



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION AGENDA
TUESDAY, FEBRUARY 13, 2024
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

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 llinnet@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: 6:15 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 persons 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 – Existing Litigation pursuant to Paragraph (1) of subdivision (d) of Government Code § 54956.9.
One Case: Dearing v. City of Corning, et al.

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION:



**CITY OF CORNING
REGULAR MEETING AGENDA
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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 Councilor Hargens

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: .

1. **Presentation:** Nicole Morgan of the Communities Energized for Health Program will be presenting a PowerPoint on "The Benefits of Smoke-free Housing".
2. **Proclamation:** February 2024 as Teen Dating Violence Awareness and Prevention Month. Present to accept the Proclamation will be Susana Reyes, Empower Tehama Bilingual Legal Advocate

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.

3. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
4. **Waive the reading and approve the Minutes of the following meetings with any necessary corrections:**
 - a. **January 9, 2024 City Council Special Closed Session and Regular Meeting; and**
 - b. **January 23, 2024 City Council Meeting.**
5. **February 7, 2024 Claim Warrant in the amount of \$441,130.43.**
6. **February 7, 2024 Business License Report.**
7. **January 2024 Wages & Salaries: \$381,266.87.**
8. **January 2024 Treasurer's Report.**
9. **January 2024 Building Permit Valuation Report in the amount of \$348,114.**
10. **January 2024 City of Corning Wastewater Operations Summary Report.**
11. **Approve Task Order "F" to Armstrong Consultants, Inc. for Professional Services for Grant Administration.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

J. REGULAR AGENDA:

12. **Approve purchase of an F-350 Super Duty Flatbed Truck from Corning Ford and authorize a supplemental appropriation in the amount of \$3,437.42.**
13. **Approve Contract Change Order #1 from Builder Solutions, Inc. in the amount of \$41,752.17 to pave extra areas for the Olive View Connectivity Project.**
14. **Approve Change Order #1 in the amount of \$24,737.17 for Builder Solutions, Inc. to pave extra areas for the West Street School Connectivity Project.**
15. **Review and adopt Resolution 02-13-2024-01, a Resolution adopting without revision the City's Conflict of Interest Code.**
16. **Adopt Resolution 02-13-2024-02 and authorize the City Clerk to record a Tax Lien on 1 property otherwise known as Spring Mountain Apartments for four (4) delinquent water and/or sewer service accounts in the total amount of \$24,678.81 .**
17. **Review Mayor's recommendations and appoint Vice Mayor and City Representatives to various Commissions/Committees.**
18. **Approve Addendum #5 to existing Public Works Consultant/Engineering Services Agreement between the City and NorthStar to eliminate Public Works managerial duties and adjust service costs.**

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION:

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

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:

Lomeli:

Hargens:

Valerio:

Snow:

N. ADJOURNMENT:

POSTED: FRIDAY, FEBRUARY 9, 2024

The Benefits of Smokefree Housing

February 13, 2024

 **COMMUNITIES** FOR
ENERGIZED
HEALTH
A PROJECT OF **etr.**

Item No:
E-1

Looking Back to Look Forward

Smoking is
prohibited within 20
feet of the following
City owned
Parks/Recreational
Areas

Ord. No. 655, § 5, 2-25-2014

2014

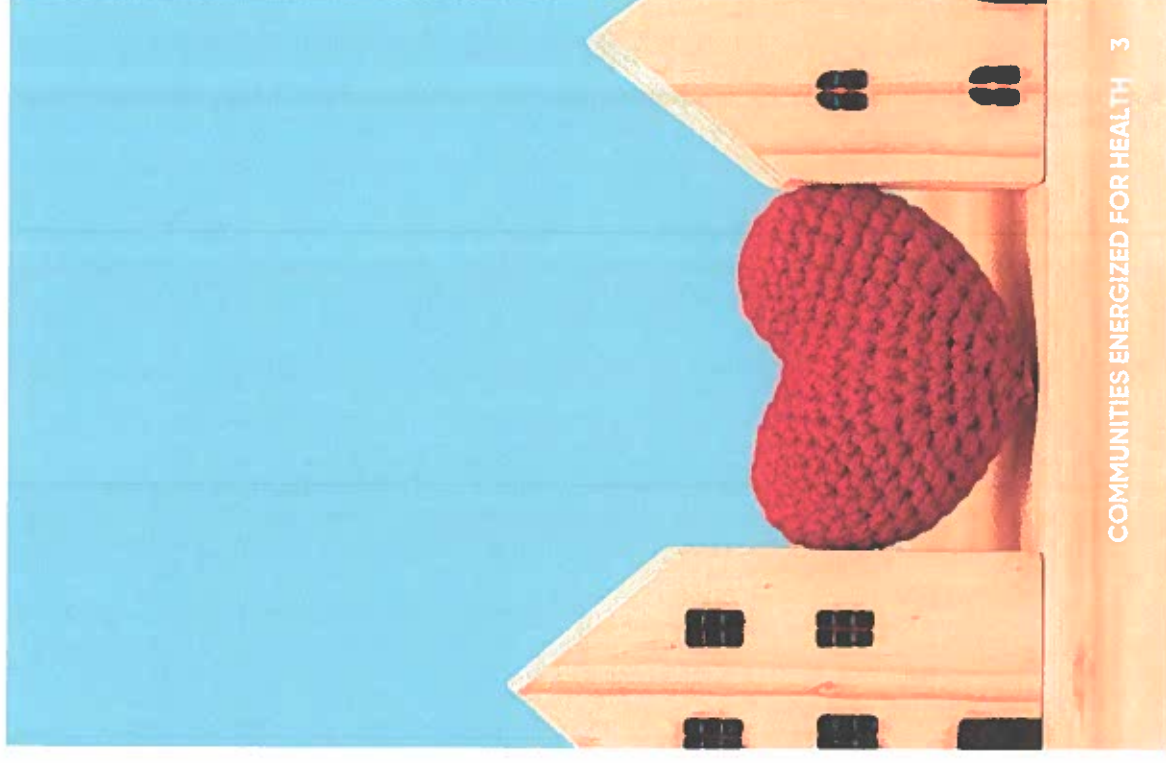
Smokefree
parks
ordinance
expanded

Ord. No. 681, 11-12-
2019

2019

Benefits of Smokefree Housing

- Protect the health of tenants & staff
- Reduce fire risk
- Reduced turnover cost
- Lower insurance premiums
- Fewer complaints from tenants



Smokefree Housing Policies



Governments can create and enforce 100% smokefree multiunit housing policies



These policies can protect tenants by restricting the use of all products & secondhand smoke exposure to tobacco, cannabis, and vapes



Policies can cover indoor common areas, outdoor common areas (playgrounds, sitting areas), and living units (including balconies and patios)

Tehama County Residents support smokefree housing!

72%

of residents have been
bothered by drifting
secondhand smoke in
common areas

79%

have been bothered
by secondhand
smoke inside their
home.

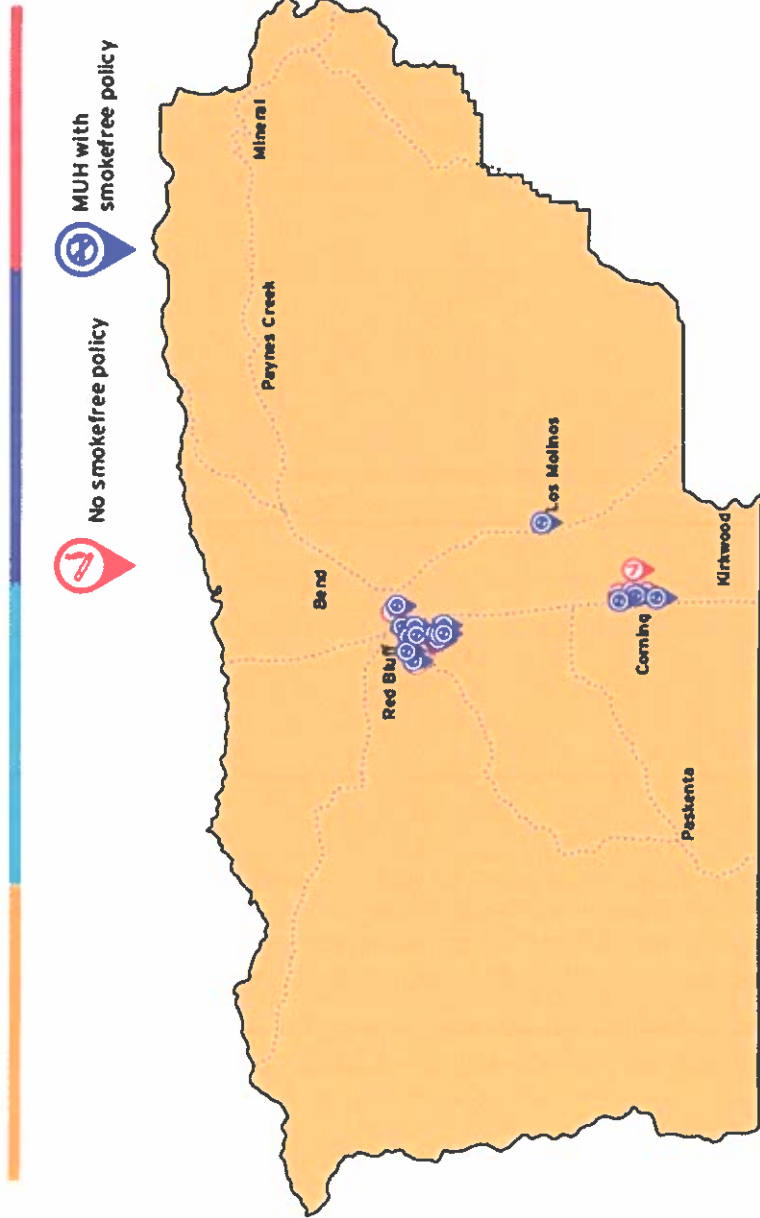
99%

support a
comprehensive
smokefree multiunit
housing policy

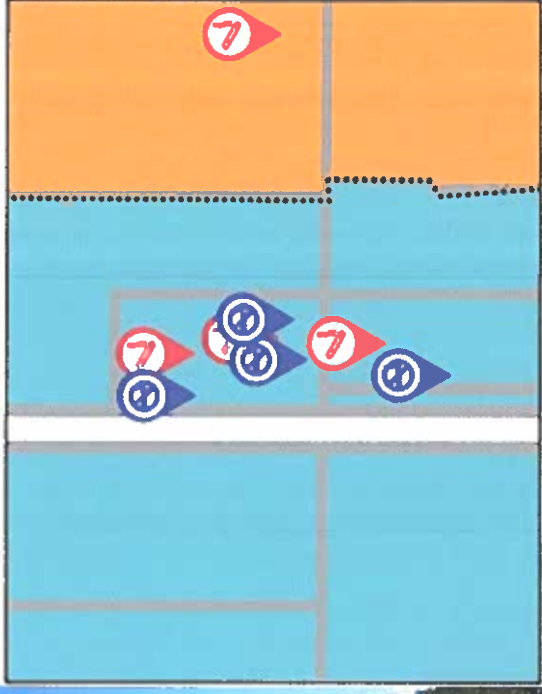
*Results from a community survey conducted in June 2022

