declaration for the Green Garden Subdivision and a Notice of Determination was filed with the Tehama County Clerk & Recorder. There is no evidence in the record of what would be considered substantial changes to the project that would require additional environmental analysis.

DISCUSSION:

Pursuant to Section 16.09.010 (E) of the Corning Municipal Code (CMC), "the Planning Commission of the City shall act as the advisory agency to the City Council. It is charged with making investigations and reports on the design and improvements of proposed divisions of land. The Planning Commission shall make investigations and conduct hearings regarding the approval of Tentative Maps and make its written report on the Tentative Map directly to the City Council." Final approval, including establishing design standards for public improvements of a Tentative Subdivision Map is the responsibility of the City Council pursuant to Section 16.09.010 (F) of the CMC. The City Council approved the associated Rezone 2020-3 and Tentative Tract Map 20-1001 subject to the 45 Conditions of Approval (attached) and accepted the 8 Factual Subfindings and Legal Findings (also attached) as presented on July 28, 2020.

CONSISTENCY WITH GENERAL PLAN & ZONING:

The Site is designated MFR, Multi-Family Residential on the General Plan Land Use Map. Current zoning is PD, Planned Development, proposed zoning is R-1-4,000. In the General Plan, maximum densities in a Multi-Family Residential Land Use designation are 28 units per acre, neither the existing zoning, and previous project or proposed zoning exceed the maximum density, so the Projects are consistent with the General Plan and Residential Use is consistent with the current and proposed zoning.

Staff recommended the following Factual Subfindings & Legal Findings for consideration by the Commission, pursuant to the California Environmental Quality Act (CEQA), and Section 66474 (A thru G) of the California Government Code.

Factual Subfinding #1:

An initial study analyzing the environmental impacts associated with Green Garden Subdivision was prepared, a Mitigated Negative Declaration filed, circulated through the CEQA process, and adopted by the Corning City Council. A Notice of Determination was filed with the Tehama County Clerk & Recorder.

Legal Finding #1:

For Rezone 2020-3 and Tentative Tract Map 20-1001, the City of Corning Planning Commission is acting as an advisory body to the Corning City Council. The Planning Commission finds that the Initial Study filed for the Green Garden Subdivision analyzed the environmental impacts associated with the project and that identified impacts have been mitigated to a Less than Significant Level. Tract Map 20-1001 is proposes to create the same number of residential parcels and there is no substantial evidence in the light of the whole record of any changes in the project that would require additional environmental analysis, therefore Rezone 2020-3 and Tentative Tract Map 20-1001 is exempt from CEQA pursuant to Section 15162.

Factual Sub finding #2:

Rezone 2020-3 and Tentative Tract Map 20-1001 propose to rezone from PD, Planned Development to R-1-4,000 and subdivide the approximately 9.95 acres of land into 53 single family residential parcels. This would create a residential density of approximately 6.1 parcels per acre.

Legal Finding #2:

Rezoning to single family residential and subdividing the approximately 9.95 acres, as proposed by Tentative Tract Map 20-1001, into 53 single family residential parcels does not exceed the maximum densities of 28 parcels per acre as depicted in the Land Use Element of the General Plan, therefore both projects are consistent with the General Plan.

Factual Sub finding #3

Tentative Tract Map 20-1001 is subject to Mitigation Measures from previous environmental analysis of this site, and Conditions of Approval that direct the design and improvements of the Project to meet the requirements of adopted Mitigation Measures and applicable Municipal Codes adopted by the City of Corning.

Legal Finding #3:

That the design and improvements associated with the creation of 53 single-family residential parcels are consistent with the Land Use Element of the 2014-2034 Corning General Plan.

Factual Sub finding #4:

The site and location of Tentative Tract Map 20-1001 is in an area that is relatively flat and where the construction of roads and building pads will not present any physical difficulties for Development.

Legal Finding #4:

The site of Tentative Tract Map 20-1001 is located adjacent to Marguerite Ave. and has terrain that is physically suitable for the establishment of residential development.

Factual Sub finding #5:

The Developer will be required to extend City Water and Sewer to serve the parcels. Additionally, the Developer will be required to upgrade the existing roads, including constructing new roads to serve the parcels.

Legal Finding #5:

The City of Corning Municipal Water and Sewer Service has sufficient capacity to serve the proposed residential development along the west side of Marguerite Ave. Road improvements to Marguerite Ave. and the construction of interior roads to serve the parcels will provide adequate upgrades to the existing transportation system for additional traffic generated by the project.

Factual Sub finding #6:

Previous environmental analysis of the site concluded that with adopted Mitigation Measures, that have also been incorporated into the Conditions of Approval for Tentative Tract Map 20-1001, that any impacts to Biological Resources, including Fish and Wildlife, have been reduced to a Less than Significant Impact.

Legal Finding #6:

That the design of Tentative Tract Map 20-1001, or the proposed improvements associated with the development of 53 residential parcels, are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

Factual Sub finding #7:

Tentative Tract Map 20-1001 proposes to create 53 single family residential parcels in an area of the City designated for residential development and which has accessibility to City Water and Sewer.

Legal Finding #7:

The requirement to improve existing roads and construct new roads as well as provide City Water and Sewer to the parcels will not cause any serious public health problems to the existing and future residences of the City.

Factual Sub finding #8:

Access to the site and residential parcels will be by Marguerite Ave. and interior roads constructed by the Developer. Public Easements for access to the parcels will be created by recordation of a Final Map.

Legal Finding #8:

That the design of Tentative Tract Map 20-1001, or type of improvements associated with the residential development of the parcels, will not conflict with Easements acquired by the public at large, for access through or use of, property within the Subdivision.

RECOMMENDATION:

MAKE A MOTION TO ACCEPT FOR FIRST READING ORDINANCE 691, AN ORDINANCE TO AMEND TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE, INCORPORATING REZONE 2020-03 FOR ASSESSOR PARCEL NO'S. 073-260-022 & 023 FOR FIRST READING.

ATTACHMENTS:

- EXHIBIT "A" RECOMMENDED CONDITIONS OF APPROVAL
- EXHIBIT "B" ORDINANCE 691
- EXHIBIT "C" REZONE NO. 2020-3; SECTIONAL DISTRICT MAP NO. 300
- EXHIBIT "D" SUMMARY ORDINANCE 691

EXHIBIT "A"
RECOMMENDED CONDITIONS OF APPROVAL

1. **Subdivision Standards.** Development of Subdivision Map shall be in conformance with the approved Tentative Map and Subdivision Ordinance of the City of Corning, Title 16 of the Corning Municipal Code. Additionally, development must comply with all Federal, State and Local regulations especially the City of Corning Fire and Building Departments.
2. **UNDERGROUND UTILITIES.** All new utilities, including electricity, telephone, gas, and cable television shall be provided to each lot and undergrounded.
3. **FENCING.** Solid 6'-0" tall fencing shall be installed around and between parcels prior to issuance of a Certificate of Occupancy for any residence constructed within the Subdivision.
4. **PARCEL LANDSCAPING.** Front and street-side yards, including that portion of the street right-of-way located behind the sidewalk, shall be landscaped prior to issuance of a Certificate of Occupancy. Landscaping may include any combination of grass, groundcover, shrubs and/or trees and is subject to Planning Department approval. Not fewer than two trees (minimum sizes of 15-gallon) shall be planted within each front yard. Each front and street side yard shall be provided with a permanent method of irrigation for this landscaping. All landscaping and irrigation must comply with the Water Efficient Landscape Regulations as detailed in Section 15.08.055 of the Corning Municipal Code.
5. **RESIDENTIAL FAÇADE STANDARDS.** The City of Corning has an Ordinance/ Policy (CMC 16.21.135) prohibiting the construction of identical homes within sight of each other. The Developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to comply with this Standard. (MM. 1.5).
6. **ROOF-MOUNTED HVAC EQUIPMENT PROHIBITION.** No Heating, Ventilation, or Air Conditioning equipment shall be installed on the roof of any structure.
7. **CULTURAL RESOURCES.** Should cultural resources be unearthed during excavation, all work in the immediate vicinity shall cease and the City of Corning shall be notified. Upon notice, the City or its Consultant shall inspect the site to determine what steps, if any, are necessary to address and mitigate the discovery.
8. **STORMWATER POLLUTION PREVENTION PLAN.** Prior to any site disturbance or earthmoving activities on, or adjacent to the project site, Applicant shall obtain a Construction Stormwater Permit from the Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the Central Valley Regional Water Quality Control Board. A WDID # must be assigned and provided to the City of Corning.
9. **COMPACTION TESTS:** Prior to issuing any Building Permit for filled lots, the Developer shall provide: 1) A report confirming that the fill has been sufficiently compacted in accordance with the Uniform Building Code or, 2) Engineered Foundation Plans with a statement that the foundation design complies with building code requirement based on soil conditions on the site.
10. **TOPSOIL.** Topsoil shall be stockpiled and redistributed over graded surfaces.
11. **FUGITIVE DUST.** Prior to commencing grading, the Applicant shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution District.
12. **SPRINKLE EXPOSED SOILS.** During construction, unprotected soils shall be sprinkled to minimize wind erosion.
13. **COVER EXPOSED SOILS.** Areas denuded by construction activities and not scheduled for development for an indefinite period shall be seeded or covered by impervious materials to minimize water and wind erosion.

14. **IMPROVMENT PLANS.** Complete Improvement Plans and supporting calculations shall be submitted for approval by the City Engineer.
15. **FINISHED SURFACES.** Upon completion of Development, no substantial area shall remain where soils are completely uncovered.
16. **DRAINAGE ANALYSIS.** A registered Civil Engineer or Certified Hydrologist shall prepare a Drainage Analysis to determine the increased runoff resulting from the project and, if necessary, recommend improvements to public storm drainage facilities in accordance with City Standards.
17. **RAINFALL INTENSITY/DURATION CHART.** Engineer or Hydrologist shall utilize the Rainfall and Intensity Design Chart shown as Public Works Standard S-22 for design purposes.
18. **STORMWATER RETENTION.** Project applicant shall provide for on-site retention of the net increase in run-off resulting from the Development during a 25-year storm for a duration of 4 hours. If onsite retention is proposed, the retention facilities shall be sized to contain the run-off resulting from a 100-year storm event.
19. **STORMWATER FACILITIES.** Stormwater retention and conveyance facilities shall be constructed in accordance with Public Works Standards.
20. **LAND USE BARRIER.** The applicant will be required to construct a durable Land Use Barrier (6'-0" high masonry wall or equivalent) along the Maywood Intermediate School boundary that will mitigate noise and land use impacts caused by and/or affecting the proposed Development.
21. **CONSTRUCTION HOURS.** Construction work shall occur only between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. to 6:00 p.m. on weekends and federally observed holidays.
22. **WATER & SEWER LINES.** Install water and sewer pipes per public Works Standard S-11.
23. **WATER SERVICE.** Developer shall install water services and meters for each lot in accordance with Public Works Standard S-20.
24. **LOOPED WATER SYSTEM.** The Developer shall provide a "looped water system" connecting to existing City water facilities at the two street intersection locations with Marguerite Avenue.
25. **SEWER SERVICE.** Developer shall install sewer services for each lot in accordance with Public Works Standard S-21.
26. **STREET NAMES.** Final street names are subject to approval of City Staff and shall appear on the final map.
27. **STREET LIGHTING.** The applicant shall provide street lighting that meets the City Standards.
28. **SEWER TRUNK LINE EXTENSION.** The applicant will be required to extend sewer services from Fig Lane or Moon Rd (which will require a permit from the County and City).
29. **FIRE HYDRANTS.** Fire Hydrants shall be installed in accordance with City Standards and the Uniform Fire Code as adopted by the City. The Developer shall provide the City of Corning with one hydrant repair kit.
30. **STREET DEDICATION.** Offer street right of way for public streets to reach ultimate 60' standard Right of Way width as required.
31. **MARGUERITE AVENUE IMPROVEMENTS.** The west half width of Marguerite Avenue shall be improved in accordance with Public Works Standard S-18, including curb, gutter, and sidewalk and 20'-0" street (half width). Developer shall locate and raise any water valve boxes or sewer manholes that were installed during the initial project.

