



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, SEPTEMBER 8, 2020
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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

B. ROLL CALL:

Council:

**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:

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 August 25, 2020 Closed Session and Regular City Council Meeting.

4. September 2, 2020 Claim Warrant in the amount of \$208,397.21.

5. September 2, 2020 Business License Report.

6. August Wages & Salaries: \$375,674.60.

7. August 2020 Treasurer's Report.

8. August 2020 Building Permit Valuation Report in the amount of \$395,990.

9. August 2020 City of Corning Wastewater Operations Summary Report.

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

10. Adopt Resolution 09-08-2020-01 authorizing Staff to apply for Proposition 68 Grant Funds from the Statewide Park Development and Community Revitalization Program.

11. Adopt Resolution 09-08-2020-02, a Resolution declaring a public nuisance on two (2) properties in the City and authorize the Fire Chief to initiate Abatement Procedures.

12. Adopt Resolution 09-08-2020-03 authorizing the City Manager to execute and submit the Airport Grant Agreement for Grant No. 3-06-0053-007-2020 for the Corning Municipal Airport.

13. Request City Council direction regarding Outdoor Retail Operations.

14. Request City Council direction regarding Coronavirus Relief Funds Small Business Grant Program Guidelines.

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, SEPTEMBER 4, 2020



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES
TUESDAY, AUGUST 25, 2020
CITY COUNCIL CHAMBERS
794 THRID STREET**

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

B. ROLL CALL:

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

All members of the City Council were present except Councilor Valerio. Councilor Valerio entered the meeting at 7:35 p.m.

C. PUBLIC COMMENTS:

D. REGULAR AGENDA:

1. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to paragraph (1) of subdivision (d) of Government Code § 54956.9, two Cases:**
 1. Beggins vs. Carpenter, et al, Case No. 2:18 cv-01550-KJM-AC
 2. Case No. CV24394

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

Mayor Hatley announced that Council met in Closed Session and no reportable actions were taken on Item 1; direction was provided in relation to item 2, Case No. CV24394.



**AMENDED AGENDA
CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, AUGUST 25, 2020
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

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

All members of the City Council were present.

C. PLEDGE OF ALLEGIANCE: Led by two members of Cub Scout Pack 5 and two members of Boy Scout Troop 5.

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 provided an update on recent COVID-19 actions announcing that the County has been placed on the State Monitoring List and it is not anticipated that Tehama County will be removed soon due to gatherings and the increased counts of positives. She stated that the Tehama County Public Health Services Department has been doing an outstanding job in contact tracing. She stated she is deeply saddened to announce that effective tonight at midnight there will be a number of businesses required to shut down. These businesses are: Gyms & Fitness Centers, Hair Salons/Barbershops, malls, Personal Care Services such as nail salons, massage parlors and tattoo shops, and churches/religious

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buildings. She stated that City Staff will prepare letters to be sent to affected businesses, and the County is working on a compliance Ordinance that could include fines. City Manager Miller also stated that Staff is receiving a number of calls from the public and businesses in compliance reporting those businesses not in compliance.

City Manager Miller stated that thus far, the City Council has previously allocated \$10,000 in funding to support local businesses remain open by providing tables, chairs, and awnings. Currently five (5) businesses are participating in the City's Lease at no cost Program to lease tables, chairs, and awnings.

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

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

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes with any necessary corrections of the August 11, 2020 Closed Session and Regular City Council Meeting.**
4. **August 19, 2020 Claim Warrant in the amount of \$306,749.83.**
5. **August 19, 2020 Business License Report.**

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

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.

I. PUBLIC HEARINGS AND MEETINGS: None.

J. REGULAR AGENDA:

6. **Adopt Resolution 08-25-2020-01 approving a Volunteer Fire Assistance (VFA) Agreement in the amount of \$5,340 with CalFire and authorize the City Manager to sign all associated documents.**

Presented by Fire Chief Tom Tomlinson who stated that on May 24th the City Council approved submittal of the VFA Grant Application. The City was awarded the grant with a 50% City match of \$5,340 and now to receive the grant funds, the City needs to adopt the proposed Resolution and finalize the Agreement. He then listed the equipment to be funded by this grant.

Councilor Snow moved to adopt Resolution No. 08-25-2020-01 approving Agreement No. 7FG20019 between the City and the California Department of Forestry and Fire Protection; authorize the City Manager to sign and execute the Agreement and any Amendments on behalf of the City; and approve the expenditure of the Budgeted \$5,340 from fund 001-6552-2300 for the grant matching fund criteria. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a vote of 5-0.**

7. **Approve Specifications and authorize the Fire Department to seek proposals for a new 2021 Ford F-350 Pickup**

Presented by Fire Chief Tom Tomlinson who stated that this item was included, approved, and funded in the Capital Improvement Program in the amount of \$80,000. He stated that if approved the Bid will go out tomorrow. He stated that the truck is estimated to cost around \$40,000 and will then be outfitted with medical equipment and a skid unit to hold about 200 gallons of water.

Councilor Demo moved to approve the Specifications and authorize the Fire Department to seek proposals for a new 2021 Ford F-350 Pickup. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a vote of 5-0.**

8. Request to appropriate additional funds from General Fund Reserves to assist local businesses impacted by COVID-19.

City Manager Kristina Miller presented this item and apologized for not having a staff report attached. She stated that she had just been informed that the County would be placed on the State Monitoring List. As a result, she stated that she is requesting an additional \$10,000 from the City's General Fund Reserves to support our local businesses. City Manager Miller explained that thus far the City has spent approximately \$7,000 in items to support our local restaurants. She also asked for some discretion on what items to purchase, with the understanding that all items would be such that can be used to support future City events.

Secondly, she emphasized that the CDBG (Community Development Block Grant) funding assistance of \$77,000 currently being administered by the County through 3CORE with the stipulation that City businesses have first consideration, this funding comes with many strings. For this reason, she stated that she has been researching possibly utilizing CARES ACT funding in the amount of \$99,000 to additionally assist our local businesses.

Councilor Snow moved to put 100% of the CARES ACT funding towards assisting our businesses. Councilor Demo seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a vote of 5-0.**

Councilor Burnett moved to allocate \$10,000 from General Fund Reserves to budget line item Community Events to assist City businesses. Councilor Demo seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a vote of 5-0.**

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: Nothing

Valerio: Announced that on Saturday, October 10th from 10 a.m. to 4 p.m. the Olive Festival and Farmers Market sponsored by the Chamber of Commerce will take place.

Demo: Nothing

Burnett: Nothing

Hatley: Nothing

The Public Comments was reopened to allow the City Manager to provide information relating to the available Recreation Programs.

N. ADJOURNMENT!: 7:01 p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: September 2, 2020

SUBJECT: Cash Disbursement Detail Report for the
Tuesday September 8, 2020 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 08-31-20	\$	24,496.36
B.	Payroll Disbursements	Ending 08-28-20	\$	129,199.21
C.	Cash Disbursements	Ending 09-02-20	\$	54,701.64