COMMUNITIES ENERGIZED FOR HEALTH

Live in Tobaccofree Tehama



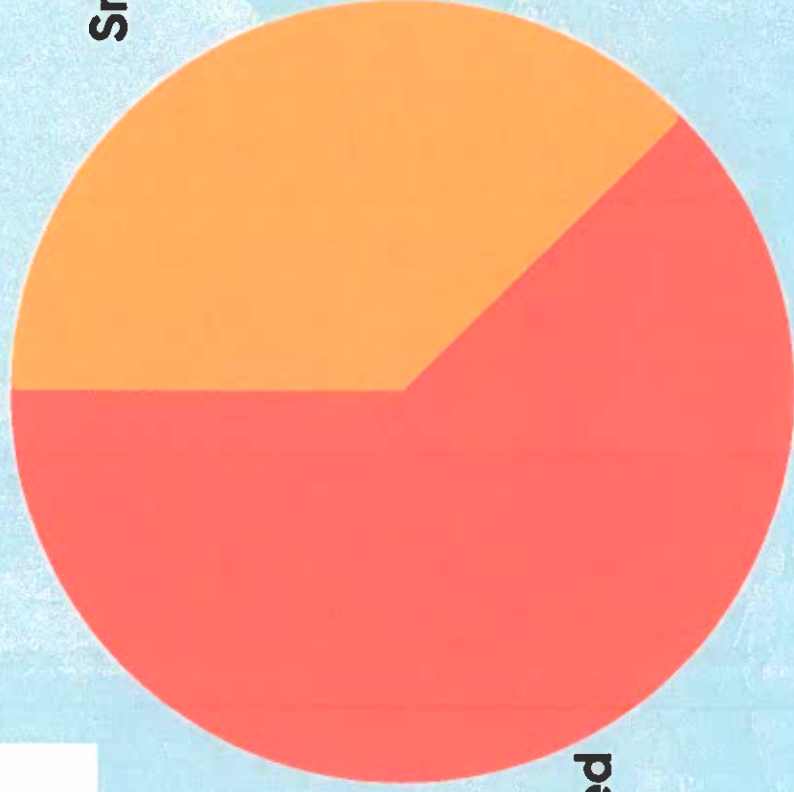
Corning



Four complexes would adopt new smokefree policies

Five complexes would have their voluntary policies strengthened

**348 additional units would
be protected from
secondhand smoke**



**Smokefree Apartments
37.6%**

**Smoking Allowed
62.4%**

Implementing Smokefree Housing



Property provides notice and lease addendums to tenants



Post smokefree signage and offer resources for quitting if tenants are interested



Enforce the policy and live in a healthier environment

Enforcing Smokefree Housing

- **Property managers enforce policy at each complex**
 - **First violation - Educational outreach visit**
 - **Second violation - Written notice of violation**
 - **Third violation - Written notice of violation**
 - **Fourth violation - Final written notice**
 - **Fifth violation - Begin termination of lease**
- **Eventually, smokefree housing becomes the norm in the complex**



State Of Tobacco Control 2024 - California Local Grades

Tehama County

	Corning	Red Bluff	Tehama	Tehama County Unincorporated
Smokefree Housing	F	F	F	F
Nonsmoking Apartments	0	0	0	0
Nonsmoking Condominiums	0	0	0	0
Nonsmoking Common Areas	0	0	0	0
Total Points	0	0	0	0



Free Support CEH Provides

Support to City Staff

- Sample policy language
- Support notifying & educating properties

Support to Property Managers

- Implementation training
- Toolkit with sample documents
 - Lease addendum
 - Violation letters
 - Cessation resources
- Smokefree signs for properties



A PROJECT OF **etr.**

Thank you!

Please contact us:

Nicole Morgan, MPH
Project Director
Nicole.Morgan@etr.org

Caitlyn Zepeda, MA
Project Coordinator
Caitlyn.Zepeda@etr.org

PROCLAMATION

FEBRUARY 2024

as

TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH

WHEREAS teen dating violence intervention and prevention programs can help to ensure a positive school climate and safe learning environment for all youth aged 12 to 24; and

WHEREAS, according to the Center of Disease Control and Prevention, one in three adolescents report verbal, emotional, physical, or sexual dating abuse each year; and

WHEREAS, according to the American Psychological Association, one in three teens aged 14 to 20 have experienced dating abuse and about the same number say they have committed dating abuse themselves; and

WHEREAS 43% of lesbian, gay, and bisexual teens reported experiencing physical dating violence, compared to 29% of straight youth; and

WHEREAS teen dating violence has been linked to other forms of violence and aggression against peers, including bullying, sexual harassment, sexual violence, and physical violence; and

WHEREAS youth who are survivors in high school are at higher risk for victimization during college, and adolescent perpetrators of dating violence are more likely to abuse their intimate partners as adults; and

WHEREAS, by preventing domestic violence, we also address significant long term health impacts of domestic violence. Women who are survivors of violence are 80% more likely to suffer a stroke, 70% more likely to have heart disease, and 60% more likely to become asthmatic, and



NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Corning proclaims February 2024 as **Teen Dating Violence Awareness and Prevention Month** in the City of Corning. We urge all citizens to work together towards:

- Ending teen dating violence by empowering young people to develop healthier relationships; and
- Assisting victims in accessing the information and supportive services needed;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Corning to be affixed this 13th day of February 2024.

Robert Snow, Mayor

ATTEST:

Lisa M. Linnet, City Clerk



**CITY OF CORNING
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CLOSED SESSION MINUTES
TUESDAY, JANUARY 9, 2024
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 6:00 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 except Councilor Valerio.

C. PUBLIC COMMENTS: None.

D. REGULAR AGENDA:

1. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Paragraph (1) of subdivision (d) of Government Code § 54956.9.
One Case: Dearing v. City of Corning, et al.**
2. **Conference with Legal Counsel – Anticipated Litigation (Pursuant to Government Code § 54956.9(c). One Case**
3. **Conference with Real Property Negotiations (§ 54956.8)
Property : Hangar #2 at Corning Municipal Airport
Agency Negotiator: City Manager Brant Mesker
Negotiating parties: Sidney Loewen
Under Negotiation: Lease**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: Mayor Snow reported that there were no reportable actions.



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Shelly Hargens
Lisa Lomeli
Mayor: Robert Snow

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

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

D. INVOCATION: Led by Councilor Hargens

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS: .

1. **Proclamation: January 2023 - National Stalking Awareness Month.** Present to accept the Proclamation was Enelida Ocampo, Empower Tehama South County Coordinator.
2. **Proclamation: January 2023 - Human Trafficking Prevention and Awareness Month.** Present to accept the Proclamation was Susan Reyes from Empower Tehama Legal Advocate. She invited the public to attend the Human Trafficking Awareness Event that will take place on January 25th at 6:00p.m. at Rodgers Theater.
3. **Recognition of new Corning Volunteer Fire Department Officers; presented by Fire Chief Tom Tomlinson.** Chief Tomlinson introduced the following new Corning Volunteer Fire Department Officers:
1st Assistant Chief: Daymon Schlereth
2nd Assistant Chief: Jeff Nelson
Captains: Jerod Smith, Parker Johnson, and Billy Wooten.

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

15. **Ratify the Police Chief Employment Agreement between the City of Corning and Craig Bassett. By consensus of the Council this item was moved to be addressed prior to the Consent Agenda to accommodate members of the audience.**

Presented by City Manager Brant Mesker. Councilor Demo thanked proposed Police Chief Bassett for his 27 years of service to the Corning Community and for his continued commitment to serve. Mayor Snow also stated his appreciation. Corning Police Department Sgt. Curiel, representing the Corning Police Officer's Association, stated their support of promoting Sgt. Bassett to the position of Police Chief.

Councilor Demo moved to ratify the Police Chief Employment Agreement between the City of Corning and Craig Bassett; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**

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.

4. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
5. **Waive the reading and approve the Minutes of the December 12, 2023 City Council Closed Session and Regular meeting with any necessary corrections.**
6. **Claim Warrants:**
 - a) **December 21, 2023 in the amount of \$397,958.69; and**
 - b) **January 3, 2024 in the amount of \$417,403.07.**
7. **Business License Reports:**
 - a) **December 21, 2023; and**
 - b) **January 3, 2024.**
8. **December 2023 Wages & Salaries: \$345,646.68.**
9. **December 2023 Treasurer's Report.**
10. **December 2023 Building Permit Valuation Report in the amount of \$5,424,420.**
11. **December 2023 City of Corning Wastewater Operations Summary Report.**
12. **Approve proposed update to the 2020 City of Corning Illness and Injury Prevention Program to include SB 553 requirements associated with a Workplace Violence Prevention Plan.**

Councilor Hargens moved to approve Consent Items 4-12; Councilor Demo seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.**I. PUBLIC HEARINGS AND MEETINGS:****13. Discuss, adopt, and approve the following:**

- a. Approve General Plan Amendment 2024-01, and Adopt Resolution 01-09-2024-02 to change the land use designation on affected parcels from C-Commercial to PM-Public/Municipal, APN's: 071-136-001 through 071-136-011, and from MFR-Multi-Family Residential to PM-Public/Municipal for APN: 071-134-008;
- b. Accept for introduction Ordinance 705 to amend Title 17 Zoning of the City of Corning Municipal Code;
- c. Approve Rezone 2024-01 to change zoning on affected parcels from C-2 (Central Business District Commercial) to P-Q (Public or Quasi-Public District), APN's: 071-136-001 through 071-136-011, and 071-134-008 from R-4- Multiple Family Residential to P-Q;
- d. Resolution 01-09-2024-01 for vacation of alley within City Block 34 of the City of Corning located south of Solano Street and north of Marin Street between Third and Fourth Street; and
- e. Approve Parcel Merger/Parcel Map 2023-01 facilitating the merger of assessor parcel numbers 071-136-001 through 071-136-011 into one parcel; under the address of 1101 Solano St.

Presented by Planner II Chrissy Meeds who explained that all of these items relate to the block across from City Hall. The General Plan Amendment, Ordinance, Rezone, and Parcel Merger/Parcel Map are required to change the existing land use designation and zoning, and to merge the separate lots into one to accommodate the new Recreation Center, Plaza, and Parking Lot.

The Public Hearing was opened at 6:15p.m. Ross Turner asked the amount of taxable income lost since these properties have been removed from the tax role due to City ownership for the construction of a Park. Ms. Meeds stated she did not have that information and would have to obtain it. With no further questions the Public Hearing was closed at 6:58p.m.

1. Councilor Demo moved to **adopt the 3 Factual Subfindings and Legal Findings as presented in the Staff Report**; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**

Factual Subfinding #1

Ordinance 705 and Rezone 2024-01 will add PQ – Public/Quasi-public to a full City block in the downtown district.

Legal Finding #1

This City block sat in dis repair for many years prior and brought down the value of the downtown area.

Factual Subfinding #2

On September 8, 2015, the Corning City Council adopted the 2014-2034 City of Corning General Plan. The General Plan grouped together resources; each group has associated objectives within it.