32. **INTERIOR STREET IMPROVEMENTS.** Interior streets shall be within 56' right of ways and improved in accordance with City of Corning Standard S-18 (40' 2 lane street modified with a reduction in parkway space behind the sidewalk).
33. **STOP SIGNS.** Stop signs shall be placed at both street intersections with Marguerite Avenue.
34. **CROSSWALKS.** Pedestrian crosswalks shall be delineated on all proposed streets intersecting Marguerite Avenue.
35. **NON-ACCESS STRIP.** No direct access onto Marguerite Avenue shall be permitted for Lots 1, 18, 21 or 53. A "Non-access strip" shall be dedicated to the City on the Final Tract Map for this purpose.
36. **DRIVEWAY APPROACHES.** Install driveway approaches per Public Works Standard S-5.
37. **BARRICADE.** The applicant shall construct a barricade as per City Standard No. S-8 at the western terminus of Spruce Road.
38. **NO PARKING ZONE.** The curb along the Marguerite Avenue frontage of proposed parcels 1 and 6 shall be a "No Parking Zone".
39. **Open Burning.** No open burning shall occur on this property unless a Land-Clearing Permit is obtained from the Tehama County Air Pollution Control District.
40. **Wood Burning Stoves.** Wood Burning stoves shall meet U.S. EPA Phase II Standards for certified wood-burning devices to be installed in the Subdivision. Total emissions shall not exceed 7.5 grams per hour from each dwelling.
41. **Exterior Electrical Outlets.** To promote the use of electrical landscape equipment, at least two electrical outlets shall be provided on the exterior walls of each residence.
42. **Disclosure of Nearby Agricultural Operations.** A note shall be affixed to the front sheet of all recorded maps filed for this project. The note shall clearly state that the property is located near agricultural operations and that residents of the development may be adversely affected by dust, noise, odors and overspray of chemical fertilizers and pesticides, and that the City of Corning does not regard such operations as nuisances when conducted with proper and accepted standards.
43. **Landscape and Lighting District.** Prior to recordation of the Final Map, the Developer shall establish (or annex to an existing) a Landscape and Lighting District or other equivalent fund-collecting organization approved by the City of Corning to fund the operation and/or continued maintenance of street lighting, landscape strips in the public right-of-way, stormwater collection and detention facilities. The Project Engineer shall prepare an estimate of the annual maintenance costs for these facilities that shall be made part of the District formation procedure.
44. **Development Impact Fees.** Development of the project residences will require payment of City Development Impact Fees in effect at the time of issuance of the individual Building Permits in order to lessen development impact on City transportation systems and other public facilities and utilities. These fees shall be paid prior to issuance of the Building Permit for each residence.
45. **Postal Boxes.** Provide one or more "Cluster Box Units (CBUs) for postal service at locations approved by the Corning Postmaster. CBU positions shall appear on the Improvement Plans for the subdivision.

EXHIBIT "B"

ORDINANCE NO. 691

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE**

WHEREAS, the Zoning Ordinance of the City of Corning was adopted in 1959, (Ordinance 153) and subsequently amended; and

WHEREAS, the present zoning of the parcel under consideration is PD, Planned Development.

WHEREAS, the property owners of the subject property submitted a rezone application to amend the existing zoning from PD, Planned Development to R-1-4000; (Small Lot Designation) Single Family Residential; and

WHEREAS, the City Council by Public Hearing held on July 28, 2020 approved the rezone of Assessor Parcel No.'s 073-260-022 & 023 from the current PD, Planned Development to a R-1-4000, (Small Lot Designation) Single Family Residential; and

WHEREAS, the proposed R-1-4000 Zoning is consistent with the General Plan Residential Land Use designation; and,

WHEREAS, a Mitigated Negative Declaration was adopted by the City Council at its meeting of April 27, 2004 to address any environmental issues identified as being associated with this project; and

WHEREAS, the Planning Commission reviewed the proposed Zoning Ordinance Amendment at their regular meeting held on December 16, 2003 and recommended that the City Council amend the Zoning Ordinance to reflect the proposed changes.

NOW, THEREFORE, the City Council of the City of Corning does ordain as follows:

1. This Rezone is consistent with the Corning General Plan;
2. The Mitigated Negative Declaration is adopted and meets the requirements of CEQA and its Guidelines; and
3. Assessor Parcel No's. 073-260-022 & 023 as depicted in the attached Sectional District Map No. 300, are hereby Zoned "R-1-4000, (Small Lot Designation) Single Family Residential District".

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on November 10, 2020, and adopted at a regular meeting of the City Council of the City of Corning held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

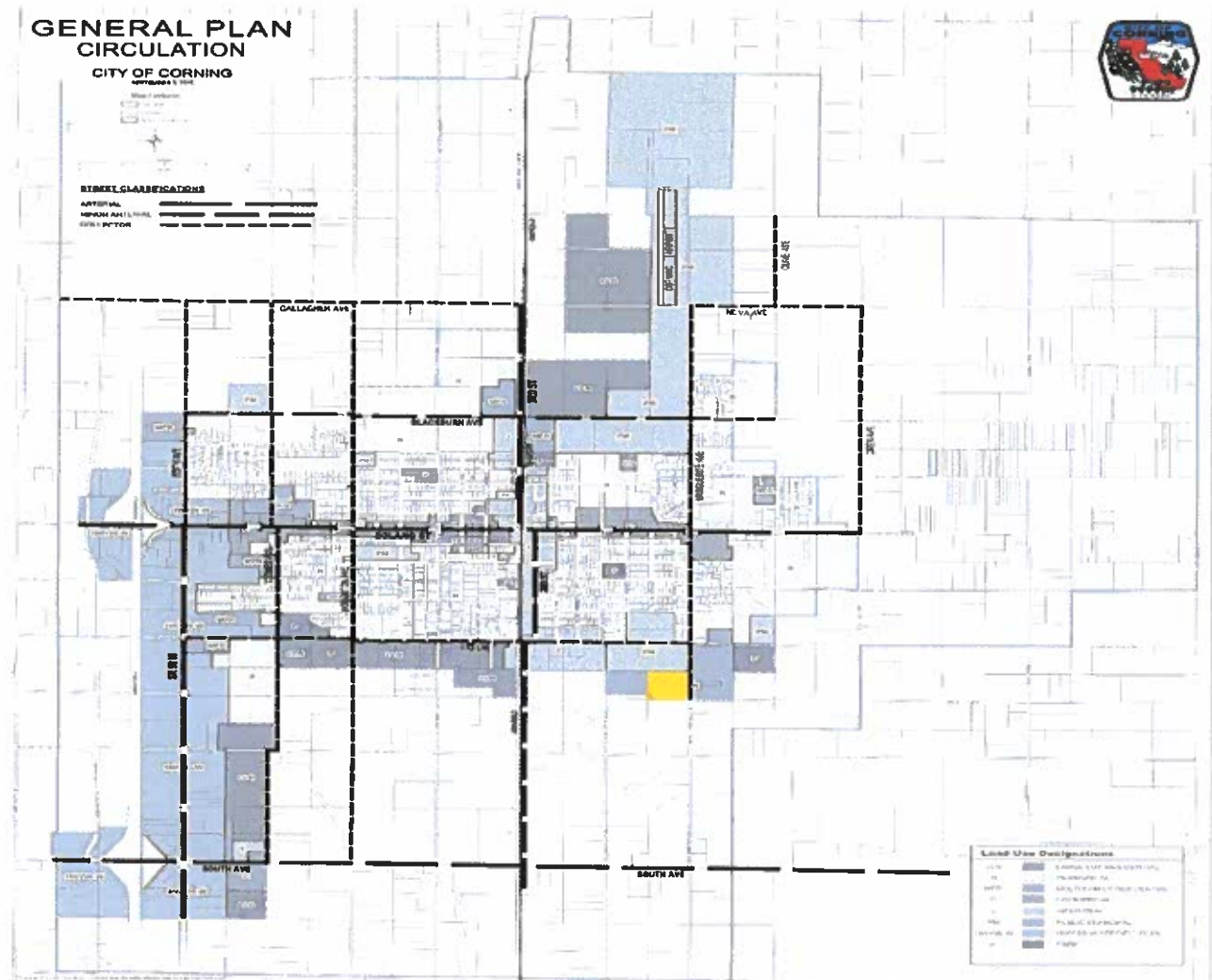
Douglas Hatley Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

EXHIBIT "C"

City of Corning-Ordinance No. 691 Rezone No. 2020-3; Sectional District Map No. 300 Being a Portion of Corning City Code Section 17.080.020



This Ordinance was introduced to the Corning City Council on November 10, 2020 and is scheduled to be adopted by action of the Corning City Council on November 24, 2020.

EXHIBIT "D"

SUMMARY ORDINANCE NO. 691 OF THE CITY OF CORNING, CALIFORNIA

**AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE TO REZONE
ASSESSOR PARCELS NO. 073-260-022 and 073-260-022**

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. 691 introduced by the Corning City Council scheduled for consideration of adoption on October 27, 2020 at its meeting held in the City Council Chambers 794 Third Street, Corning, California.

The purpose of the Ordinance No. 692 is to rezone assessor's parcel Nos. 073-120-022 and 073-260-022 from R-1-8000 to R-1-4000, single family residential. 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 October 27, 2020 and is scheduled for consideration of adoption on November 10, 2020.

Lisa M. Linnet, Corning City Clerk

Publish: Saturday, November 7, 2020

Posted at Corning City Hall

ITEM NO: I-11

**ORDINANCE 692, AN ORDINANCE TO AMEND
TITLE 17 ZONING OF THE CITY OF CORNING
MUNICIPAL CODE, INCORPORATING REZONE
2020-02 FOR ASSESSOR PARCEL NO. 073-120-
018.**

November 10, 2020

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: KRISTINA MILLER, CITY MANAGER
CHRISSE MEEDS, PLANNER 1

PROJECT DESCRIPTION & LOCATION:

Rezone 2020-2 and Tract Map 20-1000 proposes to rezone approximately 9.95 acres from R-1-8000 to R-1-4000 and create 47 single family residential lots. The project site is located on the south side of East Corona Avenue approximately 1,328 feet east of the Marguerite Avenue intersection. The Assessor Parcel Number (APN) is: 073-120-018

The R-1-4000, Small Lot Designation allows for a minimum lot size of 4,000 square feet. The R-1-4000 Small Lot Designation was reviewed by the Planning Commission on April 21, 2020. On June 9, 2020, the City Council approved waiving the first reading of the Small Lot Ordinance No. 688 and the Ordinance was adopted by the City Council on June 23, 2020.

GENERAL PLAN LAND USE DESIGNATION:

Residential.

ZONING DESIGNATION:

R-1-8,000 (existing) R-1-4000 (proposed).

Planning Commission Recommendation:

At the September 15, 2020 Planning Commission Meeting the Commission voted in favor of the Project 4 to 1 and recommended Staff to propose the Project to the Corning City Council. The Planning Commission also recommended to add the additional Condition (Condition #52) stating that Tentative Tract Map 20-1000 is not allowed to have a lot smaller than the proposed minimum 5,251 square feet". There was still some opposition from a few citizens in regard to traffic on Corona. One nearby property owner is now okay with the project because he felt it was a compromise. The City Council approved the associated Addendum to the original Mitigated Negative Declaration, Rezone 2020-2, and Tentative Tract Map 20-1000 (subject to the 52 Conditions of Approval (attached) and accepted the 8 Factual Subfindings and 9 Legal Findings (also attached) as presented) on September 22, 2020.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

Mitigated Negative Declaration: A Mitigated Negative Declaration is a Negative Declaration prepared for a Project when the initial study has identified potentially significant effects on the environment, but revisions in the project plans or proposals made by, or agreed to by, the Applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and there is no substantial evidence in light of the whole record before the public agency that the Project, as revised, may have a significant effect on the environment.

When Tentative Tract Map 05-1021 creating 35 single family residential parcels was proposed in 2005, City Staff completed a CEQA Initial Study that identified certain potentially significant effects that could be attributable to the development of this project. Staff determined that those effects could be substantially lessened by the imposition of Mitigation Measures and Conditions. Prior to approving Tentative Tract Map 05-1021, the City Council adopted the Mitigation Measures, Conditions of Approval, and the Mitigated Negative Declaration and Notice of Determination was filed for the Project.

CEQA Section 15162 Subsequent EIR's and Negative Declarations reads as follows:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- a. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- b. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
 - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (c) Mitigation Measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Further Section 15164(a) of the California Environmental Quality Act Guidelines state that, "the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

As previously discussed, the Map under consideration, specifically, Tentative Tract Map 20-1000 is in the same location as the previously approved Tract Map 05-1021. The City adopted a Mitigated Negative Declaration for the Project and a Notice of Determination was filed with the Tehama County Clerk & Recorder. Although Tentative Tract Map 20-1000 proposes to create 12 additional parcels, the traffic study analyzing the impacts of 26 additional lots did not show a decrease in the level of service. Therefore, one can conclude the addition of twelve lots will not decrease the level of service. Staff believes that with the previously approved Mitigation Measures and Conditions of Approval there is no evidence in the record, or substantial changes to the Project that would require additional environmental analysis. If the rezone and tentative tract map are approved, the attached addendum shall also be approved and filed to acknowledge the addition of twelve lots.

DISCUSSION:

Pursuant to Section 16.09.010 (E) of the Corning Municipal Code (CMC) "the Planning Commission of the City shall act as the advisory agency to the City Council. It is charged with making investigations and reports on the design and improvements of proposed divisions of land. The Planning Commission shall make investigations and conduct hearings regarding the approval of Tentative Maps and make its written report on the Tentative Map directly to the City Council." Final approval, including establishing Design Standards for public improvements of a Tentative Subdivision Map is the responsibility of the City Council pursuant to Section 16.09.010 (F) of the CMC.

CONSISTENCY WITH GENERAL PLAN & ZONING:

The site is designated as Residential (R) on the General Plan Land Use Map. Current zoning is R-1-8,000 and the proposed zoning is R-1-4,000. In the General Plan, the maximum densities in a residential land use designation are 14 units per acre. Neither the existing zoning or proposed zoning exceed the maximum density, so the proposed project is consistent with the General Plan, and the residential use is consistent with the current and proposed zoning.

Council adopted the following 8 Factual Sub findings & 9 Legal Findings pursuant to the California Environmental Quality Act (CEQA), and Section 66474 (A thru G) of the California Government Code.

