



**CITY OF CORNING
CITY COUNCIL
CLOSED SESSION AGENDA
TUESDAY, JUNE 27, 2023
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

In compliance with the Americans with Disabilities Act and Title VI. If you need special assistance or translation services to participate in this meeting, please contact the City Clerk's Office at 530/824-7033 or via email at linnet@corning.org. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL:

Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow

The **Brown Act** requires that the Council provide the opportunity for people in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS:

D. REGULAR AGENDA:

1. Conference with Legal Counsel – Anticipated Litigation (Pursuant to Government Code § 54956.9(c). (Two Cases)

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



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, JUNE 27, 2023
CITY COUNCIL CHAMBERS
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A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow

- C. **PLEDGE OF ALLEGIANCE**: Led by the City Manager.
- D. **INVOCATION**: Led by Councilwoman Shelly Hargens.
- E. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS**:
- 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.
1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
 2. Waive the reading and approve the Minutes of the following City Council Meetings with any necessary corrections:
 - a. May 9, 2023 City Council Regular Agenda Meeting; and
 - b. May 23, 2023 City Council Closed Session and Regular Meeting.
 - c. June 13, 2023 City Council Meeting.
 3. June 22, 2023 Claim Warrant in the amount of \$279,916.96.
 4. June 22, 2023 Business License Report.
 5. Approve waiver of Recreational Use Fees for the 14th Annual Tucker Mesker Memorial Scholarship Softball Tournament Fundraiser.
 6. Authorize payment of invoice #24761 in the amount of \$9,122 to R.E.Y. Engineers for the West Street School ATP Connectivity Project Engineering and Environmental Services for work completed between May 1, 2023 and May 31, 2023.
 7. Authorize payment of invoice #24762 in the amount of \$8,076 to R.E.Y. Engineers for the Olive View School ATP Connectivity Project Engineering and Environmental Services for work completed between May1, 2023 and May 31, 2023.
 8. Approve 3-Year Agreement with MGT Consulting Group for State Mandated SB-9 Cost Claiming Services for FY's 2023/24 through FY's 2025/26.
 9. Approve 3-Year (FY's 2023-2025)Agreement for Audit Services with Donald R. Reynolds, CPA.
 10. Adopt Resolution 06-27-2023-01 establishing the General Fund Appropriation Limit for the City of Corning for Fiscal Year 2023-2024 at \$17,395,184.
 11. Approve the Mayor's recommended immediate appointment of Cody Lamb as the City's representative to the Tehama County Flood Control & Water Conservation District Groundwater Commission.
- H. **ITEMS REMOVED FROM THE CONSENT AGENDA**:
- I. **PUBLIC HEARINGS AND MEETINGS**:
12. Public Hearing: Adopt Resolution 06-27-2023-02, a Resolution of the City of Corning Authorizing the Adoption of the City of Corning Water Shortage Contingency Plan.
 13. Approve for first reading, Ordinance 704, an Ordinance repealing Section 13.14 of the Corning Municipal Code to ensure compliance with the California Water Code Section 10609.60.
- J. **REGULAR AGENDA**:
14. Reject the two (2) Request for Proposals (RFP's) received for the Corning Library Design & Space Planning due to adequate funding not available.
 15. Approve Agreement with DigitalPath, Inc. for tower lease space at the Corporation Yard located at the 1106 Butte Street water tower site.
 16. Award Bid for the West Street School Connectivity Project to Builder Solutions, Inc. in the amount of \$575,977.02 and authorize Staff to execute the Contract.

17. Award Bid for the Olive View School Connectivity Project to Builder Solutions, Inc. in the amount of \$534,530.98 and authorize Staff to execute the Contract.

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).

Demo:

Valerio:

Hargens:

Lomeli:

Snow:

N. ADJOURNMENT:

POSTED: FRIDAY, JUNE 23, 2023



**CITY OF CORNING
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MAY 9, 2023
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. **ROLL CALL:**

Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
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 Hargens

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

1. **PROCLAMATION:** National Public Works Week, May 21 – 27, 2023. Public Works Consultant Robin Kampmann accepted the Proclamation on behalf of the City's Public Works Department.

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

City Manager Miller thanked all involved with the Tuesday Night Market. An audience member asked about the new Park that will be going in across from City Hall, they were directed to talk with City Staff.

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 April 25, 2023 City Council Closed Session and Regular Meetings with any necessary corrections.
4. May 4, 2023 Claim Warrant in the amount of \$454,915.41.
5. May 4, 2023 Business License Report.
6. April 2023 Wages & Salaries: \$409,117.87.
7. April 2023 Treasurer's Report.
8. April 2023 Building Permit Valuation Report in the amount of \$1,513.737.
9. April 2023 City of Corning Wastewater Operations Summary Report.
10. Approve Specifications and authorize Staff to solicit Bids for the Citywide Weed Control Services.

11. Approve Specifications and authorize Staff to solicit Bids for the Citywide Pest Control Services.

Councilor Valerio moved to approve Consent Items 2-11; Councilor Demo seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. 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:

12. Ratify Memorandum of Understanding (MOU) between the City and the City of Corning Public Safety Bargaining Unit.

Presented by City Manager Kristina Miller. She summarized the changes, i.e... term, salary increase/cost, graveyard shift increase. A typo was noted on the staff report however it was clarified that the MOU document is correct. Councilor Demo moved to ratify the Memorandum of Understanding between the City of Corning and the City of Corning Public Safety Bargaining Unit for the period of January 1, 2023 through December 31, 2025. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

13. Approve Amendment allowing a term extension to the Agreements for Proposition 47 Cohort 2 Grant Implementation with:

- a. Empower Tehama;
- b. The Job Training Center;
- c. Center for Evaluation and Research; and
- d. Tehama County Health Services Agency.

Presented by City Manager Kristina Miller. She stated that the City of Corning was the smallest City to be awarded the two Cohort Grants. An extension has been awarded to those that have not expended all of the funds awarded granting us the opportunity to expend all remaining funds. She then provided information on the programs and benefits provided and which programs/age groups that have funds remaining.

Councilor Demo moved to:

- Approve the First Amendment to the Agreement between the City of Corning and the Tehama County Health Services Agency in an amount not to exceed \$77,843;
- Approve the First Amendment to the Agreement between the City of Corning and Empower Tehama in an amount not to exceed \$366,522;
- Approve the First Amendment to the Agreement between the City of Corning and the Job Training Center in an amount not to exceed \$264,500; and
- Approve the First Amendment to the Agreement between the City of Corning and the Center for Evaluation and Research in an amount not to exceed \$26,570.

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

14. Approve Professional Services Contract with DKF Solutions Group in the amount of \$8,100 for required Spill Emergency Response Plan and authorize a supplemental appropriation of \$8,100 from the Sewer Enterprise Fund to fund 610-6300-5200,

Presented by Public Works Consultant/Engineer Robin Kampmann. Mrs. Kampmann stated that the City is required to prepare, submit, and implement a Spill Emergency Response Plan to the State Water Board by Order 2022-0103-DWQ to maintain regulatory compliance. DKF Solutions Group can provide this service at a cost of \$8,100. The cost for this update was not included in the FY 22/23 Budget therefore a supplemental appropriation from the Sewer Enterprise Fund to Professional; Services/WWTP Fund 610-6300-5200 will be required.

Councilor Hargens moved to approve a Professional Services Contract with DKF Solutions Group in the amount of \$8,100 for the required Spill Emergency Response Plan and authorize a supplemental appropriation in the amount of \$8,100 for these services. Councilor Valerio

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

15. Approve proposed update to the 2020 City of Corning Illness and Injury Prevention Program to include recent Cal/OSHA required Covid-19 Model Prevention Procedures.

Presented by City Manager Kristina Miller who explained that the State is requiring the City to update the City's Illness and Injury Prevention Program to include recent Cal/OSHA required Covid-19 Model Prevention Procedures. She stated that what proposed is a reduction of what is currently required.

Councilor Demo moved to approve the addition of the Cal/OSHA required Covid-19 Model Prevention Procedures updated on February 3, 2023 to the approved 2020 City of Corning Illness and Injury Prevention Program. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

16. 2022/2023 City of Corning Capital Improvement Program (CIP) and Measure A Funding Priorities for Service.

Presented by City Manager Kristina Miller who stated that this Plan is comprised of a combination of the four departments (Fire, Police, Public Works, and Administration/Finance) Capital Improvement Proposals.

Councilor Demo moved to approve the Fiscal year 2023/24 Capital Improvement Priorities. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. 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: Reported on attendance at the Senior Center Meeting. He announced that members of the Mormon Church are painting the exterior of the Senior Center building and cleaning the interior with the City supplying the materials. He thanked them on behalf of the City.

Lomeli: Reported on attendance at the Community Action Agency Meeting and participated in the CUHS exist interviews. Tomorrow night at the Gerber Park Ice Cream event.

Hargens: Corning in the evening is being hosted by Sweet Swirls tomorrow. She also reported on her attendance at the Tehama County Solid Waste Management Meeting.

Valerio: Corning in the Evening at Sweet Swirls.

Snow: Nothing.

Chief Fears announced the 29th Annual Tehama County Peace Officers Memorial Ceremony tomorrow night, May 12th in Red Bluff at High Point Assembly Church.

N. ADJOURNMENT: 7:48pm

Lisa M. Linnet, City Clerk



**CITY OF CORNING
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CLOSED SESSION MINUTES
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A. CALL TO ORDER: 5:00 p.m.

B. ROLL CALL:

**Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow**

All members of the City Council were present.

The **Brown Act** requires that the Council provide the opportunity for people in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS: None.

D. REGULAR AGENDA:

- 1. Public Employment (Pursuant to Government Code § 54957)
Title: City Manager**
- 2. Public Employment (Pursuant to Government Code § 54957)
Title: Public Works Director**
- 3. Liability And Workers' Compensation – Request For Authority: Pursuant to Government Code § 54956.9. Corry vs. City of Corning**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 p.m. Mayor Snow reported that Staff was provided direction on all three Closed Session Items.



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, MAY 23, 2023
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. **ROLL CALL:**

Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow

All members of the City Council were present.

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

D. **INVOCATION:** Led by Councilwoman Shelly Hargens.

E. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:** None.

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.

1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.
2. Waive the reading and approve the Minutes of the May 9, 2023 City Council Regular Agenda Meeting with any with any necessary corrections. **(Pulled, to be presented at next meeting).**
3. May 17, 2023 Claim Warrant in the amount of \$331,934.58.
4. May 17, 2023 Business License Report.
5. Approve annual Agreement and Membership with 3CORE ECONOMIC DEVELOPMENT DISTRICT at a cost of \$7,500.
6. Authorize payment of invoice #24632 in the amount of \$514 to R.E.Y. Engineers for the West Street School ATP Connectivity Project Engineering and Environmental Services for work completed between April 1, 2023 and April 30, 2023.
7. Authorize payment of invoice #24633 in the amount of \$822 to R.E.Y. Engineers for the Olive View School ATP Connectivity Project Engineering and Environmental Services for work completed between April 1, 2023 and April 30, 2023.
8. Approve Plans and Specifications and authorize Staff to solicit Bids for the West Street School Connectivity Project.
9. Approve Plans and Specifications and authorize Staff to solicit Bids for the Olive View School Connectivity Project.
10. Approve payment of invoice No. 6 to Walberg, Inc. in the amount of \$5,633.78 for the Solano Street Improvement Project.

Councilor Demo moved to approve Consent Items 1, and 3-10 (Item 2 was pulled from the Agenda). Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

H. **ITEMS REMOVED FROM THE CONSENT AGENDA:**

I. **PUBLIC HEARINGS AND MEETINGS:**

11. **Use Permit 2022-301: Henry Telliz Appeal of Use Permit Revocation.**

This item was presented by City Manager Kristina Miller who stated that on March 16, 2022 the Corning Planning Commission approved Use Permit 2022-301 permitting the establishment of a residence in an M-1 Industrial Zone within an existing building located at 1577 Second Street owned by Mr. Telliz. The Use Permit was granted with eighteen (18) Conditions of Approval, one of which required that all work listed in the Conditions of Approval must be completed within one (1) year of issuance of the Use Permit. To date none of the Conditions have been met. She then briefly provided a chronology of contacts and discussions leading up to today. The Public Hearing

was then opened. Applicant was present and provided a statement to the City Council via translator. Following comments, the hearing was closed.

Councilor Demo moved to uphold the Corning City Planning Commission decision to adopt the following 4 Factual Subfindings and 4 Legal Findings:

Factual Subfinding #1

The California Environmental Quality Act Guidelines provides for the Categorical Exemptions of certain minor projects. Section 15321 Enforcement by Regulatory Agencies Class 21 consists of:

- (a) Actions by a regulatory agency to enforce or revoke a Lease, Permit, License, Certificate, or other Entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:
- (2) The adoption of an administrative decision or order enforcing or revoking the Lease, Permit, License, Certificate, or Entitlement for use or enforcing the general rule, standard, or objective.

Legal Finding #1

The Revocation of Use Permit 2022-301 is an administrative decision by the Corning Planning Commission and categorically exempt from CEQA pursuant to Section 15321, Class 21 (a) (2).

Factual Subfinding #2

Use Permit 2022-301 was granted to allow a residence in a commercial building in a Zoning District known as M-1 Light Industrial so that Mr. Telliz could live and run his business in the same location.

Legal Finding #2

On March 31, 2023 (the deadline to meet all conditions), Mr. Telliz asked for an extension in order to comply with the Permit Conditions. An inspection conducted by City Staff revealed that Mr. Telliz has not, since the issuance of the Use Permit in March of 2022, made any efforts to meet compliance with the stipulated 18 Conditions of Approval of the Use Permit.

Factual Subfinding #3

The applicant (Mr. Telliz) failed to comply with the 18 Conditions of Approval associated with Use Permit 2022-301 within the time stipulated in said Permit.

Legal Finding #3

The continued residential use of the building at 1577 Second Street will be detrimental to the public health and safety of the occupants and in violation of the use that was granted (subsection C & D of Chapter 17.54 section 1.54.060 of the CMC.

Factual Subfinding #4

Section 17.54.060 of the Corning Municipal Code states that "If the Commission or Council finds any one of the following facts to be present, it shall revoke the Conditional Use Permit:

- A. That the permit was obtained by fraud; or
- B. That the use for which such approval was granted has ceased to exist, or has been suspended, for a period of six months or more; or
- C. That the permit granted is being, or has been, exercised contrary to the terms and conditions of such approval or in violation of any law; or
- D. That the use for which approval was granted is being exercised so as to be detrimental to the public health or safety, or as to constitute a nuisance."

Legal Finding #4

The continued residential use for which Use Permit 2022-301 was granted is being exercised so as to be detrimental to the public health and safety.

Councilor Hargens seconded the motion. **Ayes: Snow, Demo, and Hargens. Opposed: Valerio and Lomeli. /Absent/Abstain: None. Motion was approved by a 3-2 vote with Valerio and Lomeli opposing.**

J. REGULAR AGENDA:

12. Direct City Attorney to draft Reimbursement Agreement with Galleli Real Estate for water and sewer improvements to the west side of I-5.

Presented by City Manager Kristina Miller who stated that American Rescue Plan Act of 2021 Funds were approved by the City Council to fund a Reimbursement Agreement for a water and sewer crossing, whereby Developers would fund the cost of the bore with the City reimbursing them for all or a great deal portion of the work following completion. At the March 14, 2023 City Council Meeting a Request for Proposals (RFP) was authorized by the City Council. Staff have received two proposals, one from Galleli Real Estate, and one from Takhar Properties. Both were evaluated by Staff and the Takhar Properties proposal was deemed non-responsive by all Staff evaluators because it did not provide the required pro-forma. The Galleli Real Estate proposal included all required documents and scored higher than the Takhar Properties proposal. Staff recommends City Council award the Water and Sewer Extension Development Reimbursement Agreement to Galleli Real Estate.

Councilor Demo moved to award the Development Reimbursement Agreement for a water and sewer crossing across Interstate 5 at Corning Road to Galleli Real Estate and direct Staff to negotiate an Agreement for City Council consideration not to exceed the actual cost or \$1,594,000, whichever is less. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Opposed/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

13. Approve Agreement with Tehama County Sheriff's Office for the Purchase of K-9 Blaze in the amount of \$8,000.

Presented by Police Chief Jeremiah Fears who stated that the City's K-9 Handler Chase Corry accepted a position with the Tehama County Sheriff's Office. The concept to purchase K-9 Blaze for \$8,000 was discussed between himself and the Tehama County Sheriff in order to continue the partnership between Officer Corry and Blaze. K-9 Blaze was purchased for \$11,250 utilizing monies that were fundraised by several Corning organizations, businesses, and citizens in December of 2019.

Councilor Demo moved to approve the Agreement with the County of Tehama to purchase K-9 Blaze in the amount of \$8,000 and authorize the total money obtained for the purchase of K-9 Blaze to remain in a K-9 account to be used at a later time for the purchase of a new K-9. Mayor Snow seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Opposed/Absent/Abstain: 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: Reported that the Tehama County Transportation Commission had no meeting.

Valerio: Reported on upcoming Chamber Events.

Hargens: Nothing.

Lomeli: Nothing

Snow: Nothing.

N. ADJOURNMENT: 7:28 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
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TUESDAY, JUNE 13, 2023
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B. ROLL CALL:

**Council: Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli**

Mayor: Robert Snow

All members of the City Council were present.

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

D. INVOCATION: Led by Karen Burnett.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: None.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

Corning Volunteer Fire Department Captain Jared Smith reported that the Engine the Corning Volunteer Fire Department received on Lease from the USDA Forest Service has now been received.

Corning Senior Center Board President Brooke Smith asked that, as a high priority, the Senior Center be rekeyed explaining that they have had someone entering the building unauthorized and some items seem to be missing. Mrs. Smith thanked City Manager Miller for her numerous contributions to the City, stating that she has been such a great asset to the City.

Sheriff David Kane: Addressed the Council regarding the transition of K-9 Blaze and expressed his appreciation to the City. He thanked Chief Fears for his assistance and continued assistance through the years and stated that the County continues to work with the City in partnership.

Karen Burnett: Thanked the City for the street work between Marin and South Streets at 6th Street.

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.

- 1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 2. Approve with any necessary corrections the Minutes of the following Special City Council and Closed Sessions Meetings:**
 - a. May 30, 2023 Special City Council Meeting Minutes;**
 - b. May 31, 2023 Special City Council Closed Session Meeting Minutes; and**
 - c. June 8, 2023 Special City Council and Closed Session Meeting Minutes.**
- 3. June 7, 2023 Claim Warrant in the amount of \$789,533.08.**
- 4. June 7, 2023 Business License Report.**

5. **May 2023 Wages & Salaries: \$399,529.42**
6. **May 2023 Treasurer's Report.**
7. **May 2023 Building Permit Valuation Report in the amount of \$755,506.**
8. **May 2023 City of Corning Wastewater Operations Summary Report.**
9. **Authorize payment of invoice #23-216745-01 in the amount of \$1,955.70 under Task Order "B" to Armstrong Consultants, Inc. for Professional Services on the Airport Master Plan associated with Airport Engineering Services Agreement 2019-6.**
10. **Accept the Notice of Completion and authorize release of Retention Funds in the amount of \$72,145.44 to Walberg, Inc. for the Solano Street Improvement Project.**

Councilor Valerio moved to approve Consent Items 1-10; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens and Lomeli. 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. **Adopt Resolution No. 06-13-2023-02 adopting the Fiscal Year 2023/2024 Street Project List that will utilize SB1 Funding; the Road Repair and Accountability Act of 2017.**

Presented by Public Works Consultant/City Engineer Robin Kampmann who stated that this is an annual requirement. She explained that Senate Bill 1 (SB1) – the Road Repair and Accountability Act of 2017 – enables cities and counties to address significant maintenance, rehabilitation, and safety needs on the local streets. Eligible Agencies will receive funding allocations over a 10-year period that are meant to accelerate road maintenance projects. Prior to receiving funds, each Agency must annually submit a project list that is to be funded by SB1 - Road Maintenance and Rehabilitation Account (RMRA).

She stated that the proposed projects carried over from Fiscal Year 2022/23 are:

- Almond Street Rehabilitation/Reclamation consisting of full depth reclamation of Almond Street between Peach Street and Marguerite Avenue, approximately 0.20 miles with a street useful life extension of 15-20 years; and
- Fig Street Rehabilitation/Reclamation consisting of full dept reclamation of Fig Street between Almond Street to Fig Lane, approximately 0.15 miles with a street useful life extension of 15-20 years.