Legal Finding #2

Rezoning the parcels to PQ is consistent with the objectives within the Parks & Recreation Facilities & Resources.

Factual Subfinding #3

Ordinance 705, Rezone 2024-1, Parcel Merger 2023-03, General Plan Amendment 2024-01 will ensure the City is following the 2014-2034 general plan.

Legal Finding #3

Approving Ordinance 705 follows the Corning Municipal Code section 17.33.030 and keeps the City in compliance.

2. Councilor Demo moved to **approve General Plan Amendment 2024-01 and adopt associated Resolution 01-09-2024-02** changing the Land Use Designation of affected parcels from C-Commercial to PM-Public/Municipal on Assessor Parcel Numbers 071-136-001 through 071-136-011, and from MFR-Multi-Family Residential to PM-Public/Municipal for APN: 071-134-008. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**
3. Councilor Demo moved to **accept for first reading and introduction Ordinance 705**, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**
4. Councilor Demo moved to **approve Rezone 2024-01** to change zoning on affected parcels from C-2 (Central business District Commercial) to P-Q (Public or Quasi-Public District), APN's: 071-136-001 through 071-136-011, and 071-134-008 from R-4-Multiple Family Residential to P-Q. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**
5. Councilor Demo moved to **adopt Resolution 01-09-2024-01 for vacation of alley** within City Block 34 of the City of Corning located south of Solano Street and north of Marin Street between Third and Fourth Street; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**
6. Councilor Demo moved to **approve Parcel Merger/Parcel Map 2023-01** facilitating the merger of assessor parcel numbers 071-136-001 through 071-136-011 into one parcel; under the address of 1101 Solano St.; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**

14. Public Hearing: Appeal to consider denial of Use Permit 2023-319, Raphiely Anaya pursuant to Section 17.54.050 of the Corning Municipal Code.

Presented by Planner II Chrissy Meeds who stated that the Planning Commission, at the November 21, 2023 Planning Commission Meeting had denied Use Permit 2023-319 on the basis of public health, safety, and welfare concerns regarding parking, access, and the removal of landscaping at the existing site. Ms. Meeds concluded her presentation by acknowledging that the applicant was present in the audience.

Mayor Snow opened the Public Hearing at 7:07p.m. Appellant responded to the parking concerns stating that they would not allow parking on the adjacent lot. Various members of the City Council stated concerns relating to illegal parking. With no further comments the Public Hearing was closed at 7:10 p.m.

Councilor Demo moved to uphold the Corning Planning Commission decision to adopt the three (3) Factual Subfindings and Legal Findings for the denial of Use Permit 2023-319; Councilor Hargens seconded the motion. **Ayes: Snow, Demo, and Hargens. Absent: Valerio. Abstain: None. Opposed: Lomeli. Motion was approved by a 3-1 vote with Valerio absent.**

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:

- (1) 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 Denial of Use Permit 2023-319 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 2023-319 was applied for to allow a mobile food truck in a commercial Zoning District known as C-3 General Business District.

Legal Finding #2

On November 21, 2023, the Planning Commission denied the Use Permit due to concerns of public health and safety.

Factual Subfinding #3

Section 17.54.030 of the Corning Municipal Code states that Before any Conditional Use Permit is granted, the applicant shall show to the satisfaction of the Commission or the Council, the existence of the following facts:

- A. That the site for the proposed use is adequate in size, shape, topography, and circumstances; and
- B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and
- C. That the proposed use will not have an adverse effect upon the use, enjoyment, or valuation of adjacent or neighboring properties or upon the public welfare.

Legal Finding #3

The issuance of Use Permit 2023-319 will be detrimental to public health and safety.

J. REGULAR AGENDA:

16. **Approve purchase of two (2) F-150 Trucks (Super-crew Responder) for the Police Department from Corning Ford in the amount of \$112,795.12.**

Presented by City Manager Brant Mesker.

Councilor Demo moved to authorize the purchase of two F-150 Super-crew Police Responders from Corning Ford at a combined total of \$112,795.12; Councilor Hargens seconded the motion.

Ayes: Snow, Demo, Hargens, and Lomeli. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.

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

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION: None

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

Demo: Reported on the Corning Volunteer Fire Department Christmas Food Basket & Toy delivery on December 16th; 86 families benefitted from this year's program. He stated that all the presents were wrapped on December 12th. He thanked all of the volunteers (Fire Department and Community) that assisted with the gift wrapping, and the Community for their continued support of the Fire Departments Christmas Food Basket/Gift Program.

Lomeli: Reported she had no meetings to attend.

Hargens: Reported on the Tehama County Solid Waste Management Agency Meeting and stated that it was a very quick meeting.

Valerio: Absent.

Snow: Nothing to report.

Chrissy Meeds: Announced the upcoming Recreation Ad Hoc Committee Meeting tomorrow, January 10th at 5:00p.m.

City Manager Brant Mesker: Announced the Joint County/Cities 10-Year Homeless Meeting to be held in Red Bluff next Tuesday, January 16th at 2:00p.m.; and the Human Trafficking Awareness Event at Rodgers Theater on January 25th at 6:00p.m.

N. **ADJOURNMENT:** 7:25p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 23, 2024
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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:**

1. Corning Fire Department recognition from the Society for the Preservation and Appreciation of Antique Motor Fire Apparatus in America presented by Ed Hass.

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

City Manager Brant Mesker announced the following:

- The DWR Contract for the new water well was signed last week;
- The T-Mobile Contract will be brought back to Council for final approval in February;
- Empower Tehama will be sponsoring a Helf Stop Human Trafficking presentation at Rodgers Theater at 6:00 p.m. on Thursday, January 25th.
- He thanked City Staff Members and the County's Probation Crew for their assistance with the clean up efforts of the Homeless Encampment behind the former Linnet's Tire Shop on Hwy. 99W.

Police Chief Bassett reported on an alleged arson incident that occurred early this morning whereby multiple vehicles (8) were on fire at Spring Mountain Apartments. He stated that two arrests have been made in connection with this incident. He acknowledged Corning Police Department's Sgt. Curiel and Officer Ross for the quick response and great work performed in relation to this incident and also thanked the members of the Corning Volunteer Fire Department who responded to the incident and quickly extinguished the fire.

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. **January 18, 2024 Claim Warrant in the amount of \$332,959.05.**
4. **January 18, 2024 Business License Report.**
5. **Second reading and adoption of Ordinance 705 to amend Title 17 Zoning of the City of Corning Municipal Code.**

Councilor Valerio moved to approve Consent Items 2-5; 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:

6. Consideration and adoption of extension of an adopted Urgency Ordinance of the Corning City Council establishing a temporary moratorium on the approval of permits and licenses for mobile food trucks.

Presented by City Attorney Collin Bogener who stated that the previous Urgency Ordinance 706 was adopted by a 4/5 vote of the City Council and was in effect for 45 days. The proposed Ordinance 707 is an extension of Ordinance 706 and provides the extension for up to 22 months and 15 days to allow City Staff time to prepare a permanent Ordinance, however Staff intends to have the new Ordinance completed and ready for presentation to Council in late February or early March.

Mayor Snow opened the Public Meeting at 6:37 p.m. Following one question, the meeting was closed at 6:42 p.m.

Councilor Demo moved to approve the extension of an adopted Urgency Ordinance of the Corning City Council establishing a Temporary Moratorium on the approval Permits and Licenses for Mobile Food Trucks and direct the City Clerk to read by title only. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

J. REGULAR AGENDA:

7. Approve Notice of Termination of Subdivision Agreement.

Presented by City Attorney Collin Bogener who explained that a Subdivision Agreement was recorded in 1997 imposing numerous Conditions of Approval on the Developer of the property located on Solano Street between East Street and Peach Street (the "Property"). All of those conditions were met many years ago, and the property owner has asked that the City remove the Subdivision Agreement from the title to the property, so that they can provide a clear and marketable title to a buyer of the Property.

Councilor Hargens moved to approve the Notice of Termination of Subdivision Agreement. Councilor Demo seconded the motion. **Ayes: Snow, Demo, Valerio, Hargens, and Lomeli. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

8. Approve Assignment from Joi Gonzalez to Angel McBrayer Mason for the Commercial Lease of the real property portion of the Transportation Center Building and direct City Attorney to prepare the Assignment.

Presented by City Attorney Collin Bogener. He explained that Joi McBrayer Gonzalez had contacted the City prior to her recent passing requesting to amend the tenants name on her Lease Agreement to Angel McBrayer Mason (Joi McBrayer's sister) to allow Mrs. Mason to assume the Lease under the same terms. It was clarified that this is a 10-year Lease that commenced on December 1, 2017 and will terminate on November 30, 2027 and that no other changes to the Agreement are being requested. He stated that City Staff recommends approval of the amendment.

Councilor Demo moved to approve assignment from Joi Gonzalez to Angel McBrayer Mason for the Commercial Lease of the Real Property portion of the Transportation Center Building and direct the City Attorney to prepare the Assignment. Councilor Valerio 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: Announced he attended the Senior Center Board Meeting and they have completed the review and updates to their Rental Agreements and are now working on a Mission Statement. He stated that the Center operates on a shoestring budget and encouraged the community to attend and support their various events.

Valerio: Reported on the various upcoming Chamber of Commerce events, announced the upcoming Veterans Breakfast at the Corning Veterans Memorial Hall, and he announced that Mayor Snow recently swore in the new Chamber Board Members.

Hargens: Reported that she had no meetings to attend.

Lomeli: Reported that she had attended the County/City Joint Meeting to discuss the 10-year Homeless Plan.

Snow: Reported he also attended the Chamber of Commerce Meeting. He also reported on his attendance at the recent 2X2 Meeting with members of the Corning Union Elementary School District and the Corning Union High School District.