Factual Subfinding #1

An Initial Study analyzing the environmental impacts associated with Tentative Tract Map 05-1021 was prepared, a Mitigated Negative Declaration filed, circulated through the CEQA process, and adopted by the Corning City Council. A Notice of Determination was filed with the Tehama County Clerk & Recorder.

Legal Finding #1

For Tentative Tract Map 20-1000, the City of Corning Planning Commission is acting as an advisory body to the Corning City Council. The Planning Commission finds that the Initial Study filed for Tentative Tract Map 05-1021 analyzed the environmental impacts associated with the project and that identified impacts have been mitigated to a "Less than Significant Level". Tract Map 20-1000 is in the same location and there is no substantial evidence in the light of the whole record of any changes in the project that would require additional environmental analysis. Therefore Rezone 2020-2 and Tentative Tract Map 20-1000 is exempt from CEQA pursuant to Section 15162.

Factual Subfinding #2

Rezone 2020-2 and Tentative Tract Map 20-1000 propose to reduce the existing parcel size from 8,000 sq. ft. to 4,000 sq. ft. and subdivide the approximately 9.95 acres of land into 47 single family residential parcels. This would create a residential density of approximately 4.7 parcels per acre.

Legal Finding #2

For Tentative Tract Map 20-1000, the City of Corning Planning Commission is acting as an advisory body to the Corning City Council. Pursuant to Section 15164, the Planning Commission finds that an addendum to the adopted mitigated negative declaration is appropriate as none of the conditions described in Section 15162 calling for a subsequent analysis have occurred.

Factual Subfinding #3

Tentative Tract Map 20-1000 is subject to the Mitigation Measures from previous environmental analysis of this site and Conditions of Approval that direct the design and improvements of the project to meet the requirements of adopted Mitigation Measures and applicable Municipal Codes adopted by the City of Corning.

Legal Finding #3

Rezoning and subdividing the approximately 9.95 acres, as proposed by Tentative Tract Map 20-1000, into 47 single family residential parcels does not exceed the maximum densities of 14 parcels per acre as depicted in the Land Use Element of the General Plan, therefore, both projects are consistent with the General Plan.

Factual Subfinding #4

The site and location of Tentative Tract Map 20-1000 is in an area that is relatively flat and where the construction of roads and building pads will not present any physical difficulties for development.

Legal Finding #4

That the design and improvements associated with the creation of 47 Single Family Residential Parcels are consistent with the Land Use Element of the 2014-2034 Corning General Plan.

Factual Subfinding #5

The Developer will be required to extend city water and sewer to serve the parcels. Additionally, the Developer will be required to upgrade the existing roads, including constructing new roads to serve the parcels.

Legal Finding #5

The site of Tentative Tract Map 20-1000 is located adjacent to Carona Avenue and has terrain that is physically suitable for the establishment of residential development.

Factual Subfinding #6

Previous environmental analysis of the site concluded that with adopted mitigation measures that have also been incorporated into the Conditions of Approval for Tentative Tract Map 20-1000, any impacts to Biological Resources, including Fish and Wildlife, have been reduced to a "Less than Significant Impact".

Legal Finding #6

The City of Corning Municipal water and sewer service has sufficient capacity to serve the proposed residential development along the south side of Carona Avenue. Road improvements to Carona Avenue and the construction of interior roads to serve the parcels will provide adequate upgrades to the existing transportation system for additional traffic generated by the Project.

Factual Subfinding #7

Tentative Tract Map 20-1000 proposes to create 47 Single Family Residential Parcels in an area of the City designated for residential development and which has accessibility to city water and sewer.

Legal Finding #7

That the design of Tentative Tract Map 20-1000, or the proposed improvements associated with the development of 47 residential parcels are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat.

Factual Subfinding #8

Access to the site and residential parcels will be by Carona Avenue and interior roads constructed by the Developer. Public Easements for access to the parcels will be created by recordation of a Final Map.

Legal Finding #8

The requirement to improve existing roads and construct new roads as well as provide City water and sewer to the parcels will not cause any serious public health problems to the existing and future residences of the City.

Legal Finding #9

That the design of Tentative Tract Map 20-1000, or type of improvements associated with the residential development of the parcels, will not conflict with Easements acquired by the public at large for access through, or use of, property within the Subdivision.

RECOMMENDATION:

MAKE A MOTION TO ACCEPT FOR FIRST READING, ORDINANCE 692, AN ORDINANCE TO AMEND TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE, INCORPORATING REZONE 2020-02 FOR ASSESSOR PARCEL NO. 073-120-018.

ATTACHMENTS:

- EXHIBIT "A" RECOMMENDED CONDITIONS OF APPROVAL
- EXHIBIT "B" CEQA ADDENDUM
- EXHIBIT "C" ORDINANCE 692
- EXHIBIT "D" REZONE NO. 2020-3; SECTIONAL DISTRICT MAP NO. 300
- EXHIBIT "E" SUMMARY ORDINANCE 691

EXHIBIT "A"
RECOMMENDED CONDITIONS OF APPROVAL

1. **Subdivision Standards.** Development of Subdivision Map shall be in conformance with the approved Tentative Map and Subdivision Ordinance of the City of Corning, Title 16 of the Corning Municipal Code. Additionally, development must comply with all Federal, State and Local regulations especially the City of Corning Fire and Building Departments. (modified MM 13.1)
2. **Underground Utilities.** All existing and proposed utilities, within the development and along the Carona Avenue street frontages, including electricity, telephone, gas, and cable television, shall be undergrounded with no overhead facilities crossing any streets. (MM. 1.1)
3. **Fencing.** Solid 6'-0" tall residential-type fencing shall be installed at side and rear property lines prior to issuance of a Certificate of Occupancy for any residential structures constructed on the parcels. Fences along boundaries of the Tract shall not result in dual fences so as to isolate property. Fence positions shall be subject to approval of the Planning Director and City Engineer and shall appear on the Final Improvement Plans. Fence positions shall provide maximum privacy for the backyards of both existing and future residents. (MM. 1.2).
4. **Fencing along Carona Avenue.** Final Improvement Plans shall include an upgraded, more durable fencing standard for all parcels that don't front Carona Avenue (MM. 1.3).
5. **Lot Landscaping.** Front and street-side yards, including that portion of the street right-of-way located behind the sidewalk, shall be landscaped prior to issuance of a Certificate of Occupancy. Landscaping may include any combination of grass, groundcover, shrubs and/or trees and is subject to Planning Department approval. Not fewer than two trees (minimum sizes of 15-gallon) shall be planted within each front yard. Each front and street side yard shall be provided with a permanent method of irrigation for this landscaping. All landscaping and irrigation must comply with the Water Efficient Landscape Regulations as detailed in Section 15.08.055 of the Corning Municipal Code (MM. 1.4).
6. **Residential Façade Standards.** The City of Corning has an Ordinance/Policy (CMC 16.21.135) prohibiting the construction of identical homes within sight of each other. The Developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to comply with this standard. (MM. 1.5).
7. **Roof-Mounted Equipment Prohibition.** No heating, ventilation, air conditioning or similar types of equipment shall be installed on the roof of any structure. (MM. 1.6).
8. **Carona Avenue Planter.** Prior to issuance of a Certificate of Occupancy for Lot 1, and Lots 26 thru 32, a combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within the 6.5' parkway strip of the Carona Avenue right-of-way, between the curb and gutter and the sidewalk along the north sides of the lots. Plant species, groundcover and irrigation method shall be subject to approval by the City of Corning. Maintenance costs shall be the responsibility of the lot owners within the development through the annual payments to a Landscape and Lighting District, Homeowners Association or other such organization approved by the City of Corning. (MM. 1.7).
9. **Blackburn-Moon Drain Property Dedication.** The final map shall offer the property "cross-hatched" on the Tentative Map near the southwest corner of the site (lying south of the southerly drainage easement right of way line per MM 4.1) to the City of Corning.
10. **Retaining Wall Standard.** Retaining Walls shall be positioned inside the boundary of the Subdivision and shall be designed by an Engineer and constructed out of masonry blocks or poured-in-place concrete. The retaining wall plan shall accommodate residential fencing within 1 foot of the retaining wall top where the walls are adjacent to property lines. (modified MM. 1.9).

- 11. Disclosure of Nearby Agricultural Operations.** A note shall be affixed to the front sheet of all recorded maps filed for this project. The note shall clearly state that the property is located near agricultural operations and that residents of the development may be adversely affected by dust, noise, odors and overspray of chemical fertilizers and pesticides, and that the City of Corning does not regard such operations as nuisances when conducted with proper and accepted standards. (MM. 2.1).
- 12. Fugitive Dust.** Prior to commencing grading operations, the Developer shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution Control District. (MM. 3.1).
- 13. Sprinkle Exposed Soils.** During construction, unprotected soils shall be sprinkled to minimize wind erosion. (MM. 3.2).
- 14. Cover Exposed Soils.** Areas denuded by construction activities and not scheduled for development for an indefinite period shall be seeded or covered by impervious materials to minimize water and wind erosion. (MM. 3.3).
- 15. Finished Surfaces.** Upon completion of development, no substantial area shall remain where soils are completely uncovered. (MM. 3.4).
- 16. Open Burning.** No open burning shall occur on this property unless a land-clearing permit is obtained from the Tehama County Air Pollution Control District. (MM. 3.5).
- 17. Wood Burning Stoves.** Wood Burning stoves shall meet the Only U.S. EPA Phase II certified wood-burning devices shall be installed in the Subdivision. Total emissions shall not exceed 7.5 grams per hour from each dwelling. (MM. 3.6).
- 18. Exterior Electrical Outlets.** To promote the use of electrical landscape equipment, at least two electrical outlets shall be provided on the exterior walls of each residence. (MM. 3.7).
- 19. Open Space Easement.** The Final Map shall offer to the City of Corning, Lot "A" as shown on the Tentative Map as an area to be dedicated to the City as an Open Space Easement. (MM. 4.1).
- 20. Cultural Resources.** Should cultural or paleontological resources be unearthed during excavation, all work in the immediate vicinity shall cease and the City of Corning shall be notified. Upon notice, the City or its Consultant shall inspect the site to determine what, if any, steps necessary to address and mitigate the discovery. (MM. 5. 1).
- 21. Soil Investigation.** The Applicant shall initiate a soils investigation by a registered Engineering Geologist or Civil Engineer to determine if expansive soils requiring special structural foundation design is necessary. (MM..6.1).
- 22. Soils Report.** Prior to issuing Building Permits, the Developer shall provide: **1)** certification by a registered Civil Engineer assuring adequate compaction of filled lots is in accordance with the Uniform Building Code; and **2)** for those lots with expansive soils, certification that the Engineered Foundation Plans comply with Building Code requirements. (MM. 6.2).
- 23. Redistribute Topsoil.** Topsoil shall be stockpiled and redistributed over graded surfaces. (MM. 6.3).
- 24. Construction Stormwater Permit and SWPPP.** Prior to any site disturbance or earthmoving activities on, or adjacent to the project site, Applicant shall obtain a Construction Stormwater Permit from the Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the Central Valley Regional Water Quality Control Board. A WDID # must be assigned and provided to the City of Corning. (MM. 6.4).
- 25. Grading Plan.** The Developer shall provide a Final Grading Plan for the project for City review and approval prior to commencing any grading. (MM. 6.5).
- 26. Designated No Grade Area.** No grading shall be permitted in the area to be dedicated to the City adjacent to the Blackburn-Moon Drain and the Open Space Easement Lot "A" as shown on the Tentative Map. A note shall clearly label "No Grading Permitted in this Area" on the Grading Plans. The Plans shall include temporary fencing positioned along the north boundary of the Open Space Easement. (MM. 6.6).