GRAND TOTAL \$ 208,397.21

REPORT.: Aug 31 20 Monday
 RUN...: Aug 31 20 Time: 14:37
 Run By: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 08-20 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
029842	08/20/20	ROJ00	ROJAS, IVAN	90.00 90.00	.00 .00	90.00 90.00	200802 200816	REC INSTRUCTOR-REC REC INSTRUCTOR-REC
			Check Total.....:	180.00	.00	180.00		
029843	08/26/20	BAS01	BASIC LABORATORY, INC	135.80 303.00	.00 .00	135.80 303.00	2008482 2008508	ProfServices Water Dept ProfServices Water Dept
			Check Total.....:	438.80	.00	438.80		
029844	08/26/20	BDI00	BDI - M&S REDDING	53.34	.00	53.34	950140303	SMALL TOOLS-
029845	08/26/20	COA03	COAST TO COAST COMPUTER P	215.50	.00	215.50	A2166322	OFFICE SUPPLIES-DISPATCH
029846	08/26/20	COR11	CORNING SAFE & LOCK	50.00	.00	50.00	0738	BLD MAINT-BLD MAINT
029847	08/26/20	DEP03	DEPT OF TRANS/CAL TRANS	3264.44	.00	3264.44	21001579	Equip.Maint. St&Trf Light
029848	08/26/20	GRA02	GRAINGER, W.W., INC	224.14	.00	224.14	962771901	COVID 19-GEN CITY
029849	08/26/20	HOM03	HOME DEPOT	111.93 16.49	.00 .00	111.93 16.49	1564026 8400867	MAT & SUPPLIES-PARKS MAT & SUPPLIES-PARKS
			Check Total.....:	128.42	.00	128.42		
029850	08/26/20	INT15	INTERWEST CONSULTING GROU	3960.00	.00	3960.00	62507	SB2-PROF SVCS SB2-PLANNIN
029851	08/26/20	LIN01	LINCOLN AQUATICS, INC.	656.18	.00	656.18	SN047555	MAT & SUPPLIES-POOL
029852	08/26/20	NOR03	NCCSIF	5000.00	.00	5000.00	2270	WORKMENS COMP-GEN CITY
029853	08/26/20	OST00	OSTARELLO, ANGELA	250.00	.00	250.00	200824	JT LEVY-CITY COUNCIL
029854	08/26/20	PGE2B	PG&E	488.19	.00	488.19	7946956-8	SOLAR-WWTP
029855	08/26/20	QUI02	QUILL CORPORATION	15.94	.00	15.94	9656863	MAT & SUPPLIES-CITY COUNC
029856	08/26/20	S&L00	S & L BREWER ENTERPRISES	250.00	.00	250.00	20CORN08	K9 PROG-POLICE
029857	08/26/20	SAF05	SAFARILAND, LLC	98.04	.00	98.04	I01031592	MAT & SUPPLIES-POLICE
029858	08/26/20	TEH28	TEHAMA CO HEALTH AGENCY	8017.60	.00	8017.60	19-4	DRUG & ALCOHOL-PROP 47-CY
029859	08/26/20	WAL11	WALBERG INC.	405.00	.00	405.00	5834	VEH OP/MAINT-
029860	08/26/20	WAT07	WATTCO	720.00	.00	720.00	55643	VEH OP/MAINT-FIRE
029862	08/31/20	\L060	ELIZABETH LEON-RAMIREZ	78.61	.00	78.61	000C00801	MQ CUSTOMER REFUND FOR LE
029863	08/31/20	\M142	JUAN MONTOYA	2.16	.00	2.16	000C00801	MQ CUSTOMER REFUND FOR MO
			Cash Account Total.....:	24496.36	.00	24496.36		
			Total Disbursements.....:	24496.36	.00	24496.36		
			Cash Account Total.....:	.00	.00	.00		

REPORT.: Aug 31 20 Monday
 RUN...: Aug 31 20 Time: 14:37
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 08-20 Bank Account.: 1025

PAGE: 002
 ID #: PY-0P
 CTL.: COR

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
12090	08/26/20	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	C00826	POLICE OFFICER ASSOC
12091	08/26/20	BAN06	BANNER BANK	1345.22	.00	1345.22	C00826	HSA DEDUCTIBLE
12092	08/26/20	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	C00826	WITHHOLDING ORDER
12093	08/26/20	EDD01	EMPLOYMENT DEVELOPMENT	4757.04 1326.97	.00 .00	4757.04 1326.97	C00826 1C00826	STATE INCOME TAX SDI
Check Total.....:				6084.01	.00	6084.01		
12094	08/26/20	FED00	FEDERAL PAYROLL TAXES (EF	13252.55 16499.52 3858.88	.00 .00 .00	13252.55 16499.52 3858.88	C00826 1C00826 2C00826	FEDERAL INCOME TAX FICA MEDICARE
Check Total.....:				33610.95	.00	33610.95		
12095	08/26/20	ICM01	ICMA RETIREMENT TRUST-457	4175.05 185.00	.00 .00	4175.05 185.00	C00826 1C00826	ICMA DEF. COMP ICMA DEF. COMP ER PD
Check Total.....:				4360.05	.00	4360.05		
12096	08/26/20	PERS1	PUBLIC EMPLOYEES RETIRE	26166.44	.00	26166.44	C00826	PERS PAYROLL REMITTANCE
12097	08/26/20	PERS4	Cal Pers 457 Def. Comp	3452.18 520.00	.00 .00	3452.18 520.00	C00826 1C00826	PERS DEF. COMP. PERS DEF. COMP. ER P
Check Total.....:				3972.18	.00	3972.18		
12098	08/26/20	TEH16	TEHAMA COUNTY SHERIFF'S O	110.89	.00	110.89	C00826	WageOrder F#20000149
12099	08/26/20	VAL06	VALIC	2570.76 225.00	.00 .00	2570.76 225.00	C00826 1C00826	AIG VALIC P TAX AIG VALIC P TAX ER P
Check Total.....:				2795.76	.00	2795.76		
12102	08/28/20	AFL01	AMERICAN FAMILY LIFE	1268.78 176.96	.00 .00	1268.78 176.96	C00831 1C00831	AFLAC INS.PRE TAX AFLAC INS.AFTER TAX
Check Total.....:				1445.74	.00	1445.74		
12103	08/28/20	BLU02	BLUE SHIELD OF CALIFORNIA	16392.38	.00	16392.38	C00831	MEDICAL INSURANCE
12104	08/28/20	EDD01	EMPLOYMENT DEVELOPMENT	30.00 8.26	.00 .00	30.00 8.26	C00828 1C00828	STATE INCOME TAX SDI
Check Total.....:				38.26	.00	38.26		
12105	08/28/20	FED00	FEDERAL PAYROLL TAXES (EF	90.00 102.40 23.94	.00 .00 .00	90.00 102.40 23.94	C00828 1C00828 2C00828	FEDERAL INCOME TAX FICA MEDICARE
Check Total.....:				216.34	.00	216.34		
12106	08/28/20	OEU01	OPERATING ENGINEERS #3	26950.00	.00	26950.00	C00831	MEDICAL INSURANCE
12107	08/28/20	OEU02	OPERATING ENG. (DUES)	325.00 780.00 549.00 826.00	.00 .00 .00 .00	325.00 780.00 549.00 826.00	C00831 1C00831 2C00831 3C00831	UNION DUES MGMNT UNION DUES POLICE UNION DUES DISPATCH UNION DUES-MISC
Check Total.....:				2480.00	.00	2480.00		
12108	08/28/20	PERS1	PUBLIC EMPLOYEES RETIRE	16.78	.00	16.78	C00828	PERS PAYROLL REMITTANCE
12109	08/28/20	PR104	PRINCIPAL PLIC-SBD GRAND	1699.08 257.87 793.80	.00 .00 .00	1699.08 257.87 793.80	C00831 1C00831 2C00831	DENTAL INSURANCE VISION INSURANCE LIFE INSURANCE
Check Total.....:				2750.75	.00	2750.75		
Cash Account Total.....:				129199.21	.00	129199.21		
Total Disbursements.....:				129199.21	.00	129199.21		