N. ADJOURNMENT: 6:53p.m.

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: February 7, 2024

SUBJECT: Cash Disbursement Detail Report for the
Tuesday February 13, 2024 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 01-30-24	\$	117,935.67
B.	Payroll Disbursements	Ending 01-26-24	\$	86,714.78
C.	Payroll Disbursements	Ending 01-31-24	\$	49,650.88
D.	Cash Disbursements	Ending 02-07-24	\$	186,829.10

GRAND TOTAL \$ 441,130.43

REPORT.: Feb 01 24 Thursday
 RUN...: Feb 01 24 Time: 10:20
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 01-24 thru 01-24 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
036234	01/22/24	COR07	CORBIN WILLITS SYSTEMS, I	-2040.00	000C31130u	Ck# 036234 Reversed
036468	01/19/24	COR60	CORNING APARTMENTS	1026.00	240118	CDBG CV2&3-ASST EMERGENCY RESPONSE (ELIA OCEGUERA)
036469	01/22/24	HEW01	HEWITT, MATTHEW	45.00	01222024	TRAINING/ED-POLICE
036470	01/22/24	KIN14	KINETICS ACADEMY OF DANCE	368.00	231224	REC INSTRUCTOR-REC
036471	01/22/24	KNI01	KNIGHT, ASHLEY DEANNA	270.12	01242024	TRAINING/ED-DISPATCH
036472	01/22/24	LEE00	LEE, JACQUELINE PATTON	240.00	240120	REC INSTRUCTOR-REC
036473	01/22/24	QUI02	QUILL CORPORATION	71.84 12.92	36601813 36608160	MAT & SUPPLIES-FIRE MAT & SUPPLIES-FIRE
			Check Total.....	84.76		
036474	01/22/24	ROS01	ROSS, DANNETTE	379.50	01282024	TRAINING/ED-POLICE
036475	01/22/24	SNO00	SNOW, ROBERT	60.00	231212	REIMBURSE X 2-REC PROGRAMS/FEE BASED
036476	01/23/24	VOID	VOIDED CHECK			
036477	01/23/24	VOID	VOIDED CHECK			
036478	01/23/24	VOID	VOIDED CHECK			
036479	01/23/24	GAR09	GARCIA, GISELLE NYLENE	100.00	240122	REC INSTRUCTOR-REC (JR. CARDETTES)
036480	01/23/24	JAC03	JACKSON, LINDSEY	100.00	240122	REC INSTRUCTOR-REC (JR. CARDETTES)
036481	01/23/24	MAD05	MADRIGAL, NATALIA	100.00	240122	REC INSTRUCTOR-REC (JR. CARDETTES)
036482	01/23/24	MOR10	MORRIS, MCKENNA MARIE	100.00	240122	REC INSTRUCTOR-REC (JR. CARDETTES)
036483	01/23/24	SED00	SEDANO, JACQUELYN	100.00	240122	REC INSTRUCTOR-REC (JR. CARDETTES)
036484	01/24/24	3CO00	3CORE, INC.	2440.00	1763	AWNING/DOWNTOWN AREA
036485	01/24/24	CHI06	CHICO POWER EQUIPMENT	27.52	446875	MAT & SUPPLIES-PARKS
036486	01/24/24	COM01	COMPUTER LOGISTICS, INC	3720.00	84808	EQUIP MAINT-
036487	01/24/24	COR12	CORNING FORD MERCURY, INC	59.63	57951	VEH OP/MAINT-POLICE
036488	01/24/24	DOW01	DOWN RANGE	332.79 437.81	655839 667460	UNIFORMS/CLOTH-POLICE UNIFORMS/CLOTH-POLICE
			Check Total.....	770.60		
036489	01/24/24	FER02	FERGUSON WATERWORKS #1423	258.60	1836214	MAT & SUPPLIES-WTR
036490	01/24/24	GAY02	GAYNOR TELESYSTEMS, INC	136.00	43732	COMMUNICATIONS-DISPATCH
036491	01/24/24	GRA02	GRAINGER, W.W., INC	19.41 58.62	996550549 996575336	MAT & SUPPLIES-POOL MAT & SUPPLIES-PARKS
			Check Total.....	78.03		
036492	01/24/24	JOH12	JOHNSON'S TURBO CLEAN	200.00	10616	BLD MAINT-FIRE
036493	01/24/24	PAC29	PACE ANALYTICAL SERVICES,	234.56	240048428	PROP SVCS-WTR DEPT
036494	01/24/24	PGE09	PG&E	229.02	240116	ELECT-STONEFOX L&L-Z1, D2
036495	01/24/24	PGE2A	PG&E	53.04	240116	ELECT-BLUE HERON CT
036496	01/24/24	QUI02	QUILL CORPORATION	42.01	36753397	OFFICE SUPPLIES-
036497	01/24/24	RED15	RED TRUCK ROCK YARD, LLC	353.93	1552	MAT & SUPPLIES-
036498	01/24/24	SCP00	SCP DISTRIBUTORS LLC	2186.42	SN110507	MAT & SUPPLIES-POOL
036499	01/24/24	SUB01	SUBURBAN PROPANE	60.00	240114	PROPANE-AIRPORT
036500	01/24/24	TAN00	T AND S DVBE, INC.	709.86 616.44	24-37 24-47	MAT & SUPPLIES- MAT & SUPPLIES-
			Check Total.....	1326.30		
036501	01/24/24	TEH38	TEHAMA COUNTY ANIMAL SERV	9392.31	240111	PROP SVCS-ACO
036502	01/24/24	VAL11	VALLEY PACIFIC PETROLEUM	1589.98	24-721769	VEH OP/MAINT-
036503	01/24/24	XER00	XEROX CORPORATION	27.57	020536470	EQUIP MAINT-DISPATCH
036504	01/25/24	COR2A	CORNING MINI STORAGE	75.00	36818	MAT & SUPPLIES-REC (FEBRUARY RENT)
036505	01/25/24	DUT00	DUTCH BOY GRAPHICS	627.41 213.43	340110 340124	MAT & SUPPLIES-REC (YOUTH BASKETBALL T-SHIRTS) MAT & SUPPLIES-REC (YOUTH BASKETBALL T-SHIRTS)
			Check Total.....	840.84		
036506	01/25/24	INL01	INLAND BUSINESS SYSTEMS	193.54	IN3936753	COMMUNICATIONS-

REPORT.: Feb 01 24 Thursday
 RUN....: Feb 01 24 Time: 10:20
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 01-24 thru 01-24 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
036507	01/25/24	MET07	METZGER, AMANDA	570.00	242101	REC INSTRUCTOR-REC (COOKING CLASS)
036508	01/26/24	ALV00	ALVAREZ, CARLOS	250.00	240126	SAFETY ITEMS-PW ADMIN (BOOT ALLOWANCE 2024)
036509	01/26/24	KIN14	KINETICS ACADEMY OF DANCE	368.00	240128	REC INSTRUCTOR-REC
036510	01/30/24	ATT02	AT&T	526.82	21164184	COMMUNICATIONS-
036511	01/30/24	BAR07	BARRIGA, RAFAEL	74.00	240129	TRAINING/ED-FIRE
036512	01/30/24	COR08	CORNING LUMBER CO INC	208.65	240125	MAT & SUPPLIES-
036513	01/30/24	DEP03	DEPT OF TRANS/CAL TRANS	11267.60	24004053	Equip.Maint. St&Trf Light
036514	01/30/24	DEP12	DEPT OF JUSTICE	35.00	710466	PROF SVCS-POLICE
036515	01/30/24	KNI00	KNIFE RIVER CONSTRUCTION	1835.11	298543	A/C CITYWIDE-STR
036516	01/30/24	LNC01	LN CURTIS & SONS	450.52	INV785611	MAT & SUPPLIES-
036517	01/30/24	NOR52	NORTH STATE PAINTING	24500.00	1102	AWNING/DOWNTOWN ARPA (GRANT PYMT #4)
036518	01/30/24	PAC29	PACE ANALYTICAL SERVICES,	234.56	240065128	PROF SVCS-WTR DEPT
036519	01/30/24	PGE01	PG&E	33848.83	240122	Electricity General City-
036520	01/30/24	PGE2A	PG&E	71.05	240125	ELECT-CORNING COMMUNITY PARK
036521	01/30/24	PGE2B	PG&E	17053.23	240126	ELECT-WWTP
036522	01/30/24	RON03	RON DUPRATT FORD	172.79	458621	VEH OP/MAINT-
036523	01/30/24	SIE06	SIERRA-SACRAMENTO VALLEY	105.00	240129	TRAINING/ED-FIRE
036524	01/30/24	TAN00	T AND S DVBE, INC.	1136.23	24-79	MAT & SUPPLIES-STR
Cash Account Total.....:				117935.67		
Total Disbursements.....:				117935.67		
Cash Account Total.....:				.00		

REPORT.: Feb 01 24 Thursday
 RUN....: Feb 01 24 Time: 10:20
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 01-24 thru 01-24 Bank Account.: 1025

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
14237	01/26/24	BAN03	POLICE OFFICER ASSOC.	200.00	C40124	POLICE OFFICER ASSOC
14238	01/26/24	EDD01	EMPLOYMENT DEVELOPMENT	6615.71	C40124	STATE INCOME TAX
				1727.13	1C40124	SDI
				-221.35	2C40124	STATE INCOME TAX
				-23.91	3C40124	SDI
			Check Total.....:	8097.58		
14239	01/26/24	FED00	FEDERAL PAYROLL TAXES (EF	18357.86	C40124	FEDERAL INCOME TAX
				19325.04	1C40124	FICA
				4572.44	2C40124	MEDICARE
				-495.01	3C40124	FEDERAL INCOME TAX
				-269.54	4C40124	FICA
				-63.04	5C40124	MEDICARE
			Check Total.....:	41427.75		
14240	01/26/24	MIS03	MISSIONSQUARE - PLAN#3020	598.99	C40124	MISSIONSQUARE 457
				122.50	1C40124	MISSIONSQUARE 457 ER
			Check Total.....:	721.49		
14241	01/26/24	PERS1	PUBLIC EMPLOYEES RETIRE	31707.13	C40124	PERS PAYROLL REMITTANCE
				-423.20	1C40124	PERS PAYROLL REMITTANCE
			Check Total.....:	31283.93		
14242	01/26/24	PERS4	Cal Pers 457 Def. Comp	2035.08	C40124	PERS DEF. COMP.
				355.00	1C40124	PERS DEF. COMP. ER P
			Check Total.....:	2390.08		
14243	01/26/24	VAL06	VALIC	2362.54	C40124	AIG VALIC P TAX
				231.41	1C40124	AIG VALIC P TAX ER P
			Check Total.....:	2593.95		
			Cash Account Total.....:	86714.78		
			Total Disbursements.....:	86714.78		

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
14244	01/31/24	AFL01	AFLAC	805.56	C40131	AFLAC INS.PRE TAX
				96.56	1C40131	AFLAC INS.AFTER TAX
Check Total.....:				902.12		
14245	01/31/24	BLU02	BLUE SHIELD OF CALIFORNIA	17035.36	C40131	MEDICAL INSURANCE
14246	01/31/24	OEU01	OPERATING ENGINEERS #3	25790.00	C40131	MEDICAL INSURANCE
14247	01/31/24	OEU02	OPERATING ENG. (DUES)	276.00	C40131	UNION DUES MGMNT
				621.00	1C40131	UNION DUES POLICE
				594.00	2C40131	UNION DUES DISPATCH
				1206.00	3C40131	UNION DUES-MISC
Check Total.....:				2697.00		
14248	01/31/24	PRI04	PRINCIPAL LIFE INSURANCE	2198.59	C40131	DENTAL INSURANCE
				195.81	1C40131	VISION INSURANCE
				832.00	2C40131	LIFE INSURANCE
Check Total.....:				3226.40		
Cash Account Total.....:				49650.88		
Total Disbursements.....:				49650.88		