- 27. Abandon Water Well and Septic System(s).** Prior to recording any Final Map, the Applicant shall properly abandon any water wells or septic systems occurring on the property in accordance with the requirements of the Tehama County Environmental Health Department. (MM. 7.1).
- 28. Fire Hydrants.** Fire Hydrants shall be installed in accordance with City Standards (CMC 16.24.030). The Developer shall provide the City with one hydrant repair kit. (MM. 7.3).
- 29. Storm Water Drainage.** Prior to recordation of the Final Map, the Developer shall present improvement plans for retention of the net increase in run-off resulting from the development during a 25-year storm for a duration of 4 hours. If onsite retention is proposed the retention facilities shall be sized to contain the run-off resulting from a 100-year storm event. (MM. 8.1).
- 30. Storm Water Facilities.** Stormwater retention and conveyance facilities shall be constructed in accordance with City of Corning Public Works Standards. (MM. 8.2).
- 31. Dedicate property for stormwater facilities.** Final map shall offer all stormwater collection, detention & discharge facilities to the City of Corning. Maintenance of these facilities shall be the responsibility of the Landscaping and Lighting District. (modified MM.8.3).
- 32. Drainage.** Lots must be graded to direct runoff to storm drain facilities within easements or rights-of way. No lot-to-lot runoff shall be permitted. (MM. 8.4).
- 33. 100 Year Flood Plain.** The Final Map shall plot the approximate boundaries of the area expected to be inundated (if any) during the 100-year flood event. (MM. 8.5).
- 34. Construction Days and Hours.** Construction work shall occur only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 6:00 p.m. on weekends and federally observed holidays unless specifically approved otherwise, in writing, by the City of Corning. (MM. 11.1).
- 35. Landscape and Lighting District.** Prior to recordation of the Final Map, the Developer shall establish (or annex to an existing) a Landscape and Lighting District or other equivalent fund-collecting organization approved by the City of Corning to fund the operation and/or continued maintenance of street lighting, landscape strips in the public right-of-way, stormwater collection and detention facilities. The Project Engineer shall prepare an estimate of the annual maintenance costs for these facilities that shall be made part of the District formation procedure. (modified MM. 13.1).
- 35. Pedestrian and Maintenance Trail.** The Improvement Plans for the tract shall include a 12'-0" wide paved trail positioned on the south side of the Blackburn-Moon Drain and within the property dedicated to the City of Corning. The Improvement Plans shall include a cross-section of the trail showing a minimum 6-inch aggregate base and 2-inch asphalt surface. The Improvement Plans shall include an engineer's cost estimate for trail construction. (MM. 14.1).
- 36. Deposit Funds in lieu of Trail Construction.** Prior to recording the Final Map, the Developer shall deposit an amount equivalent to the Engineer's estimate for trail construction to the City of Corning. Construction of this segment of trail shall be postponed until the segment to the northwest is constructed. (MM. 14.2).
- 37. Development Impact Fees.** Development of the project residences will require payment of City Development Impact Fees in effect at the time of issuance of the individual Building Permits in order to lessen development impact on City transportation systems, City owned utilities and other public facilities. These fees shall be paid prior to issuance of the Building Permit for each residence. (modified MM. 15.1).
- 39. Carona Avenue Right-of-Way Dedication.** The Final Map shall offer additional right-of-way dedication to provide a 30' half-width (60' full width) for Carona Avenue along the project site frontage. (MM. 15.2).
- 40. Carona Avenue Improvements.** Prior to recordation of the Final Map, the Developer shall improve the frontage sections of Carona Avenue to provide full south half-width improvements as shown on Drawing S-18 (40' wide-2-lane street), including one 12' wide travel lane and an 8'

wide parking lane, vertical curb, gutter and sidewalk on the southerly half-width, and complete an asphaltic concrete overlay for one lane width (12') on the northerly half-width. (MM. 15.3).

- 41. Street Names.** Final street names are subject to City approval and shall appear on the Final Map. (MM. 15.4).
- 42. Street Lighting.** The Developer shall provide street lighting that meets City Standards. (MM. 15.5).
- 43. Interior Street Improvements.** Interior streets shall be within 56' right of ways and improved in accordance with City of Corning Standard S-18 (40' 2 lane street modified with a reduction in parkway space behind the sidewalk). (MM. 15.6).
- 44. Access Restrictions.** A 1'-0" "Non-access" strip shall be dedicated to the City along the lot frontages of Carona Avenue in all areas except for in front of lots 28, 29, 30 and 31. No driveways shall front Carona Ave. except for lots 28, 29, 30, and 31 (MM. 15.7).
- 45. Barricade.** Provide a street barricade at the temporary south end of Street "C" in accordance with City Standard Drawing S-8. The finished barricade shall be painted bright white. (MM. 15.8).
- 46. Water and Sewer Lines.** The Developer shall install sewer and water lines within street rights of ways per City Public Works Standards. (MM. 16.1).
- 47. Looped Water System.** The Developer shall provide a "looped water system" connecting to existing City water facilities at the two Carona Avenue intersection locations. (MM. 16.2)
- 48. Water Service.** The Developer shall install water services and meters for each lot in accordance with Public Works Standard S-20. (MM. 16.3).
- 49. Sewer Service.** The Developer shall install sewer services for each lot in accordance with Public Works Standard S-21. (MM. 16.4).
- 50. Postal Boxes.** Provide one or more "Cluster Box Units (CBUs) for postal service at locations approved by the Corning Postmaster. CBU positions shall appear on the Improvement Plans for the Subdivision. (MM. 16.5).
- 51. Stormwater Discharge into Blackburn Moon Drain.** If it is proposed to discharge the onsite storm drain system into the Blackburn Moon Drain, all Environmental Permits must be obtained prior approval of the Improvement Plans.
- 52. Lot Size.** Tentative Tract Map 20-1000, is not allowed to have a lot smaller than the proposed minimum 5,251 square feet

**ADDENDUM TO THE INITIAL STUDY and MITIGATED NEGATIVE DECLARATION
FOR THE TENTATIVE TRACT MAP 05-1021-TK RANCH**

I. Introduction

This document is an Addendum to the Initial Study and Mitigated Negative Declaration prepared for the Tentative Tract Map 05-1021-TK Ranch (Project) (State Clearinghouse No. 2006042007), which was certified by the City of Coming in May 2006. In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes proposed modifications (the Modified Project) to the Tentative Tract Map 05-1021-TK Ranch Project approved in 2006. The Modified Project updated in 2020 demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the certified mitigated negative declaration (MND).

II. CEQA Authority for Addendum

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that:

The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 of the CEQA Guidelines requires a Subsequent EIR when an MND has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated by the analysis herein, the Modified Project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the certified MND and do not constitute a new or substantially increased significant impact. Based on this determination, the Modified Project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

A. Overview of Approved Project

The Certified MND evaluated Tentative Tract Map 05-1021 whereby 35 single family residential lots were created on the south side of Carona Avenue, 660' west of the Carona/Oren Avenue intersection in a R-1-8000 zoning district in Corning, CA.

B. Proposed Modifications to Project

In 2020, modifications to the Project are being considered to rezone approximately 9.95 acres from R-1-8000 to R-1-4000 and create 47 single family residential lots; an addition of twelve (12) lots. The addition of 12 lots are the only proposed changes to the Project.

C. Analysis of Proposed Modifications

In 2020 an updated traffic study was completed to assess whether an additional twenty-six (26) lots would create a new or substantially increased significant impact. The traffic study did not indicate any decreases to the level of service. In fact, traffic impacts showed an increase in the level of service at the Marguerite and Solano Street intersection due to the installation of traffic lights since the time the original traffic study. Since there were no additional traffic impacts associated with the addition of twenty-six (26) lots, one can assert there will be no additional traffic impacts from the addition of twelve (12) lots.

Based on the above, the Modified Project, which includes an increase in the number of lots from thirty-five (35) to forty-seven (47) would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Thus, a new or substantially greater significant impact would not result from the proposed modifications. In addition, all of the mitigation measures included as part of the EIR and Addenda would continue to be implemented. As all of the impacts would be within the envelope of impacts identified in the Certified MND, no additional environmental analysis pursuant to Section 15162 of the CEQA Guidelines is necessary.

ORDINANCE NO. 692

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE**

WHEREAS, the Zoning Ordinance of the City of Corning was adopted in 1959, (Ordinance 153) and subsequently amended; and

WHEREAS, the present zoning of the parcel under consideration is R-1-8000 (Large Lot Designation) Single Family Residential.

WHEREAS, the property owners of the subject property submitted a rezone application to amend the existing zoning from R-1-8000 to R-1-4000; (Small Lot Designation) Single Family Residential; and

WHEREAS, the City Council by Public Hearing held on September 22, 2020 approved the rezone of Assessor Parcel No. 073-120-018 from the current r-1-8000 (Large Lot Designation) Single Family Residential to a R-1-4000, (Small Lot Designation) Single Family Residential; and

WHEREAS, the proposed R-1-4000 Zoning is consistent with the General Plan Residential Land Use designation; and,

WHEREAS, a Mitigated Negative Declaration was adopted by the City Council at its meeting of May 9, 2006 to address any environmental issues identified as being associated with this project; and

WHEREAS, the Planning Commission reviewed the proposed Zoning Ordinance Amendment at their regular meeting held on September 15, 2020 and recommended that the City Council amend the Zoning Ordinance to reflect the proposed changes.

NOW, THEREFORE, the City Council of the City of Corning does ordain as follows:

1. This Rezone is consistent with the Corning General Plan;
2. The Addendum to the Initial Study and Mitigated Negative Declaration is adopted and meets the requirements of CEQA and its Guidelines; and
3. Assessor Parcel No. 073-120-018 as depicted in the attached Sectional District Map No. 301, are hereby Zoned "R-1-4000, (Small Lot Designation) Single Family Residential District".

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on November 10, 2020, and adopted 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 M. Linnet, City Clerk

City of Corning-Ordinance No. 692
Rezone No. 2020-2; Sectional District Map No.301
Being a Portion of Corning City Code Section 17.080.020



EXHIBIT "E"

**SUMMARY ORDINANCE NO. 692 OF THE CITY OF CORNING, CALIFORNIA
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE TO REZONE
ASSESSOR PARCEL NO. 073-120-018**

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. 692 introduced by the Corning City Council scheduled for consideration of adoption on November 24, 2020 at its meeting held in the City Council Chambers 794 Third Street, Corning, California.

The purpose of the Ordinance No. 692 is to rezone parcel 073-120-018 from R-1-8000 to R-1-4000, single family residential. 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 November 10, 2020 and is scheduled for consideration of adoption on November 24, 2020.

Lisa M. Linnet, Corning City Clerk

Publish: Saturday, November 7, 2020
Posted at Corning City Hall

ITEM NO: J- 12

SEEK COUNCIL APPROVAL OF AN
EXEMPTION TO ALLOW PROPERTY
OWNER TO REMOVE A PALM TREE
AT 911 BUTTE STREET.

November 10, 2020

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: KRISTINA MILLER, CITY MANAGER 
LISA M. LINNET, ADMINISTRATIVE SERVICES MANAGER 

BACKGROUND:

Business owner Randy Boles has requested the removal of a palm tree in front of his business located at 911 Butte Street. Mr. Boles has stated that he has an angled driveway entrance, the existing palm tree hinders entrance access by larger trucks to his business. Allowing his removal of the preexisting palm tree would then enable him to, with an approved Encroachment and Building Permit, to straighten his driveway which would then enable larger trucks entry/egress access to his vehicle repair business.

The City's general practice regarding removal of trees within the public right-of-way, otherwise know as City Street Trees, has been not to remove them unless they are diseased, pose a safety concern, or are dead and/or dying. This particular palm tree that Mr. Boles has requested to be removed does not currently appear to pose a safety concern, be diseased, or dead and/or dying.

RECOMMENDATION:

STAFF RECOMMENDS APPROVAL OF AN EXEMPTION TO THE CITY'S GENERAL PRACTICE REGARDING STREET TREES TO ALLOW MR. BOLES TO REMOVE THE PREEXISTING PALM TREE IN FRONT OF HIS BUSINESS AT 911 BUTTE STREET.

ITEM NO. **J. 13**
**APPROVE LIVESTOCK GRAZING
LEASE AGREEMENT ADDENDUM
NO. 2 WITH NORMAN D. OILAR;
AIRPORT LANDS**

November 10, 2020

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

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



SUMMARY:

Staff recommends the City Council approve the attached five-year Amendment #2 to the Livestock Grazing Lease with Norman D. Oilar in the amount of \$1,338 a year. The Lease Agreement affects the lands north and east of the Corning Municipal Airport.

BACKGROUND:

Council initially approved a Grazing Lease with Mr. Norman D. Oilar in 2010. One purpose for the lease was to control vegetation and thereby reduce the wildland fire potential from the open space "land use buffer areas" that surround the airport. The grazing eliminates the need for Public Works personnel to mow throughout the spring and summer months.

The lease affected about 150 acres and was for a term of 5 years, with extensions by mutual agreement. In 2016 Council approved Addendum #1 extending the lease for 5 more years which expires 12/31/2020.

Staff first contacted the Tehama County Agriculture Department to determine a fair lease rate for the dry winter rangeland in 2016. According to the Agriculture Department, the current value was between \$7.00 to \$13.00/acre/year. Communication with the Agriculture Department in 2020 has shown that the value is within the same range. In 2016, Addendum #1 increased the annual Lease Payment from \$35 (which was based on fencing credits) to \$1,338 per year.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE ATTACHED AMENDMENT #2 FOR THE LIVESTOCK GRAZING LEASE WITH MR. NORMAN D. OILAR AND AUTHORIZE THE CITY MANAGER TO SIGN THE LEASE AGREEMENT ON BEHALF OF THE CITY OF CORNING.

SECOND AMENDMENT TO LIVESTOCK GRAZING LEASE

I. RECITALS

- A.** On January 1, 2011, the City of Corning, a General Law City, and Norman D. Oilar entered into a Livestock Grazing Lease ("Original Lease") whereby the City of Corning agreed to lease to Mr. Norman D. Oilar certain real property described in the Livestock Grazing Lease as Exhibit "A".
- B.** The term of the Livestock Grazing Lease (hereinafter "Lease") was for five years, beginning January 1, 2011, and ending five years thereafter. The parties entered into Addendum No. 1 (intended to be an amendment) to extend the Agreement for an additional 5 years ending December 31, 2020.
- C.** Pursuant to Section 21 of the Lease, any modification or amendment to the Lease is to be in writing and signed by the parties before it is made effective.