REPORT.: Sep 02 20 Wednesday
 RUN.: Sep 02 20 Time: 14:31
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-20 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
029864	09/01/20	COR07	CORBIN WILLITS SYSTEMS, I	684.55	.00	684.55	000C009011	EQUIP MAINT-FINANCE
029865	09/01/20	COR09	CORNING CHAMBER OF COMM.	1000.00	.00	1000.00	000C009011	CngChamberComm. Economic
029866	09/01/20	DEM02	DEMO, DAVID LEWIS	104.70	.00	104.70	000C009011	PROF SVCS-FIRE DEPT
029867	09/01/20	MOO07	MOORE & BOGENER, INC.	5525.00	.00	5525.00	000C009031	CONSULTING SVCS-LGL SVCS
029868	09/01/20	OCH01	OCHOA CLEANING	4905.73	.00	4905.73	000C009011	JANITORIAL SERVICES-
029869	09/01/20	PAT05	PATTERSON PROPERTIES	500.00	.00	500.00	000C009021	MAT & SUPPLIES-REC
029870	09/01/20	PIT01	PITNEY BOWES	187.79	.00	187.79	000C009011	Rents/Leases Finance Dept
029871	09/01/20	SCH16	SCHLERETH, DAYMON WAYNE	54.70	.00	54.70	000C009011	PROF SVCS-FIRE DEPT
029872	09/01/20	ASB00	ASBURY ENVIRONMENTAL SERV	160.00	.00	160.00	I50000603	MAT & SUPPLIES-MECH MAINT
029873	09/01/20	BAS01	BASIC LABORATORY, INC	135.80	.00	135.80	2008736	ProfServices Water Dept
029874	09/01/20	COR08	CORNING LUMBER CO INC	98.61	.00	98.61	200825	MAT & SUPPLIES-
029875	09/01/20	COR12	CORNING FORD MERCURY, INC	10.34	.00	10.34	40587	VEH OP/MAINT-FIRE
029876	09/01/20	DM001	DM-TECH	119.90	.00	119.90	202009011	COMMUNICATIONS-GEN CITY
029877	09/01/20	INL01	INLAND BUSINESS SYSTEMS	107.37	.00	107.37	IN1583143	COMMUNICATIONS-
029878	09/01/20	LUN00	LUNA, KELLY	5.00	.00	5.00	200826	REC REFUND
029879	09/01/20	MCC07	MCCOY'S HARDWARE & SUPPLY	97.95	.00	97.95	200827F	OFFCIE SUPPLIES-
029880	09/01/20	PGE04	PG&E	1076.53	.00	1076.53	200828	TranspFacility-
029881	09/01/20	PGE05	PG&E	1045.90	.00	1045.90	200828	FIRE-ELECT & GAS
029882	09/01/20	PGE08	PG&E	468.04	.00	468.04	200828	MAT & SUPPLIES-REC
029883	09/01/20	PGE2A	PG&E	104.85 192.97 128.68 53.66	.00 .00 .00 .00	104.85 192.97 128.68 53.66	200825 200827 200828 200827A	ELECT-CORNING COMMUNITY P ELECT-MCDONALD,CASSANDRA, ELECT-CLELAND PROP ELECT-MARTINI PLAZA
			Check Total.....	480.16	.00	480.16		
029884	09/01/20	PGE2B	PG&E	6983.91	.00	6983.91	200826	ELECT-WWTP
029885	09/01/20	POW04	POWER UP ELECTRIC	2530.13	.00	2530.13	R2298	EQUIP MAINT-SWR
029886	09/01/20	TAN00	T AND S DVBE, INC.	348.25	.00	348.25	20-1987	PAINTING/REPAIR-STR
029887	09/01/20	VAL10	VALERIO, CHUY	80.00	.00	80.00	200901	REC REFUND
029888	09/02/20	AIR00	AIRGAS USA, LLC	60.76	.00	60.76	997367700	MAT & SUPPLIES-FIRE
029889	09/02/20	ATT02	AT&T	1021.95	.00	1021.95	115227447	COMMUNICATIONS-
029890	09/02/20	ATT15	AT&T MOBILITY	689.98	.00	689.98	200819	COMMUNICATIONS-
029891	09/02/20	BAU00	BAUER COMPRESSORS	5112.46	.00	5112.46	000027069	EQUIP REPLAC-FIRE CAP REP
029892	09/02/20	CAS06	CASCO	186.35	.00	186.35	151237	A/C CITYWIDE-STR
029893	09/02/20	COR02	CORNING OBSERVER	19.50	.00	19.50	200821	COMMUNICATIONS-GEN CITY
029894	09/02/20	CRO05	CROSS PETROLEUM	1591.80 292.94	.00 .00	1591.80 292.94	CL99533 CL99920	MAT & SUPPLIES- VEH OP/MAINT-FIRE
			Check Total.....	1884.74	.00	1884.74		
029895	09/02/20	FIR05	FIRST NATIONAL BANK OMAHA	65.37	.00	65.37	200827	MAT & SUPPLIES-
029896	09/02/20	FIR11	FIRST NATIONAL BANK OMAHA	1422.77	.00	1422.77	200827	SAFETY ITEMS-
029897	09/02/20	FIR13	FIRST NATIONAL BANK OMAHA	349.78	.00	349.78	200827	OFFICE SUPPLIES-
029898	09/02/20	FIR16	FIRST NATIONAL BANK OMAHA	3762.53	.00	3762.53	200827	MAT & SUPPLIES-
029899	09/02/20	GRA02	GRAINGER, W.W., INC	8.37	.00	8.37	963951820	MAT & SUPPLIES-BLD MAINT
029900	09/02/20	HEN03	HENRY SCHEIN INC.,	91.26	.00	91.26	82010926	SAFETY ITEMS-FIRE
029901	09/02/20	LOS05	LOS COSTENOS RESTAURANT	72.00	.00	72.00	200901	REFUND OVERAGE PAYMENT FR
029902	09/02/20	MCC07	MCCOY'S HARDWARE & SUPPLY	835.32	.00	835.32	200827	MAT & SUPPLIES-
029903	09/02/20	MIS01	MISSION LINEN SUPPLY	324.33	.00	324.33	512964486	MAT & SUPPLIES-PARKS
029904	09/02/20	NAP01	NAPA AUTO PARTS	523.18	.00	523.18	200825	MAT & SUPPLIES-
029905	09/02/20	QUI02	QUILL CORPORATION	353.38 108.35	.00 .00	353.38 108.35	9948350 9948938	EQUIP MAINT-FIRE OFFICE SUPPLIES-FINANCE

REPORT.: Sep 02 20 Wednesday
 RUN...: Sep 02 20 Time: 14:31
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-20 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
029905	09/02/20	QUI02	QUILL CORPORATION	355.47	.00	355.47	9984887	OFFICE SUPPLIES-FINANCE
Check Total.....:				817.20	.00	817.20		
029906	09/02/20	RES04	RESERVE ACCOUNT	3000.00	.00	3000.00	200901	COMMUNICATIONS-
029907	09/02/20	SCP00	SCP DISTRIBUTORS LLC	894.08	.00	894.08	SN048214	MAT & SUPPLIES-WTR
029908	09/02/20	SEI01	SEILER, ROY R., CPA	4288.00	.00	4288.00	29927	PROF SVCS-FINANCE
029909	09/02/20	TAN00	T AND S DVBE, INC.	2386.32	.00	2386.32	20-2012	MAT & SUPPLIES-COMM EVENT
029910	09/02/20	TOM03	TOMLINSON JR., ROBERT L.	30.13 144.90	.00 .00	30.13 144.90	200901 200910A	CONF/MTGS-FIRE CONF/MTGS-FIRE
Check Total.....:				175.03	.00	175.03		
Cash Account Total.....:				54701.64	.00	54701.64		
Total Disbursements.....:				54701.64	.00	54701.64		

Date.: Sep 2, 2020
Time.: 2:46 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
COAST SIGN	1500 W. EMBASSY ST.	ANAHEIM, CA 92802	SIGN CONTRACTOR	08/21/20
GONZALEZ GENERAL MAI	13478 HIGHWAY 99E	RED BLUFF, CA 96080	GENERAL MAINTENANCE (HANDYMAN)	08/27/20
POWER BY TIM	5711 EASTSIDE ROD	REDDING, CA 96001	PROVIDES GENERAL ELECTRIC SERVICES	08/26/20
URATA & SONS CONCRET	3430 LUYUNG DR.	RANCHO CORDOVA, CA 95742	CONSTRUCTION SUBCONTRACTORS	08/28/20

CITY OF CORNING
TREASURER'S REPORT
AUGUST 2020

<u>AGENCY</u>		<u>BALANCE</u>	<u>RATE</u>
Local Agency Investment Fund	\$	8,030,839.34	1.47%