Fiscal Year 2023/24 Projects are:

- Almond Street Rehabilitation/Reclamation Phase 2 consisting of full depth reclamation of Almond Street between 2nd Street and Peach Street, approximately 0.20 miles with a street useful life extension of 15-20 years.

In order to receive the funding, the City must annually expend from its general fund for street and road purposes an amount not less than the annual average of its expenditures from its general fund during fiscal years 2009 through 2012 known as the Maintenance of Effort (MOE). If the City fails to meet the MOE in a fiscal year, it can be made up the following fiscal year. The City of Corning's MOE required to meet State set standards is \$234,447. The League of Cities estimates the City will receive an additional \$199,450 in RMRA funding. SB1 funding amounts will supplement additional street projects within the City over the course of the next seven years.

Councilor Demo moved to adopt Resolution 06-13-2023-02 adopting the Fiscal Year 2023/24 Street Project List that will utilize SB1 Funding; the Road Repair and Accountability Act of 2017. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens and Lomeli. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

12. **Approve Agreement between the City and the Tehama County Sheriff's Department for the exchange of City K-9 Vehicle for Tehama County Sheriff's Department Patrol Vehicle.**

Presented by Police Chief Jeremiah Fears. Hargens/Valerio, approved by a 5-0 vote.

13. Resolution 06-13-2023-01 approving the Fiscal Year 2023-2024 Program of Service and Annual Budget.

Presented by City Manager Kristina Miller who stated that what is presented tonight is the same as was presented previously on May 30, 2023. She stated that there are three new positions being proposed; a Public Works Maintenance Worker, a Police Officer promoted to Detective, and an Administrative Assistant on the City Hall side. She asked that the Administrative Assistant not be immediately filled to allow for the new City Manager to consider whether to consider that position or a Grant Administrator position that could apply for and administer grants as well as assist the Accounting Manager when needed. She also noted the hiring of a new Public Works Director.

Councilor Demo moved to adopt Resolution 06-13-2023-01, a Resolution setting the Appropriations and Expenditure Limits for all City Funds to implement the 2023/24 Program of Service and Annual Budget. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens and Lomeli. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

14. Approve Interim City Manager Employment Agreement with Tim Potanovic.

Presented by City Manager Kristina Miller who introduced Mr. Potanovic. She stated that Mr. Potanovic is a retired former County employee for over 40 years. Mr. Potanovic addressed the Council providing his background.

Councilor Demo moved to adopt Resolution 06-13-2023-03, a Resolution appointing Tim Potanovic as Interim City Manager and approving Interim City Manager Employment Agreement. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens and Lomeli. 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: Stated that he asked Karen to come tonight regarding the Senior Center and stated that he will miss City Manager Kristina Miller.

Valerio: Announced the date of the Car Show, and the date of the Career Fair June 15th at Rolling Hills Events Center. He also stated that Hometown Hub Restaurant is now open.

Hargens: Reported that she attended the Tehama County Landfill Agency meeting. Stated that the Tuesday Night Market was a great success. She also stated she is going to miss City Manager Miller, that she is one of the reasons she decided to run for City Council.

Lomeli: Nothing

Snow: Stated he will miss City Manager Miller also.

N. ADJOURNMENT: 7:12pm.

Lisa M. Linnet, City Clerk

**MEMORANDUM**

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: June 21, 2023

SUBJECT: Cash Disbursement Detail Report for the
Tuesday June 27, 2023 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 06-21-23	\$ 205,304.75
B.	Payroll Disbursements	Ending 06-14-23	\$ 74,612.21

GRAND TOTAL \$ 279,916.96

REPORT.: Jun 21 23 Wednesday
 RUN...: Jun 21 23 Time: 15:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-23 thru 06-23 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
035185	06/13/23	ZAG00	ZAGAL, STEPHANIE MARIE	720.00	230527	REC INSTRUCTOR-REC
035186	06/13/23	COM14	COMCAST	156.89	230613	CDBG CV2&3-ASST-EMERGENCY RESP (TANYA/JASON FOSTER)
035187	06/13/23	GON04	GONZALEZ, MANUEL	750.00	230613	CDBG CV2&3-ASST-EMERGENCY RESP (MARIA JUAREGUI)
035188	06/13/23	MOL07	MOLLER REALTY GROUP	1600.50 1455.00	230613 230701	CDBG CV2&3-ASST-EMERGENCY RESP (CHARLENE BELL) CDBG CV2&3-ASST-EMERGENCY RESP (CHARLENE BELL)
			Check Total.....	3055.50		
035189	06/13/23	NUN01	NUNEZ, LUIS	1550.00	230613	CDBG CV2&3-ASST-EMERGENCY RESP (JULIE ZIMMERMAN)
035190	06/13/23	PGE00	PG&E	237.67	230613	CDBG CV2&3-ASST-EMERGENCY RESP (GALICIA, LUZ)
035191	06/13/23	REN03	RENELLE, STEVEN R.	1100.00	230613	CDBG CV2&3-ASST-EMERGENCY RESP (TANYA/JASON FOSTER)
035192	06/13/23	SAL02	SALADO ORCHARD APARTMENTS	774.00	230613	CDBG CV2&3-ASST-EMERGENCY RESP (DOMINIQUE GONZALEZ)
035193	06/13/23	PGE00	PG&E	194.16	230613F	CDBG CV2&3-ASST-EMERGENCY RESP (TANYA/JASON FOSTER)
035194	06/14/23	BUS01	BUSINESS CONNECTIONS	228.00	83456	PROF SVCS-POOL
035195	06/14/23	CEN18	CENTRAL VALLEY SALINITY C	879.68	23-3206	ANNUAL PERMIT-WWTP
035196	06/14/23	CHI06	CHICO POWER EQUIPMENT	136.37 129.87 141.54	418954 418955 418956	MAT & SUPPLIES- MAT & SUPPLIES- MAT & SUPPLIES-
			Check Total.....	407.78		
035197	06/14/23	DEP12	DEPT OF JUSTICE	446.00	658452	PROF SVCS-POLICE
035198	06/14/23	GAY02	GAYNOR TELESYSTEMS, INC	58.00 60.00	000042782 000042800	COMMUNICATIONS-DISPATCH COMMUNICATIONS-DISPATCH
			Check Total.....	118.00		
035199	06/14/23	REI10	REILLY'S MUFFLERS	2672.86	REG# 6018	VEH OP/MAINT-
035200	06/14/23	REY05	R.E.Y. ENGINEERS, INC.	9122.00 8076.00	24761 24762	PROF SVCS-ATP-WEST STREET SCHOOL PROF SVCS-ATP-OLIVE VIEW SCHOOL
			Check Total.....	17198.00		
035201	06/14/23	SCH01	LES SCHWAB TIRE CENTER	28.69	00471820	MAT & SUPPLIES-PARKS
035202	06/14/23	SCP00	SCP DISTRIBUTORS LLC	21.58 -1560.76 1724.46	AX173904 SN100063C SN100442	MAT & SUPPLIES-POOL MAT & SUPPLIES-WTR MAT & SUPPLIES-WTR
			Check Total.....	185.28		
035203	06/14/23	TEH08	COUNTY OF TEHAMA	20.00	230614	PROF SVCS-WTR
035204	06/14/23	TRI07	TRITES BACKFLOW SERVICES	50.00	14216	PROF SVCS-WTR
035205	06/14/23	VER02	VERIZON WIRELESS	228.06	993621726	PROP 30-MDC
035206	06/14/23	COM06	COMCAST	13.23	230609	COMMUNICATIONS-PW ADMIN
035207	06/14/23	EXP02	EXPRESS EMPLOYMENT PROFES	1144.56	29172970	TEMP HELP-FINANCE
035208	06/14/23	KNI00	KNIFE RIVER CONSTRUCTION	626.62	288916	A/C CITYWIDE-STR
035209	06/14/23	NOR47	NORTHSTAR	12645.00	80847	PROF SVCS-PW ADMIN
035210	06/14/23	PEC00	PECKHAM & MCKENNEY	9333.33	#1	PROF SVCS-GEN CITY
035211	06/14/23	PES01	PESTMASTER SERVICES, INC.	990.79 990.79	383357 390235	TREE/PEST & WEED SPRAY- (MARCH) TREE/PEST & WEED SPRAY- (MAY)
			Check Total.....	1981.58		
035212	06/14/23	PGE00	PG&E	142.53	230614	CDBG CV2&3-ASST-EMERGENCY RESP (MARIA JUAREGUI)
035213	06/14/23	SUN16	SUNBEAM SOLAR OPERATIONS	15912.52	198764	ELECT-
035214	06/14/23	USA01	USA BLUE BOOK	688.92	29985	MAT & SUPPLIES-POOL
035215	06/14/23	XER00	XEROX CORPORATION	23.37	019090921	EQUIP MAINT-DISPATCH
035216	06/15/23	ASB00	ASBURY ENVIRONMENTAL SERV	95.00	15000092A	MAT & SUPPLIES-MECH MAINT
035217	06/15/23	GRA02	GRAINGER, W.W., INC	217.81	973838364	EQUIP MAINT-FIRE
035218	06/15/23	SPR01	SPRING MOUNTAIN APTS	1732.70	230615	CDBG CV2&3-ASST-EMERGENCY RESP (HEATHER HEYING)
035219	06/15/23	SPR01	SPRING MOUNTAIN APTS	1175.00	230615M	CDBG CV2&3-ASST-EMERGENCY RESP (ELLALINE MARTINEZ)
035220	06/16/23	COM14	COMCAST	186.00	230615	CDBG CV2&3-ASST-EMERGENCY RESP (ELLALINE MARTINEZ)
035221	06/16/23	PGE00	PG&E	2267.30	230615	CDBG CV2&3-ASST-EMERGENCY RESP (HEATHER HEYING)

REPORT.: Jun 21 23 Wednesday
 RUN...: Jun 21 23 Time: 15:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 06-23 thru 06-23 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
035222	06/16/23	SAL02	SALADO ORCHARD APARTMENTS	744.00	230616	CDBG CV2&3-ASST-EMERGENCY RESP (NORMA QUIRINO)
035223	06/16/23	PGE00	PG&E	71.98	230616	CDBG CV2&3-ASST-EMERGENCY RESP (NORMA QUIRINO)
035224	06/16/23	PGE00	PG&E	1226.00	230615G	CDBG CV2&3-ASST-EMERGENCY RESP (DOMINIQUE GONZALEZ)
035225	06/16/23	PGE00	PG&E	639.00	230615M	CDBG CV2&3-ASST-EMERGENCY RESP (ELLALINE MARTINEZ)
035226	06/19/23	CIT03	CITY OF CORNING	684.27	STJ0003	CDBG CV2&3-ASST-EMERGENCY RESP (JENNIFER ST. JOHN)
035227	06/19/23	MOL07	MOLLER REALTY GROUP	990.00	230619	CDBG CV2&3-ASST-EMERGENCY RESP (CANDICE LEFAIVE)
035228	06/19/23	SPR01	SPRING MOUNTAIN APTS	1287.75	230619	CDBG CV2&3-ASST-EMERGENCY RESP (JENNIFER ST. JOHN)
				1175.00	230701	CDBG CV2&3-ASST-EMERGENCY-RESP (JENNIFER ST. JOHN)
			Check Total.....	2462.75		
035229	06/19/23	SUN01	SUNRISE ENVIRONMENTAL	315.25	139099	EQUIP MAINT-FIRE
035230	06/19/23	VAL11	VALLEY PACIFIC PETROLEUM	1686.07	23-642154	VEH OP/MAINT-
				263.48	23-642155	VEH OP/MAINT-FIRE
				90.21	23-642156	VEH OP/MAINT-BLD & SAFETY
			Check Total.....	2039.76		
035231	06/21/23	ARA02	ARAMARK UNIFORM SERVICES	88.05	282915	MAT & SUPPLIES-BLD MAINT
				88.05	290120	MAT & SUPPLIES-BLD MAINT
				88.05	295176	MAT & SUPPLIES-BLD MAINT
				88.05	300355	MAT & SUPPLIES-BLD MAINT
				88.05	306710	MAT & SUPPLIES-BLD MAINT
			Check Total.....	440.25		
035232	06/21/23	BDI00	BDI	20.97	950317030	MAT & SUPPLIES-
035233	06/21/23	CAR12	CARREL'S OFFICE SOLUTIONS	17.76	AR55195	MAT & SUPPLIES-LIBRARY
035234	06/21/23	COR11	CORNING SAFE & LOCK	212.94	9354	BLD MAINT-SENIOR CENTER
035235	06/21/23	EMP03	EMPOWER TEHAMA	59911.66	05312023	EMPOWER TEHAMA-PROP 47(2)
035236	06/21/23	GRA02	GRAINGER, W.W., INC	50.78	973947920	MAT & SUPPLIES-POOL
				63.76	973999006	MAT & SUPPLIES-POOL
			Check Total.....	114.54		
035237	06/21/23	HIN01	HINDERLITER, DE LLAMAS &	1564.51	SIN028895	PROF SVCS-FINANCE
				300.00	SIN029049	PROF SVCS-FINANCE
			Check Total.....	1864.51		
035238	06/21/23	KNI00	KNIFE RIVER CONSTRUCTION	780.36	289054	A/C CITYWIDE-STR
035239	06/21/23	PAC29	PACE ANALYTICAL SERVICES,	220.16	230528828	PROF SVCS-WTR DEPT
				92.37	230528928	PROF SVCS-WTR DEPT
				683.80	230533628	PROF SVCS-WTR DEPT
			Check Total.....	996.33		
035240	06/21/23	PGE01	PG&E	30802.70	230610	Electricity General City-
035241	06/21/23	PGE09	PG&E	218.61	230614	ELECT-STONEFOX L&L-Z1, D2
035242	06/21/23	PGE2A	PG&E	48.47	230614	ELECT-BLUE HERON CT
035243	06/21/23	QUI02	QUILL CORPORATION	36.17	32871604	OFFICE SUPPLIES-
035244	06/21/23	RED12	REDDING FREIGHTLINER,	102.87	X10110182	EQUIP MAINT-
035245	06/21/23	VAL11	VALLEY PACIFIC PETROLEUM	1504.54	23-642153	MAT & SUPPLIES-
035246	06/21/23	ATT13	AT&T	720.67	230611	COMMUNICATIONS-DISPATCH
035247	06/21/23	BAK04	BAKER SUPPLIES AND REPAIR	554.63	90314	MAT & SUPPLIES-PARKS
035248	06/21/23	COR57	CORNING RURAL HEALTH CLIN	1736.00	206456	EMP PHYSICALS-POOL
035249	06/21/23	DOW01	DOWN RANGE	343.14	627778	SAFETY ITEMS-POLICE
035250	06/21/23	EXP02	EXPRESS EMPLOYMENT PROFES	978.90	29210265	TEMP HELP-FINANCE
035251	06/21/23	KNI00	KNIFE RIVER CONSTRUCTION	1438.47	289259	A/C CITYWIDE-STR
				1226.99	289260	A/C CITYWIDE-STR
			Check Total.....	2665.46		
035252	06/21/23	NET02	NETMOTION SOFTWARE, INC.	300.00	I0066246	COMPUTER REPLAC-POLICE
035253	06/21/23	PAC29	PACE ANALYTICAL SERVICES,	773.08	230551028	PROF SVCS-WTR DEPT
035254	06/21/23	PAT02	PATTERSON ELECTRIC, INC.	9997.57	6508	SCADA-WTR CAP IMPROV
035255	06/21/23	SCH01	LES SCHWAB TIRE CENTER	1094.65	00472744	VEH OP/MAINT-ACO

REPORT.: Jun 21 23 Wednesday
RUN....: Jun 21 23 Time: 15:00
Run By.: LORI SIMS

CITY OF CORNING
Cash Disbursement Detail Report
Check Listing for 06-23 thru 06-23 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
035256	06/21/23	WAL02	WALKER PRINTING	708.92	43243	PRINT/ADVERT-
Cash Account Total.....:				205304.75		
Total Disbursements.....:				205304.75		
Cash Account Total.....:				.00		

REPORT.: Jun 21 23 Wednesday
 RUN...: Jun 21 23 Time: 15:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 06-23 thru 06-23 Bank Account.: 1025

PAGE: 004
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
13877	06/14/23	BAN03	POLICE OFFICER ASSOC.	225.00	C30614	POLICE OFFICER ASSOC
13878	06/14/23	CAL37	CALIFORNIA STATE DISBURSE	138.46	C30614	WITHHOLDING ORDER
13879	06/14/23	EDD01	EMPLOYMENT DEVELOPMENT	5131.62	C30614	STATE INCOME TAX
				1277.62	1C30614	SDI
			Check Total.....	6409.24		
13880	06/14/23	FED00	FEDERAL PAYROLL TAXES (EF	14203.36	C30614	FEDERAL INCOME TAX
				17728.32	1C30614	FICA
				4146.14	2C30614	MEDICARE
			Check Total.....	36077.82		
13881	06/14/23	MIS03	MISSIONSQUARE - PLAN#3020	2068.84	C30614	MISSIONSQUARE 457
				185.00	1C30614	MISSIONSQUARE 457 ER
			Check Total.....	2253.84		
13882	06/14/23	PERS1	PUBLIC EMPLOYEES RETIRE	24498.62	C30614	PERS PAYROLL REMITTANCE
13883	06/14/23	PERS4	Cal Pers 457 Def. Comp	2089.41	C30614	PERS DEF. COMP.
				362.50	1C30614	PERS DEF. COMP. ER P
			Check Total.....	2451.91		
13884	06/14/23	VAL06	VALIC	2354.82	C30614	AIG VALIC P TAX
				202.50	1C30614	AIG VALIC P TAX ER P
			Check Total.....	2557.32		
			Cash Account Total.....	74612.21		
			Total Disbursements.....	74612.21		

Date.: Jun 21, 2023
Time.: 1:53 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
CANNON GENERAL CONTR	15004 TWIN PINDE RD	MAGALIA, CA 95954	GENERAL CONTRACTOR	06/14/23
LA SOLAR GROUP INC A	560 LIBRARY ST	SAN FERNANDO, CA 91340	SOLAR PANEL INSTALLATION	06/16/23
VIKING POOLS	6890 WESTSIDE RD	REDDING, CA 96001	FIBERGLASS SWIMMING POOL INSTALLATION	06/12/23
WHITE'S EXCAVATING	15321 FRONTIER DR	RED BLUFF, CA 96080	EXCAVATING-INSTALL SEPTIC SYSTEMS & SEWE	06/12/23

ITEM NO: G-5
APPROVE WAIVER OF
RECREATIONAL USE FEES FOR THE
14th ANNUAL TUCKER MESKER
MEMORIAL SCHOLARSHIP
SOFTBALL TOURNAMENT
FUNDRAISER

June 27, 2023

TO: HONORABLE MAJOR AND COUCILMEMBERS

FROM: TIM POTANOVIC, CITY MANAGER *TP*
ROBIN KAMPMANN, PUBLIC WORKS CONSULTANT *RK*

SUMMARY:

Brant Mesker submitted a request to City Council to waive the Recreational Use Fee for the use of Yost Park for the 14th Annual Tucker Mesker Memorial Scholarship Softball Tournament Fundraiser. The tournament is scheduled for August 4th, 5th, and 6th. This is a community based, non-profit event.

BACKGROUND:

Staff requests Council approval to waive all recreational fees normally charged (\$100 refundable fees and \$166 non-refundable fees) for the Tucker Mesker Memorial Scholarship Fundraiser.

\$ 75 Cleanup deposit

\$ 25 Key deposit

\$100 Refundable

\$ 16 Weekend Field Light Fee

\$150 Weekend Use Fee

\$166 Non-Refundable

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE WAIVER OF RECREATIONAL USE FEES FOR THE 14th ANNUAL TUCKER MESKER MEMORIAL SCHOLARSHIP SOFTBALL TOURNAMENT FUNDRAISER TO BE HELD AUGUST 4TH THROUGH AUGUST 6TH, 2023

Received: June 16, 2023

Good morning Lisa,

I am also in need of a couple agenda item for council.

Tucker Mesker Memorial Tournament for Yost on August 4th, 5th, and 6th.

