



**SPECIAL CITY COUNCIL  
CLOSED SESSION MINUTES  
TUESDAY, JULY 13, 2021  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

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

**B. ROLL CALL:**

**Council:**

**Dave Demo  
Karen Burnett  
Shelly Hargens  
Jose "Chuy" Valerio  
Robert Snow**

**Mayor:**

All members of the City Council were present.

**C. PUBLIC COMMENTS: None**

**D. REGULAR AGENDA:**

**1. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Paragraph (1) of subdivision (d) of Government Code § 54956.9.**

**One Case:**

**a. Name of Case: City of Corning v. Trent Construction, et al. Case No.: CV24394**

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code § 54956.8**

**Property: APN: 071-177-013-000**

**Agency Negotiator: Kristina Miller, City Manager**

**Negotiating Parties: Corning Christian Assistance**

**Under Negotiation: Terms of Lease**

**3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code § 54956.8**

**Property: APN: 071-137-001-000**

**Agency Negotiator: Kristina Miller, City Manager**

**Negotiating Parties: McBrayer's Hometown Restaurant**

**Under Negotiation: Terms of Lease**

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

Mayor Snow reported that Council met in Closed Session and gave direction to Staff on all three items.



**CITY OF CORNING  
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**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

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

All members of the City Council were present.

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

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

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

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

City Manager Miller stated that she attended the Tehama County Board of Supervisors Meeting today whereby County Health Officer Val Lucero stated that 19 new cases have been reported within the last reporting week and two deaths.

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

A member of the audience spoke about the current water situation and the effects on her well. She stated that she has had to drop her well pump depth in order to obtain water and will possibly have to do so again in the future. She reported that a new AG well was installed across the street from her just last week. She stated that something needs to be done to limit or stop this. What are we going to do should a fire occur when our wells run dry? She also spoke about her concerns regarding the use of fireworks, especially now when water is becoming so scarce.

City Manager Miller suggested that she attend the Tehama County Board of Supervisors meeting every Tuesday, and the Groundwater Commission Meetings.

Another audience member spoke regarding the agricultural use of water and stated that everybody needs to be conscious of their water usage and practice water conservation, especially when neighboring wells are going dry. He stated that he is practicing water conservation, yet neighboring prune orchards are using water for 48 hours a week.

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

- 2. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 3. Waive the reading and approve the Minutes of the June 22, 2021 Closed Session and Regular City Council Meeting with any necessary corrections:**
- 4. July 7, 2021 Claim Warrant in the amount of \$535,068.46.**
- 5. July 7, 2021 Business License Report; no new Business Licenses to report.**
- 6. June 2021 Wages & Salaries: \$381,837.33.**
- 7. June 2021 Treasurer's Report.**

8. **June 2021 Building Permit Valuation Report in the amount of \$459,244.**
9. **June 2021 City of Corning Wastewater Operations Summary Report.**
10. **Accept resignation of Recreation Commissioner Justin Eckenrod effective immediately.**

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

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

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

**J. REGULAR AGENDA:**

11. **Approve Professional Service Agreement with Revenue & Cost Specialists, LLC (RCS) for producing a "Comprehensive User and Development Impact Fees Study" for the City of Corning at a cost not to exceed \$53,820.**

Presented by City Manager Miller and explained why the study is needed, how it will be utilized, and the necessity of such fees. Councilor Demo moved to approve Agreement with Revenue & Cost Specialists (RCS) to provide the City with a Comprehensive Use and Development Impact Fees Study at a Cost not to exceed \$53,820 and approve appropriation of \$54,000 for General Fund Reserves to fund this study. Councilor Burnett seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

12. **Approve Notice of Completion and payment to VSS International, Inc. for the total project amount of \$442,781.67 for the 21-041 CA Corning 2021 Multi-Street Project.**

Presented by Public Works/Engineering Consultant Robin Kampmann who stated that the project is now completed. She is aware of one intersection on Colusa Street that possibly might need to be addressed and the City is coordinating with the Contractor on this issue, and we will be monitoring it.