Respectfully submitted:

Laura L. Calkins
City Treasurer



Permit Report

08/01/2020 - 08/31/2020

Permit No.	Permit Date	Parcel No.	Project Address	Owner Name	Project Description	Permit Type	Main Status	Project Cost
20188	8/28/2020	071-241-008-000	1291 6th	JOHNSON, JEANNIE A & JOHNSON, TOMMY	Tear off, re-roof	Roof	Finalized	8,500
20187	8/26/2020	073-113-006-000	402 Walnut St.	BEVERIDGE, CHARLENE & MICHAEL	Install roof mounted solar 5.525 kW 17 panels	Solar	Under Review	12,155
20186	8/25/2020	071-350-008-000	2187 North Street	WESTON, JASON	Roof Mount Solar - 4.80 KW / 15 Panels	Solar	ISSUED	23,600
20185	8/24/2020	071-272-036-000	1569 Meadowbrook	BRADFORD, ASHLEE ETAL	R/R AC and Furnace like for like same location	Mechanical	ISSUED	18,960
20184	8/20/2020	073-162-009-000	1331 Second Street	TORRES, ANA CARMELA & PEREZ, JOSE J DE LARA	Convert garage to playroom, enclose garage door to wall, and window and electrical.	Building	ISSUED	1,300
20183	8/19/2020		23085 Richfield Road, Corning, CA 96021		Outside City Limits	HVAC	Cancelled	0
20182	8/19/2020	071-250-031-000	2151 Fig Ln	MAYWOOD ASSOCIATES LTD	Replace 40-GAL Natural Gas water heater	Plumbing	ISSUED	1,653
20181	8/18/2020	071-310-010-000	1477 5th Avenue	PALMER, KIMBERLY A	Tear off and re-roof with composition shingles	Roof	ISSUED	7,020
20180	8/18/2020	073-142-001-000	1307 East	OLIVEIRA, JOHN B & OLIVEIRA, MARGARET A	Tear off, re-sheeting, reroof	Roof	Finalized	10,000

Permit No.	Permit Date	Parcel No.	Project Address.	Owner Name	Project Description	Permit Type	Main Status	Project Cost
20179	8/17/2020						Duplicate Permit - Cancelled	0
20178	8/17/2020	087-090-062-000	3350 Sunrise Way, Corning, CA 96021	KUMAR HOSPITALITY INC	Installation of 10 Level 2 EV Chargers on existing electrical service	Electrical	ISSUED	65,000
20177	8/17/2020	071-340-021-000	222 Rio Bravo	KECK, DANIEL C & DEBRA S	Change out 2 ton pkg unit	Mechanical	ISSUED	14,407
20176	8/17/2020	073-133-001-000	1205 Second	BLINE, DENISE R	Tear off, Re-roof	Roof	Finalized	5,000
20175	8/17/2020	075-310-023-000	131 Mooney Ct.	BYERS, LESTER D & BYERS, LINDA M	Siding replacement & fence replacement	Building	ISSUED	18,000
20174	8/15/2020	073-240-014-000	230 Marty Ct.	SOLYANIK, ANATOLIY	Conversion of Garage and Studio to an Accessory Dwelling Unit.	Building	ISSUED	12,000
20173	8/14/2020	071-241-011-000	1205 6th avenue	CROCKER JOLLY FAMILY LIVING TRUST 11/3/16	new bedroom bathroom closet	Building	Approved	25,000
20172	8/13/2020	071-212-013-000	1939 Elizabeth	CROUCH, WANDA L	Homeowners remove and replace roof.	Roof	Finalized	1,500
20171	8/13/2020	073-162-009-000	1331 2nd St.	TORRES, ANA CARMELA & PEREZ, JOSE J DE LARA	Convert Garage to Playroom.	ReModel	Under Review	1,500
20170	8/13/2020	071-225-007-000	1586 Herbert	CARRILLO, PABLO ZAVALA ETAL	Replacing Windows & Replacing Siding with Stucco	Tenant Improvement	ISSUED	7,700
20169	8/12/2020	073-135-001-000	819 Chestnut	AUDETTE, ROBERT J ETAL	Replace/Extend Fence	Fence	ISSUED	600
20168	8/12/2020	071-250-057-000	1739 Ascolano Ct.	AULABAUGH, DAVID M & AULABAUGH, HEATHER R	INSTALL 31 SOLAR PANELS	Solar	ISSUED	55,392

Permit No.	Permit Date	Parcel No.	Project Address	Owner Name	Project Description	Permit Type	Main Status	Project Cost
20167	8/11/2020	069-260-060-000	624 Edith Ave.	OLIVE TREE CORNING PLAZA LLC	REFRESH SITE IMAGE WITH NEW SIGNAGE	Signs	ISSUED	10,000
20166	8/10/2020	071-154-003-000	1809 McKinley	ROMO, CLAUDIO & ALMA	6.460KW Solar Roof Mount System	Solar	ISSUED	23,000
20165	8/9/2020	069-260-058-000	640 Edith	OLIVE TREE CORNING PLAZA LLC	Install signs for "Rite Aid".	Signs	ISSUED	16,000
20164	8/6/2020	073-172-008-000	1576 Pear Street	GARCIA, JUAN & GARCIA, ANA	Replace existing vinyl siding	Building	ISSUED	5,000
20163	8/6/2020	073-032-007-000	912 Colusa St.	CORNING MOSQUITO ABATEMENT	Installation of parking garage/structure	Building	ISSUED	10,285
20162	8/4/2020	071-273-032-000	1309 Fourth Street	Daniel J. Schaeffer	Upgrading panel from 100 to 200 amp	Electrical	Finald	1,500
20161	8/4/2020	071-244-013-000	1208 Chicago	BLACK, JUNE D ETAL	PV roof mount 4.030kw	Solar	ISSUED	13,000
20160	8/4/2020	073-200-018-000	412 Hyland	HOWELL, JULIAN W ETAL TRS HOWELL FAM REVOC TRUST 1	3.9kw Rooftop Solar and 100AMP Panel Change, Like for Like	Solar	ISSUED	13,000
20159	8/4/2020	073-073-011-000	851 Peach Street	ROSALIO & GLORIA CURIEL TRUST 11/3/06	Installation of 6ft. wood fencing across the back yard & 4 ft. across front yard	Fence	ISSUED	1,100
20158	8/3/2020	071-020-035-000	1755 Blue Heron	SALAZAR, ANABEL	R/R AC, Coil & Furnace Like for Like. Same Location	HVAC	ISSUED	11,318
20157	8/3/2020	071-115-002-000	503 Fourth	LOPEZ, ROBT ETAL	Replace/Install Fence	Fence	ISSUED	2,500
								395,990

Total Records: 32



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

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

- 1) Completed monthly reports.
- 2) Attended biweekly Covid-19 awareness meeting.
- 3) Changed flow disk.
- 4) New battery charger installed in emergency generator.
- 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) Telstar Inc. on site for annual flow meter calibration.
- 10) Inframark staff removed grease and debris from clarifier vaults with vactor truck.

- 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) Removed SO₃ analyzer data logger and sent to ACR for repair.
- 20) Completed ELAP required proficiency testing.
- 21) Installed UPS back-up on SO₃ analyzer due to power spike issues occurring daily at 6:00 pm.
- 22) Repaired broken wheel bearing on boat trailer.
- 23) Submitted ELAP requested pre assessment documentation for review.