Little League Grant informational update to council. I had sent this previously but I believe you may have been out of the office. I had talked with Mayor Snow about it.

Let me know if you have any questions or I can get you additional information.

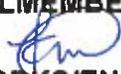
Thank you,

Brant Mesket

ITEM NO.: G-6
AUTHORIZE PAYMENT OF INVOICE
#24761 IN THE AMOUNT OF \$9,122.00 TO
R.E.Y. ENGINEERS FOR THE WEST
STREET SCHOOL ATP CONNECTIVITY
PROJECT ENGINEERING AND
ENVIRONMENTAL SERVICES

June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS

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

SUMMARY:

Staff requests Council authorize payment of invoice #24761 for R.E.Y. Engineers for engineering and environmental services for the West Street School ATP Connectivity Project in the amount of \$9,122.00. This will be the twenty-second payment for this contract.

A summary of work completed between May 1, 2023 to May 31, 2023 is attached to the invoice.

BACKGROUND:

On July 27, 2021 Council awarded the Professional Engineering and Environmental Services contract for the West Street School Connectivity Project to R.E.Y. Engineers in the amount of \$190,000.00.

FUNDING:

The City of Corning was awarded an ATP Grant for the West Street School Connectivity Project in the amount of \$1,304,000.00 to prepare plans, and to construct new sidewalks, curbs, gutters, and crosswalks to close gaps in the existing sidewalk infrastructure adjacent to the school.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE PAYMENT OF INVOICE #24761 IN THE AMOUNT OF \$9,122.00 TO R.E.Y. ENGINEERS FOR THE WEST STREET SCHOOL ATP CONNECTIVITY PROJECT ENGINEERING AND ENVIRONMENTAL SERVICES



R.E.Y. ENGINEERS, INC.

CIVIL ENGINEERING | LAND SURVEYING | REMOTE SENSING

905 Sutter Street, Suite 200
Folsom, CA 95630
(916) 366-3040

City of Corning
794 Third Street
Corning, CA 96021

Invoice number 24761
Date 06/12/2023

Project: 1804.001 West Street School Connectivity
Scope of Work: Project No. 118-77727-9007 / ATPSBIL-5161(017)

Professional services through May 31, 2023

Description	Contract Amount	Percent Compl	Total Billed	Prior Billed	Current Billed
1 Project Approval and Environmental Document	30,000.00	100.00	30,000.00	30,000.00	0.00
2 Plans, Specifications, and Estimates	145,000.00	97.00	140,650.00	131,528.00	9,122.00
3 Right of Way	15,000.00	100.00	15,000.00	15,000.00	0.00
4 Utility A Letters	0.00	100.00	884.42	884.42	0.00
Total	190,000.00	97.72	186,534.42	177,412.42	9,122.00

Invoice total 9,122.00

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
24761	06/12/2023	9,122.00	9,122.00				
	Total	9,122.00	9,122.00	0.00	0.00	0.00	0.00



June 12, 2023

City of Corning
 794 Third Street
 Corning, CA 96021

Attention: Robin Kampmann, City Engineer

Status Report: West Street Elementary School Connectivity Project
 Period: May 1 – May 31, 2023

Work Performed This Period:

- Project Approval and Environmental Document
 - Complete
- Project Management
 - Status Report
 - Bi weekly check in calls
- Environmental Services
 - No work this month
- Topographic data collection
 - No work this month
- Preliminary Design
 - No work this month
- PS&E
 - Bid Document Submittal
 - 100% PS&E
- Right of Way
 - Complete
- Additional Tasks
 - No additional tasks this month

Work Anticipated for Next Period and Beyond:

- Pre-Bid Conference

Issues / Concerns:

- No issues or concerns this month.

Budget Status:

- Project is operating within budget.

Budget Summary:

Description	Contract Amount	Percent Complete	Total Billed
1 Project Approval and Environmental Document	\$30,000.00	100%	\$30,000.00
2 Plans, Specifications and Estimates	\$145,000.00	97%	\$140,650.00
3 Right of Way	\$15,000.00	100%	\$15,000.00
Additional Tasks			
4 Utility A Letters		100%	\$884.42
Total	\$190,000.00	97.72%	\$186,534.42

Submitted By,

Aaron Brusatori, PE

ITEM NO.: G-7
AUTHORIZE PAYMENT OF INVOICE
#24762 IN THE AMOUNT OF \$8,076.00 TO
R.E.Y. ENGINEERS FOR THE OLIVE
VIEW SCHOOL ATP CONNECTIVITY
PROJECT ENGINEERING AND
ENVIRONMENTAL SERVICES
June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: KRISTINA MILLER, CITY MANAGER 
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEER CONSULTANT 

SUMMARY:

Staff requests Council authorize payment of invoice #24762 for R.E.Y. Engineers for engineering and environmental services for the Olive View School ATP Connectivity Project in the amount of \$8,076.00. This will be the twenty-second payment for this contract.

A summary of work completed between May 1, 2023 to May 31, 2023 is attached to the invoice.

BACKGROUND:

On July 27, 2021 Council awarded the Professional Engineering and Environmental Services contract for the Olive View School Connectivity Project to R.E.Y. Engineers in the amount of \$175,000.00.

FUNDING:

The City of Corning was awarded an ATP Grant for the Olive Street School Connectivity Project in the amount of \$1,118,000.00 to prepare plans, and to construct new sidewalks, curbs, gutters, and crosswalks to close gaps in the existing sidewalk infrastructure adjacent to the school.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE PAYMENT OF INVOICE #24762 IN THE AMOUNT OF \$8,076.00 TO R.E.Y. ENGINEERS FOR THE OLIVE VIEW SCHOOL ATP CONNECTIVITY PROJECT ENGINEERING AND ENVIRONMENTAL SERVICES.



R.E.Y. ENGINEERS, INC.

CIVIL ENGINEERING | LAND SURVEYING | REMOTE SENSING

905 Sutter Street, Suite 200
Folsom, CA 95630
(916) 366-3040

City of Corning
794 Third Street
Corning, CA 96021

Invoice number 24762
Date 06/12/2023

Project: 1804.002 Olive View School Connectivity
Scope of Work: Project No. 118-77727-9006 / ATPSBIL-5161(018)

Professional services through May 31, 2023

Description	Contract Amount	Percent Compl	Total Billed	Prior Billed	Current Billed
1 Project Approval and Environmental Document	30,000.00	100.00	30,000.00	30,000.00	0.00
2 Plans, Specifications, and Estimates	133,000.00	97.00	129,010.00	120,934.00	8,076.00
3 Right of Way	12,000.00	100.00	12,000.00	12,000.00	0.00
4 Utility A Letters	0.00	100.00	643.82	643.82	0.00
Total	175,000.00	97.73	171,653.82	163,577.82	8,076.00

Invoice total 8,076.00

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
24762	06/12/2023	8,076.00	8,076.00				
	Total	8,076.00	8,076.00	0.00	0.00	0.00	0.00



June 12, 2023

City of Corning
 794 Third Street
 Corning, CA 96021

Attention: Robin Kampmann, City Engineer

Status Report: Olive View Elementary School Connectivity Project
 Period: May 1 – May 31, 2023

Work Performed This Period:

- Preliminary Engineering
 - Project Management
 - Status Report
 - Bi weekly check in call(s)
 - Environmental Services
 - No work this month
 - Topo / Boundary
 - No work this month
 - Preliminary Design
 - No work this month
- PS&E
 - Bid Document Submittal
 - 100% PS&E
- Right of Way
 - Complete
- Additional Tasks
 - No additional tasks this month

Work Anticipated for Next Period and Beyond:

- Pre-Bid Conference

Issues / Concerns:

Budget Status:

- Project is operating within budget.

Budget Summary:

Description	Contract Amount	Percent Complete	Total Billed
1 Project Approval and Environmental Document	\$30,000.00	100%	\$30,000.00
2 Plans, Specifications and Estimates	\$133,000.00	97%	\$129,010.00
3 Right of Way	\$12,000.00	100%	\$12,000.00
Additional Tasks			
4 Utility A Letters		100%	\$643.82
Total	\$175,000.00	97.73%	\$171,653.82

Submitted By,

Aaron Brusatori, PE

ITEM NO.: *G-8*
APPROVE 3-YEAR AGREEMENT WITH MGT
CONSULTING GROUP FOR STATE MANDATED
SB-90 COST CLAIMING SERVICES FOR FY'S
2023/24 THROUGH FY'S 2025/26
June 27, 2023

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: TIM POTANOVIC, INTERIM CITY MANAGER *TP*
LISA M. LINNET, CITY CLERK *lmw*

SUMMARY:

MGT Consulting Group, formerly MGT of America Inc. has submitted their proposal to continue to provide the City's State Mandated Cost Claiming Services for the next three years at a fixed cost of \$2,000 for FY 2023/24; \$2,100 for FY 2024/25; and \$2,200 for FY 2025/26. This price included filing all eligible annual claims due February 15, 2024, and any new claims due during the fiscal year 2024. MGT's professional staff have been key partners in the City of Corning's SB 90 claiming process for more than 10 years and MGT Consultant Sophia Burgess has provided these same services to the City for the past 3 years and therefore is very knowledgeable and familiar with our City's process and needs. The City has developed a great working relationship with MGT's staff and from 2005 to present they has assisted the City in acquiring more than \$72,445 in State mandated costs reimbursements.

Under the terms of the Agreement, MGT proposes to complete all aspects of this proposal related to all annual claims that are due on February 15th of each of the three fiscal years, as well as all new or first time claims due during the contract period. They will also continue to provide orientation and training for City Staff in the data collection process and onsite meetings as needed.

BACKGROUND:

SB90 is a State Law resulting from a lawsuit against the State that forced the State Legislature to recognize the cost impacts of new State Laws upon local government. California Senate Bill 90 of 1972 established a requirement that the State reimburse local government agencies for the costs of new programs or increased levels of service on programs mandated by the State. This reimbursement covers such items as:

- Administrative License Suspension – Per Se – Program No. 246
- Crime Victim's Domestic Violence Incident Reports – Program No. 262
- Domestic Violence Arrest Policies and Standards – Program No. 167
- Domestic Violence Arrest and Victim Assistance – Program No. 274
- Health Benefits for Survivors of Peace Officers and Firefighters - Program No. 197
- Local Agency Ethics – Program No. 334
- Local Government Employee Relations – Program No. 298
- Peace Officer Personnel Records: Unfounded Complaints and Discovery – Program No. 264
- Peace Officers Procedural Bill of Rights – Program No. 187
- Peace Officers Procedural Bill of Rights II – Program No. 356
- Rape Victims Counseling Center Notice – Program No. 127
- Sexually Violent Predators – Program No. 175
- Threats Against Peace Officers – Program No. 163
- Tuberculosis Control – Program No. 345

The filing process for these documents is quite complicated and time consuming for a small City.

RECOMMENDATION:

MAYOR AND COUNCIL:

- APPROVE THE AGREEMENT WITH MGT CONSULTING GROUP TO PROVIDE COMPREHENSIVE STATE MANDATED COST CLAIMING SERVICES AT AN ANNUAL FIXED COST OF \$2,000 IN FY 2023/24; \$2,100 IN FY 2024/25; AND \$2,200 IN FY 2025/26; AND
- AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE AND SIGN THE AGREEMENT.

Proposal
JUNE 5, 2023



SB 90 State Mandated Cost Reimbursement Services

CITY OF CORNING, CALIFORNIA



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Transmittal Letter

June 5, 2023
Kristina Miller
City of Corning
794 Third Street
Corning, CA 96021

Subject: Proposal for State Mandated Cost Claiming Services (SB 90)

Dear Ms. Miller:

We appreciate the opportunity to provide the City of Corning (City) with this proposal for State Mandated Cost Claiming Services (SB 90). MGT of America Consulting, LLC (MGT) believes that we offer the City solutions that will meet your specific objectives while providing the best value. MGT is uniquely qualified to provide the City with the best staffing and highest level of service available in the state mandate claiming area. Our primary goal for this SB 90 engagement is to produce and file state mandated cost claims that maximize revenue while being technically sound and accurate. We will continue to provide the City with our turn-key approach to state mandated cost claiming while minimizing the impact on your department staff and resources. The MGT consultant, Sophia Burgess, proposed for this engagement has been preparing and filing Corning's SB 90 claims for more than three years and is familiar and knowledgeable with your City's process and needs.

- ◆ **Full Suite of SB 90 Services Tailored for the City** – MGT continues to offer a full suite of SB 90 services to the City with all annual claims due on February 15th, plus all new or first-time claims that are due during the fiscal year, for a fixed fee. Please see the cost section in this proposal for pricing details. In addition to annual and new claim preparation, this proposal includes up to two hours of audit assistance plus SB 90 program training and updates on what's happening with SB 90 payments and future eligible programs.
- ◆ **Leaders in Local Government SB 90 Services** – No other firm comes close to meeting our staff experience, knowledge, and expertise. MGT is the only firm that has multiple consultants with over 15 years of experience in the SB 90 arena.

For more than ten years our professional staff have been key partners in the City of Corning's SB 90 claiming process. We appreciate the opportunity to continue this partnership. If you have any questions, please contact Patrick Dyer at 916.502-5243 or by email at pdyer@mgtconsulting.com. As a Vice President, I am authorized to make commitments, including financial ones, on behalf of MGT for all aspects of this proposal.



TRANSMITTAL LETTER

Sincerely,



Patrick J. Dyer, Vice President
Performance Solutions Group
3600 America River Drive, Suite 150
Sacramento, CA 95864
916.443.3411
pdyer@mgtconsulting.com



Company Profile

Firm Profile

MGT of America Consulting, LLC (MGT) began operations in 1974 as a public sector research firm and has expanded its consulting capabilities and client offerings over the years. We are a national consulting firm specializing in **assisting public sector clients to operate more efficiently and effectively**. A significant portion of MGT's work is repeat business, reflecting a high level of customer satisfaction in our ability to provide exceptional professional services.

MGT is organized as a privately held, employee-owned and financially stable limited liability company with a deep roster of experienced cost allocation experts, support resources, and a commitment to serve the public. MGT is owned by the current and retired partners, principals, and consultants of the firm. The advantage of this ownership structure to our clients is that every member of the firm has a vested interest in the successful completion of every project, for every client. This ownership structure creates a mindset that permeates through every MGT owner: **we change the communities we serve – for good.**

MGT has acquired a keen understanding of the structures, operations, and issues facing public agencies. This understanding comes from **nearly 50 years** of extensive experience providing financial and management consulting services to state and local governments, and the prior work experience of our consultants. We are not the biggest, oldest, or highest profile consulting firm; just the best for combining firm qualifications and consultants' cost allocation expertise with the needs of cities, counties, and state agencies.

Prior to working as consultants, many of our consultants worked in government agencies as managers and staff. This inside knowledge and understanding of government give our consultants an ability to hit the ground running from the very start of a project. MGT consultants understand what it means to work within constrained timelines, and the need to produce a product that concisely and clearly articulates findings and results.



Name: MGT of America Consulting, LLC (MGT)

Founded: 1974

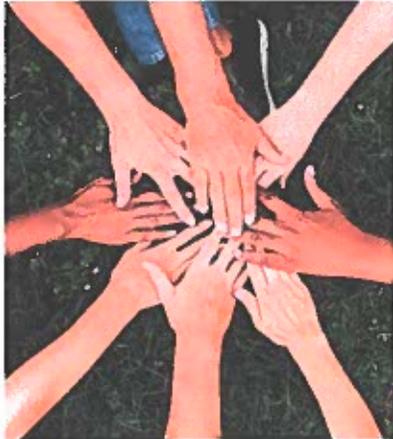
Locations: Headquarters in Tampa Florida; branch offices nationwide

Staff: 500+ consultants with a deep roster of experienced costing experts

Structure: Privately held, employee-owned, client-driven Limited Liability Company

Lines of Business: Government Consulting, Education and Financial Solutions, Diversity and Inclusion, Human Capital, Cyber Security and Technology

The Social Impact of MGT's Work



Defined by Impact



We understand the goals of this SB 90 Claiming engagement and how these processes impact the citizens of the **City of Corning**. By producing and filing state mandated cost claims, it ensures that general fund revenues are protected and are available to provide the **City of Corning's** core services to its citizens. MGT is a service organization. Recognizing the end goals and the positive benefit that our work provides, and not treating these processes as a commodity, ensures that we are working towards a positive goal with our clients and producing the best possible outcomes.

Experience and Qualifications of Key Personnel

We believe our firm is uniquely able to assemble the most experienced, best qualified professional staff for this engagement. The City of Corning's project will continue to be exclusively staffed by consultants from our Sacramento office.

Patrick Dyer, VICE PRESIDENT | Project executive

As Project Executive, Mr. Dyer will ensure that the project is appropriately and adequately staffed and completed on schedule. Mr. Dyer is also responsible for ensuring the City is completely satisfied with MGT's services and will address and resolve any project management issues that may arise during the SB 90 engagement.

Mr. Dyer has over 26 years of experience with state and local government operations, consulting across a variety of areas: mandated cost claiming (SB 90), cost allocation, user fee analyses, and indirect cost rates. He has extensive experience in assisting agencies in the preparation and submission to state federal cognizant agencies of funding requests, claims for reimbursements, indirect cost rates and indirect cost allocation plans. Mr. Dyer has been personally involved with mandates since 1997, filed test claims, testified before the Commission on State Mandates, defended costs during field audits, prepared and filed claims as both a claimant and a consultant. Mr. Dyer is an available resource to discuss audit defense, desk reviews, test claims or any counsel your agency requires related to mandated costs.

Sophia Burgess | Project Manager

Ms. Burgess is an Analyst with MGT and has a background in financial analysis and compliance. She has experience with engaging city leaders to better serve their needs, conducting surveys, research projects and developing presentations.

Ms. Burgess has worked with the City on providing SB 90 claiming services since 2020. She will oversee the daily work of the project and ensure project implementation occurs on schedule and in accordance with all project requirements. She will have direct responsibility for coordinating the collection of all applicable data from all of the City's departments, and will also be responsible for the following:

- Development of the overall project plan
- Staff interviews

- Preparation of all indirect cost rates (ICRP), mandated cost claims and claim review
- Timely submittal of claims to State Controller
- Interfacing with the SCO related to field audits
- Responding to desk reviews performed by the SCO

Technical Approach

Scope of Services

MGT provides true turn-key mandate cost claiming services to its clients, and our approach is based around personal interaction. Our staff is involved with our clients' claiming process throughout the year, providing proactive news, reports, and the earliest notification of new SB 90 claims possible.

We provide our clients with claiming summaries and data collection guides to assist them in understanding all of the eligible components of each program. This process supplements the interviews that our staff conduct to ensure each department contact understands precisely what data is required, and what the internal deadlines are for submission.

Most cities are at risk of desk reviews from the State Controller. We believe that part of our job is assisting your departments to understand the appropriate levels of documentation required for each claim the City files.

Finally, the project manager will complete all claims, all indirect cost rate proposals, and compile all elements of the claims in electronic format and send to the City of Corning for review and signature well in advance of the claiming deadline.

MGT Consulting will provide the following services to the City of Corning:

- ◆ Identify all possible SB 90 claiming opportunities.
- ◆ Prepare and file all eligible annual SB 90 claims with the SCO.
- ◆ Prepare and file all eligible first time or new SB 90 claims that are due during the fiscal year of the contract.
- ◆ Provide assistance with SCO desk reviews and up to four hours assistance in responding to field audits.
- ◆ Assist the City of with knowledge transfer and training on the eligible components of each State-mandated program.

Work Plan

MGT has identified the following order of activities as the most important milestones that must occur for the City to have a successful SB 90 claiming engagement.

Task 1.0: NEW CLAIMS

- 1.1 Establish a schedule and approach needed to complete all new or first-time claims due within the fiscal year.
- 1.2 Assist department staff in understanding the specific mandated requirements for each new SB 90 program, and how the City complies with the specific reimbursable portions of each program.

- 1.3 Prepare all necessary department ICRPs associated with the new SB 90 program.
- 1.4 Prepare claims and perform a quality assurance review of the City’s new SB 90 claim(s) to ensure the costs are supported by appropriate source documentation.
- 1.5 Provide the completed claims and ICRPs to the City for review and signature prior to the claiming deadline.
- 1.6 File the signed claims with the SCO prior to the deadline.