REPORT.: Feb 07 24 Wednesday
 RUN....: Feb 07 24 Time: 14:48
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 02-24 thru 02-24 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
035427	02/05/24	COP02	COPY CENTER	-295.63	22117u	Ck# 035427 Reversed
036525	02/01/24	ALV00	ALVAREZ, CARLOS	187.63	240130	Pant Reimbursement-PW Admin
036526	02/01/24	ATT15	AT&T MOBILITY	815.98	240119	Communications-
036527	02/01/24	BAU01	BAUER COMPRESSORS	1488.04	317351	Equip Maint-Fire
036528	02/01/24	DEP03	DEPT OF TRANS/CAL TRANS	477.82	SL240408	Equip.Maint. St&Trf Light
036529	02/01/24	IND03	INDUSTRIAL POWER PRODUCTS	317.12	392868	Cleaning Contract-Streets
036530	02/01/24	KNI00	KNIFE RIVER CONSTRUCTION	1061.35	298649	A/C Citywide-Streets
036531	02/01/24	MTH00	M.T. HALL & ASSOCIATES, I	1840.00 720.00	2820 2821	Construction-ATP Olive View Project Construction-ATP West St Project
			Check Total.....	2560.00		
036532	02/01/24	PAN01	PANO, FLORENTINO	74.00	240130	Training/Education-Fire
036533	02/01/24	ROD10	RODRIGUEZ, JESENIA	1350.00	240130	Rec Coordinator
036534	02/01/24	\C120	MANUEL & GUADALUPE CECENA	3.00	000C40101	MQ CUSTOMER REFUND FOR CEC0013
036535	02/01/24	\M164	GIOVANNA MEZA	105.65	000C40101	MQ CUSTOMER REFUND FOR MEZ0023
036536	02/01/24	\P063	OFELIA PISENO	17.45	000C40101	MQ CUSTOMER REFUND FOR PIS0003
036537	02/01/24	\W054	JOSHUA WAGNER	81.93	000C40101	MQ CUSTOMER REFUND FOR WAG0001
036539	02/02/24	COR07	CORBIN WILLITS SYSTEMS, I	813.77	000C402011	EQUIP MAINT-FINANCE
036540	02/02/24	COR09	CORNING CHAMBER OF COMM.	1000.00	000C402011	CngChamberComm. Economic
036541	02/02/24	MOO07	MOORE & BOGENER, INC.	5525.00	000C402031	CONSULTING SVCS-LGL SVCS
036542	02/02/24	NEL00	NELSON, JEFFREY NEIL	54.70	000C402011	PROF SVCS-FIRE DEPT
036543	02/02/24	OCH01	OCHOA CLEANING	4655.00	000C402011	JANITORIAL SERVICES-
036544	02/02/24	PIT01	PITNEY BOWES	183.80	000C402011	Rents/Leases Finance Dept
036545	02/02/24	SCH16	SCHLERETH, DAYMON WAYNE	104.70	000C402011	PROF SVCS-FIRE DEPT
036547	02/06/24	AIR00	AIRGAS USA, LLC	85.08	505748212	Material/Supplies-Fire
036548	02/06/24	BEN03	LEXISNEXIS MATTHEW BENDER	211.89	3983204X	Books/Periodics-Library
036549	02/06/24	BUS01	BUSINESS CONNECTIONS	171.00	84720	Prof Svcs-
036550	02/06/24	COA06	COAR DESIGN GROUP	41118.00	22089	Prop 68 Pre Cons-City Plaza & Rec Center
036551	02/06/24	COL06	COLEY, LOGAN	74.00	240130	Training/Education-Fire
036552	02/06/24	COP02	COPY CENTER	295.63	22117A	Office Supplies-
036553	02/06/24	COR11	CORNING SAFE & LOCK	14.82	9434	Mat/Supplies-Parks
036554	02/06/24	DM001	DM-TECH	119.90	202402011	Communications General Ci
036555	02/06/24	FIR05	FIRST NATIONAL BANK OMAHA	424.93	240126	Material/Supplies-
036556	02/06/24	FIR11	FIRST NATIONAL BANK OMAHA	121.65	240126	Comp/Equip/Soft-
036557	02/06/24	FIR13	FIRST NATIONAL BANK OMAHA	1121.22	240126	Material/Supplies-
036558	02/06/24	FIR16	FIRST NATIONAL BANK OMAHA	312.52	240126	Material/Supplies-
036559	02/06/24	FIR20	FIRST NATIONAL BANK OMAHA	1046.44	240126	Office Supplies-
036560	02/06/24	GRA02	GRAINGER, W.W., INC	50.78 72.28	004423373 004423381	Material/Supplies-Parks Bld Maint-Theater
			Check Total.....	123.06		
036561	02/06/24	IWO01	IWORQ SYSTEMS	6000.00	202677	I-WorQ - Bld Safety
036562	02/06/24	LAC01	LACY, CLINT	600.00	240127	Rec Instructor-Rec
036563	02/06/24	LEE00	LEE, JACQUELINE PATTON	240.00	240203	Rec Instructor-Rec
036564	02/06/24	NAP01	NAPA AUTO PARTS	1059.37	240125	Material/Supplies-
036565	02/06/24	NOR15	NORTHERN CALIFORNIA GLOVE	45.05	01563980A	Material/Supplies-
036566	02/06/24	PAC29	PACE ANALYTICAL SERVICES,	234.56	240085328	ProfServices Water Dept
036567	02/06/24	PAX00	PAXTON, WYATT	175.00	736	Prof Svcs-Bld & Safety
036568	02/06/24	PGE04	PG&E	406.02 196.39	240130 240130A	TranspFacility- TranspFacility

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
			Check Total.....	602.41		
036569	02/06/24	PGE2A	PG&E	241.37	240129	Elect-
				22.05	240130	Elect-Cleland Prop
				123.32	240129A	Elect-Martini Plaza
			Check Total.....	386.74		
036570	02/06/24	PGE2B	PG&E	376.68	240117	Solar-WWTP
036571	02/06/24	RED00	RED BLUFF DAILY NEWS	364.65	006807423	Print/Advertise-City Clerk
				153.31	006807427	Print/Advertise-City Clerk
			Check Total.....	517.96		
036572	02/06/24	RES04	RESERVE ACCOUNT	3000.00	240205	Communications-
036573	02/06/24	SCH01	LES SCHWAB TIRE CENTER	1284.74	100497946	Equip Maint-Sewer
036574	02/06/24	SEI01	SEILER, ROY R., CPA	3936.00	30579	ProfServices Finance Dept
036575	02/06/24	SOU06	SOUTH AVENUE ACE	1243.30	240127	Material/Supplies-
036576	02/06/24	TEH30	TEHAMA CNTY AIR POLLUTION	398.25	324PT0379	Equip Maint-
036577	02/06/24	THO01	THOMES CREEK ROCK CO	620.30	040201	Mat/Supplies-
036578	02/06/24	TRI02	TRI-COUNTY NEWSPAPERS	246.81	00296055	Print/Advert. City Clerk
				147.13	00296701	Print/Advert. City Clerk
				306.63	00297176	Print/Advert. City Clerk
				150.75	00297178	Print/Advert. City Clerk
			Check Total.....	851.32		
036579	02/06/24	VAL07	VALLEY VETERINARY CLINIC,	136.28	772030	Prof Svcs-ACO
036580	02/06/24	VAL11	VALLEY PACIFIC PETROLEUM	1921.03	24-723096	Material/Supplies-
				2161.67	24-723097	Vehicle Op/Maint-Police
				390.48	24-723098	Veh Op/Maint-Fire
			Check Total.....	4473.18		
036581	02/06/24	WAL02	WALKER PRINTING	110.47	44210	Print/Advertising-Dispatch
036582	02/07/24	ARA02	ARAMARK UNIFORM SERVICES	88.05	476552	MAT & SUPPLIES-BLD MAINT
				88.05	482570	MAT & SUPPLIES-BLD MAINT
				88.05	488003	MAT & SUPPLIES-BLD MAINT
				88.05	493498	MAT & SUPPLIES-BLD MAINT
				88.05	498918	MAT & SUPPLIES-BLD MAINT
			Check Total.....	440.25		
036583	02/07/24	ATT17	AT&T	123.05	240131	COMMUNICATIONS-FIRE
036584	02/07/24	BUI01	BUILDER SOLUTIONS, INC.	47779.27	7-O	CONSTRUCTION: ATP-OLIVE VIEW PROJECT
				22552.40	7-W	CONSTRUCTION: ATP-WEST STREET PROJECT
			Check Total.....	70331.67		
036585	02/07/24	EDD02	EMPLOYMENT DEVELOPMENT DE	955.00	L14762171	UNEMPLOYMENT INS-GEN CITY
036586	02/07/24	GAR09	GARCIA, GISELLE NYLENE	50.00	240205	REC INSTRUCTOR-REC (JR. CARDETTES)
036587	02/07/24	JAC03	JACKSON, LINDSEY	100.00	240205	REC INSTRUCTOR-REC (JR. CARDETTES)
036588	02/07/24	MAD05	MADRIGAL, NATALIA	100.00	240205	REC INSTRUCTOR-REC (JR. CARDETTES)
036589	02/07/24	MOR10	MORRIS, MCKENNA MARIE	100.00	240205	REC INSTRUCTOR-REC (JR. CARDETTES)
036590	02/07/24	PGE01	PG&E	1746.44	240202	ELECT-
				560.26	240202A	ELECT-
			Check Total.....	2306.70		
036591	02/07/24	PGE04	PG&E	604.50	240202	TranspFacility-
036592	02/07/24	RED01	RED BLUFF DAILY NEWS	56.36	240207	COMMUNICATIONS-GEN CITY
036593	02/07/24	SED00	SEDANO, JACQUELYN	100.00	240205	REC INSTRUCTOR-REC (JR. CARDETTES)
036594	02/07/24	SRP01	SRPSTC	155.00	24-584	TRAINING/ED-POLICE
036595	02/07/24	SUN13	SUN RIDGE SYSTEMS, INC	18131.00	8001	RIMS MAINT-DISPATCH
036596	02/07/24	TEH08	COUNTY OF TEHAMA	29.00	2023/0207	PROF SVCS-CITY CLERK
036597	02/07/24	TPX00	TPX COMMUNICATIONS	1133.51	177147687	COMMUNICATIONS-
			Cash Account Total.....	186829.10		
			Total Disbursements.....	186829.10		

Date.: Feb 7, 2024
 Time.: 3:06 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
ALLEGiant ROOFING	1300 NORD AVE #100	CHICO, CA 95926	ROOFING COMPANY	02/07/24
COLD SNAP AIR CONDIT	12649 PASKENTA RD	RED BLUFF, CA 96080	RESIDENTIAL & COMMERCIAL HVAC SERVICE RE	01/19/24
DL MASONRY	2028 FARNSWORTH WAY	RANCHO CORDOVA, CA 95670	SUBCONTRACTOR	M 01/29/24
M&M SHEET METAL & RA	17760 SIERRA HWY	CANYON COUNTRY, CA 91351	SHEET METAL CONTRACT	01/19/24
NORLES FIESTA RENTAL	279 N MARGUERITE AVE	CORNING, CA 96021	JUMPHOUSE, CHAIRS, TABLES, CANOPIES	01/30/24
PLATINUM ENTERPRISE	515 SYCAMORE ST.	RED BLUFF, CA 96080	INSTALL GLASS	01/25/24
RSVC COMPANY	3051 MYERS ST. SUITE B	RIVERSIDE, CA 92503	GENERAL CONTRACTOR	01/25/24
SOLAR SAVINGS DIRECT	3867 DIVIDEND DRIVE	SHINGLE SPRINGS, CA 95682	SOLAR INSTALLATION	01/23/24
SUNNOVA ENERGY CORPO	20 GREENWAY PLAZA	HOUSTON, TX 77046	INSTALLING SOLAR PANELS ON RESIDENTIAL P	01/23/24
WEST COAST REMOVAL	1020 AIRPORT RD BLDG A	LINCOLN, CA 95648	DEMOLITION	01/24/24