August, 2020
Domestic Treated Flow Monthly Average = 694,580 GPD

**ITEM NO: J-10
ADOPT RESOLUTION 09-08-2020-01 AND
AUTHORIZE STAFF TO APPLY FOR PROP
68 GRANT FUNDS, STATEWIDE PARK
DEVELOPMENT AND COMMUNITY
REVITALIZATION PROGRAM**

September 8, 2020

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: CHRISTINA MEEDS, RECREATION COORDINATOR *cm*
KRISTINA MILLER, CITY MANAGER *KM***

SUMMARY:

City Staff is seeking Council's authorization to apply for Round 4 Prop 68 Statewide Park Development and Community Revitalization Program Grant Funds. This is a competitive grant awarded through the California Department of Parks and Recreation. The minimum award amount is \$200,000 and the maximum award amount is up to 8.5 million dollars with no required grant match, the Grant by itself may fund the entire Project. This grant can be awarded for the creation of new parks as well the revitalization/renovation of an existing Park. The creation of a new Park or renovation of an existing Park must also include a recreation feature(s). These can include a Recreation Facility, City Plaza Splash Pad, Outdoor Exercise Stations, Playground, Adaptive Play Structures, Dog Park, etc. The Grant Application is due December 14, 2020. If funded, projects must be completed by March 2025, with final payment requests submitted by June 30, 2025.

This Program will award Grants on a competitive basis for the creation of new Parks and new recreation opportunities in proximity to the most critically underserved communities across California. The creation of new parks in neighborhoods will be given priority. These projects will benefit the health of families, youth, senior citizens, and other population groups by meeting their recreational, cultural, social, educational, and environmental needs. More than one application can be submitted in each jurisdiction. City Staff propose to submit two applications.

In 2008, the City of Corning applied for and was funded under a similar grant to build Corning Community Park and Skate Park.

BACKGROUND:

With the development of the City of Corning Recreation Program, there is a strong need for not only more park space but a recreation facility to host program classes. The biggest challenge this Recreation Program faces is lack of facilities to host classes. The Recreation Program needs a gym/ multipurpose room to host sports and physical exercise classes. We also need a facility that has a commercial kitchen to host baking and cooking classes. We have several art classes that are being held in spaces that are not suitable for an art class. Many of our already established Parks are heavily utilized by existing sporting programs making it difficult for the Recreation Program to utilize the space. Our Program has grown exponentially, and enrollment is increasing each session, but there is a serious lack of adequate facilities to host these classes. This Grant could not only allow the City to create or renovate a Park, but also to build a recreation facility in the park as well.

Parks are unique places where children can play, families can bond, people can exercise, and a place where a sense of community is created. Parks and recreational activities create more humane and healthier communities. The Corning community can greatly benefit from a recreation facility not only to serve our Recreation Department, but a space for our community to host community events and functions.

FINANCIAL:

City Staff may make minor changes to the original application based on minor changes in the application guidelines. The City Engineer will also review the original cost estimate to determine whether increases are necessary as a result of an increase in the cost to construct. It is estimated the cost for the City Engineer to review the cost estimate will be \$1,000 or less.

There is no grant match requirement, if funded. There will be long term operational costs the City will have to assume if this project is funded. The associated contract with the State requires Grantees to ensure operation and maintenance of the project site for 30-years, with the 30-year period beginning with the appropriation date.

Staff has in the previous year reached out to the City of Orland asking the operational costs of their recreation facility. Orland responded stating that they pay approximately \$27,000 a year in operational costs for their facility. They stated that they generally bring in approximately \$16,000 in income from their Program and Rental fees. We assume the costs for our newly constructed facility will be similar to what Orland is paying, but the facility size and other design elements such as solar will affect the operational costs.

RECOMMENDATION:

MAYOR AND COUNCIL:

- 1. AUTHORIZE STAFF TO SUBMIT AN APPLICATION FOR PROP 68 GRANT FUNDS THROUGH THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION GRANT PROGRAM AT THE PREVIOUSLY APPLIED FOR LOCATION ON THE SOUTHSIDE OF SOLANO STREET BETWEEN 3RD AND 4TH STREETS; AND**
- 2. ADOPT RESOLUTION 09-08-2020-01, A RESOLUTION AUTHORIZING THE SUBMITAL OF THE PROPOSITION 68 STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION GRANT APPLICATION**

RESOLUTION NO. 09-08-2020-01
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING
APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND
COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by Resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Corning hereby:

APPROVES THE FILING OF AN APPLICATION FOR THE PROPOSITION 68 STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM (SPP) AND:

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project if the grant is awarded; and
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable Federal, State and Local Laws, Ordinances, Rules, Regulations and Guidelines.
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

Approved and adopted the 8th day of September 2020.

I, the undersigned, hereby certify that the foregoing Resolution Number 09-08-2020-01 was duly adopted by the City Council of the City of Corning by the following vote:

AYES:
OPPOSED:
ABSENT:
ABSTAIN:

Douglas Hatley Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

ITEM NO: J-11
**ADOPT RESOLUTION 09-08-2020-02, A
RESOLUTION DECLARING A PUBLIC
NUISANCE ON TWO (2) PROPERTIES
WITHIN THE CITY AND AUTHORIZE THE
FIRE CHIEF TO INITIATE ABATEMENT
PROCEDURES.**

September 8, 2020

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

SUMMARY:

A declaration of "Public Nuisance" is being sought from the City Council in reference to the two (2) properties listed on the attached Exhibit "A", based upon the conditions listed in Chapter 8.14, Weed Abatement of the City's Municipal Code. Staff is also requesting authorization for the City's Fire Chief to initiate nuisance abatement procedures.

BACKGROUND:

Pursuant to Municipal Code Chapter 8.14, the City's Weed Abatement Officer, in this case the Fire Chief and Planner 1 have identified 803 Butte Street and 852 Hickory St., both located within the City Limits, as being a public nuisance. The Corning Municipal Code provides the following direction relating to Weed Abatement:

Section 8.14.020: Definitions:

- (a) "Weed Abatement Officer" means the Corning Fire Chief or other public officer designated by the City Council to perform the duties imposed by this article upon the superintendent.
- (b) "Weeds" means weeds which when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds", as used in this article also include any of the following:
- 1) Weeds which bear seeds of a downy or wingy nature.
 - 2) Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
 - 3) Weeds which are otherwise noxious or dangerous.
 - 4) Poison Oak or Poison Ivy when the conditions of growth are such as to constitute a menace to the public health.
 - 5) Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

Section 8.14.030 Violations of Chapter: This Section stipulates that any person violating the provisions of this Section or any other provision of this Chapter shall be guilty of a misdemeanor for each day such violation continues and sets civil penalties of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) for each day the violation continues.

(Ord. No. 2005-01 (part), 674, 6-12-2018);

Section 8.14.040 – Periodic Council Resolutions declaring nuisances: Authorizes the City Council to periodically, by Resolution, declare as public nuisances and abate:

- (a) All weeds growing upon the streets, sidewalks, or private property in the City; and
- (b) All rubbish, refuse, and dirt upon parkways, sidewalks, or private property in the City.

(Ord. No. 656, § 2, 10-14-2014);

Section 8.14.170 - Council order to proceed. If objections have not been made or after the City Council has disposed of those made, it shall order the Weed Abatement Officer to abate the nuisance by having the weeds, rubbish, refuse, and dirt removed. The order shall be made by motion or resolution.

(Ord. No. 656, § 2, 10-14-2014)

Section 8.14.230 - Abatement by private contractors. Abatement of the nuisance may, in the discretion of the City Council, be performed by contract awarded by the City Council on the basis of competitive bids let to the lowest responsible bidder pursuant to Government Code Sections 37903, 37904, 37905 and 37931 to 37935 inclusive. In such event the Contractor shall keep the account and submit the itemized written report for each separate parcel of land.

(Ord. No. 656, § 2, 10-14-2014)

Section 8.14.240 - Special assessment process. The cost of abatement in front of or upon each parcel of land and the costs incurred by the City of Corning in enforcing abatement upon the parcels, including investigation, boundary, determination, measurement, clerical and other related costs constitutes a special assessment against that parcel.

After the assessment is made and confirmed, a lien attaches on the parcel upon recordation of the order confirming the assessment in the office of the Tehama County recorder, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes as imposed by Government Code Section 39578 would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the costs of abatement and the costs of enforcing abatement, as confirmed, relating to such property shall be transferred to the unsecured roll for collection.