Task 2.0: ANNUAL CLAIMS: DUE TO THE STATE BY FEBRUARY 15TH

- 2.1 Establish schedule and approach needed to complete all annual claims due to the state by February 15th.
- 2.2 Work with department staff in describing how the City complies with the specific mandated programs and help the City determine eligible costs.
- 2.3 Meet with staff to discuss data collection needs and establish deadlines for data to be due.
 - 2.4 Prepare all necessary department wide ICRPs as they apply to the eligible SB 90 programs.
 - 2.5 Prepare claims from the City for SB 90 programs and review the claims for completeness, propriety, and eligibility of costs.
 - 2.6 Perform a quality assurance review of the City’s SB 90 claims to ensure they mesh with the associated department ICRPs.
 - 2.7 Discuss any potential or necessary changes with the appropriate City staff member.
 - 2.8 Provide the completed claims and ICRPs to the City for review and signature prior to the claiming deadline.
- 2.9 File the signed claims with the SCO prior to the deadline.

State Mandate Reimbursement Information

The SB 90 process is constantly changing and evolving. MGT will provide targeted, relevant communication on statewide issues, interpretations, and actions at the state capitol relating to the SB 90 process throughout the fiscal year via **MGT Instant Updates®**, a series of e-mail communiqués designed to keep our clients up to date with the latest mandate legislation, California Commission on State Mandates decisions, and state agency interpretations. MGT will sort through all of the pertinent activity to provide the City with the most relevant information throughout the year, saving the City time and resources.

SB 90 INSTANT UP DATE
IN THIS ISSUE

- California State Budget
- SB 90 Claims Supporting Documentation
- SB 90 Test Claims
- Continuity of Health-Care Adherence and Recovery Justice

California State Budget

For the third year in a row, California's State budget is breaking records. On January 16, 2023, Governor Newsom presented his annual budget proposal to the Legislature, and it's off to all new highs. Last year's budget was the biggest in the state's history, clocking in at \$296.9 billion, right around \$10 billion over the FY 2022-23 budget of \$287.8 billion. That was intense, but the upcoming budget is EW HUGGER. California's 2023-24 budget will total around \$300 billion, a massive rebound from the COVID-19 induced deficit from three years ago. We will have to wait until the May Revision to see if things change or if surpluses are turned into new programs and spending.

The health of California's economy comes as welcome news for local agencies. The massive budget and surplus will provide additional relief to cities and counties who are in desperate need of both human and public health, education and public safety funds. Along with financial support for these big areas, the State continues to show robust support for state-mandated non-education programs (SMN). Additionally, the State has provided funding for new or pilot programs for the fourth year in a row (see page 4).

PROGRAM	2020-21	2021-22	2022-23	2023-24
Commission on State Mandates	\$2,575,000	\$7,631,000	\$1,182,000	\$1,342,000
Annual SB 90 Programs	\$3,378,000	\$8,357,000	\$4,167,000	\$4,162,000
New-Pilot Programs Funding*	\$4,309,000	\$5,200,000	\$2,473,000	\$2,128,000
Special Programs Admin. License Suspension	\$1,951,000	\$2,000,000	\$1,805,000	\$1,879,000
Special Programs Feeback Use	\$68,000	\$47,000	101,000	\$79,000
Total SB 90 Funding	\$12,339,000	\$24,335,000	\$11,828,000	\$11,764,000

* Additional funding for Rural Identity Profiling \$150,000, Sexual Assault Prevention Kits \$27,000

AUDIT ASSISTANCE

MGT will monitor State Controller requests or issues that could affect the City's SB 90 claims. MGT will also provide liaison assistance with the SCO at the desk review level. The SCO may call requesting additional information, or duplicate documentation that may have been misplaced in their offices. Our firm will field these calls and fulfill all appropriate requests without the need for the City's involvement, if possible.

Nobody wants to see the SCO auditing their claims, but higher levels of scrutiny are a fact of life. Our team has extensive experience preparing local agencies for field audits and assisting in their representation beyond the exit conference.

This engagement includes up to two hours of audit assistance. If the City requests additional audit assistance, MGT will bill the City at the Consultant's hourly rate.

Cost

MGT looks forward to continuing our partnership with the City of Corning. MGT proposes to perform the services included in this proposal for fiscal year 2024 for a fixed fee of **\$2,000**. This price includes filing all eligible annual claims due February 15, 2024, and any new claims due during the fiscal year 2024.

Professional Fees

FY 2022-2023 Annual & New Claims in FY 2023-2024	FY 2023-2024 Annual & New Claims in FY 2024-2025	FY 2024-2025 Annual & New Claims in FY 2025-2026
\$2,000	\$2,100	\$2,200

CONTRACT FOR SERVICES

By and Between
City of Corning
and
MGT of America Consulting, LLC

This agreement is made and entered into this _____ day of _____ 2023 by the City of Corning, hereinafter referred to as "Client", and MGT of America Consulting, LLC, hereinafter referred to as "MGT".

Now, therefore, in consideration of the mutual promises contained herein, the parties agree as follows:

I. SERVICES

MGT will provide those services as outlined in its proposal letter to Client specified in this agreement, attached hereto, and incorporated herein as Exhibit "A". Specific scope of services are as follows:

- a) Prepare and file eligible SB 90 claims for annual claims due on February 15 of each year listed in Section II TIMETABLE. Claims must exceed \$1,000 to be eligible to file with the State.
- b) Prepare and file eligible SB 90 claims for all new, or first-time mandates, which have claiming instructions issued by the State Controller's office during the State's 2022-23, 2023-24, 2024-25 fiscal years. Claims must exceed \$1,000 to be eligible to file with the State.
- c) Prepare indirect cost rate proposals to accompany all claims if the resulting rate is above 10%.
- d) Provide information to the City about new claiming opportunities in a timely manner.
- e) Provide liaison services between the City and the State Controller for all claims filed by the MGT that are contested by the State Controller either through desk review or field audit. Audit assistance includes up to 4 hours of support.
- f) Assist with payment tracking and SB 90 claim tracking and coordination.

II. TIMETABLE

a) Initial Term

The term of this agreement is three fiscal years. It is anticipated that all work for the initial period will commence on July 1, 2023 and will be completed by June 30, 2026. The claims filed in II(a) are for FY 2022-23, 2023-24, 2024-25 during the initial contract period.

III. PAYMENT

In consideration for the services rendered by MGT pursuant to this agreement, Client agrees to pay MGT upon completion of the following:

MGT will complete and file all eligible annual claims that are due on February 15, 2024, as well as all new, or first-time claims for which claiming instructions are issued during the 2022-23 fiscal year for the following fee. Each successive fiscal year will follow the same schedule as follows:

Fixed Fee Each Year of Term

FISCAL YEAR	PROPOSED FEE	PAYMENT TERMS
2022-23 Annual Claims & New Claims issued during 2023-24	Fixed Fee equal to \$2,000	Payable 50% on Dec. 15, 2023 and 50% on Feb. 15, 2024
2023-24 Annual Claims & New Claims issued during 2024-25	Fixed Fee equal to \$2,100	Payable 50% on Dec. 15, 2024 and 50% on Feb. 15, 2025
2024-25 Annual Claims & New Claims issued during 2025-26	Fixed Fee equal to \$2,200	Payable 50% on Dec. 15, 2025 and 50% on Feb. 15, 2026

This fee is all inclusive (no expenses will be charged to the City for this part of the engagement). There are no caps on number of claims or meetings.

IV. CLIENT RESPONSIBILITY

- a) Furnish Consultant with all available and necessary information, data, worksheets, and documentation necessary for Consultant to perform the services hereunder in a timely fashion. Consultant shall assume all data is accurate and, if supplied in a timely manner, will file the claims in a timely manner.
- b) Cooperate with Consultant in carrying out the work herein.
- c) Provide adequate staff for liaison with the Consultant for each affected department.
- d) Develop and maintain source documentation sufficient to support SB 90 claims that are filed with the State for a period of at least three (3) years after the last date of claim payment or filing.

V. CONSULTANT LIABILITY

The Consultant will assume all data supplied by the City is accurate and correct. Any subsequent disallowance of funds paid to the City pursuant to the SB 90 claims filed under this agreement is the sole responsibility of the City. In any event, the Consultant's total liability under this agreement shall not exceed the compensation received by the Consultant for work pursuant to this agreement.

VI. MODIFICATION

The Client and MGT may, by mutual agreement, modify this Contract. Any modification must be in writing and must be signed by the Contractor's principal agent and the Client's designate.

VII. GENERAL TERMS AND CONDITIONS

No alteration or variation of this Contract and no understandings or agreements not incorporated herein, unless made in writing between the parties hereto, shall be binding.

The parties hereby agree that no person shall, on the grounds of race, color, creed national origin, religion, disability, or sex, be excluded from or denied participation in, or otherwise subjected to discrimination under any activity performed pursuant to this Contract.

VIII. CANCELLATION

The Client and MGT shall have the right to terminate this Contract at any time before the date of completion: (a) by either party at any time for failure of the other party to comply with the terms and conditions of this Agreement; (b) by either party upon 10 days prior written notice to the other party; or (c) upon mutual written agreement of both parties. In the event of termination, MGT shall stop work immediately and shall be entitled to compensation for professional fees and expense reimbursement to the date of termination and for any work necessitated by that termination.

IX. CONTRACTOR EMPLOYEES

In performance of this Contract, MGT and any agent or employee of the MGT shall act in an independent capacity and not as an officer or employee or agent of the Client, nor shall any party be covered under the Client's personnel rules and regulations. The Client shall have no responsibility for deductions or contributions to Social Security, unemployment insurance, or any other benefits, nor shall income tax be withheld.

X. PROJECT MANAGER

Sophia Burgess of MGT shall act as Project Manager and primary contact to the Client: Contact information is as follows:

3600 American River Dr., Suite 150
Sacramento, CA 95864
Phone 916-833-8318
Fax 916-443-1766
EMAIL: sburgess@mgtconsulting.com

XI. LEGAL REQUIREMENTS

It is agreed that for the duration of this agreement, MGT and Client will comply with all applicable laws and regulations of the State of California, State of Florida, and the federal government, including but not limited to, the Equal Employment Opportunity Act, the Occupational Safety and Health Act and audit requirements.

XII. METHOD & PLACE OF GIVING NOTICE, SUBMITTING BILLS & MAKING PAYMENTS

All notices, bills, and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills, and payments sent by mail shall be addressed as follows:

TO CITY/COUNTY/DISTRICT:

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

TO CONSULTANT:

Mr. Patrick Dyer,
Vice President., Financial Services
MGT Consulting Group
3600 American River Dr., Suite #150
Sacramento, CA 95864

CORPORATE HEADQUARTERS:

MGT of America Consulting
4320 West Kennedy Blvd, Suite 200
Tampa, FL 33609
Email: contracts@mgtconsulting.com
Phone: 888-302-0899

PAYMENT REMITTANCE:

MGT of America Consulting
P.O. Box 17780
Clearwater, FL 33762-0780
Email: ariniv@mgtconsulting.com
Phone: 888-302-0899

XIII. SIGNATURES & APPROVAL

CITY OF CORNING

MGT OF AMERICA CONSULTING, LLC

Signature: _____

Signature: _____

Name: _____

Name: Patrick Dyer

Title: _____

Title: Vice President

Address: 794 Third Street
Corning, CA 96021

Address: 3600 American River Dr., Suite #150
Sacramento, CA 95864

Telephone

Telephone: 916-502-5243

FEID:

FEID: #81-0878597

Date: _____, 2023

Date: _____, 2023

ITEM NO.: G-9
 APPROVE AGREEMENT FOR
 AUDIT SERVICES WITH DONALD
 R. REYNOLDS, CPA

June 27, 2023

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
 FROM: TIM POTANOVIC, CITY MANAGER *TP*
 LISA M. LINNET, CITY CLERK *ML*

BACKGROUND:

Donald R. Reynolds, CPA has served as the City's Auditor for the past sixteen years via the initial "Request for Proposals" process. Because of his firm's prior work with the City, they are familiar with and have a clear understanding of the City's accounting system. This previous experience/knowledge enables them to quickly see any possible problems that might otherwise go unnoticed.

Below is the firm's all-inclusive fee structure for the next three years. These fees cover audit of the general-purpose financial statements, preparation of the OMB Circular A-133 and all required reports, preparation of all applicable financial statements, audit procedures pertaining to State Transportation Improvement Program-STIP (if applicable), Appropriation Limitation Calculation, and out of pocket expenses for the future three-year period which are:

AUDIT FEE SUMMARY FISCAL YEAR ENDING JUNE 30th			
Description of Service	2023	2024	2025
All-inclusive maximum fee for audit of general-purpose financial statements.	\$12,000	\$13,000	\$14,000
All-inclusive maximum fee for OMB Circular A-133 procedures/reports if required.	\$5,000	\$5,000	\$5,000
Preparation of all applicable financial statements/disclosures	\$5,000	\$5,000	\$5,000
Component unit audit procedures pertaining to expenditures of funds under the State Transportation Improvement Program	\$2,000	\$2,000	\$2,000
Appropriation Limitation Calculation (This is typically completed by City's Contract CPA, Roy Seiler)	\$2,000	\$2,000	\$2,000
Out of Pocket Expenses	Included	Included	Included

HOURLY RATES FOR EACH LEVEL OF WORK PERFORMED:			
Proprietor, Audit Manager	\$150.00	\$150.00	\$150.00
Supervisors	\$150.00	\$150.00	\$150.00
Senior Staff Accountant	\$100.00	\$100.00	\$100.00
Junior Staff Accountant	\$60.00	\$62.50	\$65.00
Clerical	\$45.00	\$47.50	\$50.00

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE A THREE (3) YEAR ACCOUNTING SERVICES AGREEMENT WITH MR. DONALD R. REYNOLDS, CPA AND DIRECT THE CITY ATTORNEY TO FINALIZE THE AGREEMENT FOR THE CITY MANAGER'S SIGNATURE.

Donald R. Reynolds

Certified Public Accountant

May 26, 2023

The Honorable City Council
City of Corning
794 Third Street
Corning, CA 96021

Re: Extension of Agreement For Furnishing Audit Services

Dear Sirs:

Thank you for the opportunity to submit this proposal to extend my agreement to furnish auditing services to the City of Corning, (the City) for the years ending June 30, 2023, 2024 and 2025.

The all-inclusive maximum fees for the proposed audits are set forth on Table I on the following page.

Also set forth on Table I are my standard hourly rates effective for the fiscal year ending June 30, 2020.

My actual fees for all of the auditing services I provide will be based on my standard hourly rates set forth in Table I, and in the event my actual costs are less than the specified maximum fees, I will bill the City for my actual fees.

The fees set forth on Table I are an integral part of this proposal.

I would be pleased to meet with the Board to discuss the accompanying proposal. Again, I express my appreciation for the invitation to submit this proposal. If you desire further information or have questions, please call.

This proposal is binding for a period of 90 days, and the person signing this letter may legally bind the proposer.

DONALD R. REYNOLDS
Certified Public Accountant

TABLE I
AUDIT FEE SUMMARY FISCAL YEAR ENDING June 30,

	<u>2023</u>	<u>2024</u>	<u>2025</u>
All inclusive maximum fee for the audit of the general purpose financial statements, including applicable Yellow Book Audit procedures	\$ <u>12,000</u>	\$ <u>13,000</u>	\$ <u>14,000</u>
All inclusive maximum fee for OMB Circular A-133 procedures and preparation of all required reports, if required	\$ <u>5,000</u>	\$ <u>5,000</u>	\$ <u>5,000</u>
Preparation of all applicable financial statements including relate disclosures	\$ <u>5,000</u>	\$ <u>5,000</u>	\$ <u>5,000</u>
Component unit audit procedures pertaining to expenditures of funds under the State Transportation Improvement Program	\$ <u>2,000</u>	\$ <u>2,000</u>	\$ <u>2,000</u>
Appropriation Limitation Calculation	\$ <u>2,000</u>	\$ <u>2,000</u>	\$ <u>2,000</u>
Our of Pocket Expenses	\$ <u>Included</u>	\$ <u>Included</u>	\$ <u>Included</u>

HOURLY RATES FOR EACH LEVEL OF WORK PERFORMED:

	<u>2023</u>	<u>2024</u>	<u>2025</u>
Proprietor, Audit Manager	\$ <u>150.00</u>	\$ <u>150.00</u>	\$ <u>150.00</u>
Supervisors	\$ <u>150.00</u>	\$ <u>150.00</u>	\$ <u>150.00</u>
Senior Staff Accountant	\$ <u>100.00</u>	\$ <u>100.00</u>	\$ <u>100.00</u>
Junior Staff Accountant	\$ <u>60.00</u>	\$ <u>62.50</u>	\$ <u>65.00</u>
Clerical	\$ <u>45.00</u>	\$ <u>47.50</u>	\$ <u>50.00</u>

Note: Time will be accumulated and grouped according to appropriate levels of experience required to perform various tasks.

Donald R. Reynolds

Certified Public Accountant

June 15, 2023

Honorable City Council
City of Corning
Corning, California

I am pleased to confirm my understanding of the services I am to provide The City of Corning, Corning California for the Year ended June 30, 2023, in accordance with *Government Auditing Standards*. I will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the entity's basic financial statements, of The City of Corning, Corning California as of and for the Year ended June 30, 2023. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to accompany The City of Corning, Corning California's basic financial statements. As part of our engagement, we will apply certain limited procedures to The City of Corning, Corning California's RSI. These limited procedures will consist principally of inquiries of management regarding the methods of measurement and presentation, which management is responsible for affirming to us in its representation letter. Unless we encounter problems with the presentation of the RSI or with procedures relating to it, we will disclaim an opinion on it. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's discussion and analysis
2. Budgetary comparison schedules

Audit Objectives

The objective of my audit is the expression of an opinion as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the financial statements taken as a whole. My audit will be conducted in accordance with U.S. generally accepted auditing standards and *Governmental Auditing Standards*, and will include tests of the accounting records of The City of Corning, Corning California and other procedures I consider necessary to enable me to express such an opinion. If my opinion on the financial statements is other than unqualified, I will fully discuss the reasons with you in advance. If, for any reason, I am unable to complete the audit or am unable to form or have not formed an opinion, I may decline to express an opinion or to issue a report as a result of this engagement.

I will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements. This report will include a statement that the report is intended solely for the information and use of the

board of directors, management, and specific legislative or regulatory bodies and is not intended to be and should not be used by anyone other than these specified parties.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will prepare a draft of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the The City of Corning, Corning California and the respective changes in financial position and cash flows, where applicable, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous audits or other engagements or studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and

recommendations, as well as your planned corrective actions.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, my audit will involve judgment about the number of transactions to be examined and the areas to be tested. I will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether caused by error, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Generally Accepted Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because I will not perform a detailed examination of all transactions, there is a risk that a material misstatement may exist and not be detected by me. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, I will inform you of any material errors that come to my attention, and I will inform you of any fraudulent financial reporting or misappropriation of assets that comes to my attention. I will also inform you of any violations of laws or governmental regulations that come to my attention, unless clearly inconsequential. My responsibility as auditor is limited to the period covered by my audit and does not extend to matters that might arise during any later periods for which I am not engaged as auditor.

My procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. I will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of my audit, I will also require certain written representations from you about the financial statements and related matters.

Audit Procedures - Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of The City of Corning, Corning California's

compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance.

Audit Administration, Fee, and Other

I understand that your employees will prepare all cash or other confirmations I request and will locate any invoices selected by me for testing.

The audit documentation for this engagement is the property of Donald R. Reynolds, CPA and constitutes confidential information. However, pursuant to authority given by law or regulation, I may be requested to make certain audit documentation available to federal agency providing direct or indirect funding, or the U.S. General Accounting Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. I will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Donald R. Reynolds, CPA personnel. Furthermore, upon request, I may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

I expect to begin my audit on approximately August 1, 2023 and to issue my reports no later than December 31, 2023.

My fee for these services will be at my standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that I agree that my gross fee, including expenses will not exceed those amounts reflected in the proposal attached, on an annual basis. My standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. My invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with my firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If I elect to terminate my services for nonpayment, my engagement will be deemed to have been completed upon written notification of termination, even if I have not completed my report. You will be obligated to compensate me for all time expended and to reimburse me for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, I will discuss it with you and arrive at a new fee estimate before I incur the additional costs.