CITY OF CORNING
TREASURER'S REPORT
JANUARY 2024

<u>AGENCY</u>	<u>BALANCE</u>	<u>RATE</u>
Local Agency Investment Fund	\$ 11,504,010.01	4.00%

Respectfully submitted:

Laura L. Calkins
City Treasurer



Monthly Permit Report

01/01/2024 - 01/31/2024

Permit #	Permit Date	Main Status	Parcel #	Parcel Address	Owner Name	Owner Address	Owner City	Owner Zip	Permit Type	Project Cost
24023	1/31/2024	Online Application	073-010-003-000	643 BLACKBURN AVE	SCHOOL, CORNING HIGH				Electrical	\$0
24022	1/31/2024	Under Review	073-082-004-000	503 MARIN ST.	DAUGHERTY RACHEL M	503 MARIN ST.	CORNING	96021	Mechanical	\$10,500
24021	1/30/2024	ISSUED	071-105-002-000	1433 COLUSA ST	Morrison, Jeromy et al	1433 Colusa St.	Corning	96021	ReModel	\$12,633
24020	1/29/2024	ISSUED	073-164-006-000	852 HICKORY ST	Black Rock Real Estate Investments, LLC	18795 Hwy 29 Ste A	Middletown	95461	Plumbing	\$200
24019	1/29/2024	ISSUED	071-105-002-000	1433 COLUSA ST	Morrison, Jeromy et al	1433 Colusa St.	Corning	96021	Solar	\$70,000
24018	1/29/2024	ISSUED	073-162-002-000	1422 FIRST ST	BARR BRAD E ETAL	1422 FIRST STREET	CORNING CA 96021		Mechanical	\$14,116
24017	1/26/2024	Online Application	087-050-069-000	2120 SOUTH AVE	LOVES COUNTRY STORES OF CA	% RYAN LLC	BANK OF AMERICA CENTER 15 W 6TH ST STE 2400		Signs	\$26,090
24016	1/24/2024	ISSUED	073-066-001-000	817 SOLANO ST	CARRIO, MIGUEL ETAL CO-TRS CARRIO FAMILY TRUST 4/6	P O BOX 634	CORNING CA 96021		Roof	\$11,245
24015	1/23/2024	Finald	075-330-006-000	196 Victorian Park Ct.	LOPEZ JOHN JR ETAL	196 Victorian Park Ct.	Corning	96021	Plumbing	\$1,500
24014	1/22/2024	ISSUED	071-350-011-000	362 LA MESA CT	BERRY, BRIAN A TR JM BERRY IRREVOC TR 10/4/12	PO Box 4672	Orland	95963	HVAC	\$6,950
24013	1/19/2024	ISSUED	071-062-035-000	2037 DOLLA CT	PARTIDA, HECTOR	2037 DOLLA CT	Corning	96021	Solar	\$17,000
24012	1/18/2024	ISSUED	073-133-008-000	904 ALMOND ST	ORDUNO, RICHARD & SHELLIE	DBA RICHARDS NORTH STATE PEST MGNT	904 ALMOND ST CORNING CA 96021		Solar	\$19,750
24011	1/17/2024	ISSUED	071-221-012-000	1110 HOAG ST	ALVAREZ, VERONICA S DIAZ	1110 HOAG ST	Corning	96021	Roof	\$4,500
24010	1/17/2024	Duplicate Permit -							Plumbing	\$0

		Cancelled								
24009	1/17/2024	approved " FEES DUE "	087-040-077-000	3094 HWY 99E	ROYAL TRUCK WASH TIRE & LUBE	8247 KIMBER AVE	BAKERSFIELD CA 93307		Plumbing	\$4,000
24008	1/17/2024	ISSUED	073-220-023-000	661 DEL NORTE AVE	GIBSON, RAYMOND A & THERESA A	661 DEL NORTE	CORNING CA 96021		Solar	\$30,000
24007	1/17/2024	ISSUED	071-171-010-000	907 6TH ST	LOZA, JUAN J	907 6TH ST	Corning	96021	Plumbing	\$2,000
24006	1/11/2024	approved " FEES DUE "	071-115-007-000	1106 Butte	CITY OF CORNING ! CORPORATION YARD	794 3RD ST	Corning	96021	Building	\$70,000
24005	1/9/2024	Finaled	071-105-004-000	1419 COLUSA ST	PETERSON, KENNETH F ETAL TRS PETERSON FAMILY TR 04	4363 KOPTA RD	Corning	96021	Roof	\$11,100
24004	1/4/2024	Finaled	075-310-001-000	299 MARGUERITE AVE	ABEL, JASON & ABEL, ANNA	6450 PIEDMONT RD	Corning	96021	Roof	\$7,959
24003	1/4/2024	approved " FEES DUE "	071-114-003-000	1203 BUTTE ST	LANE, LESA M D C	P O BOX 700	Corning	96021	Solar	\$10,000
24002	1/3/2024	ISSUED	073-162-003-000	906 HICKORY ST	BROWN, ANDREW J	906 HICKORY STREET	CORNING CA 96021		HVAC	\$3,500
24001	1/3/2024	Finaled	073-211-006-000	310 DIVISADERO AVE	OROPEZA, COSME ETAL TRS OROPEZA FAMILY REVOC TR 9/	310 DIVISADERO AVE	CORNING CA 96021		Mechanical	\$15,071
										\$348,114

Total Records: 23

2/5/2024



CITY OF CORNIG WASTEWATER OPERATIONS SUMMARY REPORT JANUARY 2024

Below is a summary of the monthly operations report that will be available for review in February 2024.

- Completed monthly reports
- Held staff meeting to discuss facility operations and issues
- Held daily safety tailgate meetings
- Inspected eyewash stations and emergency showers
- Completed testing of chemical release sensors
- Calibrated SO3 analyzer
- Inspected all fire extinguishers
- Calibrated gas detector
- Exercised emergency generator
- Submitted ESMR/DMR report to Regional Board



- Completed monthly facility inspection
- Completed pretreatment inspections at several restaurants.
- Completed inspections on collection system trouble spots
- Completed first round of stormwater reporting
- responded to lateral line blockage at Iron Skillet Restaurant

January 2024

Effluent Flow Monthly Average= 644,387 GPD

ITEM NO.: G-11
APPROVE TASK ORDER "F" TO
ARMSTRONG CONSULTANTS, INC FOR
PROFESSIONAL SERVICES FOR GRANT
ADMINISTRATION ASSISTANCE UNDER
THE AIRPORT ENGINEERING SERVICES
CONTRACT 2019-6

February 13, 2024

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

SUMMARY:

Staff requests Council approve Task Order "F" (TO-F) for Armstrong Consultants, Inc., to provide Professional Services for Grant Admin Assistance under Airport Engineering Services Agreement 2019-6. The provided services would include:

- Identifying eligible incurred expenses reimbursable under the listed grants;
- Preparing reimbursement packet requests; and
- Preparing grant closeout letters.

Task Order "F" is attached for Council review.

The City of Corning has received three grants related to the COVID relief initiative administered by the FAA that the City can use for things like utility bills and minor covid expenses accrued by the Airport. A summary of the grants and the allocated funds are below:

- AIP 008-2020 CARES Act Grant in the amount of \$20,000;
- AIP 001-2021 CRSA Grant in the amount of \$9,000; and
- AIP 012-2022 ARPA Grant in the amount of \$22,000.

BACKGROUND:

On January 28, 2020, the City Council awarded the City Airport Engineering Services contract 2019-6 to Armstrong Consultants, Inc. The proposed services fall within this contract and can be issued as a Task Order.

FUNDING:

Task Order F is in the amount of \$9,186. Funding for this Task Order can be reimbursed under the listed grants which total \$51,000.

RECOMMENDATION:

MAYOR AND COUNCIL:

- APPROVE TASK ORDER "F" TO ARMSTRONG CONSULTANTS, INC. FOR PROFESSIONAL SERVICES FOR GRANT ADMIN. ASSISTANCE UNDER AIRPORT ENGINEERING SERVICES CONTRACT 2019-6; and,
- AUTHORIZE THE CITY MANAGER TO SIGN THE TASK ORDER AUTHORIZATION

**TASK ORDER F
ATTACHMENT TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN SPONSOR AND ENGINEER,
DATED _____, 2024**

FURTHER DESCRIPTION OF SERVICES OF ENGINEER

1. This Attachment is made a part of and incorporated by reference into the Professional Services Agreement made on March 10, 2020, between **CITY OF CORNING, CALIFORNIA (Sponsor)** and **ARMSTRONG CONSULTANTS, INC., (Engineer)** providing for professional engineering services. The Services of Engineer as described in Section 1 of the Agreement are amended or supplemented as indicated below and the time periods for the performance of certain services are stipulated as indicated below.

2. **LOCATION** – Corning Municipal Airport – Corning, California

3. **WORK PROGRAM** – Attached

Element 1 – Grant Admin Assistance – AIP 008-2020 CARES Act Grant

Element 2 – Grant Admin Assistance – AIP 011-2021 CRRSA Grant

Element 3 – Grant Admin Assistance – AIP 012-2022 ARPA Grant

4. **FEES** - The fees will be as noted below. (All lump sums)

Element 1 Grant Admin Assistance	\$3,062.00
Element 2 Grant Admin Assistance	\$3,062.00
Element 3 Grant Admin Assistance	\$3,062.00
Engineering Total	\$9,186.00

5. **ATTACHMENTS** - Required Contract Provisions for A/E Contracts Under Airport Improvement Program

SPONSOR:
CITY OF CORNING, CALIFORNIA

ENGINEER:
ARMSTRONG CONSULTANTS, INC.

Brant Masker, City Manager

Erik Vliet, Business Manager

**SCOPE OF WORK
CORNING MUNICIPAL AIRPORT**

ELEMENTS 1, 2, and 3 Grant Admin Assistance – AIP 008-2020 | AIP 011-2021 | AIP 012-2022

1. The Sponsor has received a total of three grants related to COVID relief initiatives administered by the FAA. It is understood that no grant drawdowns have been performed on any of these grants. The tasks described below are intended to assist the Sponsor in getting reimbursed for eligible expenses and formally closing out the grants. The tasks associated with each of these work elements include:
 - a. Assist the Sponsor with identifying eligible, incurred expenses that can be reimbursed under these grants.
 - b. Prepare Request for Reimbursement packets for each of the subject grants. It is assumed that a single packet will be required for each of the grants. Each packet will include a final SF271, final SF425, and any relevant Sponsor-provided backup documentation. The packets will be provided to the Sponsor for uploading through the FAA Delphi system.
 - c. Assist Sponsor in preparing a grant closeout letter for each of the grants. The Engineer will prepare the content of the letter and provide a draft letter to the Sponsor to incorporate on official letterhead and submit to the FAA.
 - d. Assist the Sponsor in coordinating closeout documentation with the FAA.