(Ord. No. 656, § 2, 10-14-2014)

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION 09-08-2020-02 DECLARING THE FOLLOWING:

- **A PUBLIC NUISANCE EXISTS AT ON PROPERTIES LISTED ON THE ATTACHED EXHIBIT "A",**
- **FIND THAT SUCH CONDITIONS ARE SEASONAL AND RECURRENT NUISANCES;**
- **AND AUTHORIZE THE FIRE CHIEF TO INITIATE ABATEMENT PROCEDURES ON THESE PROPERTIES/PARCELS AS OUTLINED IN THE CITY'S MUNICIPAL CODE.**

RESOLUTION 09-08-2020-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
DECLARING A PUBLIC NUISANCE ON THE TWO (2) PROPERTIES
LISTED ON THE ATTACHED
EXHIBIT "A"**

WHEREAS, the Corning Municipal Code Chapter 8.14, Weed Abatement, Section 8.14.010 explains that these regulations are intended to address the recurring health and safety problems arising out of weeds and rubbish on property within the City of Corning and are designed to alleviate those problems and protect the citizen's health, safety and property.

WHEREAS, Section 8.14.020 defines "Weeds" as weeds that when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous. The term "weeds," as used in this article, also includes any of the following:

1. Weeds which bear seeds of a downy or wingy nature.
2. Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
5. Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

WHEREAS, the City's Weed Abatement Officer/Fire Chief has identified the following two (2) properties listed on the attached Exhibit "A" as a public nuisance.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CORNING DOES HEREBY DECLARE AND FIND AS FOLLOWS:

1. A public nuisance exists on each of the two (2) properties identified in Exhibit "A" hereto.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on September 8, 2020 by the following vote:

AYES:

OPPOSED:

ABSENT:

ABSTAIN:

Douglas Hatley, Jr., Mayor

ATTEST:

Lisa M. Linnet, City Clerk

EXHIBIT "A" (Resolution 09-08-2020-02)

APN NO.'s	Physical Address	Owner/Responsible Party	APN Mailing Address
073-164-006-000	852 Hickory Street	Chisum, Danny L.	Chisum, Danny L. 852 Hickory Street Corning, CA 96021
073-046-005-000	803 Butte Street	Dolores Arendale, ETAL	Dolores Arendale, ETAL 3101 N. Ellis St. Chandler, AZ 85224
Total Properties: 2			

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Resolution (Resolution No. 09-08-2020-02) 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 8th day of September, 2020 by the votes listed above.

**_____
Lisa M. Linnet, City Clerk**

ITEM NO: J-12
ADOPT RESOLUTION 09-08-2020-03
AUTHORIZING THE CITY MANAGER TO
EXECUTE AND SUBMIT THE AIRPORT
GRANT AGREEMENT, GRANT NO. 3-06-
0053-007-2020 FOR CORNING MUNICIPAL
AIRPORT

September 8, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

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

SUMMARY:

The City of Corning submitted to the FAA an Airport Improvement Program (AIP) Grant Application dated May 12, 2020 for the Corning Municipal Airport Fence Project in the amount of \$291,028.40. The FAA has awarded the grant and has provided a draft copy of the grant offer, see attached. Due to the quick turn around of the signed grant offer once received from the FAA staff is requesting that the City Council authorize the City manager to sign all required documents for executing the grant.

The fence project included a bid alternate that upgraded a portion of the fence in the vicinity of the main airport entrance from traditional chain link fencing to a decorative black steel fencing that has a wrought iron look. This bid alternate totaled \$13,800.00 and is not eligible for FAA funding. Staff requests Council direction on the decorative fence upgrade to the main entrance of the airport. The additional cost to upgrade to the decorative fence in the amount of \$13,800, if selected, will be appropriated from City General Funds.

BACKGROUND:

The FY2020 project at Corning Municipal Airport consists of replacing approximately 4,000 linear feet of existing fence with new chain link fencing, replacing multiple gates, and installing a new automated gate to help keep unauthorized personnel from gaining access to the aircraft operations area of the airport. Armstrong Consultants completed the design for the project and assisted the City in soliciting bids for the project. The project was advertised for four weeks and ultimately four bids were received for the work. The analysis of those bids was included in the award recommendation provided by Armstrong and approved by City Council on May 12, 2020. At this time Council approved the base bid provided by Woida Enterprises dba Arrow Fence in the amount of \$204,538.40 but deferred the award of the bid alternate in the amount of \$13,800.00 until the time the grant offer was received from the FAA.

A formal award of the contract will be made to the contractor after the FAA grant agreement is executed.

RECOMMENDATION:

MAYOR AND COUNCIL:

1. GIVE DIRECTION ON THE DECORATIVE FENCE:

- a. **AWARD THE ALTERNATIVE BID TO UPGRADE THE MAIN ENTRANCE AIRPORT FENCE TO DECORATIVE AND APPROVE FUNDS APPROPRIATED FROM GENERAL FUND IN THE AMOUNT OF \$13,800 TO 620-9195-3500;**

AIRPRTFENCEPRJT/AIRPORT; or,

- b. REJECT THE ALTERNATIVE BID AND AWARD THE CHAIN LINK FENCING FOR THE ENTRANCE; and,**
- 2. ADOPT ATTACHED RESOLUTION NO. 09-08-2020-03; and,**
- 3. AUTHORIZE THE CITY MANAGER TO SIGN ALL REQUIRED DOCUMENTS FOR EXECUTION FOR GRANT NO. 3-06-0053-007-2020 FOR CORNING MUNICIPAL AIRPORT.**

RESOLUTION 09-08-2020-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
AUTHORIZING KRISTINA MILLER, THE CITY MANAGER, TO EXECUTE
AND SUBMIT GRANT NO. 3-06-0053-008-2020 FOR THE CORNING MUNICIPAL
AIRPORT ON BEHALF OF THE CORNING CITY COUNCIL**

WHEREAS, the City of Corning desires to participate in the Grant administered by the U.S. Department of Transportation Federal Aviation Administration hereafter referred to as the FAA; and

WHEREAS, the Grant funds received hereunder shall be used to develop, design and construct the Corning Municipal Airport Fence Project.

WHEREAS, the City of Corning agrees to abide by the terms and conditions of the Grant Agreement as set forth by the FAA.

BE IT FURTHER RESOLVED, Kristina Miller, the City Manager, is authorized on behalf of the Corning City Council to submit the grant proposal for this funding and sign the Grant Agreement with the Federal Aviation Administration, including any amendments thereof.

The forgoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on September 8, 2020 by the following vote:

AYES:

OPPOSED:

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 09-08-2020-03) 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 8th day of September 2020 by the votes listed above. The above Resolution has not been amended or altered and is in full force and effect on the date stated above.

Lisa M. Linnet, City Clerk



U.S. Department
of Transportation
Federal Aviation
Administration

Airports Division
Western-Pacific Region
California

1000 Marina Blvd
Suite 220
Brisbane, CA 94005

{{DateTime_es_signer1.calc(now()):format(date," mmmm d, yyyy")}}

Ms. Kristina Miller
City Manager
City of Corning
794 Third Street
Corning, CA 96021

Dear Ms. Miller:

We are transmitting to you for execution the Grant Offer for Airport Improvement Program (AIP) Project No. 3-06-0053-007-2020 at Corning Municipal in Corning, California. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- a. The sponsor's authorized representative must execute the grant by providing their electronic signature **no later than September 10, 2020** in order for the grant to be valid.
- b. Once the sponsor's authorized representative has electronically signed the grant, the sponsor's attorney will automatically be sent via email the grant to provide their electronic signature.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. Following the attorney's action, the executed grant will be automatically sent to all parties as an attachment to an email.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi Invoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these Federal funds. **We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress.** Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and
- Performance Reports, which are due within 30 days of the end of a reporting period as follows:
 1. Non-construction project: Due annually at end of the Federal fiscal year.