I appreciate the opportunity to be of service to The City of Corning, Corning California and believe this letter accurately summarizes the significant terms of my engagement. If you have any questions, please let me know. If you agree with the terms of my engagement as described in this letter, please sign the enclosed copy and return it to me.

Very truly yours,



Donald R. Reynolds, CPA

RESPONSE:

This letter correctly sets forth the understanding of The City of Corning, Corning California.

By: _____

Title: _____

Date: _____

ITEM NO.: G-10

ADOPT RESOLUTION NO. 06-27-2023-01
ESTABLISHING THE GENERAL FUND
APPROPRIATIONS LIMIT FOR THE CITY
OF CORNING FOR FISCAL YEAR 2023 –
2024 AT \$17,395,184.

June 27, 2023

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: TIM POTANOVIC, CITY MANAGER *TP*

ROY R. SEILER, CPA

LISA M. LINNET, ADMINISTRATIVE SERVICES MANAGER *linnet*

SUMMARY:

Each year the City must set its Appropriation Limit as required by Article XIII B of the California Constitution. The Appropriation Limit is also known as the “Gann Limit,” named after the Initiative Proponent who sought a Constitutional Amendment to put limitations on the growth of Government.

The City’s outside Certified Public Accountant Roy R. Seiler has produced the attached report for public review. In support of the proposed Resolution, the Appropriation Limit for City’s General Fund for Fiscal Year 2023-2024 is \$17,395,184 which far exceeds the City’s proposed General Fund Base Operating Budget of approximately \$7,850,122 dollars.

RECOMMENDATION:

MAYOR AND COUNCIL RECEIVE THE REPORT FROM THE CITY’S CONSULTING CERTIFIED PUBLIC ACCOUNTANT AND ADOPT RESOLUTION NO. 06-27-2023-01 ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE CITY OF CORNING GENERAL FUND FOR FISCAL YEAR 2023-2024 IN THE AMOUNT OF \$17,395,184.

RESOLUTION NO.: 06-27-2023-01

**A RESOLUTION ESTABLISHING A GENERAL FUND APPROPRIATIONS LIMIT
FOR THE CITY OF CORNING FOR
FISCAL YEAR 2023-2024**

WHEREAS, Article XIII B of the California Constitution requires that an appropriations limit be established,

BE IT RESOLVED that the City Council of the City of Corning declares that the appropriation limit for the City of Corning General Fund, subject to correction and adjustment, is \$17,395,184. This appropriations limit is for fiscal year 2023-2024 pursuant to the provisions of Sections 36936.1 and 36937 of the Government Code of California.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall be published at least once in the Corning Observer, a newspaper of general circulation, printed, published, and circulated in the City of Corning.

—————
This Resolution was introduced and adopted by the City Council of the City of Corning on the 27th day of June 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Robert Snow, 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 06-27-2023-01 was duly adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 27th day of June 2023 by the votes listed above.

Lisa M. Linnet, City Clerk

ROY R. SEILER

CERTIFIED PUBLIC ACCOUNTANT

PO 81
Artois, CA 95913

Roy.Seiler@yahoo.com

June 14, 2023
City of Corning

Attached is the appropriations limitation work papers and report. **The appropriation limitation for 2023-2024 is \$17,395,184.** The appropriations worksheets need to be accepted by the City Council and the appropriations limitation for the coming fiscal year must be approved by resolution. Please give me a copy of that resolution after it is approved.

As always, let me know if you have questions or concerns.

Sincerely,
Roy R. Seiler, CPA

CITY OF CORNING
APPROPRIATIONS LIMIT WORKSHEETS
FISCAL YEAR 2023-2024

ROY R. SEILER

CERTIFIED PUBLIC ACCOUNTANT

PO 81
Artois, CA 95913

Roy.Seiler@yahoo.com

City of Corning
Corning, California
City, State

The accompanying GANN Initiative, Appropriations Limitations worksheets, for the City of Corning, for the year 2023-2024 were not subjected to an audit, review, or compilation engagement by me and, accordingly, I do not express an opinion, a conclusion, nor provide any assurance on them.

I am not independent with respect to the City of Corning

June 14, 2023
Roy R. Seiler, CPA

Appropriations Limit
City of Corning
Fiscal Year 2023-2024
Article XIII B Appropriations Limit (Gann Appropriation Limit)

Background and calculations

Article XIII B of the California State Constitution, more commonly known as the Gann or "Prop 4" Appropriation Limit, was adopted by California voters in 1980. The Gann Limit places limits on the amount of Tax proceeds that government agencies can receive and appropriate each year. The Appropriation limit is based on actual appropriations during the 1978-79 fiscal year, and is adjusted each year using the growth in population and inflation. The City's limit is adopted each year via resolution by the City Council.

In 1990, Proposition 111 made changes to the manner in which the Appropriations Limit is calculated by allowing government agencies choice of annual growth factors. Proposition 111 also provides for the exclusion from the limit capital expenditures for fixed assets of \$100,000 or more in value that have an expected life of ten years or more.

GANN INITIATIVE
APPROPRIATION LIMITATION GUIDELINES

REVENUES EXEMPT FROM LOCAL LIMITS:

- All Enterprise Revenues
- State Grants (Airport, CDGB, etc.)
- State Funded Programs administered locally
- Gas Tax
- Transportation Development Act Funds

REVENUES TO BE INCLUDED:

- Shared Revenues
- Off Hwy. License Fees
- Vehicle License Fees
- Cigarette Tax
- Tax Relief Subventions (Personal Property Tax Relief, Homeowners)

See Accountant's Disclaimer Report

City of Corning
Fiscal Year 2023-2024

Appropriation Limitation Guidelines

User Fees Verses Costs, Enterprise Funds

Worksheet #1

Budget (X)
Actual

Program Areas

	<u>Airport</u>	<u>Water</u>	<u>Sewer</u>	<u>Transit</u>	<u>Total</u>
A. Costs Reasonably Borne	31,000	2,007,901	2,333,644	19,170	4,391,715
B. Fee Revenue	28,979	1,893,700	2,270,200	18,320	4,211,199
C. Amount that Fee Exceeds Cost	(2,021)	(114,201)	(63,444)	(850)	(180,516)
D. Amount of Fee Revenue Greater Than Cost					(180,516)
E. Use the Results to Complete Worksheet #2					

See Accountant's Disclaimer Report

City of Corning
 Fiscal Year 2023-2024

Appropriation Limitation Guidelines

Calculation of Proceeds From Taxes

Worksheet #2

REVENUES	PROCEEDS OF TAXES	NON-PROCEEDS OF TAXES	TOTAL
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TAXES:

PROPERTY TAX	814,500		814,500
SALES & USE TAX	3,700,000		3,700,000
SALES & USE TAX, T & U	1,450,000		1,450,000
UTILITY USERS TAX	196,000		196,000
TRANSIENT OCCUPANCY TAX	550,000		550,000
SPECIAL POLICE OR FIRE	175,000		175,000
OTHER TAXES	1,000		1,000

FROM STATE:

MOTOR VEHICLE IN LIEU	860,000		860,000
HOMEOWNERS' RELIEF TAX	8,500		8,500
MANDATED COST REIMBURSE		2,000	2,000
POST and SALARY REIMBURSEMENTS		87,300	87,300
PROP 172 - PUBLIC SAFETY	38,000		38,000
BUSINESS LICENSES	24,000		24,000
REAL PROP TRANSFER TAX	24,000	0	24,000
PUBLIC SAFETY GRANTS	0		0

See Accountant's Disclaimer Report

APPROPRIATIONS LIMIT GUIDELINES
WORKSHEET # 2
CONTINUED

OTHER GOVERNMENTS: COMMUNITY DEVELOPMENT		0	0
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LOCALLY RAISED:			
SPECIAL BEN ASSESSMENTS			0
LOCAL LIBRARY FINES AND FEES			0
OTHER MISCELLANEOUS REVENUES	309,900		309,900
DONATIONS AND CONTRIBUTIONS			0
PARKS AND RECREATION FEES	46,800		46,800
DEVELOPMENT FEES	0	247,000	247,000
RENTS, ROYALTIES, PENALTIES		18,000	18,000
FINES AND FORFEITURES		15,000	15,000

USER FEES (From Worksheet # 1)		-180,516	-180,516
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SUB-TOTAL (To Worksheet # 3)	7,841,000	545,484	8,386,484
------------------------------	-----------	---------	-----------

INTEREST EARNINGS (From Worksheet # 3)	9,122	878	10,000
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TOTAL REVENUE (Use for Worksheet #4)	7,850,122	546,362	8,396,484
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TOTAL OF THESE FUNDS	7,850,122	546,362	8,396,484
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OTHER FUNDS NOT INCLUDED			
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GRAND TOTAL	7,850,122	546,362	8,396,484
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Allocation of Interest Income, Worksheet #3		-650	
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Total Appropriations Subject to Limit 7,849,472

See Accountant's Disclaimer Report

City of Corning
Fiscal Year 2023-2024

Appropriation Limitation Guidelines

Interest Earnings Produced by Taxes

Worksheet #3

	AMOUNT	SOURCES
A. TAX PROCEEDS NOT INCLUDING INTEREST	7,841,000	(WORKSHEET #2)
B. MINUS EXCLUSIONS	0	(WORKSHEET #7)
C. NET INVESTED TAXES	7,841,000	(A-B)
D. TOTAL REVENUES NOT INCLUDING INTEREST	8,386,484	(WORKSHEET #2)
E. TAX PROCEEDS AS A PERCENT OF TOTAL	93.50%	
F. INTEREST EARNINGS, General Fund	10,000	
G. AMOUNT OF INTEREST EARNED FROM TAXES	9,350	(E*F)
H. AMOUNT OF INTEREST EARNED FROM NON-TAXES	650	(F-G)

See Accountant's Disclaimer Report

City of Corning
Fiscal Year 2023-2024

Appropriation Limitation Guidelines

Appropriations Subject to Limitation

Worksheet #4

	AMOUNT	SOURCES
A. PROCEEDS OF TAXES	7,850,122	(WORKSHEET #2)
B. EXCLUSIONS	0	(WORKSHEET #7)
C. APPROPRIATIONS SUBJECT TO LIMITATIONS	7,850,122	(A-B)
D. CURRENT YEAR LIMIT	17,395,184	(WORKSHEET #6)
E. OVER/(UNDER) LIMIT	-9,545,062	(C-D)

See Accountant's Disclaimer Report

City of Corning
Fiscal Year 2023-2024

Appropriation Limitation Guidelines

Appropriations Limit Computation

Worksheet #5

<u>Fiscal Year</u>	<u>Previous Limit</u>	<u>Factor</u>	<u>New Limit</u>
1980-1999	1,846,944		6,266,722
1999-2000	6,266,722		6,659,072
2000-2010	10,366,562		10,366,562
2010-2011	10,366,562	0.9801	10,160,267
2011-2012	10,160,267	1.0300	10,465,075
2012-2013	10,465,075	1.0381	10,863,795
2013-2014	10,863,795	1.0529	11,438,490
2014-2015	11,438,490	0.9976	11,411,037
2015-2016	11,411,037	1.0357	11,818,411
2016-2017	11,818,411	1.0516	12,428,241
2017-2018	12,428,241	1.0352	12,865,715
2018-2019	12,865,715	1.0332	13,292,857
2019-2020	13,292,857	1.0424	13,856,474
2020-2021	13,856,474	1.0491	14,536,827
2021-2022	14,536,827	1.0491	15,250,585
2022-2023	15,250,585	1.0680	16,287,625
2023-2024	16,287,625	1.0680	17,395,184

See Accountant's Disclaimer Report

City of Corning
 Fiscal Year 2023-2024

Appropriation Limitation Guidelines

Appropriations Limit Computation

Worksheet #6

	Amount	Source
A. LAST YEAR'S LIMIT	16,287,625	
B. ADJUSTMENT FACTORS		
1. Population Ratio	0.9887	State Finance or Assessor
2. Inflation Ratio	1.0444	State Finance or Assessor
Total Adjustment Factor	1.0326	(B1 * B2)
C. ANNUAL ADJUSTMENT	1,107,559	(B*A)-A
D. OTHER ADJUSTMENTS		
1. Lost Responsibility	0	
2. Transfers to Private	0	
3. Transfers to Fees	0	
4. Assumed Responsibility	0	
Subtotal	0	
E. TOTAL ADJUSTMENT	1,107,559	(C+D)
F. THIS YEAR'S APPROPRIATION LIMIT	17,395,184	(A+E)
Subject Appropriation for GANN, Worksheet 2	7,849,472	
Appropriations Remaining or (over limit) of Prop 4 GANN Appropriation	9,545,712	
Percentage Remaining or (over limit) of Prop 4 GANN Appropriation	54.88%	

See Accountant's Disclaimer Report

**City of Corning
Fiscal Year 2023-2024**

Appropriation Limitation Guidelines

Excluded Appropriations

Worksheet #7

Exclusion Category:

A. Court Orders	None
B. Federal Mandates	None
C. Qualified Capital Outlay	None
D. Qualified Debt Service	None
Total Excludable	None

See Accountant's Disclaimer Report

**ITEM NO: G-11
APPROVE THE MAYOR'S
RECOMMENDED IMMEDIATE
APPOINTMENT OF CODY LAMB TO
SERVE AS THE CITY'S
REPRESENTATIVE TO THE TEHAMA
COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT
GROUNDWATER COMMISSION**

June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: ROBERT SNOW, MAYOR
LISA M. LINNET, CITY CLERK *LML*

SUMMARY:

Former City Manager Kristina Miller was the City's appointed representative on the Tehama County Flood Control & Water Conservation District Groundwater Commission. As a result of her recent departure from City employment, the City is now not represented on this very important Board. As a result, the Mayor now seeks to appoint Planning Commissioner Cody Lamb to represent the City on the Tehama County Flood Control & Water Conservation District Groundwater Commission.

BACKGROUND:

Former City Manager Kristina Miller served as the City's representative on the Tehama County Flood Control & Water Conservation District Groundwater Commission. Her recent resignation from her position as City Manager for a new position with the City of Rio Vista leaves the City without a representative on this very important Commission.

The Mayor makes unilateral appointments to various local Commissions and Committees subject to Council approval or disapproval. Mayor Snow now offers for City Council discussion and action the recommendation of City Planning Commissioner Cody Lamb as the City's representative to the Tehama County Flood Control & Water Conservation District Groundwater Commission. Mr. Lamb has voiced his willingness to represent the City on this Commission and City Clerk Lisa Linnet has confirmed with Nichole Bethuren of Tehama County Flood Control & Water Conservation District Groundwater Commission that the City can chose their representative. Their next meeting is June 28th.

RECOMMENDATION:

**MAYOR AND COUNCIL APPOINT CODY LAMB TO SERVE AS THE CITY'S
REPRESENTATIVE ON THE TEHAMA COUNTY FLOOD CONTROL & WATER
CONSERVATION DISTRICT GROUNDWATER COMMISSION EFFECTIVE
IMMEDIATELY.**

ITEM NO.: I-12
PUBLIC HEARING AND
RESOLUTION 06-27-2023-02
A RESOLUTION OF THE CITY
OF CORNING AUTHORIZING
THE ADOPTION OF THE CITY
OF CORNING WATER
SHORTAGE CONTINGENCY
PLAN

JUNE 27, 2023

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM: TIM POTANOVIC; INTERIM CITY MANAGER
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEERING CONSULTANT** 

BACKGROUND:

In September 2021, Senate Bill 552 (SB 552) was signed by Governor Newsom and enacted into law. SB 552 includes new responsibilities and requirements at both the state and local level to help small water suppliers and rural communities reduce their risk of inadequate water supply amid a water shortage event.

Senate Bill 552 (2021) requires small water suppliers serving 1,000 to 2,999 service connections and nontransient noncommunity (NTNC) schools to develop a water shortage contingency plan per CA Water Code section 10609.60. The required water shortage contingency plan is an abridged version of the urban water management plans mandated for completion by urban water suppliers every 5 years.

Water Shortage Contingency Plans are required to be completed by July 1, 2023, posted on the water supplier's website, and available to the State Water Board and public upon request. The Plans must be updated every 5 years.

SUMMARY:

The attached Water Shortage Contingency Plan was prepared for the City of Corning utilizing the template provided by the California Water Board. The plan will regulate or prohibit water use that is considered to be non-essential during a period of determined drought conditions.

The proposed Water Shortage Contingency Plan is consistent with CA Water Code section 10609.60 and will replace Municipal Code Section 13.14.

RECOMMENDATION:

MAYOR AND COUNCIL, HAVING CONDUCTED THE PUBLIC HEARING AND RECEIVED ALL PROTESTS; ADOPT RESOLUTION 06-27-2023-02 A RESOLUTION OF THE CITY OF CORNING AUTHORIZING THE ADOPTION OF THE CITY OF CORNING WATER SHORTAGE CONTINGENCY PLAN.

CITY OF CORNING
RESOLUTION NO.: 06-27-2023-02
A RESOLUTION OF THE CITY OF CORNING
AUTHORIZING THE ADOPTION OF THE
CITY OF CORNING WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, The City of Corning is required to prepare and adopt a Water Shortage Contingency Plan by July 1, 2023, pursuant to California Water Code Section 10609.60; and

WHEREAS, The City has prepared a Water Shortage Contingency Plan to describe actions and prohibitions and water use restrictions that may be required due to shortage or drought conditions; and

WHEREAS, The Plan provides authority to the Public Works Director to implement applicable provisions of the Plan upon determination that such implementation is necessary to protect public health, safety and welfare; and

WHEREAS, The City held a duly noticed public hearing at the meeting at which the Water Shortage Contingency Plan is proposed to be adopted for comment and review as required by law.

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

- 1) Hereby adopts the City of Corning Water Shortage Contingency Plan.
- 2) The Public Works Director is hereby directed and authorized to take all steps necessary to implement the direction in this resolution and to implement the Water Shortage Contingency Plan pursuant to its terms.
- 3) This resolution is effective immediately.

RESOLUTION 06-27-2023-02 WAS PASSED AND ADOPTED THIS 27TH DAY OF JUNE 2023, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor Robert Snow

ATTEST:

Lisa M. Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning, DO HEREBY CERTIFY that the foregoing Resolution 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 27th day of June, 2023 by the votes listed above.

Lisa M. Linnet, City Clerk

SAVE WATER. SAVE CALIFORNIA.

**Water Supply Contingency Plan
for
City of Corning**

794 Third Street, Corning CA, 96021

Public Water System CA #5210001

Effective: June 28, 2023

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Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of public water system (PWS) supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Corning hereby adopts the following regulations and restrictions on the delivery and consumption of water through this Water Shortage Contingency Plan (Plan).

Water uses regulated or prohibited under this Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water subjecting the offender(s) to penalties as defined in Section XI of the Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Corning by means of a public hearing at the City of Corning Council meeting on June 127, 2023. Final adoption of the Plan occurred at a properly noticed Board meeting on June 27, 2023.

Section III: Public Education

The City of Corning will regularly provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage, including but not limited to the value of water, sources of water being used, methods and opportunities for conservation. Detailed information on public education is provided in Section X of the Plan.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Corning Public Water System is located within the Tehama County Flood Control and Water Conservation District (GSA). The GSA's water planning area assessment documents were considered in the development of the Plan. A copy of the final Plan was shared with the Tehama County Flood Control and Water Conservation District GSA and posted on our website on June 28, 2023.

Section V: Authorization

The Public Works Director, or designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Public Works Director, or designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan. The contact information for the Public Works Director is: Phone number (530) 824-7029.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and properties utilizing water provided by the City of Corning. The terms "person" and "customer" as used in the Plan may include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and Institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as schools, hospitals, clinics, retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the City of Corning Public Water System.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;

- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting or hauling water for a domestic water use.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Summary of Drought Response Stages and Response Actions

The Public Works Director, or designee, shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering and termination criteria described in subsequent sections of this document are based on:

- Groundwater well elevations and/or well production capacities relative to system demands;
- Projected drought conditions on Department of Water Resources (DWR) California Water Watch Tool (<https://cww.water.ca.gov>)
- County, State or Federal Drought Emergency Orders
- Emergencies such as fire, earthquake, etc. resulting in potential water outages

The response actions described in subsequent sections of this document are based on the following general precepts:

- Source capacity augmentation is proposed with the City of Corning decreasing water loss through enhanced operational and maintenance changes. In more critical cases, source capacity may be increased by drilling of an additional City well and/or a provision of hauled or bottled water in cases of natural disasters.
- Conservation techniques employed include progressively implementing more strict water use policies, primarily focused on outdoor irrigation and increasingly

restrictive water use in business functions. In natural disaster type scenarios, water supplies are limited based on a per capita per day scenario.