WHEREFORE the parties desire to continue operating under the Lease and hereby memorialize that understanding in this second amendment to the Lease as follows:

II. AGREEMENT

NOW, THEREFORE, in consideration of the recitals contained herein, the Parties mutually agree to amend the Original Agreement as follows:

- 1. Section 2 "Term"** is amended to read as follows:
 - a.** This Lease shall be for a period of five (5) years commencing January 1, 2021. The Lease may be extended beyond such five-year period only if both parties agree, and upon a written extension signed by both parties.
 - b.** Either party may terminate this Lease earlier than the full term on 30 days written notice to the other, if, in the Tenant's case, he no longer has a need for the property for livestock grazing or, if, in the Landlord's case, it has another need for the property which would be incompatible with the grazing of livestock or, on shorter notice, if there are health or safety concerns which come to the City's attention.
- 2. Section 3 "Rent"** is amended to read as follows
 - a.** Rent shall be one thousand, three hundred and thirty eight dollars, and no cents (\$1,338.00) per year (annual rent), payable in advance on the last day of December each calendar year to Landlord or Landlord's authorized agent, at the following address:

**City Manager
Corning City Hall
794 Third Street
Corning, CA 96021**
- 3.** All of the other terms and conditions not specifically modified or amended by this amendment shall remain in full force and effect.

**Kristina Miller, City Manager
City of Corning, California
(LANDLORD)**

**Norman D. Oilar
(TENANT)**

Date

Date



8

5

8

5

9

4

9

4

10

3

10

3

BLOCK 9

BLOCK 8

Fence

BLOCK 1

4

2 BLOCK 1

2

3 BLOCK 4

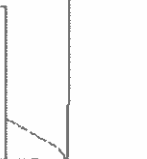
3

Fence

RELOCATED RUNWAY

OLIVE ROAD


NEVA AVENUE



**ITEM NO: J-14
APPROVE AGREEMENT BETWEEN THE
CITY AND CORNING UNION HIGH
SCHOOL DISTRICT FOR SCHOOL
RESOURCE OFFICER SERVICES**

November 10, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: KRISTINA MILLER, CITY MANAGER
LISA M. LINNET, CITY CLERK



BACKGROUND:

For several years, the City has provided an Officer to serve as a School Resource Officer at Corning High School. Funding for this has previously been provided through various grants.

Beginning in Fiscal Year 2018/19 the School Resource Officer (SRO) position cost was shared on a 50/50 basis between the City and the Corning Union High School District. The City's portion was budgeted 100% from the General Fund.

The proposed Agreement between the City of Corning and the Corning Union High School District will allow funding to continue the assignment of a School Resource Officer (SRO) shared between Corning High School and Centennial High School. If approved, the Agreement term shall commence on September 1, 2020 and terminate on June 30, 2021.

FINANCIAL IMPACT:

If approved, under this Agreement, Corning Union High School District agrees to the following:

- Total monies paid to the City if the Agreement is completed with zero (0) SRO absence from the District for critical incidents and/or emergencies would be \$68,907.84 for a 9-month period (September through May). This equates to 50% of the total SRO salary, inclusive of benefits;
- The rate shall be billed on a 40-hour week and payable to the City at \$7,656.43 per month, which calculates to an hourly rate of \$66.26; and
- SRO removal beyond 1 hour per pay period shall permit District to reduce payment to the City by \$66.26 for every hour, beyond two hours, of SRO absence for the pay period at issue exclusive of vacation, sick leave, or family leave.
- The rate shall increase to reflect any salary increase for all members of the Operating Engineers Local Union No. 3 Public Safety Unit during the contract period.
- District shall pay overtime costs incurred by the SRO where District requests attendance at non-school day and/or non-school hour events beyond the 40-hour work schedule. Costs shall be actual overtime costs paid by the Corning Police Department plus actual administrative costs to process said overtime. The Police Chief has the discretion to limit overtime hours of the SRO and the overtime paid shall be in addition to the compensation set above. All overtime costs are in addition to compensation described in Section II, A.

RECOMMENDATION:

**APPROVE PROPOSED AGREEMENT BETWEEN THE CITY AND CORNING UNION
HIGH SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER (SRO) SERVICES
BEGINNING SEPTEMBER 1, 2020 AND TERMINATING ON JUNE 30, 2021.**

AGREEMENT BETWEEN THE CITY OF CORNING AND THE CORNING UNION HIGH SCHOOL DISTRICT FOR THE PROVISION OF SERVICES AND PLACEMENT OF A SCHOOL RESOURCE OFFICER

This Agreement is entered into between the **City of Corning**, a municipality of the State of California ("City") and the **Corning Union High School District** ("District"). Collectively, the City and District shall be referred to as the parties.

I.

RESPONSIBILITY OF PARTIES

1. Pursuant to the terms and conditions herein, the City agrees to perform all of the following:
 - A. Under the supervision of the Corning Police Chief or other person so designated by the Police Chief, a sworn Police Officer shall be assigned to the District as a School Resource Officer during regularly scheduled school days as specified on the District's school calendar, which is attached hereto as EXHIBIT "A" and made part of this Agreement by express reference. Notwithstanding the preceding, should any school day be an official Holiday of the City, the School Resource Officer ("SRO") shall not be assigned to work on any such day.
 - B. City, through its Police Department, shall assign the SRO to the District at a 40-hour per week assignment. The City, through its Police Chief or other responsible person of the Department shall have the discretion to remove the SRO from his or her regular 40-hour per week assignment for purpose of responding to any critical incident or emergency. A critical incident or emergency as used herein is intended to mean any act necessitating SRO response as determined by the City, through its Police Department, including but not limited to staffing shortages. City shall inform the District of any SRO removal as provided in this paragraph and further inform the District of when, approximately, the SRO will resume services at the District. *Removal of the SRO as allowed herein shall result in a reduction in the amount of compensation payable by the District to the City pursuant to this Agreement. In such an event, the parties shall establish a per-hour reduction in what the District pays City for the pay-period in which the SRO was absent as provided for critical incidents and/or emergencies. The parties shall consider the total monies paid to the City if the Agreement is completed with zero SRO absence from the District for critical incidents and/or emergencies, which is **\$68,907.84**. Being 52 weeks in a year, and a 40-hour per week work schedule as mandated by this Agreement, it equates to 2,080 hours or work at **\$66.26** per hour. Any SRO removal beyond 1 hour per pay period shall permit District to reduce payment to the City by **\$66.26** for every hour, beyond two hours, of SRO absence for the pay period at issue exclusive of vacation, sick leave, or family leave.*
 - C. The SRO shall coordinate enforcement details, including truancy, and utilize the resources available to the Corning Police Department in doing so. It is the goal of the Corning Police Department to maintain a low rate of truancy at the District through enforcement and counseling of students and parents. The SRO, among other duties, shall target violence, gangs, and illegal drug activity occurring at the District, and to work with District Staff, Students, and Parents in combatting these problems.

- D. The SRO, through use of its Police Department resources and any applicable youth violence prevention program, to educate parents of students attending the District of gang member recognition, early warning signs of illegal drug use, and other issues relating to the health and safety of the students attending the District. The SRO will also attempt to contact parents of any student believed to be involved with gangs, violence, illegal drugs, or other matters of concern to request parental involvement to aid in re-directing the student's behavior.
 - E. The SRO shall work with District Staff and Administrators to seek the safest learning environment for the District students, which can include, but is not limited to, communication enhancement, prevention, planning and in school safety training to prevent criminal conduct within the District.
 - F. The City, through its Police Department, will complete quarterly reports of the SRO activity, including total time spent at the District, statistical tracking of crimes reported and arrests made at the District as the SRO, citations issued by the SRO, the number of truancy contacts, and counseling sessions had through SRO contact and/or diversion efforts. The quarterly reports will be provided to the District Superintendent.
 - G. The person assigned to the SRO position may change during the term of the Agreement. Notwithstanding, the City recognizes the benefit in maintaining assigned consistency in the position and will attempt, in good faith, to allow the person designated SRO to maintain the position for the duration of the Agreement unless circumstances require a change as determined by the Police Chief in his or her absolute discretion.
2. Pursuant to the terms of this Agreement, and during the term thereof, the District agrees to perform all of the following:
- A. Compensate the City as provided in Section II entitled "Compensation" of this Agreement.
 - B. Provide to the City Police Chief a schedule of the calendared school days for the school year and any planned events of which the District desires the SRO to attend that are not regularly scheduled school days and/or within the regularly scheduled school hours. This information is to be provided in writing upon execution of the Agreement for a period of one month. Thereafter, this information is to be provided to the Police Chief every month for the following month's calendar to allow for proper planning and scheduling by the Police Department. Additionally, the City Police Chief may adjust the SRO schedule to allow his or her presence at the non-scheduled school day and/or non-school hour events, which District acknowledges will prevent the SRO from being at the District for 40-hours for the given week in which the non-school day and/or non-school hour events occur.

II.

COMPENSATION

- A. District shall pay **\$68,907.84** to the City for the SRO services described in this Agreement. This amount is calculated at the hourly rate of **\$66.26**, which shall be billed on a 40-hour week and payable to the City at **\$7,656.43** per month for the 9-month school year term (September through May). The parties recognize that the hours may differ each month with Holidays and scheduling, and that at the end of the term the parties will reconcile as needed to ensure payments made for services performed are met; however, for convenience, the parties elect to pay as agreed. This rate shall increase to reflect any salary increase for all

members of the Operating Engineers Local Union No. 3 of the International Union for Operating Engineers AFL-CIO for Public Safety Employees of the City of Corning during the contract term.

- B.** District shall pay City of a net-30 basis, and this provision shall survive the term of this Agreement.
- C.** District shall pay overtime costs incurred by the SRO where District requests attendance at non-school day and/or non-school hour events beyond the 40-hour work schedule. This cost shall be the actual overtime costs paid by the Corning Police Department plus the actual administrative costs to process the overtime. The Police Chief has the discretion to limit overtime hours of the SRO. The overtime paid shall be in addition to the compensation set above. All overtime costs are in addition to compensation described in Section II, A.

III.

TERM

This Agreement shall commence on September 1, 2020 and shall thereafter terminate on June 30, 2021. This Agreement can be extended for a greater duration upon the mutual and written assent of the parties to be affixed to this Agreement as an addendum.

IV.

TERMINATION

- A.** If District and/or City materially fail to perform its responsibilities as established in this Agreement, the non-breaching party shall have the right to terminate the Agreement for cause effective immediately. Upon termination, the District shall pay the City for services rendered through the date of termination. There is no limitation on damages, type or amount that either party can pursue against the other following an allegation of breach or other warranted basis.

V.

ENTIRE AGREEMENT, AMENDMENTS, HEADINGS, EXHIBITS/APPENDICES

- A.** This Agreement supersedes all previous MOUs relating to the subject of this Agreement and constitutes the entire understanding of the parties hereto. City and District specifically acknowledge that in entering into and executing this Agreement, each are relying solely upon the provisions contained in this Agreement and no others, whether oral or written.
- B.** No changes, amendments, or alterations to this Agreement shall be effective unless in writing and signed by both City and District.
- C.** The headings that appear in this Agreement are for reference purposes only and shall not affect the meaning or construction of this Agreement.
- D.** If any ambiguity, inconsistency, or conflict exists or arises between the provisions of this Agreement, such ambiguity, conflict or inconsistency shall not be construed against one party over the other.

VI.

NO ASSIGNMENT AND NON-WAIVER

This Agreement is not assignable. The waiver by either party of any breach of any requirement of this Agreement shall not be deemed to be a waiver of any other breach.

VII.
INDEPENDENT CONTRACTOR

The parties are construed as independent contractors and nothing in this Agreement is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship, or to allow one party over the other to exercise discretion or control over the professional manner in which they perform their work or services that are the subject matter of this Agreement.

VIII.
**INDEMNIFICATION, DEFENSE AND HOLD HARMLESS AND INSURANCE
COVERAGE**

- A.** To the fullest extent permitted by law, City shall indemnify, defend and hold harmless District, its Elected Officials, Officers, Employees, Agents, and Volunteers against all liability, claims, suits, actions, costs, expenses, damages, judgements, or decrees arising from the provision of services undertaken by the SRO pursuant to this Agreement. City shall also, at City's own expense, defend the District, its Elected Officials, Officers, Employees, Agents, and Volunteers against any liability, claim, suit, action or proceeding brought against District, its Elected Officials, Officers, Employees, Agents, and Volunteers, arising from the actual work performed by the SRO. The obligations of this paragraph survive the termination of this Agreement.
- B.** District shall, at District's own expense, defend the City, its Officers, Employees, Police Department and its Officers, Board Members, Agents, and Volunteers against any liability, claim, suit, action or proceeding brought against City and/or any of its Police Department members or the Department itself, its Elected Officials, Officers, Employees, Agents, and Volunteers, arising from the District's performance, or non-performance, of any obligation set forth in this Agreement and/or for performance of non-obligations beyond the Agreement that create liability, loss, damage, or harm of any kind in which the City and/or any of its paid Staff are made a party to the litigation as a result of such actions or non-actions of the District. The obligations of this paragraph survive the termination of this Agreement.
- C.** District shall secure and maintain, at all times during the term of this Agreement, Commercial General Liability Insurance or participation in a Self-Insurance Program with minimum limits of one million combined single limit bodily injury and property damage. On request by City, District shall provide a Certificate of Insurance or other evidence demonstrating compliance with this provision of the Agreement.
- D.** Each party has the absolute discretion to determine whether a settlement of any claim, liability, lawsuit, demand, or litigation, as to that party, is acceptable or should otherwise be had; however, where the claim, liability, lawsuit, demand, or litigation is the sole obligation of the other party as established in Section VIII (A) or (B), the party responsible for indemnification, defense and/or hold harmless obligations shall have the right to take control of the matter through their retained counsel so long as the obligations of this Section are being met and are thereafter satisfied, including but not limited to any indemnification and/or defense obligation.