- 2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

Reginald Dones, (650) 827-7625, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,

{Sig_es_:signer1: signature}}

Laurie J. Suttmeier
 Manager

For Purpose of City/County Council Agenda Only



U.S. Department of Transportation
Federal Aviation Administration

GRANTS AGREEMENT

Part I - Offer

Federal Award Offer Date {{DateTime_es_ :signer1:calc(now()):format(date," mmmm d, yyyy")}}

Airport/Planning Area Corning Municipal Airport

Grant Number 3-06-0053-007-2020

Unique Entity Identifier 091589742

TO: City of Corning
(herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated May 20, 2020, for a grant of Federal funds for a project at or associated with the Corning Municipal Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Corning Municipal Airport (herein called the "Project") consisting of the following:

Install Perimeter Fencing not Required by 49 CFR 1542 (Design/Construct 3,912 feet Perimeter Fencing) which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, as applied and interpreted consistent with the FAA Reauthorization Act of 2018 (see 2018 FAA Reauthorization grant condition.), (b) and the Sponsor's acceptance of this Offer; and, (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay one hundred (100) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$291,028.

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):
\$ 0 for planning
\$ 291,028 airport development or noise program implementation; and,
\$ 0 for land acquisition.
2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.

The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).

The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs - Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.

7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before September 10, 2020, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
11. **System for Award Management (SAM) Registration And Universal Identifier.**
 - A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
 - B. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/SAM/pages/public/index.jsf>.
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi invoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.

14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.
15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
17. **Maximum Obligation Increase.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
 - A. May not be increased for a planning project;
 - B. May be increased by not more than 15 percent for development projects if funds are available;
 - C. May be increased by not more than 15 percent for land project if funds are available.
18. **Audits for Public Sponsors.** The Sponsor must provide for a Single Audit or program specific audit in accordance with 2 CFR part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Provide one copy of the completed audit to the FAA if requested.
19. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
 - A. Verify the non-federal entity is eligible to participate in this Federal program by:
 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
 - B. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
 - C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debars a contractor, person, or entity.

20. **Ban on Texting While Driving.**
- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.
21. **AIP Funded Work Included in a PFC Application.** Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.
22. **Exhibit "A" Property Map.** The Exhibit "A" Property Map dated 02/07/2011, is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.
23. **Employee Protection from Reprisal.**
- A. Prohibition of Reprisals —
1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
 - i. Gross mismanagement of a Federal grant;
 - ii. Gross waste of Federal funds;
 - iii. An abuse of authority relating to implementation or use of Federal funds;
 - iv. A substantial and specific danger to public health or safety; or
 - v. A violation of law, rule, or regulation related to a Federal grant.
 2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Federal office or employee responsible for oversight of a grant program;

- v. A court or grand jury;
 - vi. A management office of the grantee or subgrantee; or
 - vii. A Federal or State regulatory enforcement agency.
3. **Submission of Complaint** — A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
 4. **Time Limitation for Submittal of a Complaint** — A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
 5. **Required Actions of the Inspector General** — Actions, limitations, and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b).
 6. **Assumption of Rights to Civil Remedy** — Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).
24. **2018 FAA Reauthorization.** This grant agreement is subject to the terms and conditions contained herein including the terms known as the Grant Assurances as they were published in the Federal Register on April 3, 2014. On October 5, 2018, the FAA Reauthorization Act of 2018 made certain amendments to 49 U.S.C. chapter 471. The Reauthorization Act will require FAA to make certain amendments to the assurances in order to best achieve consistency with the statute. Federal law requires that FAA publish any amendments to the assurances in the Federal Register along with an opportunity to comment. In order not to delay the offer of this grant, the existing assurances are attached herein; however, FAA shall interpret and apply these assurances consistent with the Reauthorization Act. To the extent there is a conflict between the assurances and Federal statutes, the statutes shall apply. The full text of the Act is at <https://www.congress.gov/bill/115th-congress/house-bill/302/text>.

SPECIAL CONDITIONS

25. **Pavement Maintenance Management Program.** The Sponsor agrees that it will implement an effective airport pavement maintenance management program as required by Grant Assurance Pavement Preventive Management. The Sponsor agrees that it will use the program for the useful life of any pavement constructed, reconstructed, or repaired with federal financial assistance at the airport. The Sponsor further agrees that the program will:
- A. Follow FAA Advisory Circular 150/5380-6, "Guidelines and Procedures for Maintenance of Airport Pavements," for specific guidelines and procedures for maintaining airport pavements, establishing an effective maintenance program, specific types of distress and its probable cause, inspection guidelines, and recommended methods of repair;
 - B. Detail the procedures to be followed to assure that proper pavement maintenance, both preventive and repair, is performed;
 - C. Include a Pavement Inventory, Inspection Schedule, Record Keeping, Information Retrieval, and Reference, meeting the following requirements:

1. Pavement Inventory. The following must be depicted in an appropriate form and level of detail:
 - a. Location of all runways, taxiways, and aprons;
 - b. Dimensions;
 - c. Type of pavement; and,
 - d. Year of construction or most recent major rehabilitation.
2. Inspection Schedule.
 - a. Detailed Inspection. A detailed inspection must be performed at least once a year. If a history of recorded pavement deterioration is available, i.e., Pavement Condition Index (PCI) survey as set forth in the Advisory Circular 150/5380-6, the frequency of inspections may be extended to three years.
 - b. Drive-By Inspection. A drive-by inspection must be performed a minimum of once per month to detect unexpected changes in the pavement condition. For drive-by inspections, the date of inspection and any maintenance performed must be recorded.
3. Record Keeping. Complete information on the findings of all detailed inspections and on the maintenance performed must be recorded and kept on file for a minimum of five years. The type of distress, location, and remedial action, scheduled or performed, must be documented. The minimum information is:
 - a. Inspection date;
 - b. Location;
 - c. Distress types; and
 - d. Maintenance scheduled or performed.
- D. Information Retrieval System. The Sponsor must be able to retrieve the information and records produced by the pavement survey to provide a report to the FAA as may be required.
26. **Protection of Runway Protection Zone - Airport Property**. The Sponsor agrees to prevent the erection or creation of any structure, place of public assembly, or other use in the runway protection zone, as depicted on the Exhibit "A": Property Map, except for NAVAIDS that are fixed by their functional purposes or any other structure permitted by the FAA. The Sponsor further agrees that any existing structures or uses within the Runway Protection Zone will be cleared or discontinued by the Sponsor unless approved by the FAA.
27. **Protection of Runway Protection Zone - Easement**. The Sponsor agrees to take any and all steps necessary to ensure that the owner of the land within the designated Runway Protection Zone will not build any structure in the Runway Protection Zone that is an airport hazard or which might create glare or misleading lights or lead to the construction of residences, fuel handling and storage facilities, smoke generating activities, or places of public assembly, such as churches, schools, office buildings, shopping centers, and stadiums.
28. **Plans and Specifications Prior to Bidding**. The Sponsor agrees that it will submit plans and specifications for FAA review prior to advertising for bids.

29. **Design Grant.** This grant agreement is being issued in order to complete the design of the project. The Sponsor understands and agrees that within 2 years after the design is completed that the Sponsor will accept, subject to the availability of the amount of federal funding identified in the Airport Capital Improvement Plan (ACIP), a grant to complete the construction of the project in order to provide a useful and useable unit of work. The Sponsor also understands that if the FAA has provided federal funding to complete the design for the project, and the Sponsor has not completed the design within four (4) years from the execution of this grant agreement, the FAA may suspend or terminate grants related to the design.