- Notification of the public is performed in a variety of ways to ensure drought messaging is received by the residents. Depending on the severity of the drought stage, this may include messages on the City of Corning website and social media to house-to-house outreach services performed with community service groups. Whenever possible, messages will be provided in English and Spanish.
- The City of Corning will coordinate with a variety of agencies, including the Tehama County Environmental Health, State Water Board's Division of Drinking Water, and Tehama County Flood Control and Water Conservation District GSA. In the event of severe water shortages, the City of Corning will also coordinate with County Public Health to support County registered vulnerable persons, County Offices of Emergency Services (OES), CalWARN, community partners and critical users.

Section IX: Drought Response Triggers

The drought response triggers and terminations discussed below provides details on when varying levels of drought responses, further discussed in Section X, will be implemented and then subsequently terminated. The City of Corning City Council may choose to make modifications to the triggers and terminations depending on real-time scenarios, however these response triggers stand in the absence of other Council decisions.

Stage 1 Triggers -- Water Shortage WATCH Conditions

Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when groundwater well elevations show an average decrease of 10% in groundwater elevations or available flow capacity, there is a projected lack of normal regional rain patterns, the DWR Water Watch drought map¹ shows moderate drought conditions in our zip code, City of Corning initiates voluntary conservation measures, or the Tehama County Flood Control and Water Conservation District GSA proposes basin-wide voluntary conservation measures.

Requirements for termination

Stage 1 of the Plan may be rescinded when all well related conditions listed as triggering events have ceased to exist for a period of 10 consecutive days, or immediately when any other conditions cease to exist.

¹ <https://cww.water.ca.gov/>

Stage 2 Triggers -- Water Shortage WARNING Conditions

Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when groundwater well elevations show an average decrease of 20% in groundwater elevations or available flow capacity, the City of Corning initiates Stage 2 drought response measures, or the Tehama County Flood Control and Water Conservation District GSA recommends Stage 2 drought response measures, or the DWR Water Watch drought map shows severe drought conditions in our zip code.

Requirements for termination

Stage 2 of the Plan may be rescinded when all well related conditions listed as triggering events have ceased to exist for a period of 10 consecutive days, or immediately when any other conditions cease to exist. Upon termination of Stage 2, Stage 1 becomes operative unless otherwise specified.

Stage 3 Triggers – ACUTE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when groundwater well elevations show an average decrease of 30% in groundwater elevations or available flow capacity, the City of Corning initiates Stage 3 drought response measures, or the Tehama County Flood Control and Water Conservation District GSA recommends Stage 3 drought response measures, or DWR's California Water Watch drought maps shows extreme drought conditions in our zip code.

Requirements for termination

Stage 3 of the Plan may be rescinded when all well related conditions listed as triggering events have ceased to exist for a period of 10 consecutive days, or immediately when any other conditions cease to exist. Upon termination of Stage 3, Stage 2 becomes operative unless otherwise specified.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when groundwater well elevations show an average decrease of 40% in groundwater elevations or available flow capacity, the City of Corning initiates Stage 4 drought response measures, or the Tehama County Flood Control and Water Conservation District GSA recommends Stage 4 drought response measures, or a County, State or

Federal Drought Emergency is declared.

Requirements for termination

Stage 4 of the Plan may be rescinded when all well related conditions listed as triggering events have ceased to exist for a period of 10 consecutive days, or immediately when any other conditions cease to exist. Upon termination of Stage 4, Stage 3 becomes operative unless otherwise specified.

Stage 5 Triggers -- EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when groundwater well elevations show an average decrease of 50% in groundwater elevations or available flow capacity, the City of Corning initiates Stage 5 drought response measures, or the Tehama County Flood Control and Water Conservation District GSA recommends Stage 5 drought response measures.

Requirements for termination

Stage 5 of the Plan may be rescinded when all well related conditions listed as triggering events have ceased to exist for a period of 10 consecutive days, or immediately when any other conditions cease to exist. Upon termination of Stage 5, Stage 4 becomes operative unless otherwise specified.

Stage 6 Triggers – CATASTROPHIC Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when groundwater well elevations show an average decrease of greater than 50% in groundwater elevations or available flow capacity, the City of Corning initiates Stage 6 drought response measures, or the Tehama County Flood Control and Water Conservation District GSA recommends Stage 6 drought response measures. Triggers may also include earthquakes resulting in significant infrastructure damage, emergency conservation needed for fire protection, or other actual or threatened catastrophic water infrastructure failure as determined by the Public Works Director, or designee.

Requirements for termination

Stage 6 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist and coordination with the health and safety authorities have indicated that the water source and distribution system is safe. Upon termination of Stage 6, Stage 5 becomes operative unless otherwise specified.

Section X: Drought Response Stages and Actions

The Public Works Director, or designee, shall monitor water supply and/or demand conditions on a monthly basis and, in accordance with the triggering criteria set forth in Section IX of this Plan, shall determine if a water shortage condition exists and the severity of any such water shortage conditions (e.g., 1-Watch, 2-Warning, 3-Acute, 4-Critical, 5-Emergency, 6-Catastrophic Water Loss), and shall implement the following notification procedures accordingly:

Notification

Description of Customer Notification Methods:

The Public Works Director, or designee, shall notify the public by means of one of the following Methods:

- Method 1: Notice on the City of Corning website and social media outlets
- Method 2: Notice in the Corning Observer newspaper, joint messaging with the Tehama County Flood Control and Water Conservation District GSA
- Method 3: Email to customer listing
- Method 4: Direct Mail to each customer, in bill or flyer format
- Method 5: Personal phone calls to medical facilities, elder care facility and school district
- Method 6: Door to door outreach in low-income, elderly communities, County registered vulnerable residents, residences with high usage, and/or parts of the distribution system impacted by emergency
- Method 7: City Emergency Messaging text alert

Small Town CSD has a 15% Spanish speaking population, therefore Methods 1, 3, 4 and 6 shall be provided in both English and Spanish.

Prepared materials from Department of Water Resources, "Save Our Water Toolkit", may be used as drought communication tools with the City of Corning logo added. The link for these materials is provided below:

<https://saveourwater.com/en/Partner-Toolkit>

Public Safety Contacts:

The Public Works Director, or designee, shall notify directly the following individuals and entities of restrictions and water shortages, as defined in the subsections below, as appropriate for each response stage.

Organization or Department	Name & Position	Telephone	Email
Corning Fire Department	Tom Tomlinson Fire Chief	911 or (530) 824-7044 (non-emergency)	ttomlinson@corning.org
Corning Police Department	Jeremiah Fears Police Chief	911 or (530) 824-7000 (non-emergency)	jfears@corningpd.org
Tehama County Office of Emergency Services	Andy Houghtby, Deputy Director OES	(530) 529-7988	ahoughtby@tehamaso.org
Tehama County Env. Health Agency	Tia Branton, Director REHS	(530) 527-8020	tbranton@co.tehama.ca.us
Tehama County Public Health		(530) 527-8491	
State Water Board District Engineer	James Reade, Associate Engineer	(530) 339-1991	James.ream@waterboards.ca.gov
Critical Water User: Corning Health Center		(530) 872-2000	
Critical Water User: Dignity Health		(530) 390-3877	
Critical Water User: Corning Union Elementary School District	Tiffany Dietz, Superintendent	(530) 824-7700 ext.1256	tdietz@cuesd.net
Critical Water User: Corning Union High School District	Jared Caylor, Superintendent	(530) 824-8000	jcaylor@corninghs.org
Tehama County Flood Control and Water Conservation District GSA	Justin Jenson, Deputy Director of Public Works – water resources	(530) 690-0700 ext. 201	jjenson@tcpw.ca.gov

Support Services Contacts:

The following is a listing of support services that may be appropriate for a water shortage emergency.

Organization or Department	Company & Name	Phone	Email
Water Hauler	All American Emergency Services	(877) 824-1997	
Well Pump Company	Durham Pump	(530) 891-4821	
American Red Cross	Northern California Chapter	(530) 673-1460	

Drought Responses Actions:

Stage 1 Response -- Water Shortage WATCH Conditions

Target: Achieve a voluntary 10% percent reduction in total monthly water usage.

Best Management Practices for Supply Management:

- (a) Monthly monitoring of groundwater elevations in City well to ensure that they are operational.
- (b) Decrease flushing from regular flushing routine to only as needed for water quality issues and state requirements.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are encouraged to voluntarily limit the irrigation of landscaped areas to the hours of 9:00 pm to 8:00 am.
- (b) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes such as ornamental fountains, washing down of sidewalks or hard surface areas.
- (c) Water customers are discouraged from emptying and refilling swimming pools, ponds, and spas.
- (d) Water customers are requested to not irrigate during rain or within 48 hours after measurable rainfall.

Notification Method(s) and Frequency:

Methods: 1 and 4 (via monthly bills) – Permanent website, monthly outreach

Stage 2 Response -- Water Shortage WARNING Conditions

Target: Achieve a 20% percent reduction in total monthly water usage.

Best Management Practices for Supply Management:

- (a) Increase monitoring of groundwater elevations from monthly to weekly.
- (b) Decrease flushing from regular flushing routine to only as needed for water quality issues and state requirements.

Mandatory Water Use Restrictions for Reducing Demand:

All voluntary conservation measures in Stage 1 become mandatory in addition to

the following conservation measures:

- (a) Equip new commercial car washes with water recycling systems.
- (b) All new construction must install low flow shower heads, low flush toilets, and faucet aerators.
- (c) Construction project and industrial use: water service for construction project and industrial use shall be addressed on a case-by-case basis.
- (d) The following uses of water are defined as non-essential and are prohibited:
 - i. washdown of any sidewalks, walkways, unless being performed by the City or emergency response employee addressing a public health issue such as fecal waste removal, etc.;
 - ii. washdown of driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - iii. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - iv. use of water for dust control;
 - v. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - vi. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Notification Method(s):

Methods: 1 and 4 (via monthly bills) – Permanent website, monthly outreach. Develop a complaint response program.

Agencies Contacted:

If less than 30-day time period between 10% and 20% decrease in water capacity or well elevation change, inform County Environmental Health and/or State Water Resources Control Board District Engineer of decreasing production and initiate feasibility evaluation for long-term mitigation strategies.

Stage 3 Response -- ACUTE Water Shortage Conditions

Target: Achieve a 30% percent reduction in total weekly water usage.

Best Management Practices for Supply Management:

- (a) Continuing the monitoring of groundwater elevations weekly.
- (b) Decrease flushing from regular flushing routine to only as needed for water quality issues and state requirements.
- (c) City of Corning contracted grant writers will seek to evaluate if drought construction funding is available.

Mandatory Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 shall remain in effect during Stage 3 with the following modifications:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Tuesdays and Saturdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) and Wednesdays and Sundays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9) between the hours of 9:00 pm and 8:00 am on the designated days. However, irrigation of landscaped areas is permitted at any time if it is by means of a filled bucket or watering can of five (5) gallons or less.
- (b) Operation of ornamental fountains, waterfalls, ponds or lakes is prohibited without a water recycling system. An ornamental or decorative water feature is defined as a design element where artificially supplied open water performs solely an aesthetic function. Ornamental water features do not include recreational water features, such as swimming pools, spas, and water parks.
- (c) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (d) Hotels/Motels are requested to provide guests the option of not having towels and linens laundered daily.
- (e) Public Facilities: Water service to parks, cemeteries and other public facilities shall comply with the restrictions set forth in this section.

Notification Method(s) and Frequency:

Methods: 1, 2, 3, 4 (via monthly bill and separate conservation flyer), 5. At least monthly outreach.

Agencies Contacted:

Continue to work with GSA and City of Small Town to align potential future actions. Continue to collaborate with County Environmental Health and/or State Water Resources Control Board District Engineer on decreasing well

production or water level elevations. Reach out to Fire Department and Critical Water Users (hospital, etc.) to notify them of the situation so that they can begin planning for alternative water sources as needed. Initiate planning for short-term alternative water scenarios and long-term mitigation strategies, such as well deepening. Coordination will also extend to well drillers and County Environmental Health on permitting requirements. Coordinate with County Public Health to consider needs of vulnerable persons registered with the County in the event drought conditions worsen.

Stage 4 Response -- CRITICAL Water Shortage Conditions

Target: Achieve a 40% percent reduction in total daily water usage.

Best Management Practices for Supply Management:

- (a) Increase monitoring of groundwater elevations from weekly to daily.
- (b) Decrease flushing from regular flushing routine to only as needed for water quality issues and state requirements.
- (c) City of Corning contracted grant writers will apply for drought construction funding if available.
- (d) City staff will make every attempt to keep the industrial users informed of the status of a water emergency prior to the declaration of a Stage 4 water emergency so they can prepare for a possible shutdown of production.

Mandatory Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 with the following modifications:

- (a) The following potable water uses will be prohibited for all water users:
 - i. Landscape irrigation or watering of lawns or gardens.
 - ii. Washing of cars, boats, trailers, or other vehicles other than commercial facilities with water recycling.
 - iii. Washing down driveways, sidewalks, buildings, windows, or any outdoor surface.
 - iv. Filling of swimming pools, spas or hot tubs.
 - v. Serving of drinking water at restaurants unless requested.
 - vi. Filling or operating ornamental fountains, waterfalls, ponds or lakes.
 - vii. Street cleaning.
 - viii. Use of hydrant meters for construction purposes.

Notification Method(s) and Frequency:

Methods: 1, 2, 3, 4 (via monthly bill and separate conservation flyer), 5. At least weekly outreach through 2 or more methods.

Agencies Contacted:

Work with GSA to align potential future actions. Continue to collaborate with County Environmental Health and/or State Water Resources Control Board District Engineer on decreasing well production or water level elevations. Continue to reach out to Fire Department and Critical Water Users (hospital, etc.) of the situation so that they can continue planning for alternative water sources, if necessary. Continue coordinating with County Public Health to consider needs of vulnerable persons registered with the County should drought conditions worsen.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 50% percent reduction in total daily water usage.

Best Management Practices for Supply Management:

- (a) Continue daily groundwater elevation measurements.
- (e) Decrease flushing from regular flushing routine to only as needed for water quality issues and state requirements.

Mandatory Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3 and 4 shall remain in effect during Stage 5 except with the following modifications:

- (a) No new residential development shall be permitted unless the developer has submitted a complete building permit application to the City prior to the Stage V declaration. Building permit applications may proceed with a deferral of landscape installation, until the water shortage level has been lifted.
- (b) No new landscape shall be installed. Exceptions are replacing landscaping with drought tolerant landscape material.
- (c) Swamp coolers are only permitted for use when temperatures exceed 85°F.

Notification Method(s) and Frequency:

Methods: 1, 2, 3, 4 (via monthly bill and separate conservation flyer), 5. At least weekly outreach through 3 or more methods. Water Waster Patrols are implemented.

Agencies Contacted:

Weekly coordination and status updates to all agencies.

Stage 6 Response -- CATASTROPHIC Water Shortage Conditions

Target: Achieve >50% percent reduction in total daily water usage or implement allocation plan requirements depending on situation.

Best Management Practices for Supply Management:

- (a) Continue daily groundwater elevation measurements.
- (b) Priority for all water use will be for human consumption, sanitation and fire protection.

Mandatory Water Use Restrictions for Reducing Demand:

All water users will be limited to amounts required for human consumption, sanitation, and fire protection. No water will be available for nonessential use or for commercial or industrial processes. Exceptions are livestock and food production.

Notification Method(s) and Frequency:

Methods: 1, 2, 3, 4 (via bill and separate conservation flyer), 5 – Daily communication

Agencies Contacted:

Daily or weekly coordination and status updates to all agencies, depending on the severity of the issue.

CATASTROPHIC Water Allocation Plan

In the event that water shortage conditions threaten public health, safety, and welfare, the Public Works Director, or designee, is hereby authorized to allocate water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	1,460 – 2,920
3 or 4	4,380 – 5,840
5 or 6	7,300 – 8,760
7 or greater	Requires written verification of any household usage greater than 9,000 gallons per month. Allowable usage will be calculated using 47 gallons per person per day.

“Household” means the residential premises served by the customer’s meter. The above is based on 47² gallons per person per day with all outdoor uses prohibited except by public safety officers (e.g. fire personnel, etc.)

Additional decreases to the table may be required for short-term emergency response to earthquakes, fires, etc. Any short-term decrease (defined as less than 72 hours) will be determined by the Public Works Director along with provision for alternative water supplies for any period of water outage greater than 10 hours. Any conservation decreases to below 47 gallons per person per day, for greater than 72 hours, requires a properly noticed City Council Meeting (regular or special) for public input and Council adoption.

Master-Metered Multi-Family Residential Customers

The allocation to residential water customers billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g., *apartments, mobile homes, etc.*) shall be allocated the same as single-family residential customers.

Commercial Customers

A monthly water allocation shall be established by the Public Works Director, or designee, for each nonresidential, non-industrial commercial water customer who uses water for processing purposes. The allocation to nonresidential, non-

² Based on Water Code Section 10609.4 for standard indoor residential water use starting in 2025. This attempts to ensure efficient indoor water recognizing the severity of the drought while maintaining standard sanitation practices, if possible.

industrial commercial water customers shall be as follows: 40% of monthly water usage and no irrigation. All restaurants shall only provide water upon request, hotels must only wash linens upon exist of customers, and all commercial customers must post drought conservation messaging.

Industrial Customers

The allocation to industrial water customers shall be as follows: 40% of monthly water usage and no irrigation.

CATASTROPHIC Interim Replacement Water Supply for Water Outages

In the event that water outages occur the following is the plan to provide interim alternative water supply for customers to meet short-term public health needs. Longer-term hauling of water directly to the distribution system would be coordinated with the Office of Emergency Services and CalWARN as soon as possible if the wells continue to be inaccessible.

Source of Alternative Water Supply:

The City of Corning will have hauled from an adjacent community water system by a California Department of Public Health certified potable water hauler. Coordination will also be done with the State Water Resource Control Board's Division of Drinking Water and County Environmental Health on any chlorination and special water quality testing or noticing prior to serving hauled water.

Distribution of Alternative Water Supply:

The City will provide portable plastic storage tanks and pumps located at locations throughout the City.

The storage tanks will be manned from 6 a.m. until 11 p.m. by City of Corning staff, retired staff, and/or Council members. Residents may come and fill up to 10 gallons of water per person per day³. Water will be provided free of charge and may not be sold by the person receiving the water to others, or used for any purposes other than human consumption, cooking or sanitation.

- Rented portable restroom trailers will also be provided at each of the water distribution sites. At least one at each location will be handicap accessible.

³ The World Health Organization (WHO) information on minimum water needs during humanitarian emergencies states that "15 liters per person per day should be provided as soon as possible, though in the immediate post-impact period, it may be necessary to limit treated water to a minimum of 7.5 liters per day per person."

WHO website: <https://www.who.int/teams/environment-climate-change-and-health/water-sanitation-and-health/environmental-health-in-emergencies/humanitarian-emergencies>

Additionally, residents that have no transportation or are disabled/elderly and/or may have difficulty obtaining or carrying water may sign up to have bottled water delivered to their home. County Public Health will help coordinate outreach to people registered on the County Vulnerable Persons list. Additionally, American Red Cross volunteers will organize and deliver bottled water supplies up to 10 gallons per day, in smaller quantities that can be easily handled. County Public Health staff will provide transportation for elderly/disabled community members who lack it to the hospital for showering and other sanitation purposes.

If water outages occur only in part of the distribution system, a similar but abridged version of the alternative water supply plan will be initiated to focus only on those parts of the distribution that are impacted.

If necessary, boil water orders will be in place until the water quality is stabilized and the distribution system has been determined to be bacteriologically safe. While the boil water orders are in place, bottled water will continue to be provided to residents needing special assistance.

Public Notification Regarding Access to Alternative Water Supplies:

Methods: 1, 2, 3, 4 (flyer/door hanger), 5, 6 and 7 will be utilized to inform residents of the location of alternative water and sanitation access and availability of additional services for the elderly/disabled or those without transportation. American Red Cross will also be utilized to provide flyers to homes.

All handout materials will be provided in both English and Spanish.