ITEM NO: J-12
APPROVE PURCHASE OF AN F-350
SUPER DUTY FLATBED TRUCK FROM
CORNING FORD AND AUTHORIZE A
SUPPLIMENTAL APPRORIATION IN
THE AMOUNT ON \$3,437.42

February 13, 2024

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: BRANT MESKER, CITY MANAGER 
ROBIN KAMPMANN, PE: PUBLIC WORKS/ENGINEER CONSULTANT 

SUMMARY:

With the recent changes in the economy, along with supply and demand, the Corning Public Works Department has been unable to purchase a new flatbed truck. Staff have exhausted multiple avenues to procure a new truck without any success. Staff investigated the possibility of purchasing a new Ford F-350 4x2 Super Duty Flatbed Truck directly from Corning Ford without going out for a formal bid. Attached is a quote for an F-350 Super Duty Flatbed Truck from Corning Ford showing they can provide us with the requested truck for \$78,437.42. The truck is available at a neighboring dealership and available for near immediate purchase and guaranteed delivery date. This new truck would replace a 2001 F350 4x2 flatbed truck that is near end of life.

Staff proposes that City Council finds this purchase to be exempt under section 3.12.082 A-6 of the Corning Municipal Code (attached).

FINANCIAL:

During the fiscal year 2023/2024 budgeting process and subsequent City Council approval, staff budgeted \$75,000 for the purchase of a new Public Works truck. The proposed purchase price overage balance would require a supplemental appropriation in the total amount of \$3,437.42 to be split between the following accounts:

- | | | |
|------------------------------------|---------------|----------|
| • Water Maintenance | 383-9500-7100 | \$859.35 |
| • Sewer Maintenance | 610-9500-5000 | \$859.36 |
| • Street Maintenance | 078-9500-3000 | \$859.35 |
| • Public Works Capital Replacement | 114-9500-3000 | \$859.36 |

RECOMMENDATION:

MAYOR AND COUNCIL APPROVE THE:

- CITY COUNCIL DETERMINES THAT THIS PURCHASE IS EXEMPT FROM THE CITY'S PURCHASING POLICY PER SECTION 3.12.082 A-6 OF THE CORNING MUNICIPAL CODE;
- CITY TO AUTHORIZE THE PURCHASE OF F-350 SUPER DUTY FLATBED TRUCK FROM CORNING FORD WITHOUT GOING OUT FOR FORMAL BID, AND
- AUTHORIZE A SUPPLIMENTAL APPRORIATION IN THE AMOUNT OF \$3,437.42 FOR THE ADDITIONAL COST OF THE AVAILABLE TRUCK.

ATTACHMENT:

Corning Ford Quote

Corning Municipal Code:

3.12.082 - Exceptions from purchasing procedures.

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

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

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

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

(Ord. 583 §1k, 1999).

(Ord. No. 648, § 2, 11-22-2011)

CORNING FORD

Source:		Salesperson:	KELLY BREEDLOVE
Price	72,672.00	Trade	0.00
Taxable A.M.O.	0.00	Payoff	0.00
Document Processing Charge	85.00	Net Trade	0.00
Emissions Testing Charge	0.00	Cash Down	0.00
Sales Tax	5,638.67	Deferred Down	0.00
Non-Tax A.M.O.	0.00	Rebate	0.00
Service Contract	0.00	Total Down	0.00
Subtotal	78,395.67		
DMV Fees	0.00	APR	0.00
State Emissions Certification or Exemption Fee	0.00	Term	1
California Tire Fee	8.75	Monthly Payment	78,437.42
Electronic Veh Reg or Transfer Charge	33.00	Final Payment of	
Total Insurance	0.00		
Total	78,437.42		
Amount Financed	78,437.42		
Finance Charges	0.00		
Total of Payments	78,437.42		

TOTAL \$ 78,437.42

*** BUYER ***

CITY OF CORNING
794 THIRD ST
CORNING, CA 96021

Date of Birth: _____
Home Phone Number: (530) 824-7029
Work Phone Number: (530) 824-5985
County: TEHAMA
Email: jsears@corningpd.org

*** CO-BUYER ***

Date of Birth: _____
Home Phone Number: _____
Work Phone Number: _____
County: _____
Email: _____

*** PURCHASE ***

*** TRADE 1 ***

*** TRADE 2 ***

Stock Number
Year
Make
Model
Body Style
Color
Trim
Key 1 Number
Key 2 Number
Weight
License
Odometer
VIN
Cylinders
Vehicle Type

2024' Ford F350 4x2 Regular
w/ 12' Scelzi Flatbed Dump.


[Signature]

*** BANK ***

*** INSURANCE ***

**ITEM NO.: J-13
APPROVE CHANGE ORDER #1 IN THE
AMOUNT OF \$41,752.17 FOR BUILDER
SOLUTIONS INC. TO PAVE EXTRA
AREAS FOR THE OLIVE VIEW SCHOOL
CONNECTIVITY PROJECT**

February 13, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: BRANT MESKER, CITY MANAGER 
ROBIN KAMPMANN, PE; ENGINEER CONSULTANT

SUMMARY:

Staff has received a change order request from Builder Solutions Inc. for the Olive View School Connectivity Project in the amount of \$41,752.17. Per the request submitted by Builder Solutions Inc. the new curb and gutter they placed in (3) three areas on Pear Street, and (1) one area on Almond Street does not match up with the existing pavement. The installation of asphalt in these areas per the plan will create excessive cross slopes that are outside of the City Standards and in some areas the slope would be in the wrong direction causing puddling and traffic hazards.

Builder Solutions Inc. has provided a breakdown of the work they are proposing to be done in the (4) four areas mentioned. (See attached request letter from Builder Solutions Inc.) The approval of this change order would bring the total project cost for construction to \$576,283.15. The work associated with this change order will be done on a time and material basis and will not exceed the \$41,752.17 as proposed.

BACKGROUND:

Builder Solutions, Inc. was awarded this project at the June 27, 2023 City Council Meeting after being determined to be the lowest responsive and responsible bidder in the amount of \$534,530.98.

FINANCIAL:

The City of Corning was awarded an ATP Grant for the Olive View Elementary School Connectivity Project. 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. The cost of the proposed change order can be covered by the approved grant funding and there will be no impact to the City's General Fund.

RECOMMENDATION:

THAT MAYOR AND COUNCIL APPROVE CHANGE ORDER #1 IN THE AMOUNT OF \$41,752.17 FOR BUILDER SOLUTIONS INC. TO PAVE EXTRA AREAS FOR THE OLIVE VIEW SCHOOL CONNECTIVITY PROJECT.

CONTRACT CHANGE ORDER

Order No. 1

Date: February 13, 2024

Contract for: Olive View Elementary School Connectivity Project

Owner: City of Corning, 794 Third Street, Corning, CA 96021

To: Builder Solutions, Inc., 3001 East Center St, Anderson, CA 96007

You are hereby requested to comply with the following changes from the contract plans and specifications.

Description of Changes

DECREASE
In Contract Price

INCREASE
In Contract Price

Contract Change Order Request:

CCO 1-1: Area 1: Drainage Swale on Pear Street near intersection of Pear and Almond

An existing swale in the road puts the pavement lower than the lip of the gutter of the new concrete. This plan is to saw cut the section out and remove asphalt. The area must be raised to allow water to drain to the gutter and through the new under sidewalk drain at Station 7+95.

• Bid Item 4	Remove Base and Surfacing	\$120.85/cy	15 cy	\$1,812.75
• Bid Item 6	Class 2 Aggregate Base	\$42.19/cy	30 cy	\$1,265.70
• Bid Item 7	Hot Mix Asphalt Base	\$538.80/ton	15 tons	\$8,082.00
• Bid Item 1	Additional Traffic Control	\$900.00/lb	1 lb	<u>\$900.00</u>
				\$12,060.45

CCO 1-2: Area 2: Pear Street Station 4+50 to 6+50 Rt

Widen out the asphalt, removal and replacement for 198 feet along Pear Street from North of the drain inlet, P-line approximately Station 4+50 to 6+50, to the North from 2 ft to 5 ft to match the new concrete lip of gutter better and reduce the cross slope.

• Bid Item 4	Remove Base and Surfacing	\$120.85/cy	22 cy	\$2,658.70
• Bid Item 6	Class 2 Aggregate Base	\$42.19/cy	15 cy	\$632.85
• Bid Item 7	Hot Mis Asphalt	\$538.80/ton	8 tons	\$4,310.40
• Bid Item 1	Additional Traffic Control	\$900.00/lb	1 lb	<u>\$900.00</u>
				\$8,501.95

CCO 1-3: Area 3: Pear Street Station 1+25 to 2+80 Rt

Remove the pavement out to 8ft wide, an additional 6ft beyond the originally planned 2ft, for 154ft because for most of the run along Pear Street the edge of the existing pavement is about a foot higher than the existing curb, which would make an approximately 2:1 slope to the lip of the gutter.

• Bid Item 4	Remove Base and Surfacing	\$120.85/cy	68 cy	\$8,217.80
• Bid Item 6	Class 2 Aggregate Base	\$42.19/cy	23 cy	\$970.37
• Bid Item 7	Hot Mix Asphalt	\$538.80/ton	12 tons	\$6,465.60
• Bid Item 1	Additional Traffic Control	\$1,000.00/lb	1 lb	<u>\$1,000.00</u>
				\$16,653.77

CCO 1-4: Area 4: Almond Street 2+34 to 3+43

The existing pavement in front of the parking stalls by the Pre-School. The pavement in front of the new parking stalls was higher than the grade for the new stalls. To make it match up with the new parking stalls we have to remove an additional 5 ft of the existing AC.

• Bid Item 4	Remove Base and Surfacing	\$120.85/cy	5 cy	\$604.25
• Bid Item 6	Class 2 Aggregate Base	\$42.19/cy	5 cy	\$210.95
• Bid Item 7	Hot Mix Asphalt	\$538.80/ton	6 tons	\$3,232.80

• Bid Item 1	Additional Traffic Control	\$500.00/lb	1 lb	<u>\$488.00</u>
				\$4,536.00

Total: \$41,752.17

Net Change: \$41,752.17

JUSTIFICATIONS:

For much of the distance along the east side of Pear Street the new curb and does not match up with the existing pavement. It has been identified that there are three areas along Pear Street and one area along Almond Street where the removal section must be widened and additional base and surfacing must be removed, and additional aggregate base and hot mix asphalt placed to flatten the cross slope of the road to a more acceptable level that is within the City Standard Cross Slope limits.

The original contract total \$534,530.98 including this and any previous change orders will be increased by \$41,752.17 for a new total of: \$576,283.15.

This document will become a supplement to the Contract and all provisions will apply hereto.

Requested: _____
City of Corning

Date: _____

Recommended: _____
Robin Kampmann, PE
City Engineer

Date: February 13, 2024

Accepted: _____
Builder Solutions, Inc.