Councilor Hargens moved to approve Pay Estimate No. 1 in the amount of \$420,642.59 to VSS International, Inc. for the City of Corning Multi-Street Paving Project from the funding sources listed; approve the Project Notice of Completion and authorize the City Clerk to record the document with the County Clerk and Recorder; and authorize payment of retention funds held in the amount of \$22,139.08 from funding sources listed 35 days following recording. Councilor Demo seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

13. **Adopt Resolution 07-13-2021-01 and authorize Staff to apply for the Rural Recreation and Tourism (RRT) Grant and approve a free swim day at the City Pool for outreach.**

Presented by Planner 1/Recreation Coordinator Christina Meeds who stated that the maximum amount that can be requested is \$3 million dollars for this grant; there is no matching funds required by the City; and it is a one-time grant. She explained that the proposed project is Community driven which is why Staff is requesting authorization to have a free swim day in order to comply with community meeting/outreach criteria and obtain input/ideas from the community on what types of recreational items they would prefer. Christina suggested advertising it as a family fun day with possibly vendors and games as an attraction and opportunity to inform those participating of the grant and get their input. City Manager Miller stated we plan on obtaining this information when they enter the pool facility.

Councilor Demo moved to authorize Staff to submit an application for the Rural Recreation and Tourism Grant; adopt Resolution 07-13-2021-01 authorizing submittal of the Rural Recreation & Tourism Grant; and approve a free swim day at the City Pool with 5 to 6 Lifeguards as an outreach option. Councilor Burnett seconded the motion. **Ayes: Snow, Demo, Burnett,**

**Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**14. Report to City Council on three ADA Playground Equipment Options with associated price quotes.**

Presented by Planner 1/Recreation Coordinator Christina Meeds. She stated that all three of the options presented do not include the cost of installation; she was informed the installation costs are estimated at 40% of the total equipment costs. She announced that the City has budgeted \$100,000 for recreation equipment, however as you can see, each of the three proposed options far exceed this amount without the added cost of installation. She further stated that Staff have discussed the costs and suggests waiting until the City receives results from the two grant applications submitted as ADA recreational equipment was included in these applications. Staff suggests revisiting this item at a later date following receipt of results of the existing Park Grant applications and following public meetings with the ADA community to gather their input prior to a decision being made.

Councilor Demo moved to delay action on this item until notification on the existing grant applications is received. Councilor Burnett seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**15. Updates to Temporary Emergency Water Usage Policy to allow water usage for critical emergency infrastructure.**

Presented by City Manager Miller who stated that she and Mrs. Kampmann (Public Works/Engineering Consultant) attended the County Board meeting whereby the Board of Supervisors approved a similar policy as the City with the exception that they would not charge those users filling with small containers. The County is working on getting their program up and going and plan to utilize Mill Creek Park as the location to obtain the water.

She further stated that the reason this item has been brought to Council is because a Commercial Business that is supplying critical infrastructure, in this case internet/phone services, and whose well has run dry approached the City requesting to obtain water. They stated the water use is for their staff for drinking water, bathroom use, etc. She stated that she authorized them to obtain water from the City until such time as the request can be brought to Council for a decision in relation to Commercial Emergency Water Dale.

Council asked if the County Board of Supervisors have taken any actions or made any decisions regarding addressing the current water issues in the County; City Manager Miller stated that the County did not take any action to halt new well drilling. However, a subcommittee was developed to address the current issue.

City Manager Miller explained that the City Council has no authority over the County, however by consensus, the City Council directed the City Manager to write a letter to the County requesting a moratorium on new well drilling. City Manager Miller stated that she will ask a member of the Groundwater Commission to attend a future meeting to provide the Council with information relating to the current water, or lack thereof.

Councilor Hargens moved to approve the amended Temporary Water Usage Policy to allow Commercial Businesses that provide critical emergency infrastructure use of City Water until August 13, 2021 following all other Policy requirements and conditions. Councilor Burnett seconded the motion. **Ayes: Snow, Demo, Burnett, Valerio, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: 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).

**Demo:** Attended Tehama County Transportation Meetings that was cancelled to due lack of quorum.

**Snow:** Nothing

**Hargens:** Announced the Community Action Meeting to be held next Thursday, and stated she attended the Ribbon Cutting/Grand opening of YaYa's Restaurant.

**Valerio:** October 9<sup>th</sup> will be the 74<sup>th</sup> Annual Olive Festival and the Thursday Night Farmers Market is held at Northside Park from 5 p.m. to 7:30 p.m.

**Burnett:** Attended YaYa's Ribbon Cutting/Grant Opening and the event held on Saturday at the Bowling Alley. She stated that there will be an emergency Landfill Meeting on Monday.

**N. ADJOURNMENT!: 7:20 p.m.**

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Lisa M. Linnet, City Clerk