CATASTROPHIC Notification of Emergency Service Providers

If adequate water supply will potentially become unavailable for fire response, medical services, public services, etc., then the following emergency providers will be notified as soon as possible to ensure that adequate planning, response and assistance may be provided:

Local Fire Agency: Shall be contacted immediately when any water outages are believed to be potentially imminent or is occurring in any part of the distribution system.

Critical Service Providers (e.g., hospital, school, elder care, etc.): The medical facilities, elder care facilities and school districts shall be immediately contacted when any water outage is believed to be potentially imminent or is occurring in the distribution system that may in any way impact that user. These users should have backup plans for water provision and hauling that must be implemented immediately.

State Water Board and/or County Environmental Health: The State Water Board's Division of Drinking Water and the County Environmental Health shall be contacted when any water outage is believed to be potentially imminent or is occurring in the

distribution system.

County Office of Emergency Services: The County Office of Emergency Services may be contacted when any water outage is believed to be potentially imminent or is occurring in the distribution system as the result of a natural disaster and/or additional County or State support is needed.

Section XI: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from this water system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Public Works Director, or designee, in accordance with provisions of this Plan.
- (b) Any person, including a person classified as a water customer of the water system, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation.
- (c) Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is in repeated violation of this Plan, the City of Corning shall, after the second warning notice to the customer, be authorized to provide a financial penalty of up to \$50 per day for the third notice (not to exceed \$500), and \$200 per day for the fourth and future notices.

Section XII: Variances

The Public Works Director, or designee, may grant, in writing, a temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the water system within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Council and shall include the following:

- (a) Name and address of the petitioner(s).

- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

A decision on the variance request will be returned to the customer within no more than 14 business days once the City Council has met and made a determination.

While submittal of a variance is required, the following exemptions are pre-approved:

1. Use of a residential swamp cooler on days where the ambient temperature is greater than 80° F for residents that can demonstrate a medical need.
2. Use of water for the operation of a medical support device needed by a resident.

Appendix A: Water System Information

The City of Corning Water System provides water to approximately 2,000 residential customers, 120 multifamily residential customers, 260 commercial customers, 5 industrial customers and 30 irrigation-only customers. The City of Corning obtains its water from 7 groundwater wells with chlorination treatment.

Annually, the water system utilizes approximately 796 million gallons. The maximum monthly usage typically occurs in July with a production of 96 million gallons, with peak day demand occurring mid-July. The average maximum day demand is 3 million gallons.

Well Name	Average Production (gpm)	Average April Elevation, feet bgs	Average October Elevation, feet bgs
Well 01	--	--	--
Well 02	369	141.5	153.3
Well 03	--	102	98
Well 08	586	96.5	112
Well 09	480	136.1	156.9
Well 10	680	93	107.4
Well 19	380	96	103

(bgs = below ground surface)

ITEM NO.: I-13
ORDINANCE NO. 704 REPEALING
SECTION 13.14 OF THE CORNING
MUNICIPAL CODE TO ENSURE
COMPLIANCE WITH CALIFORNIA
WATER CODE SECTION 10609.60
JUNE 27, 2023

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: TIM POTANOVIC; INTERIM CITY MANAGER
CITY ATTORNEY, COLLIN BOGENER

BACKGROUND:

In September 2021, Senate Bill 552 (SB 552) was signed by Governor Newsom and enacted into law. SB 552 includes new responsibilities and requirements at both the State and local level to help small water suppliers and rural communities reduce their risk of inadequate water supply amid a water shortage event.

Senate Bill 552 (2021) requires small water suppliers serving 1,000 to 2,999 service connections and nontransient noncommunity (NTNC) schools to develop a Water Shortage Contingency Plan per CA Water Code section 10609.60. The required Water Shortage Contingency Plan is an abridged version of the urban water management plans mandated for completion by urban water suppliers every 5 years.

Water Shortage Contingency Plans are required to be completed by July 1, 2023, posted on the water supplier's website, and available to the State Water Board and public upon request. The Plans must be updated every 5 years.

At this meeting, the City Council will be adopting a Water Shortage Contingency Plan consistent with Water Code section 10609.60. However, this Plan is inconsistent with Chapter 13.14 of the Corning Municipal Code, titled "Proposed Water Conservation Program." That Chapter was adopted in 1994 and is no longer in step with California law. To ensure that no conflicts exist between the Municipal Code and State law, staff proposes that Chapter 13.14 be repealed in its entirety.

A repeal of an Ordinance is similar to enactment of an Ordinance, requiring two readings, with the repeal going into effect 30-days after the second reading. If adopted this Ordinance will repeal previous Ordinances 545 and 660.

RECOMMENDATION:

**ADOPT ORDINANCE NO. 704 REPEALING SECTION 13.14 OF THE CORNING
MUNICIPAL CODE TO ENSURE COMPLIANCE WITH CALIFORNIA WATER CODE
SECTION 10609.60.**

ORDINANCE NO. 704

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING REPEALING SECTION 13.14 OF THE CORNING MUNICIPAL CODE IN ITS ENTIRETY TO ENSURE COMPLIANCE WITH STATE LAW

WHEREAS, the State Legislature recently enacted Water Code section 10609.60 which requires small water suppliers serving 1,000 to 2,999 service connections to develop and maintain a Water Shortage Contingency Plan for drought planning purposes by July 1, 2023; and

WHEREAS, The City of Corning ("City") has prepared and adopted a Water Shortage Contingency Plan consistent with the requirements of Water Code Section 10809.60; and

WHEREAS, Section 13.14 of the Corning Municipal Code, adopted in 1994, contains provisions inconsistent with the Water Shortage Contingency Plan and State Law; and

WHEREAS, the City Council of the City of Corning seeks to repeal section 13.14 in its entirety to ensure there are no inconsistencies between the Municipal Code and the Water Shortage Contingency Plan.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CORNING DOES ORDAIN AS FOLLOWS:

Section 1. The City Council repeals Section 13.14 of the Corning Municipal Code in its entirety.

Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any person or circumstance. The City Council of the City of Corning hereby declares that it would have adopted each section, subsection subdivision paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections subdivisions paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 3. CEQA. The City of Corning finds that this Ordinance is not a "project" according to the definition set forth in the California Environmental Quality Act ("CEQA"), and, pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment), the adoption of this Ordinance is therefore not subject to the provisions requiring environmental review.

I HEREBY CERTIFY that the foregoing Ordinance was introduced and read by the City Council of the City of Corning at a regular meeting on the 27th day of June, 2023, and was duly read and adopted at a regular meeting on the 11th day of July, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROBERT SNOW, Mayor

ATTEST:

LISA M. LINNET, City Clerk

ITEM NO: J-14
REJECT THE TWO (2) REQUEST FOR PROPOSALS RECEIVED FOR THE CORNING LIBRARY DESIGN & SPACE PLANNING DUE TO ADEQUATE FUNDING NOT AVAILABLE

June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: TIM POTANOVIC, CITY MANAGER TP 6-22-2023
ROBIN KAMPMANN, PUBLIC WORKS CONSULTANT/ENGINEER
LISA M. LINNET, CITY CLERK lml

BACKGROUND:

At the request of the Corning Library Commission, and approval by the City Council, Staff sought Requests for Proposals (RFP's) for a Library Design and Space Planning Consultant. The closing date for submittals was May 16, 2023.

Staff received two proposals which were:

COAR Proposal Amount:

COAR Design Group Manpower:
Prog. Mtgs./Presentations: \$15,150
Conceptual Design/Space Plng.: \$24,795
Cost Estimating: \$ 7,420
Subtotal: \$47,365

COAR Bldg. Basics for Libraries Manpower:

Prog. Mtgs./Presentations: \$ 8,450
Conceptual Design/Space Plng.: \$12,675
Cost Estimating: \$ 3,380
Subtotal: \$24,505
Combined Total: \$71,870

LPAS Proposal Amount:

Architecture: \$40,000
Cost Estimating: \$ 8,717
Structural Engineering: \$ 3,450
Mech./Elect./Tech. Eng.: \$ 5,750
Library Consultant: \$27,600
Total: \$85,517

(Plus additional reimbursable Expenses)

The above stated amounts do not include any construction costs, materials, or work to complete the project. These costs are for design only.

The Library Commission, upon review of the Proposals, recommended rejecting the proposals due to adequate funding not being available. They have instead appointed an Ad Hoc Committee consisting of two members of the Commission and the County Librarian or representative to prepare a listing of suggested Library Improvements for review and prioritization to be submitted for authorization by the City Council at a future meeting.

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE LIBRARY COMMISSION RECOMMENDATION TO REJECT THE TWO (2) REQUEST FOR PROPOSALS RECEIVED FOR THE CORNING LIBRARY DESIGN & SPACE PLANNING DUE TO ADEQUATE FUNDING NOT AVAILABLE.



Library Design & Space Planning “Your Library Reimagined”

Response to RFP No. 2023-4-1

COAR

200 E Street
Santa Rosa, CA 95404
530/604-7821
Email: matt@coargroup.com

COAR Proposal Amount:

COAR Design Group Manpower:
Prog. Mtgs./Presentations: \$15,150
Conceptual Design/Space PIng.: \$24,795
Cost Estimating: \$ 7,420
Subtotal: \$47,365

COAR Bldg. Basics for Libraries Manpower:

Prog. Mtgs./Presentations: \$ 8,450
Conceptual Design/Space PIng.: \$12,675
Cost Estimating: \$ 3,380
Subtotal: \$24,505

Combined Total: \$71,870

LPAS

2484 Natomas Park Dr., Ste. 100
Sacramento, CA 95833
916/443-0335
Email: kgwinn@lpas.com

LPAS Proposal Amount:

Architecture: \$40,000
Cost Estimating: \$ 8,717
Structural Engineering: \$ 3,450
Mech./Elect./Tech. Eng.: \$ 5,750
Library Consultant: \$27,600
Subtotal: \$85,517

Additional Reimbursable Expenses:

Project direct expenses will be billed as reimbursable expenses. These expenses are those which are incurred directly in relation to the work of a project including printing, copying, approved out of town travel, renderings, etc. Reimbursable Expenses may be billed as a multiple of 115% times the expenses incurred by the Architect, the Architect's employee and Consultants directly related to the project.

ITEM NO.: J-15
APPROVE AGREEMENT WITH
DIGITALPATH, INC. FOR TOWER LEASE
SPACE AT THE CORPORATION YARD,
1106 BUTTE STREET, WATER TOWER
SITE

June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: TIM POTANOVIC; INTERIM CITY MANAGER
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEERING CONSULTANT 

BACKGROUND:

City Staff has negotiated a new Agreement with DigitalPath, Inc. to lease premises at 1106 Butte Street (Corporation Yard) for its equipment, personal property and improvements associated with Tenants internet business. If approved, this Agreement will allow the existing DigitalPath antennas to remain on the water tower located at this site. The proposed Agreement terms allow premises to be used for the construction, installation, operation, maintenance, repair, additions, modification expansion, enhancement, upgrading, removal, relation, or replacement of any and all Antenna Facilities with City Council approval.

A summary of the new Agreement is provided below:

- Rent of \$975 per month and with each successive renewal term increase by three (3%) percent each year. Should Tenant desire to place additional antennas of the same kind on the structure beyond what is listed in Exhibit A, Tenant agrees to receive approval from City and adjust rent upwards by Fifty Dollars (\$50.00) per additional antenna per month.
- Initial Term of the Lease shall be five (5) years commencing on the date of Tenant's exercise of the Option (the Commencement Date), and ending on the day immediately preceding the fifth (5th) anniversary of the Commencement Date (Initial Term). The Initial Term shall automatically renew for two (2) successive renewal terms of five (5) years provided that Tenant may elect not to renew by providing notice in writing prior to the expiration of the then current term.
- Tenant shall maintain Commercial General Liability Insurance in amounts of \$2,000,000 per occurrence and \$4,000,000 aggregate.

FINANCIAL:

The proposed Agreement would provide the City \$11,700 annually, and with each successive renewal term increase by three (3%) percent each year. Should Tenant desire to place additional antennas of the same kind on the structure beyond what is listed in Exhibit A, Tenant agrees to receive approval from City and adjust rent upwards by Fifty Dollars (\$50.00) per additional antenna per month.

RECOMMENDATION:

MAYOR AND CITY COUNCIL APPROVE THE PROPOSED AGREEMENT WITH DIGITALPATH INC., AS PRESENTED AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT

LEASE AGREEMENT FOR RELAY SITE

THIS LEASE AGREEMENT is made and entered into as of this 1st day of July, 2023. It is by and between City of Corning, a municipal corporation ("Landlord") and DigitalPath® Inc, a Delaware corporation ("Tenant").

RECITALS

WHEREAS, Landlord is the owner of that certain piece of real property located in Tehama County, California, which is described as (APN & Address) TEH 071-115-007 & Corporation Yard 1106 Butte Street, Corning, CA 96021 ("Landlord's Property") and has the authority to enter into this Agreement.

WHEREAS, Tenant is in the business of providing wireless Internet access to others. Tenant desires to use Landlord's Property as a Relay Site for its Internet access signals.

AND WHEREAS, the parties hereto believe it to be in their own best interests to enter into this Agreement and to structure their future performance with one another with respect to the use of Landlord's Property according to its terms and conditions.

AGREEMENT

Section 1: Premises. (Description) See Exhibit A. Landlord agrees that Tenant shall have a right, at its sole cost and expense, to place multiple and other equipment of the kind similar to that listed in Exhibit "A" (attached) on the Premises, at locations agreed to by the parties antennas (as indicated in Exhibit A), to receive and transmit its Internet signal. (Collectively the places where the equipment is to be installed and maintained are referred to herein as the "Leased Premises.") The equipment and locations are listed in Exhibit A, attached hereto.

Section 2: Lease Term. Unless terminated sooner pursuant to this Agreement, the term of Tenant's tenancy shall be for a period of five (5) consecutive years commencing with the execution of this Agreement (the "Lease Term").

(a) Extension of Lease Term. Unless terminated in accordance with Section 11 of this Agreement, the Lease Term will automatically renew for two (2) additional periods of five (5) years then renew on an annual basis thereafter. Each renewal shall be on the same terms and conditions as set forth herein.

(b) Surrender of Premises. Upon expiration of this Lease or within thirty (30) days of its termination, Tenant shall surrender the Leased Premises to Landlord in the same condition as received at the start of the Lease Term, free and clean of debris, except for ordinary wear and tear, to Landlord's Property by Tenant. Upon expiration or within thirty (30) days after termination of this Lease, Tenant shall remove all of its personal property and improvements from Landlord's Property, and shall repair any and all damage to Landlord's Property caused by such removal. If Tenant does not remove its personal property or improvements within the time provided for herein, Landlord may consider such property abandoned and Landlord may retain or dispose of it in any manner Landlord deems appropriate, at no cost or liability to Tenant.

Section 3: Rent: Tenant shall pay Landlord the sum of Nine Hundred Seventy-Five Dollars (\$975.00) per month rent payable by the 10th of the month. Rent shall increase annually by 3% on the anniversary date of this Agreement. Should Tenant desire to place additional antennas of the same kind on the structure beyond what is listed in Exhibit A, Tenant agrees to receive approval from City and adjust rent upwards by Fifty Dollars (\$50.00) per additional antenna per month. Further, Tenant agrees to provide Landlord with two (2) free Express

Service Internet connections (up to 6 Mbps or fastest available plan provided in the area by Tenant) located at 794 Third Street, Corning, CA 96021 and second location, not active currently. The said second location will be determined at a later date.

Section 4: Use of Leased Premises. The Leased Premises shall be used for the purpose of operating a wireless Internet transmission and receiving facility. Tenant shall comply with all federal, state and local laws, statutes, regulations, ordinances or orders at its sole cost and expense. The Leased Premises shall be maintained in substantially the same condition as existed immediately prior to the installation of the equipment, normal wear and tear excepted.

Section 5: Setup & Testing. Site is active, therefore no need to set up and test site equipment.

Section 6: Utilities. See Exhibit A.

Section 7: Improvements. Tenant shall install and construct all improvements ("Improvements") on the Leased Premises at its expense. All work shall be done in a good and workmanlike manner. Such work shall be performed in conformity with all federal, state and local laws. Tenant shall obtain all necessary permits and approvals, if any, to construct, install and operate the Equipment on the Leased Premises.

Section 8: Maintenance and Repairs: Tenant shall, at its sole cost and expense, maintain and repair, and keep in good order the Leased Premises and the equipment. Tenant's equipment and antennae shall not impact lighting on the water tower.

Section 9: Access. Tenant shall have access to the Leased Premises and its equipment at all times unless otherwise noted in Exhibit A. Tenant represents and acknowledges that any employee of Tenant accessing the Leased Premises are covered by the Tenant's applicable worker's compensation insurance coverage.

Section 10: Insurance. Tenant will carry during the Term, at its own cost and expense, the following insurance: (i) "All Risk" property insurance for its property replacement cost; Tenant self-insures its property insurance; (ii) commercial liability insurance based on ISO form CG 00 01 or a substitute form providing substantially equivalent coverage with a limit of liability of \$2,000,000 per occurrence/\$4,000,000 aggregate combined single limit for bodily injury or death/property damage arising out of any one occurrence; and (iii) Worker's Compensation insurance as required by law. The coverage afforded by Tenant's commercial liability insurance shall apply to Landlord as an additional insured by endorsement with respect to the Agreement, but only with respect to Landlord's liability caused, in whole or in part, by Tenant's operations under the Agreement. All insurance required by express provisions of the Agreement shall be provided by insurance companies given a least an "A-" and "VI" rating by A.M. Best and which are eligible to do business by the State of California Department of Insurance.

(a) Policy Form, Content and Insurer. All insurance required under this Lease shall be issued by responsible insurance companies qualified to do business in California and reasonably acceptable to Landlord and Landlord's lender, if any. The policies of insurance required hereunder shall not be cancelable or be subject to reduction of coverage or other modifications except after thirty (30) days written notice to Landlord or Tenant, as appropriate. Tenant shall, upon Landlord's request, deliver to Landlord copies of its insurance policy(ices), as required hereunder, or certificates evidencing the existence and amounts of such policies.

(b) Waiver of Subrogation. Landlord and Tenant each hereby release and relieve the other and waive their entire right of recovery against the other for any loss or damage arising out of or incident to the perils insured against, which occur in, on, or about Landlord's Property, whether due to the negligence of Landlord or Tenant, or their

agents, employees, contractors and/or invitees.

Section 11: Termination & Right to Terminate Early. Tenant may terminate this Lease at any time, on ninety (90) days written notice to Landlord and the payment of an early termination fee of Two Hundred Dollars (\$200). Tenant shall, within thirty (30) days of the termination of this Lease, remove all of its equipment and fixtures from the Leased Premises at its sole cost and expense, and shall return the Leased Premises to Landlord in substantially the same condition as existed upon execution of this Agreement, normal wear and tear excepted. Further, Landlord will be entitled to one additional year of Free Internet Service as listed in Section 3 of this Agreement commencing on the date of termination so long as Landlord's location remains in Tenants coverage area. Landlord may terminate this Agreement by providing Tenant written notice of such termination one hundred eighty (180) days prior to the end of the then current term.

Section 12: Default & Remedies: Any action by either party to alter the terms of this Lease or operate outside of the options expressed herein shall be considered a default of this Agreement. The injured party may use all legal actions available to bring the defaulted party into compliance with this Lease as well as seek compensation for damages. In the event either party is unable to comply with the terms of this Agreement through actions beyond their control, said defaulting party shall not be held in default of this Lease. Acceptable defaults shall include, but not be limited to: destruction or foreclosure of Landlord's Property, Tenant's inability to provide service to Landlord's location(s) or laws or CC&R's regulating actions detailed in this lease agreement.

Section 13: Taxes: Landlord shall be responsible for the declaration and payment of any applicable taxes or assessments against the property owned by Landlord. Tenant agrees to pay all such taxes which are assessed against Landlord and/or Tenant due to the personal property and Improvements constructed or maintained by Tenant on or about the property; provided, however, Tenant shall have the right to receive proof of such taxes or assessments and to receive prior written notification of any taxes or assessments for which it is to be charged, so as to be given the opportunity to appear before the taxing authority and contest said taxes or assessments.