IX.
MISCELLANEOUS

- A.** Each party shall promptly notify the other of any claim being threatened or advanced that arises from the terms of this Agreement. Notice shall be prompt and timely if given within 30 days following the date of receipt of a claim or 10 days following the date of service of process of a lawsuit. This provision shall survive the termination, expiration, or cancellation of this Agreement.

- B. Any dispute between the parties, or any claim for declaratory relief seeking an interpretation of this Agreement, shall be governed by the laws of the State of California, and shall be filed and prosecuted through dismissal or judgement in the Tehama County Superior Court.
- C. Neither party shall discriminate in employment practices or in the delivery of services on the basis of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, medical condition (including cancer, HIV, and AIDS) physical or mental disability, use of family care leave under either the Family & Medical Leave Act or the California Family Rights Act, or on the basis of any other status or conduct protected by law.
- D. District represents that it is in compliance with and agrees that District and City shall continue to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. sections 12101, et seq.), the Fair Employment and Housing Act (Government Code sections 12900, et seq.), and regulations and guidelines pursuant thereto and actually and legally applicable to the City.
- E. If any portion of this Agreement or application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction or if it is found in contravention of any Federal or State statute or regulation or County and/or City Ordinance, the remaining provisions of this Agreement, or the application thereof, shall not be invalidated thereby and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

X.
NOTICES

- A. Any notices required or permitted pursuant to the terms and provisions of this Agreement shall be given to the appropriate Party at the address specified below or at such other address as the Party shall specify in writing. Such notice shall be deemed given: (1) upon personal delivery; or (2) if sent by first class mail, postage prepaid, two days after the date of mailing.

If to District: Corning Union High School District
Attn: Jared Caylor, Superintendent
643 Blackburn Avenue
Corning, CA 96021
(530) 824-8000

If to City: City of Corning
Attn: Kristina Miller, City Manager
794 Third Street
Corning, CA 96021
Phone: (530) 824-7034

- B. Any oral notice authorized by this Agreement shall be given to the persons specified in Section X and shall be deemed to be effective immediately.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below. By their signatures below, each signatory represents that he/she has the authority to execute this MOU and to bind the Party on whose behalf his/her execution is made.

DISTRICT:

CITY OF CORNING, CALIFORNIA:

Jared Caylor, Superintendent

Kristina Miller, City Manager

Date

Date

LEGAL COUNSEL:

LEGAL COUNSEL:

Collin Bogener, City Attorney

ATTEST:

Lisa M. Linnet, City Clerk

**ITEM NO.: J-15
APPROVE WAIVER ALLOWING A
HOLIDAY BOUTIQUE/CRAFT SALE
AT 1890 NORTH ST. FROM
NOVEMBER 7TH THRU DECEMBER
20, 2020**

November 10, 2020

TO: MAYOR AND CITY COUNCIL OF THE CITY OF CORNING
FROM: KRISTINA MILLER, CITY MANAGER
CHRISSY MEEDS, PLANNER 1

BACKGROUND:

Linda Byers contacted city staff in regard to running a craft boutique in her garage located at 1890 North St., APN: 071-020-048. The dates would be November 7th through December 20th. Mrs. Byers stated she would be open to the public on the weekend days and by appointment ONLY throughout the week. All COVID safety precautions will be in place, i.e.: 4 shoppers allowed at a time; and masks and gloves will be required at all times. Tehama County Health Department has given Mrs. Byers the COVID regulation retail guidance to follow.

Mrs. Byers usually attends all the local craft fairs in the area to sell her craft items. All these fairs have been cancelled due to COVID for the year of 2020.

Staff has discussed the safety and parking issues. I have attached a google earth map to show there is ample parking.

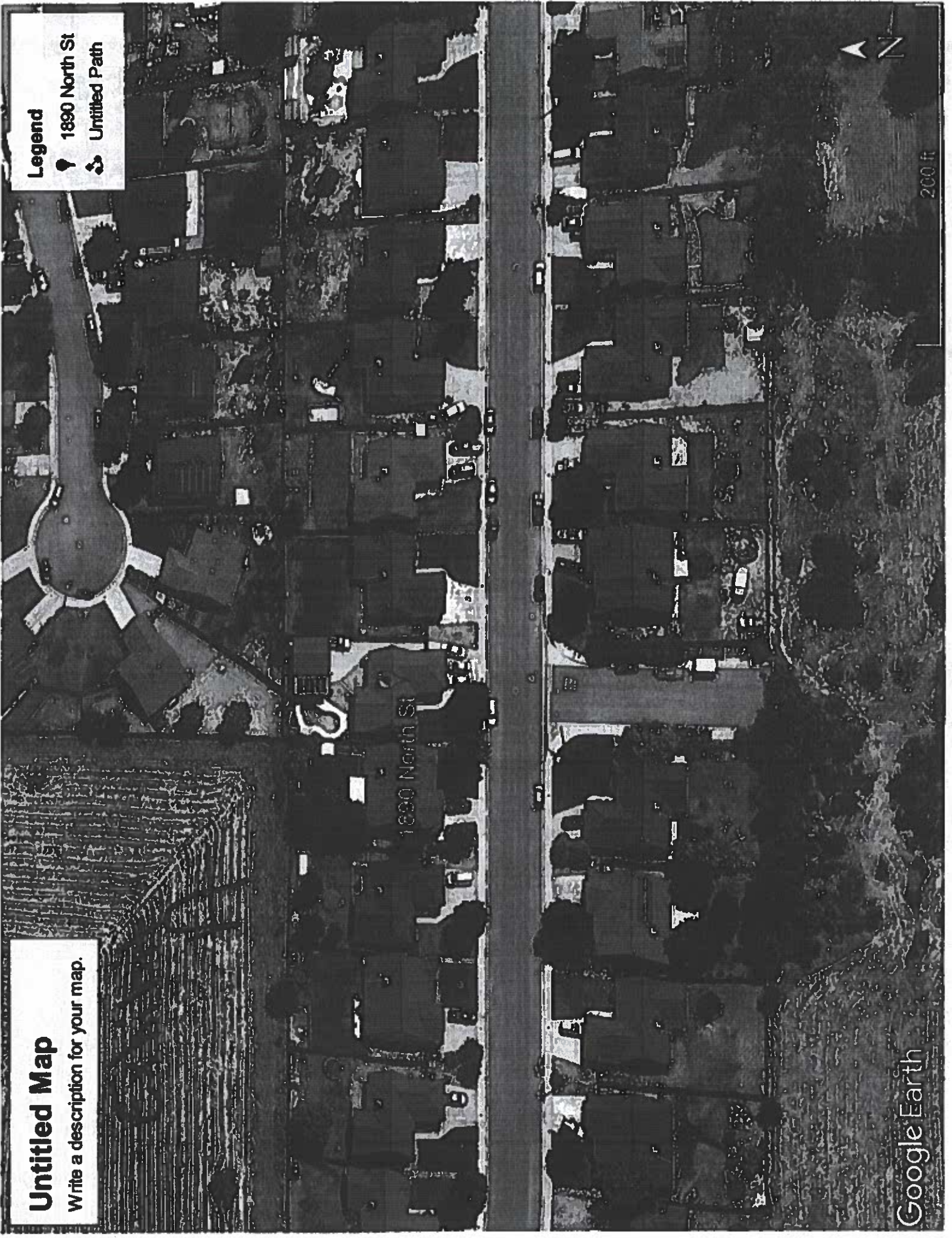
City Attorney Collin Bogener advised Staff to issue a Yard Sale Permit for November 7th through November 9th. This allows Staff to place the request on the November 10th City Council Agenda for Council to consider waiving existing Municipal Code restrictions. Staff has issued Mrs. Byers a Yard Sale Permit for November 7th through November 9th per direction from the City Attorney.

ACTION:

STAFF SEEKS CITY COUNCIL APPROVAL TO TEMPORARILY WAIVE THE RESTRICTIONS MUNICIPAL CODE SECTIONS 5.40 AND 17.06.270 AND PERMIT LINDA BYERS TO SELL RETAIL CRAFTS FROM HER HOME AT 1880 NORTH STREET FROM NOVEMBER 7TH THROUGH DECEMBER 20, 2020.

EXHIBITS:

- "A" GOOGLE EARTH MAP**
- "B" COVID RETAIL GUIDANCE**
- "C" YARD SALE PERMIT**
- "D" CODE DEFINITIONS**



Untitled Map

Write a description for your map.

Legend

- 1890 North St
- Untitled Path



COVID-19 INDUSTRY GUIDANCE: Retail

October 20, 2020

covid19.ca.gov



OVERVIEW

On March 19, 2020, the State Public Health Officer and Director of the California Department of Public Health issued an order requiring most Californians to stay at home to disrupt the spread of COVID-19 among the population.

The impact of COVID-19 on the health of Californians is not yet fully known. Reported illness ranges from very mild (some people have no symptoms) to severe illness that may result in death. Certain groups, including people aged 65 or older and those with serious underlying medical conditions, such as heart or lung disease or diabetes, are at higher risk of hospitalization and serious complications. Transmission is most likely when people are in close contact or in a poorly ventilated area with an infected person, even if that person does not have any symptoms or has not yet developed symptoms.

Precise information about the number and rates of COVID-19 by industry or occupational groups, including among critical infrastructure workers, is not available at this time. There have been multiple outbreaks in a range of workplaces, indicating that workers are at risk of acquiring or transmitting COVID-19 infection. Examples of these workplaces include hospitals, long-term care facilities, prisons, food production, warehouses, meat processing plants, restaurants, and grocery stores.

As stay-at-home orders are modified, it is essential that all possible steps be taken to ensure the safety of workers and the public.

Key prevention practices include:

- physical distancing to the maximum extent possible,
- use of face coverings by workers (where respiratory protection is not required) and customers/clients,
- frequent handwashing and regular cleaning and disinfection,
- training workers on these and other elements of the COVID-19 prevention plan.

In addition, it will be critical to have in place appropriate processes to identify new cases of illness in workplaces and, when they are identified, to intervene quickly and work with public health authorities to halt the spread of the virus.

PURPOSE

This document provides guidance for retailers to support a safe, clean environment for workers and customers. Businesses must identify and monitor the County Risk Level for the county the business is operating in and make required adjustments to their operations:

- **Purple - Widespread - Tier 1:** Indoor operations are permitted but must be limited to 25% capacity. Grocery stores must limit to 50% capacity. All retail operations must follow this guidance.
- **Red - Substantial - Tier 2:** Indoor operations are permitted but must be limited to 50% capacity. Grocery stores can operate at full capacity. All retail operations must follow this guidance.
- **Orange - Moderate - Tier 3:** Indoor operations are permitted at full capacity and retail operations must follow this guidance.
- **Yellow - Minimal - Tier 4:** Indoor operations are permitted at full capacity and retail operations must follow this guidance.

For the most updated information on county status, visit [Blueprint for a Safer Economy](#). Please note that local health departments can have more restrictive criteria and different closures. Find [your county's local information](#).

The guidance is not intended to revoke or repeal any worker rights, either statutory, regulatory or collectively bargained, and is not exhaustive, as it does not include county health orders, nor is it a substitute for any existing safety and health-related regulatory requirements such as those of Cal/OSHA. Stay current on changes to public health guidance and state/local orders, as the COVID-19 situation continues.

Cal/OSHA has more safety and health guidance on their [Cal/OSHA Guidance on Requirement to Protect Workers from Coronavirus webpage](#). CDC has additional guidance [for businesses and employers](#) and for [food and grocery retailers](#).

Required Use of Face Coverings

On June 18, CDPH issued [Guidance on the Use of Face Coverings](#), which broadly requires the use of face coverings for both members of the public and workers in all public and workplace settings where there is a high risk of exposure. Complete details, including all requirements and exemptions to these rules, can be found in the [guidance](#).

The [CDPH Face Covering Guidance](#) is subject to additional updates based on the current scientific understanding of transmission of the virus causing COVID-19. Please check the CDPH website for any revisions.



Workplace Specific Plan

- Establish a written, workplace-specific COVID-19 prevention plan at every location, perform a comprehensive risk assessment of all work areas and work tasks, and designate a person at each establishment to implement the plan.
- Incorporate the [CDPH: Face Covering Guidance](#) into the Workplace Specific Plan and include a policy for handling exemptions.
- Identify contact information for the local health department where the operation is located for communicating information about COVID-19 outbreaks among workers or customers.
- Train and communicate with workers and worker representatives on the plan and make the plan available to workers and their representatives.
- Regularly evaluate the establishment for compliance with the plan and document and correct deficiencies identified.
- Investigate any COVID-19 illness and determine if any work-related factors could have contributed to risk of infection. Update the plan as needed to prevent further cases.
- Implement the necessary processes and protocols when a workplace has an outbreak, in accordance with [CDPH guidance lines](#) and orders or guidance from the local health department.
- Identify close contacts (within six feet for 15 minutes or more) of an infected worker and take steps to isolate COVID-19 positive worker(s) and close contacts.
- Notify all employees in writing, and employers of subcontracted employees, who may have been exposed to COVID-19 and report workplace outbreaks to the local health department. For additional information on employer responsibilities under eB 685 (Chapter 84, Statutes of 2020), refer to the [Enhanced Enforcement and Employer Reporting Requirements](#) from Cal/OSHA and the [Employer Questions about AB 685](#) from CDPH.
- Adhere to the guidelines below. Failure to do so could result in workplace illnesses that may cause operations to be temporarily closed or limited.