For Purpose of City/County Council Agenda Only

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

{{Sig_es_:signer1: signature}}

(Signature)

{{N_es_:signer1: fullname}}

(Typed Name)

{{*Ttl_es_:signer1: title}}

(Title of FAA Official)

For Purpose of City/County Council Meeting Only

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Dated **{{DateTime_es :signer2:calc(now()):format(date," mmmm d, yyyy")}}**

City of Corning

(Name of Sponsor)

{{Sig_es :signer2: signature}}

(Signature of Sponsor's Authorized Official)

By: **{{N_es :signer2: fullname}}**

(Typed Name of Sponsor's Authorized Official)

Title: **{{*Ttl_es :signer2: title}}**

(Title of Sponsor's Authorized Official)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

CERTIFICATE OF SPONSOR'S ATTORNEY

I, **{{N_es :signer3: fullname}}**, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of California. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at **{{DateTime es :signer3:calc(now()):format(date," mmmm d, yyyy")}}**

By: **{{Sig_es :signer3: signature}}**
(Signature of Sponsor's Attorney)

For Purpose of City/County Council Agenda

ASSURANCES

AIRPORT SPONSORS

A. General.

- a. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
- b. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
- c. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

A. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

FEDERAL LEGISLATION

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act — 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.¹
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity¹
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 – Environmental Justice

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 – Airport noise compatibility planning.
- f. 28 CFR Part 35 – Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 – Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 – Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 – Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 – Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 – New restrictions on lobbying.

- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 – Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 – Seismic safety of Federal and federally assisted or regulated new building construction.

FOOTNOTES TO ASSURANCE C.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.
- ⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

1. Purpose Directly Related to the Airport

It certifies that the reimbursement sought is for a purpose directly related to the airport.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise

compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.

- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and

examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.

- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-
 - 1. Operating the airport's aeronautical facilities whenever required;
 - 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3. Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will

be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
 1. furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 2. charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
 - a. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities
 - b. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
 - c. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

- d. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- e. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- f. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- g. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
 2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
 - a. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
 - b. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;

- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. by gross weights of such aircraft) is in excess of five million pounds Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied).

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing:
 - 1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;

2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
3. the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
4. all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
 - a. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
 1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
2. So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language.

It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The City of Corning, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

e. Required Contract Provisions.

1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other

participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.

- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated April 18, 2019, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's

DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
1. Describes the requests;
 2. Provides an explanation as to why the requests could not be accommodated;
and
 3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

For Purpose of City/County Council Agenda Only



**FAA
Airports**

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 4/18/2019

View the most current versions of these ACs and any associated changes at:

http://www.faa.gov/airports/resources/advisory_circulars and
http://www.faa.gov/regulations_policies/advisory_circulars/

NUMBER	TITLE
70/7460-1L Change 2	Obstruction Marking and Lighting
150/5000-9A	Announcement of Availability Report No. DOT/FAA/PP/92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations
150/5000-17	Critical Aircraft and Regular Use Determination
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1- 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30D Change 1	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1-2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design

NUMBER	TITLE
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVIS)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16E Changes 1	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26 Changes 1-2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-13A Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C Change 1	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5D	Airport Drainage Design
150/5320-6F	Airport Pavement Design and Evaluation
150/5320-12C Changes 1-8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5235-4B	Runway Length Requirements for Airport Design

NUMBER	TITLE
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30J	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retro reflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43H	Specification for Obstruction Lighting Equipment
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46E	Specification for Runway and Taxiway Light Fixtures
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49D	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)

NUMBER	TITLE
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13A	Airport Terminal Planning
150/5360-14A	Access to Airports By Individuals With Disabilities
150/5370-2G	Operational Safety on Airports During Construction
150/5370-10H	Standards for Specifying Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5390-2C	Heliport Design
150/5395-1A	Seaplane Bases

THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY

Updated: 3/22/2019

NUMBER	TITLE
150/5100-14E Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17 Changes 1 - 7	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness

For Purpose of City/County Council Meeting Only

**ITEM NO.: J-13
REQUEST CITY COUNCIL
DIRECTION REGARDING
OUTDOOR RETAIL OPERATIONS
September 8, 2020**

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



SUMMARY:

City Staff received a complaint about a business that leaves its items for sale outside after business hours. The particular business is located within the Corning Business Development Zone. Vice Mayor Snow requested this item be placed on the City Council Agenda for further discussion.

While the Corning Outdoor Dining Permit provides parameters for restaurants to operate outside, the City of Corning Municipal Code (CMC) does not provide any guidance on outdoor retail sale operations.

Currently because the County of Tehama is in the purple tier of the California 'Blueprint for a Safer Economy', retail operations must operate at 25% of capacity. For this reason, retail businesses may desire to operate outdoors to minimize the spread of COVID-19.

Staff recommend the City Council direct Staff to draft an Ordinance and permit process that allows businesses to operate outdoors under certain public health, safety, and aesthetic conditions. Possible conditions may include:

- Outdoor retail sales may not occur daily but allowed a certain number of days per year.
- All items must be brought indoors at the end of each and every operating day.
- Must maintain ADA compliance.

Staff also request the Council to direct further allowances (daily outdoor retail operations) in light of the COVID-19 pandemic.

FINANCIAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

MAYOR AND CITY COUNCIL:

- 1. DIRECT STAFF TO DRAFT AN ORDINANCE AND PERMIT PROCESS REGULATING OUTDOOR RETAIL OPERATIONS IN THE CORNING BUSINESS DEVELOPMENT ZONE; AND**
- 2. DIRECT STAFF TO ALLOW CERTAIN EXCEPTIONS TO THE ORDINANCE TO ALLOW DAILY RETAIL OPERATIONS FOR THE PERIOD OF THE COVID-19 STATE OF EMERGENCY.**

**ITEM NO.: J-14
REQUEST CITY COUNCIL DIRECTION
REGARDING CORONAVIRUS RELIEF
FUNDS SMALL BUSINESS GRANT
PROGRAM GUIDELINES**

September 8, 2020

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

SUMMARY:

At the August 25, 2020 City Council meeting the City Council directed Staff to utilize the City's full allotment of CARES Act Coronavirus Relief Funds in the amount of \$94,085 to develop and administer a small business micro grant program.

3CORE has the capacity to include the City of Corning at a relatively low cost if our Program on the front end closely resembles the Butte County Program. The Butte County Program generally consists of the following:

- Does not allow non-profits (there is a separate process for non-profits).
- Must have less than 10 employees.
- Business must have been established by or before March 15, 2019.
- Must have a valid Business License.
- Must be physically located within the City Limits of Corning.
- Must have had costs associated with the impacts of business closures, costs associated with adherence to local requirements for safe business re-openings, or financial impacts due to loss of sales as a result of COVID-19.
- Must attest they are in compliance with all COVID-19 orders.
- There also is a one-page or less requirement for a business to describe how it has (or plans to) pivot in order to adapt to the COVID-19 pandemic world.

Grant awards are determined by a lottery system from businesses meeting the aforementioned qualifications. The City of Corning award amounts can differ from Butte County. I suggest the maximum award amounts to not exceed \$5,000-\$10,000.

The Council may prioritize a certain percentage of funding be given to those most impacted by the COVID-19 pandemic in terms of closures, should it desire to do so. For example, 60% of funds will be allocated to those businesses required to close (Priority 1). Those businesses that qualify for Priority 1 and are not selected through the Priority 1 lottery will be put in the lottery for all other qualifying businesses. Essentially giving them two chances to be selected.

3CORE would essentially duplicate the web-based Butte County Program for the City of Corning saving the City thousands of dollars and significant amounts of Staff time. At the September 8, 2020 City Council meeting I will provide an estimate of the cost for 3CORE to administer the Program on the City's behalf.

Should the Council desire not to follow the Butte County model, Staff would be required to develop its own application, submittal process, application evaluation process, fully administer the Program, and expend the funds prior to December 31, 2020.

As this is a rapidly changing situation, I will have more updates prior to the City Council meeting.

RECOMMENDATION:

MAYOR AND CITY COUNCIL:

- 1. DIRECT STAFF TO WORK WITH 3CORE TO DEVELOP THE CITY OF CORNING SMALL BUSINESS MICRO GRANT PROGRAM; OR**
- 2. DIRECT STAFF TO DEVELOP ITS OWN GRANT PROGRAM; AND**
- 3. PROVIDE DIRECTION ON GRANT AWARD MAXIMUM DOLLAR AMOUNTS**