Section 14: Intellectual Property: Unless otherwise stated in writing by Tenant, Tenant's equipment, programming or configurations, etc may not be examined or copied for any reason. Tenant reserves all rights in defending its equipment, programming and configurations from duplication or similar attempts to create a product or service with any likeness to Tenant's. At all times Tenant's equipment shall remain the sole property of Tenant; free from all liens and claims. Tenant shall not be restricted from accessing; maintaining, removing or recovering equipment during the access hours listed in Exhibit A. Landlord agrees to give reasonable access, by appointment, to Tenant to access any and all equipment located inside the premises, if applicable. Any willful retention of Tenants equipment by Landlord shall be cause to seek legal remedy for reimbursement of equipment costs and attorney fees.

Section 15: Sale of Premises: This Lease Agreement shall not bar the sale of Landlord's Property. In the event of a pending sale, Landlord must inform the new owner of this Lease Agreement and Landlord must provide Tenant with contact information for the new owner at the opening of escrow. In the event the new owner desires to have the equipment removed, Tenant shall be provided with the 180 day termination notice described in the above Termination section. If Landlords failure to notify the new owners of this Lease Agreement results in the loss of Tenant's equipment or creates a significant service loss and/or interruption, Landlord will be liable for all costs associated with the loss and/or interruption.

Section 16: Condemnation. If, during the Lease Term, there is any taking of the

Leased Premises, or any portion thereof, this Lease shall be terminated and Tenant shall have a reasonable opportunity to remove its equipment and fixtures from the Leased Premises at its sole cost and expense.

Section 17: Subordination. Landlord may require Tenant to subordinate this Lease to any ground lease, deed of trust, or other encumbrance, recorded or to be recorded that affects the Leased Premises, provided that as part of such request Landlord shall obtain the written agreement of the encumbrance's that Tenant's right to quiet possession of the Leased Premises will not be disturbed so long as Tenant performs its obligations under this Lease.

Section 18: Inspection Rights. Landlord shall have the right to enter and inspect the Leased Premises upon reasonable notice to Tenant.

Section 19: Communications; Notices. All communications and notices required by this Agreement shall be made in writing and shall be deemed made if mailed, first class prepaid, or hand delivered to the following addresses:

LANDLORD:

City of Corning
794 Third Street.
Corning, CA 96021
Phone #530-824-7034

TENANT:

DigitalPath® Inc
1065 Marauder St.
Chico, CA 95973
530-571-7667

Section 20: Notice of Potentially Dangerous Hazard. If Tenant becomes aware of a potentially dangerous hazard on the Leases Premises during the Lease Term, Tenant will immediately notify Landlord of such condition. Failure to provide notice of such a potentially dangerous condition to Landlord within a reasonable period of time after discovery, may be considered default of this Agreement.

Section 21: Miscellaneous Provisions.

(a) Time is of the Essence. Time is of the essence of each provision of this Lease.

(b) Entire Agreement; Modifications. This Agreement constitutes the entire agreement between the parties. It supersedes any oral statements by either party unless specifically incorporated herein. No provision of this Agreement may be amended, modified, supplemented or terminated unless consented to in writing by the parties.

(c) Successors. The provisions of this Agreement shall bind the parties' respective heirs, executors, personal representatives, administrators, successors and assigns.

(d) Severability of Provisions. The invalidity or unenforceability of any term of this Agreement shall not affect the validity or enforceability of the remaining terms of this Agreement, all of which shall be valid and enforceable to the fullest extent permitted by law.

(e) Governing Law. This Agreement shall govern by the laws of the State of California.

(f) Attorneys' Fees. In the event of a default under this Agreement the prevailing party shall be entitled to reasonable attorneys' fees and costs.

CITY OF CORNING:

Robert Snow,
Mayor

Date

TENANT:

By (signature)

By and Title (printed)

Approved as to form:

City Attorney
City of Corning

Date

DigitalPath Inc. a Delaware corporation
Company Name

Date

EXHIBIT A

Premises – Location of Leased Premises shall be approximately 39.930076°, -122.179373° GPS coordinates (accurate to 100 ft, see Google Earth picture of location below for additional reference to location)

Antennas on tower:

- 1 – Trango Apex Plus Microwave Radio
- 1 – Ubiquiti Airfiber5X
- 1 – Ubiquiti NanoBridgeM5
- 1 – Ubiquiti PowerBeamM5
- 1 – Motorola 3.65
- 10 – DigitalPath Gen6 Horn Devices
- 2 – DigitalPath Gen3 Panel/Sector Devices

Structure – The structure is the Corning Water Tower that Tenants Wireless Broadband Equipment is installed on. Power boxes and switches are in the underground shed directly underneath the water tower in a climate controlled enclosure.

Utilities – Landlord is responsible for the utilities.

Access – Tenant shall have access to the Leased Premises Twenty Four Hours (24), seven (7) days a week, Three Hundred Sixty Five (365) days a year. Tenant currently has their own padlock on the gate for after hour access.

Commencement Date – This lease shall commence on this 1st day of July, 2023.

Contacting Digital Path:

For Technical Support: 800-676-7284 (option 4 on call menu)

Technical Support issues include all questions about performance, service interruptions and technical inquiries.

For Customer Service: 800-676-7284 (option 3 on call menu)

Billing, changes to account, additional emails and password changes.



ITEM NO.: J-16
AWARD BID FOR THE WEST STREET
SCHOOL CONNECTIVITY PROJECT TO
BUILDER SOLUTIONS, INC. IN THE
AMOUNT OF \$575,977.02 AND
AUTHORIZE STAFF TO EXECUTE
CONTRACT

June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: TIM POTANOVIC, CITY MANAGER
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEER CONSULTANT

TP 6-22-2023 *JK*

SUMMARY:

On Wednesday, June 21, 2023, the City received and opened two (2) Formal Bids for the West Street School Connectivity Project.

Company	Bid Amount
Builder Solutions, Inc.	\$575,977.02
Franklin Construction, Inc.	\$935,373.00

The project consists of removal and replacement of concrete curb ramps adjacent to and surrounding West Street Elementary School and installation of new sidewalk. Various other items of work include removing and replacing portions of the surround road, removing and replacing drainage inlets, installing new signage, improving pavement markings, installing new traffic striping, and other incidental work to be completed within the limits of work shown on the Project Plans.

Staff is seeking authorization to award the project to Builder Solutions, Inc. who has been determined to be the lowest responsive and responsible bidder.

FUNDING:

The City of Corning was awarded an ATP Grant for the West Street School Connectivity Project in the amount of \$1,304,000.00 to prepare plans, and to construct new sidewalks, curbs, gutters, and crosswalks to close gaps in the existing sidewalk infrastructure adjacent to the school. The grant funding awarded for the construction portion of the project is \$1,009,000.00. The funding is located in account 9007-118-7710.

RECOMMENDATION:

THAT MAYOR AND COUNCIL AWARD THE BID FOR THE WEST STREET SCHOOL CONNECTIVITY PROJECT TO BUILDER SOLUTIONS, INC. IN THE AMOUNT OF \$575,977.02 AND AUTHORIZE STAFF TO EXECUTE CONTRACT.

**WEST STREET SCHOOL CONNECTIVITY PROJECT
CITY OF CORNING
BASE BID SCHEDULE**

Item NO.	Item Description	Quantity	Unit	Builder Solutions, Inc		Franklin Construction,	
				Unit Price	Amount	Unit Price	Amount
1	Traffic Control Plan	LS	LS	\$76,329.00	\$76,329.00	\$40,000.00	\$40,000.00
2	Lead Compliance Plan	LS	LS	\$4,089.00	\$4,089.00	\$3,000.00	\$3,000.00
3	Clearing & Grubbing	LS	LS	\$39,927.00	\$39,927.00	\$30,000.00	\$30,000.00
4	Remove Base and Surfacing	220	CY	\$97.20	\$21,384.00	\$204.00	\$44,880.00
5	Class 2 Aggregate Base	348	CY	\$79.68	\$27,728.64	\$465.00	\$161,820.00
6	Hot Mix Asphalt (Type A)	81	TON	\$554.67	\$44,928.27	\$325.00	\$26,325.00
7	Remove Continuously Reinforced Concrete Pavement	400	SF	\$15.92	\$6,368.00	\$7.00	\$2,800.00
8	Continuously Reinforced Concrete Pavement	400	SF	\$30.75	\$12,300.00	\$26.00	\$10,400.00
9	Remove Inlet	2	EA	\$2,500.50	\$5,001.00	\$4,800.00	\$9,600.00
10	Drainage Inlet	2	EA	\$4,662.75	\$9,325.50	\$3,674.00	\$7,348.00
11	Remove Barricade	1	EA	\$1,188.00	\$1,188.00	\$550.00	\$550.00
12	Pedestrian Barricade	2	EA	\$4,531.50	\$9,063.00	\$1,250.00	\$2,500.00
13	Detectable Warning Surface	436	SF	\$32.90	\$14,344.40	\$42.00	\$18,312.00
14	Minor Concrete (Curb and Gutter)	1,379	LF	\$7.89	\$10,880.31	\$59.00	\$81,361.00
15	Minor Concrete (Curb, Sidewalk, and Curb Ramp)	10,733	SF	\$4.97	\$53,343.01	\$21.00	\$225,393.00
16	Minor Concrete (Driveway Concrete)	625	SF	\$14.05	\$8,781.25	\$23.00	\$14,375.00
17	Remove Concrete (Curb and Sidewalk)	2,841	SF	\$8.41	\$23,892.81	\$7.00	\$19,887.00
18	Remove Concrete (Curb and Gutter)	755	LF	\$14.41	\$10,879.55	\$22.00	\$16,610.00
19	Paint Curb (2-Coat)	147	LF	\$9.15	\$1,345.05	\$6.00	\$882.00
20	Remove and Replace Chain Link Fence	6	LF	\$99.00	\$594.00	\$262.00	\$1,572.00
21	Relocate Chain Link Fence	281	LF	\$24.38	\$6,850.78	\$55.00	\$15,455.00
22	Relocate Roadside Sign-One Post	4	EA	\$297.00	\$1,188.00	\$590.00	\$2,360.00
23	Roadside Sign - One Post	6	EA	\$513.00	\$3,078.00	\$590.00	\$3,540.00
24	Reset Roadside Sign	1	EA	\$1,188.00	\$1,188.00	\$500.00	\$500.00
25	Thermoplastic Traffic Stripe	2,564	LF	\$4.20	\$10,768.80	\$4.00	\$10,256.00
26	Thermoplastic Pavement Marking	1,739	SF	\$7.35	\$12,781.65	\$7.00	\$12,173.00
27	Remove Pavement Marking	2,284	SF	\$5.25	\$11,991.00	\$5.75	\$13,133.00
28	Pedestrian Hybrid Beacon Systems	LS	LS	\$35,478.00	\$35,478.00	\$124,000.00	\$124,000.00
29	Remove Flashing Beacon Systems	LS	LS	\$3,564.00	\$3,564.00	\$3,600.00	\$3,600.00
30	Mobilization	LS	LS	\$52,272.00	\$52,272.00	\$12,501.00	\$12,501.00
31	Construction Staking	LS	LS	\$43,050.00	\$43,050.00	\$17,750.00	\$17,750.00
32	Water Pollution Control Plan	LS	LS	\$12,075.00	\$12,075.00	\$2,500.00	\$2,500.00
	TOTAL OF BASE BID \$				\$575,977.02		\$935,383.00
	TOTAL BID IN WORDS			Five hundred seventy five thousand, nine hundred seventy seven dollars and two cents.		Nine hundred thirty five thousand, three hundred eighty three dollars and zero cents.	

ITEM NO.: J-17
AWARD BID FOR THE OLIVE VIEW
SCHOOL CONNECTIVITY PROJECT TO
BUILDER SOLUTIONS, INC. IN THE
AMOUNT OF \$534,530.98 AND
AUTHORIZE STAFF TO EXECUTE
CONTRACT
June 27, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: TIM POTANOVIC, CITY MANAGER ✓ 6-27-2023
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEER CONSULTANT PK

SUMMARY:

On Wednesday, June 21, 2023, the City received and opened four (4) Formal Bids for the Olive View School Connectivity Project.

Company	Bid Amount
Builder Solutions, Inc	\$534,530.98
Santos Excavating	\$680,827.50
NorCal Concrete	\$697,188.00
Franklin Construction, Inc.	\$841,073.00

The project consists of removal and replacement of concrete curb ramps adjacent to and surrounding Olive View Elementary School and installation of new sidewalk. Various other items of work include removing and replacing portions of the surrounding road, removing and replacing drainage inlets, installing new signage, improving pavement markings, installing new traffic striping, and other incidental work to be completed within the limits of work shown on the Project Plans.

Staff is seeking authorization to award the project to Builder Solutions, Inc. who has been determined to be the lowest responsive and responsible bidder.

FUNDING:

The City of Corning was awarded an ATP Grant for the Olive View Elementary School Connectivity Project in the amount of \$1,118,000.00 to prepare plans, and to construct new sidewalks, curbs, gutters, and crosswalks to close gaps in the existing sidewalk infrastructure adjacent to the school. The grant funding awarded for the construction portion of the project is in the amount of \$858,000.00. The funding is located in account 9006-118-7710.

RECOMMENDATION:

THAT MAYOR AND COUNCIL AWARD THE BID FOR THE OLIVE VIEW SCHOOL CONNECTIVITY PROJECT TO BUILDER SOLUTIONS, INC. IN THE AMOUNT OF \$534,530.98 AND AUTHORIZE STAFF TO EXECUTE CONTRACT.

**OLIVE VIEW ELEMENTARY SCHOOL CONNECTIVITY PROJECT
CITY OF CORNING
BASE BID SCHEDULE**

Item NO.	Item Description	Franklin Construction			Builder Solutions, Inc.			NorCal Concrete			Santos Excavating		
		Quantity	Unit	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	
1	Traffic Control Plan	LS	LS	\$34,000.00	\$34,000.00	\$71,253.00	\$71,253.00	\$10,000.00	\$10,000.00	\$33,000.00	\$33,000.00		
2	Lead Compliance Plan	LS	LS	\$3,000.00	\$3,000.00	\$4,752.00	\$4,752.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00		
3	Cleaning & Grubbing	LS	LS	\$28,000.00	\$28,000.00	\$36,795.00	\$36,795.00	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00		
4	Remove Base and Surfacing	289	CY	\$195.00	\$56,355.00	\$120.85	\$34,925.65	\$150.00	\$43,350.00	\$157.00	\$45,373.00		
5	Asphalt Driveway Conform	909	SF	\$13.00	\$11,817.00	\$9.63	\$8,753.67	\$50.00	\$45,450.00	\$14.00	\$12,726.00		
6	Class 2 Aggregate Base	350	CY	\$470.00	\$164,500.00	\$42.19	\$14,766.50	\$55.00	\$19,250.00	\$209.00	\$73,150.00		
7	Hot Mix Asphalt (Type A)	105	TON	\$336.00	\$35,280.00	\$58.80	\$56,574.00	\$300.00	\$31,500.00	\$513.00	\$53,865.00		
8	HMA Ramp	20	SF	\$30.00	\$600.00	\$149.25	\$2,985.00	\$80.00	\$1,600.00	\$111.00	\$2,220.00		
9	Detectable Warning Surface	301	SF	\$42.00	\$12,642.00	\$31.54	\$9,493.54	\$70.00	\$21,070.00	\$53.00	\$15,953.00		
10	Adjust Frame and Cover to Grade	5	EA	\$1,400.00	\$7,000.00	\$475.20	\$2,376.00	\$500.00	\$2,500.00	\$2,500.00	\$12,500.00		
11	Saddle Drainage Inlet	1	EA	\$5,200.50	\$5,200.50	\$8,702.25	\$8,702.25	\$5,500.00	\$5,500.00	\$9,500.00	\$9,500.00		
12	Under Sidewalk Drain	1	EA	\$1,600.00	\$1,600.00	\$3,951.00	\$3,951.00	\$700.00	\$700.00	\$2,000.00	\$2,000.00		
13	Minor Concrete (Curb and Gutter)	1,677	LF	\$59.00	\$98,943.00	\$9.63	\$16,149.51	\$80.00	\$134,160.00	\$44.00	\$73,788.00		
14	Minor Concrete (Curb, Sidewalk, and Curb Ramp)	11,411	SF	\$21.00	\$239,631.00	\$6.90	\$78,735.90	\$20.00	\$228,220.00	\$16.00	\$182,576.00		
15	Minor Concrete (Driveway Concrete)	1,062	SF	\$24.00	\$25,488.00	\$13.98	\$14,846.76	\$20.00	\$21,240.00	\$19.00	\$20,178.00		
16	Concrete Driveway Conform	78	SF	\$24.00	\$1,872.00	\$53.35	\$4,161.30	\$15.00	\$1,170.00	\$19.00	\$1,482.00		
17	Minor Concrete (Turn Down Sidewalk)	753	SF	\$24.00	\$18,072.00	\$12.57	\$9,465.21	\$30.00	\$22,590.00	\$20.00	\$15,060.00		
18	Remove Concrete (Curb and Sidewalk)	1,335	SF	\$7.00	\$9,345.00	\$5.75	\$7,676.25	\$7.00	\$9,345.00	\$8.50	\$11,347.50		
19	Remove Concrete (Curb and Gutter)	1,091	LF	\$20.00	\$21,820.00	\$10.41	\$11,357.31	\$10.00	\$10,910.00	\$16.00	\$17,456.00		
20	Paint Curb (2-Coat)	236	LF	\$3.50	\$826.00	\$7.26	\$1,713.36	\$13.00	\$3,068.00	\$5.00	\$1,180.00		
21	Relocate Chain Link Fence	126	LF	\$88.00	\$11,088.00	\$23.02	\$2,900.52	\$30.00	\$3,780.00	\$89.00	\$11,214.00		
22	Relocate Roadside Sign - One Post	5	EA	\$500.00	\$2,500.00	\$950.40	\$4,752.00	\$300.00	\$1,500.00	\$1,000.00	\$5,000.00		
23	Reset Roadside Sign - One Post	2	EA	\$500.00	\$1,000.00	\$1,188.00	\$2,376.00	\$200.00	\$400.00	\$850.00	\$1,700.00		
24	Roadside Sign - One Post	10	EA	\$435.00	\$4,350.00	\$762.60	\$7,626.00	\$500.00	\$5,000.00	\$1,000.00	\$10,000.00		
25	Remove & Replace Roadside Sign	1	EA	\$650.00	\$650.00	\$2,376.00	\$2,376.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00		
26	Thermoplastic Pavement Marking	1,107	SF	\$7.00	\$7,749.00	\$9.45	\$10,461.15	\$20.00	\$22,140.00	\$9.50	\$10,516.50		
27	Remove Pavement Marking	1,291	SF	\$6.50	\$8,391.50	\$5.25	\$6,777.75	\$15.00	\$19,365.00	\$8.50	\$10,973.50		
28	Parking Bumper	11	EA	\$280.00	\$3,080.00	\$609.75	\$6,707.25	\$400.00	\$4,400.00	\$230.00	\$2,530.00		
29	Paint Traffic Stripe	188	LF	\$4.00	\$792.00	\$3.15	\$623.70	\$10.00	\$1,900.00	\$5.50	\$1,089.00		
30	Mobilization	LS	LS	\$10,481.00	\$10,481.00	\$53,222.40	\$53,222.40	\$4,000.00	\$4,000.00	\$25,000.00	\$25,000.00		
31	Construction Staking	LS	LS	\$12,500.00	\$12,500.00	\$26,250.00	\$26,250.00	\$7,500.00	\$7,500.00	\$13,000.00	\$13,000.00		
32	Water Pollution Control Program	LS	LS	\$2,500.00	\$2,500.00	\$11,025.00	\$11,025.00	\$2,500.00	\$2,500.00	\$450.00	\$450.00		
TOTAL OF BASE BID \$					\$84,073.00	\$534,530.98	\$697,188.00	\$697,188.00	\$697,188.00	\$680,827.50	\$680,827.50		
TOTAL BID IN WORDS					Eight hundred forty one thousand, seventy three dollars and zero cents.	Five hundred thirty four thousand, five hundred thirty dollars and ninety eight cents.	Six hundred ninety seven thousand, one hundred eighty eight dollars and zero cents.	Six hundred ninety seven thousand, one hundred eighty eight dollars and zero cents.	Six hundred eighty thousand, eight hundred twenty seven dollars and fifty cents.	Six hundred eighty thousand, eight hundred twenty seven dollars and fifty cents.			