Topics for Worker Training

- Information on [COVID-19](#), how to prevent it from spreading, and which [people are at higher risk](#) for severe illness or death.
- Self-screening at home, including temperature and/or symptom checks using [CDC guidelines](#).
- The importance of not coming to work:
 - If a worker has symptoms of COVID-19 as [described by the CDC](#), such as a fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea, vomiting, or diarrhea, OR
 - If a worker was diagnosed with COVID-19 and has not yet been released from isolation, OR
 - If, within the past 14 days, a worker has had contact with someone who has been diagnosed with COVID-19 and is considered potentially infectious (i.e. still on isolation).
- To return to work after a worker receives a COVID-19 diagnosis only after meeting [CDPH Guidance on Returning to Work or School Following COVID-19 Diagnosis](#).
- To seek medical attention if their symptoms become severe, including persistent pain or pressure in the chest, confusion, or bluish lips or face. Updates and further details are available on [CDC's web page](#).
- The importance of frequent handwashing with soap and water, including scrubbing with soap for 20 seconds (or using hand sanitizer with at least 60% ethanol (preferred) or 70% isopropanol (if the product is inaccessible to unsupervised children) when workers cannot get to a sink or handwashing station, per [CDC guidelines](#)). Never use hand sanitizers with [methanol](#) due to its high toxicity to both children and adults.
- The importance of physical distancing, both at work and off work time (see Physical Distancing section below).
- Proper use of face coverings, including:
 - Face coverings are not personal protective equipment (PPE).
 - Face coverings do not replace the need for physical distancing and frequent handwashing.
 - Face coverings must cover the nose and mouth.

- Workers should wash or sanitize hands before and after using or adjusting face coverings.
- Avoid touching the eyes, nose, and mouth.
- Face coverings must not be shared and should be washed or discarded after each shift.
- Information contained in the [CDPH Guidance for the Use of Face Coverings](#), which mandates the circumstances in which face coverings must be worn and the exemptions, as well as any policies, work rules, and practices the employer has adopted to ensure the use of face coverings. Training should also include the employer's policies on how people who are exempted from wearing a face covering will be handled.
- Ensure any independent contractors, temporary, or contract workers at the facility are also properly trained in COVID-19 prevention policies and have necessary supplies and PPE. Discuss these responsibilities ahead of time with organizations supplying temporary and/or contract workers.
- Information on paid leave benefits the worker may be entitled to receive that would make it financially easier to stay at home. See additional information on [government programs supporting sick leave and workers' compensation for COVID-19](#), including workers' sick leave rights under the [Families First Coronavirus Response Act](#).



Individual Control Measures and Screening

- Provide temperature and/or symptom screenings for all workers at the beginning of their shift and any vendors, contractors, or other workers entering the establishment. Make sure the temperature/symptom screener avoids close contact with workers to the extent possible.
- If requiring self-screening at home, which is an appropriate alternative to providing it at the establishment, ensure that screening was performed prior to the worker leaving the home for their shift and follows [CDC guidelines](#), as described in the Topics for Worker Training section above.
- Encourage workers who are sick or exhibiting symptoms of COVID-19 to stay home.
- Employers must provide and ensure workers use all required protective equipment, including eye protection and gloves where necessary. This includes protections for cashiers, baggers, and other workers with regular and repeated interaction with customers.
- Employers should consider where disposable glove use may be helpful.

to supplement frequent handwashing or use of hand sanitizer; examples are for workers who are screening others for symptoms or handling commonly touched items.

- Workers who consistently must be within six feet of guests or co-workers must wear a secondary barrier (e.g., face shield or safety goggles) in addition to a face covering. All workers should minimize the amount of time spent within six feet of guests.
- Workers must also be provided and use protective equipment when offloading and storing delivered goods.
- Retailers must take reasonable measures, including public address announcements, posting signage in strategic and highly-visible locations, and in reservation confirmations, to remind the public that they must use face coverings whenever not eating or drinking (unless exempted per the [CDPH Face Covering Guidance](#)), practice physical distancing, not touch their face, frequently wash their hands with soap and water for at least 20 seconds, and use hand sanitizer.



Ventilation, Cleaning, and Disinfecting Protocols

- Where possible, install portable high-efficiency air cleaners, upgrade the building's air filters to the highest efficiency possible, and make other modifications to increase the quantity of outside air and ventilation in offices and other indoor spaces.
- Check the [CDPH website](#) periodically for updates on indoor air quality and ventilation guidance for airborne diseases in indoor settings.
- Perform thorough cleaning in high traffic areas, such as break rooms, lunch areas and areas of ingress and egress including stairways, stairwells, escalators, handrails, and elevator controls. Frequently disinfect commonly used surfaces, including shopping carts, baskets, conveyor belts, registers (including self-checkout), scanners, register telephones, hand-held devices, counters, door handles, shelving, ATM PIN pads, customer assistance call buttons, handwashing facilities, etc.
- Clean and disinfect shared equipment, including but not limited to, pallet jacks, ladders, supply carts, time clocks, payment portals, and styluses between each use.
- Clean touchable surfaces between shifts or between users, whichever is more frequent, including but not limited to working surfaces, tools, and stationary and mobile equipment controls.

- Equip customer entrances and exits, checkout stations, customer changing rooms with proper sanitation products, including hand sanitizer and sanitizing wipes, and provide personal hand sanitizers to all frontline staff (e.g., cashiers).
- Ensure that sanitary facilities stay operational and stocked at all times and provide additional soap, paper towels, and hand sanitizer when needed.
- To minimize the risk of [Legionnaires' disease](#) and other diseases associated with water, take steps to ensure that all water systems and features (e.g., drinking fountains, decorative fountains) are safe to use after a prolonged facility shutdown.
- Provide resources to promote workers' personal hygiene. This will include tissues, no-touch trash cans, hand soap, adequate time for hand-washing, alcohol-based hand sanitizers, disinfectants, and disposable towels.
- When choosing disinfecting chemicals, use products approved for use against COVID-19 on the [Environmental Protection Agency | EPA approved](#) list and follow product instructions. Use disinfectants labeled to be effective against emerging viral pathogens, diluted household bleach solutions (5 tablespoons per gallon of water), or alcohol solutions with at least 70% alcohol that are appropriate for the surface. Provide workers training on the chemical hazards, manufacturer's directions, ventilation requirements, and Cal/OSHA requirements for safe use. Workers using cleaners or disinfectants must wear gloves and other protective equipment as required by the product instructions. Follow the [safer cleaning methods](#) recommended by the California Department of Public Health and ensure proper ventilation.
- Adjust or modify store hours to provide adequate time for regular, thorough cleaning and product stocking. Stagger stocking so that associates are in different aisles.
- Provide time for workers to implement cleaning practices during their shift. Assign cleaning assignments during working hours as part of the employee's job duties. Procure options for third-party cleaning companies to assist with the increased cleaning demand, as needed.
- Install hands-free devices, if possible, including motion sensor lights, contactless payment systems, automatic soap and paper towel dispensers, and timecard systems.
- Encourage the use of debit or credit cards by customers, for example, through signage.



Physical Distancing Guidelines

- **WARNING:** physical distancing alone is insufficient to prevent transmission of COVID-19.
- Retailers should create clearly-marked curbside or outside pickup points that maintain physical distance with visual cues or other measures, and have purchased goods available there or available through home delivery.
- Implement measures to ensure physical distancing of at least six feet between workers and customers. This can include use of physical partitions or visual cues (e.g., floor markings, colored tape, or signs to indicate to where workers and/or customers should stand).
- Take measures at checkout stations to minimize exposure between cashiers and customers, such as Plexiglas barriers.
- Consider offering workers who request modified duties options that minimize their contact with customers and other workers (e.g., managing inventory rather than working as a cashier or managing administrative needs through telework).
- Adjust in-person meetings, if they are necessary, to ensure physical distancing and use smaller individual meetings at facilities to maintain physical distancing guidelines.
- Place additional limitations on the number of workers in enclosed areas to ensure at least six feet of separation to limit transmission of the virus.
- Stagger worker breaks, in compliance with wage and hour regulations, to maintain physical distancing protocols.
- Ensure workers can maintain physical distance in breakrooms, using barriers, increasing distance between tables/chairs to separate workers, etc. Where possible, create outdoor break areas with shade coverings and seating arrangements that ensures physical distancing. Discourage workers from congregating during breaks and ensure they are not eating or drinking without face coverings within six feet of each other.
- Close in-store bars, bulk-bin options, and public seating areas and discontinue product sampling.
- Dedicate shopping hours for vulnerable populations, including seniors and those medically vulnerable, preferably at a time following a complete cleaning.
- Increase pickup and delivery service options for customers to help minimize in-store contact and maintain social distancing, such as online ordering and curbside pick-up.

- Provide a single, clearly designated entrance and separate exit to help maintain physical distancing where possible.
- Be prepared to queue customers outside while still maintaining physical distance, including through the use of visual cues.
- Encourage workers to practice physical distancing during pickup and delivery by talking with the customer through a passenger window, loading items directly into the customer's trunk without contact, or leaving items at their door.
- Make some locations pickup- or delivery-only to minimize worker/customer contact, where possible.
- Install transfer-aiding materials, such as shelving and bulletin boards, to reduce person-to-person hand-offs where possible. Wherever possible, use contactless signatures for deliveries.
- Expand direct store delivery window hours to spread out deliveries and prevent overcrowding.

¹ Additional requirements must be considered for vulnerable populations. The retail industry must comply with all [Cal/OSHA](#) standards and be prepared to adhere to its guidance as well as guidance from the [Centers for Disease Control and Prevention \(CDC\)](#) and the [California Department of Public Health \(CDPH\)](#). Additionally, employers must be prepared to alter their operations as those guidelines change.



ITEM NO.: J-16

**APPROVE RESOLUTION NO. 11-10-2020-01
AUTHORIZING THE SUBMITTAL OF
APPLICATIONS TO THE DEPARTMENT OF
RESOURCES RECYCLING AND RECOVERY
BEVERAGE CONTAINER RECYCLING
CITY/COUNTY PAYMENT PROGRAM AND
RELATED AUTHORIZATIONS**

November 10, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: KRISTINA MILLER, CITY MANAGER
LISA M. LINNET, ADMINISTRATIVE ASSISTANT

SUMMARY:

The City of Corning is fortunate that the Tehama County Solid Waste Management Agency acts as our regional partner in coordinating Solid Waste and Recycling issues and programs throughout the County. The Agency receives no direct funding through the City Budget.

The "JPA", will continue to manage the funds and prepare on behalf of the City, all the applicable funding and reporting reports, as they currently do, to the Department of Resources, Recycling, and Recovery (CalRecycle) for the Beverage Container Recycling City/County Payment Plan. However, the City will be required to designate an authorized signatory to review and sign these reports. The proposed Resolution also stipulates that it is effective for a five (5) year period from the date of adoption.

The Tehama County Solid Waste Management Agency uses the funds to implement and promote AB 939 Programs, beverage container recycling programs, and fund litter cleanup efforts on behalf of the Cities and County. If the City would like to continue to apply for the funds, the attached Resolution will need to be approved by the City Council and submitted with the funding request, which will be due in early June. The Tehama County Solid Waste Management Agency will prepare the funding requests for the jurisdictions.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE:

- **RESOLUTION NO. 11-10-2020-01, A RESOLUTION OF THE CITY OF CORNING AUTHORIZING THE TEHAMA COUNTY SOLID WASTE MANAGEMENT AGENCY TO SUBMIT A REGIONAL APPLICATION TO THE DEPARTMENT OF RESOURCES, RECYCLING, AND RECOVERY FOR A FISCAL YEAR 2020/21 BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM: AND**
- **AUTHORIZE CITY MANAGER, OR HIS/HER DESIGNEE, AS HAVING "SIGNATURE AUTHORITY" TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT AND SECURE PAYMENT.**

RESOLUTION NO.: 11-10-2020-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO THE DEPARTMENT OF
RESOURCES RECYCLING AND RECOVERY BEVERAGE CONTAINER
RECYCLING CITY/COUNTY PAYMENT PROGRAM AND RELATED
AUTHORIZATIONS**

WHEREAS, pursuant to Public Resources Code Sections 48000 et seq., 14581 and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various Payment Programs to make payments to qualifying Jurisdictions; and

WHEREAS, in furtherance of this authority, CalRecycle is required to establish procedures governing the administration of the Payment Programs; and

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by Resolution certain authorizations related to the administration of the Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the City of Corning is authorized to submit an application to CalRecycle for the Beverage Container Recycling City/County Payment Program; and

BE IT FURTHER RESOLVED that the City Manager, or his/her designee, is hereby authorized as having Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that this Resolution is effective for five (5) years from its date of adoption.

The foregoing Resolution was passed by the City Council of the City of Corning, this 10TH day of November 2020.

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, California, DO HEREBY CERTIFY that the foregoing Resolution (Resolution 11-10-2020-01) 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 10th day of November, 2020 by the votes listed above. This Resolution has not been amended or altered and is in full force and effect on the date stated above.

Lisa M. Linnet, City Clerk



Beverage Container Recycling City/County Payment Program
City/County Annual Payment and Reporting System
Funding Request Certification

Corning

Funding Request Cycle: FY 2020-21

Type: Individual

Eligible Funds (\$): 5,000

Program Requirements

1) PRC 14581 (a)(3)(B)

Project Description:

The Agency plans to conduct public education and outreach to increase participation in Beverage Container recycling programs; ongoing support of litter abatement, roadside cleanups and cleanups of litter in creeks and other areas; ongoing purchases of infrastructure that increases beverage container recycling for parks, public areas, schools, bus stops, etc.

2) PRC 14581 (a)(3)(F) (Supermarket sites refer to certified recycling centers at supermarkets (PRC 14526.6))

Have you prohibited the siting of a supermarket site?

No

Have you caused a supermarket to close its business?

No

Have you adopted a land use policy that restricts or prohibits the siting of a supermarket site within your jurisdiction?

No

3) Are you currently participating in mediation mandated by AB 506 ? Have you attempted to initiate such mediation or have you declared a fiscal emergency within the last 12 months? *Note: The answer is for informational purposes and will not be used to determine eligibility for payment funding.*

No

4) California Labor Code section 1782 prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating jurisdictions are charter cities, the lead applicant must certify that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this Funding Request. If it is determined after award that a participating jurisdiction is a charter city prohibited from receiving state funds for this project, the agreement will be terminated and any disbursed program funds shall be returned to CalRecycle. If any applicant or participating jurisdiction is a charter city, does Labor Code section 1782 prohibit those charter cities from receiving state funding for the project described in this Funding Request? Check the following, as applicable.

Not Applicable, This Funding Request does not include any charter cities.

5) These funds shall not be used for activities unrelated to beverage container recycling or litter reduction, Public Resources Code 14581 (a)(3)(C). Applicant acknowledges that submittal of this Funding Request constitutes acceptance of all provisions contained in the [City/County Payment Program Guidelines](#).

Yes, I Accept

Contacts

Name	Contact Type	Title	Phone	Email
Ms. Kristina Miller	Signature Authority	City Manager	(530) 824-7020	kmiller@corning.org
Mrs. Rachel Ross-Donaldson	Primary (Funding Request) , Secondary	Agency Manager	(530) 528-1103	rross@co.tehama.ca.us

Addresses

Address	Address Type	County
19995 Plymire Road Red Bluff, 96080	Mailing	Tehama
794 Third Street Corning, 96021	Physical, Payment	Tehama



Beverage Container Recycling City/County Payment Program
City/County Annual Payment and Reporting System
Funding Request Certification

Documents		
Document Type	Date	Title
Resolution	10/23/2020	City of Corning Resolution FY 2021 draft

Activity Expenditures		
Current Activity Group	Current Activity Item	Budgeted Funds (\$)
Beverage Container Collection Programs	Bars / Restaurants	1,000
	College / Universities	
	Public Transportation	
	Public Parks / Recreational Areas	
	Government / Office Buildings	
	Curbside - Residential	
	Curbside - Commercial	
	Curbside - Multi-family	
	Schools - Elementary	
	Schools - Middle	
	Schools - High	
	Community Events	
	Recycling Bins	
Litter Clean-up	Supplies - Liners / Bags / Gloves	500
	Water Refill Stations	
	Public Parks / Recreational Areas	
Advertising/Promotional	Roadways	500
	Equipment / Supplies	
	Media (TV, Radio, Video)	
Recycling Education	Print Ads / Flyers / Posters	1,000
	Schools - Elementary	
	Schools - Middle	
	Schools - High	
	General Public	
	Workshops / Presentations	
	Recycling Hotline / Website	
	Recycling Guides / Booklets / Brochures	
Personnel	Exhibits / Booths	2,000
	Recycling Coordinator	
Program Administrator		5,000
Total:		5,000

Penalty of Perjury Statement:

"I certify under penalty of perjury, under the laws of the State of California that I am authorized to sign this Funding Request on behalf of Recipient, that I have read the City/County Payment Program Guidelines and that to the best of my knowledge and belief that information provided in this Funding Request is true and correct."

X

Signature of Signature Authority (as authorized in Resolution) or
Authorized Designee (as authorized in Letter of Designation)

Date

KRISTINA MILLER

Print Name

CITY MANAGER

Print Title

IMPORTANT! Recipient must print out this page, obtain signature of Signature Authority, upload signed document to the City/County Annual Payment and Reporting System, and retain the original document in the Recipient's cycle file.

ITEM NO.: J-17

**APPROVE AND AUTHORIZE FIRE CHIEF
TO PURCHASE MODIFICATION AND
INSTALLATION TO CREATE THE MINI-
ATTACK CHIEF'S TRUCK FROM MTECH
IN THE AMOUNT OF \$35,870.00**

November 10, 2020

TO: HONORABLE MAYOR AND COUCILMEMBERS

FROM: KRISTINA MILLER, CITY MANAGER
TOM TOMLINSON, FIRE CHIEF



SUMMARY:

The weight of the modification is heavily considered because it can affect/reduce the wear and performance of the truck it is modifying causing extra maintenance and repair. Additionally, the manufacture of the equipment needed is highly specialized for emergency response supplies. Due to this, Staff was only able to locate one company locally that has the ability to provide the modifications needed to convert the Ford F-350 truck purchased into the Mini-Attack vehicle.

As a result of the above information, Staff requests Council authorize the Fire Chief to order and purchase the fabrication, modification and installation of the equipment directly from MTECH in the amount of \$35,870.00 per sections 3.12.082.A.2 and 3.12.082.A.3 of the Corning Municipal Code (attached). Also attached is the quote from MTECH for Council review.

FINANCIAL:

The Fiscal Year 2020/2021 City Budget was accepted by City Council on July 14, 2020. Budget Line Numbers: 076-9500-2301 – Vehicle-Replace/Fire Capital Replacement contains funding of \$80,000 for the purchase of a new replacement pickup and conversion. The purchase of the Ford F-350 was \$37,666.34 and was ordered. With the modification cost of \$35,870.00 the Mini-Attack Chief's truck is within the approved Budget.

RECOMMENDATION:

THAT MAYOR AND COUNCIL:

- 1. APPROVE THE PURCHASE, FABRICATION AND INSTALLATION FROM MTECH IN THE AMOUNT OF \$35,870 PURSUANT TO MUNICIPAL CODE 3.12.082 EXCEPTIONS FROM PURCHASING PROCEDURES A.2 & A.3 AS ATTACHED; and,**
- 2. AUTHORIZE THE FIRE CHIEF TO PROCEED WITH THE FABRICATION AND INSTALLATION OF THE NECESSARY EQUIPMENT FOR TRUCK MODIFICATIONS; and,**
- 3. AUTHORIZE PAYMENT TO MTECH IN THE AMOUNT OF \$35,870 FROM FUND 076-9500-2301 – VEHICLE-REPLACEMENT/FIRE CAPITAL REPLACEMENT UPON COMPLETION OF THE PROJECT.**

- **3.12.082 - Exceptions from purchasing procedures.**

A. The procedures set forth above may be dispensed with only when:

1. An emergency requires that the purchase be made immediately;
2. The product or services being sought are of such a unique nature that they are reasonably available from only a single source;
3. The services being sought are of a professional or other nature where factors other than price are considered significant;
4. The product or services being sought have already been put out to bid by the state or another public entity and the city may utilize the benefits of that process to obtain a competitive price;
5. The product being sought is a used or surplus product and it would be extremely difficult to seek competitive bids for something which is similar in nature.
6. The City Council determines that the supplies or equipment being sought should not go out to formal bid because the City's needs will be better met by soliciting prices from several different vendors, negotiating prices from a single vendor or following other procedures designed to expeditiously acquire what the City needs at a reasonable price. This exception to the formal bidding requirement recognizes that the lowest price available is a very important consideration but that it should not be the sole consideration when the City is also seeking the best quality product which most closely meets the City's needs. When this exception is applied, it shall only be done by the City Council and the final price, however it has been arrived at, shall only become a binding commitment of the City when the City Council approves it and authorizes the purchase to take place.

B. The purchasing officer shall not have authority to invoke any of the foregoing exceptions to purchasing procedures when services rather than supplies and/or equipment are the subject of the purchase.

C. When the purchasing officer or the city council authorizes a purchase using one or more of the foregoing exceptions from the regular purchasing procedures, the vendor to be used and the price to be paid should be thoroughly researched and aggressively negotiated so that the product or services being obtained are in the best interests of the city.

(Ord. 583 §1k, 1999).

(Ord. No. 648, § 2, 11-22-2011)

MTECH, Inc.
1072 MARAUDER STREET
SUITE 210
CHICO, CA 95973
Phone: 530-894-5091
Fax: 530-894-5092

Quotation

Quote CORNING FIRE DEPT

To:

Quote Number:	7130	Contact:	TOM TOMLINSON
Quote Date:	10/13/20	Expires:	11/12/20
Customer:	CORNINGFD	Inquiry:	
Salesman:	Chris McAvoy	Terms:	To be determined
Ship Via:	WILL CALL	Phone:	(530) 824-7044
FOB:	CHICO, CA	FAX:	

1. This is an estimate only. Modification to line items may affect final pricing.
2. Price does not include sales tax (if applicable), crating or freight charges.
3. Commercial address with a forklift or loading dock is required to qualify for QTAC flat rate shipping.

<u>Item</u>	<u>Part Number</u>	<u>Description</u>	<u>Revision</u>	<u>Quantity</u>	<u>Price</u>
1	2305.005-02			1	\$16,050.0000 /EA

<u>Part Number</u>				
<u>Item</u>	<u>Description</u>	<u>Revision</u>	<u>Quantity</u>	<u>Price</u>
	Custom MTECH PolyTough 200-gallon skid Includes: - (1) 8" x 8" Water Fill Tower w/ hinged lid and trash screen - (1) Pump platform - (1) Water level sight tube - Approximately 76"L x 48" W - Color: Black MTECH Pump Package, Includes: - (1) Waterax Striker 2 pump (Max 230PSI) with a 13hp 4-cycle engine with engine choke, throttle, and fuel valve control levers; keyed start switch; and low oil pressure alert lamp and shutdown - (1) 2" NH Overboard suction valve for draft - (1) 1.5" NH discharge with cap - (1) 1" Pump to tank - (1) 2" FNPT Tank to pump - (1) Tank drain - (1) Guzzler hand primer - (1) PolyTough battery box with onboard battery - (1) Welded stainless steel manifold - Brass and Stainless Steel plumbing components Waterax Control Panel, Includes: - (1) 2.5" Pressure gauge - (1) Low pressure shut off - (1) Manual Vernier throttle - (1) Low-oil light - (1) Engine choke Hannay Hose reel assembly, includes: - (1) Hannay steel electric rewind hose reel with rollers - (1) 100' x 3/4" 300 PSI booster hose (1" ID) - (1) 10-23 GPM Adjustable Viper fire nozzle *Fully assembled and tested			
2	2250.002-03 MTECH POLYTROUGH DRAWER SYSTEM SHORT BED		1	\$2,900.0000 /EA
4	2255.003 MTECH MOUNT FOR BACK STORAGE		1	\$850.0000 /EA
5	2255.007-02 MTECH POLYTROUGH SIDE BOX,		1	\$1,700.0000 /EA
7	GRAPHICS THREE LOGOS WITH STRIPS ALONG BED		1	\$2,500.0000 /EA
8	4200.017		1	\$9,870.0000 /EA

<u>Part Number</u>				
<u>Item</u>	<u>Description</u>	<u>Revision</u>	<u>Quantity</u>	<u>Price</u>
	LIGHTING PACKING, INCLUDES:			
	- (1) LIBERTY II DUO WC 54" D/D/D/D;54" DUO+ Color, Red, Amber and/or White. Lightbar to be fully loaded to include TAKE DOWNS, ally lights and traffic advisor.			
	- (1) CARBIDE SIREN W/CANPORT & T/A;Same as CCSRN5, Except with Traffic Advisor Module			
	- (1) Optional Control Heads for CenCom Carbide, Includes 3 Section Control Head and 8 Push-Buttons, 4-Position Slide Switch with a 7-Position Rotary			
	- (1) CenCom Carbide, Installation Kitterceptor Sedan and F2 SA315P SA315P SPEAKER, BLACK PLASTIC;Speaker, Nylon Composite			
	- (1) SIREN MT KIT UNIV SWIVEL;Heavy-Duty Universal/Swivel Bale Type Mounting Bracket			
	- (6) DUO LINEAR ION RED/WHITE, CHROME bezel			
	- (2) M4 V-SERIES LIGHT RED;V-Series Combination 180° Warning and Perimeter Light, Scan-Lock Flash Patterns with Color Outer Lens Over Warning, Red, Blue or Amber Warning			
	- (2) M4 SERIES FLANGE CHROME;Flange, Chrome			
9	INSTALLATION		1	\$2,000.0000 /EA
	All lighting and radios installed on customer chassis. Radio programming to be completed by the customer.			
			Total:	\$35,870.00

By CHRIS MCAVOY
MTECH, Inc.