Date: _____

Change Order Request

Olive View Elementary School Connectivity
Olive View extra Paving Area's

The new curb and gutter along the eastside, of Pear Street does not match up with the existing pavement for much of the distance along Pear Street. We have identified three areas along Pear Street and one area along Almond Street where the new construction area must be widened, and additional base and surfacing must be removed, and additional Aggregate Base and Hot Mix Asphalt placed to flatten the cross slope of the road to a more acceptable level.

These areas are;

- **Area 1** - The existing swale in the road on the "P" line from approximately Station 7+60 to Station 8+10. This area will require removal and replacement across the entire roadway width for approximately 50 feet.
- **Area 2** - For approximately 195 feet from Station 4+50 to Station 6+50 this area needs to have the removal and repave area widened by 3 feet from 2 feet to 5 feet to lessen the cross slope.
- **Area 3** - From approximately Station from Station 1+25 on the Pear Street north for approximately 154 feet to Station 2+80. This is the most severe area with the existing edge of pavement being 1 foot higher than the lip of gutter at the two foot asphalt removal. We are recommending that an additional 6 feet of removal, for a total of 8 feet, be removed in this area.
- **Area 4** - The area in front of the parking stalls on Almond Street Station "A" line Station 2+34 to 3+43. This area needed to be widened to 6 feet to lower the slope going into the parking stalls and the pavement was severely alligatored in this area.

Builder Solutions has calculated the additional quantities of Bid Items 4, Remove Base & Surfacing, Bid Item 6 Class 2 Aggregate Base and Bid Item 7 Hot Mix Asphalt (Type A) to do this work and the estimated price at the extended Bid item prices. Builder Solutions would also do this work on a Force Account Basis

Change Order Quantity and Cost Summary

Area	Description	Item 4 Remove Base & Surfacing	Item 6 Class 2 Agg Base	Item 7 Hot Mix Asphalt Type A	Item 1 Traffic Control
Area 1	Drainage Swale on Pear Street	15 cy	30 cy	15 tons	\$ 1,000.00 ls
Area 2	Pear Street Station 4+50 to 6+50 Rt	22 cy	15 cy	8 tons	\$ 900.00 ls
Area 3	Pear Street Station 1+25 to 2+80 Rt	68 cy	23 cy	12 tons	\$ 900.00 ls
Area 4	Almond Street Station 2+34 to 3+43	5 cy	5 cy	6 tons	\$ 488.00 ls
Total Quantities		110 cy	73 cy	41 tons	
Bid Unit Price		\$ 120.85 /cy	\$ 42.19 /cy	\$ 538.80 /ton	\$ 3,288.00
Item Totals		\$ 13,293.50	\$3,079.87	\$ 22,090.80	\$ 3,288.00 ls
Change Total		\$ 41,752.17			

Area 1- Drainage Swale on Pear Street near intersection of Pear and Almond

There is a existing swale in Pear Street which puts the pavement lower then the lip of gutter of the new concrete on the eastside of Pear Street near Almond Street. The plan is to remove the swale by saw cutting the section and removing the existing asphalt, and adding aggregate base rock as required to bring it up to 2 Inches below finish grade, estimated 6 to 8 inches, and Pave 2" (0.167') Hot Mix Asphalt. Pictures of the existing conditions at this location are included at the end of this submittal and are labeled "Area 1 Photos-Swale at Corner of Pear and Almond"

Area 1 -Estimated Quantities

Description	Width	Length	Area/Volume	Quantity
Area (sf)	24 ft	50 ft	1200.00 sf	
Sawcut length.(ft)	24 ft	2 x	48.00 ft	
Asphalt & Base to remove(cy) 4"	1200 sf	0.33 ft	396.00 cf	15 cy
Base Rock to Replace (cy) 8"	1200 sf	0.67 ft	804.00 cf	30 cy
Base Rock to Replace (ton)	30 cy	2 ton/cy	60.00 ton	
Asphalt to Replace (cy)	1200 sf	0.167 ft	200.40 cf	7.4 cy
Asphalt to Replace (ton)	7.4 cy	2 ton/cy	15.00 ton	15 ton

Area 1 -Estimated Cost

Bid Item	Item Description	Unit Cost	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 120.85 /cy	15 cy	\$ 1,812.75
6	Class 2 Aggregate Base	\$ 42.19 /cy	30 cy	\$ 1,265.70
7	Hot Mix Asphalt	\$ 538.80 /ton	15 ton	\$ 8,082.00
1	Additional Traffic Control	\$ 900.00 /ls	1 ls	\$ 900.00

Total Estimated Cost Area 1 \$ **12,060.45**

Area 2- Pear Street Station 4+50 to 6+50 Rt

Widen out the Asphalt Removal and replacement by 3 feet, for a total of 5 feet, for 198 feet along Pear Street from just north of the drain inlet, P-line approximately Station 4+50, to approximately Station 6+50, to match the new concrete lip of gutter better, and reduce the cross slope. This is an additional 3 feet of base and surface removal, Class 2 Aggregate Base and Hot Mix Asphalt (Type A).

Area 2-Estimated Quantities

Item	Description	Width	Length	Area/Volume	Quantity
	Area (sf)	198 ft	3 ft	594.00 sf	
	Sawcut length.(ft)	198 ft	1 x	198.00 ft	
4	Asphalt & Base to remove(cy)	594 sf	1.00 ft	594.00 cf	22 cy
6	8" Base Rock to Replace (cy)	594 sf	0.67 ft	397.98 cf	15 cy
	8" Base Rock to Replace (ton)	28 cy	2 ton/cy	56.00 ton	
	Asphalt to Replace (cy)	594 sf	0.17 ft	100.98 cf	4 cy
7	Asphalt to Replace (ton)	4.0 cy	2 ton/cy	8.00 ton	8 ton

Area 2-Estimated Cost

Bid Item	Item Description	Unit Cost	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 120.85 /cy	22 cy	\$ 2,658.70
6	Class 2 Aggregate Base	\$ 42.19 /cy	15 cy	\$ 632.85
7	Hot Mix Asphalt	\$ 538.80 /ton	8 ton	\$ 4,310.40
1	Additional Traffic Control	\$ 900.00 /ls	1 ls	\$ 900.00
Total Estimated Cost Area 2				\$ 8,501.95

Area 3- Pear Street Station 1+25 to 2+80 Rt

Remove the pavement out to 8ft wide, an additional 6ft beyond the originally planned 2ft, for 154 feet because for most of the run from approximately station 1+25 Rt to approximately station 2+80 Rt along Pear Street the edge of the existing pavement is about a 1 foot higher than the existing curb, which would make an approximately 2:1 slope to the lip of the gutter. In our conversations with Robin she wanted us to keep the widening to 8ft which is the original 2ft plus 6ft additional, This will still be a fairly steep cross slope for a city street. This requires that we remove the existing surfacing and a excavate down 2 feet to get room for the new structural Section of 10 inches Aggregate Base and 2 inches of Hot Mix Asphalt

Area 3-Estimated Quantities

Item	Description	Width	Length	Area/Volume	Quantity
	Area (sf)	154 ft	6 ft	924.00 sf	
	Sawcut length.(ft)	224 ft	1 x	224.00 ft	
4	Asphalt, Base & Dirt to remove(cy)	924 sf	2.00 ft	1848.00 cf	68 cy
6	Base Rock to Replace (cy) 8" Deep	924 sf	0.67 ft	619.08 cf	23 cy
	Base Rock to Replace (ton)	23 cy	2 ton/cy	46.00 ton	
	Asphalt to Replace (cy) 2"	924 sf	0.167 ft	154.31 cf	6 cy
7	Asphalt to Replace (ton)	6.0 cy	2 ton/cy	12.00 ton	12 ton

Area 3 - Estimated Cost

Bid Item	Item Description	Unit Cost	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 120.85 /cy	68 cy	\$ 8,217.80
6	Class 2 Aggregate Base	\$ 42.19 /cy	23 cy	\$ 970.37
7	Hot Mix Asphalt	\$ 538.80 /ton	12 ton	\$ 6,465.60
1	Traffic Control	\$ 1,000.00 ls	1 ls	\$ 1,000.00
Total Estimated Cost Area 3				\$ 16,653.77

Area 4 Almond Street Station 2+34 to 3+43

The existing pavement in front of the parking stalls by the Pre-School. The pavement in front of the new parking stalls was higher than the grade for the new parking stalls. Also the pavement was very up and down and broken up. To make it match up with the new parking stalls we had to remove an additional 5 feet of the existing AC.

Area 4 - Estimated Quantities

Item	Description	Width	Length	Area/Volume	Quantity
	Area (sf)	109 ft	5 ft	545.00 sf	
	Sawcut length.(ft)	324 ft	1 x	324.00 ft	
4	Asphalt, Base & Dirt to remove(cy)	545 sf	0.25 ft	136.25 cf	5 cy
6	Base Rock to Replace (cy) 8" Deep	545 sf	0.25 ft	136.25 cf	5 cy
	Base Rock to Replace (ton)	5 cy	2 ton/cy	10.00 ton	
	Asphalt to Replace (cy) 2"	545 sf	0.17 ft	92.65 cf	3 cy
7	Asphalt to Replace (ton)	3.00 cy	2.00 ton/cy	6.00 ton	6 ton

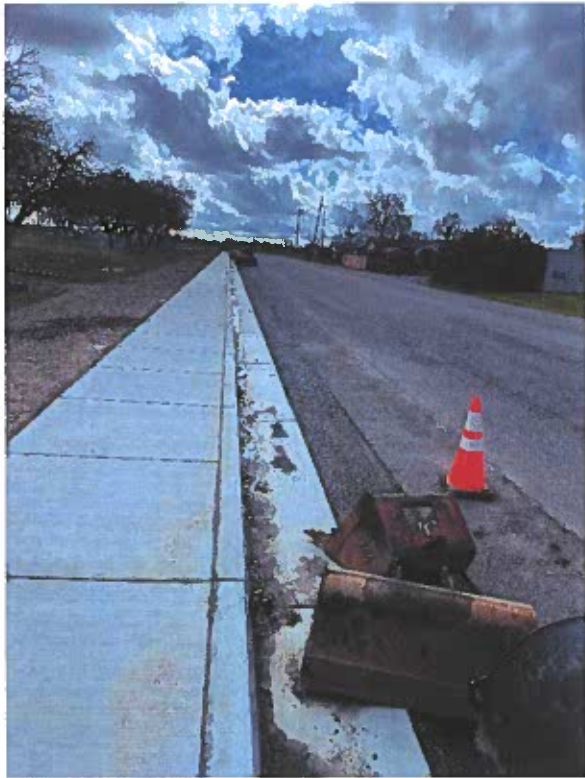
Area 4 -Estimated Cost

Bid Item	Item Description	Unit Cost	Unit	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 120.85	/cy	5 cy	\$ 604.25
6	Class 2 Aggregate Base	\$ 42.19	/cy	5 cy	\$ 210.95
7	Hot Mix Asphalt	\$ 538.80	/ton	6 ton	\$ 3,232.80
1	Added Traffic Control	\$ 500.00	1s	1 1s	\$ 488.00
Total Cost Area 4					\$ 4,536.00

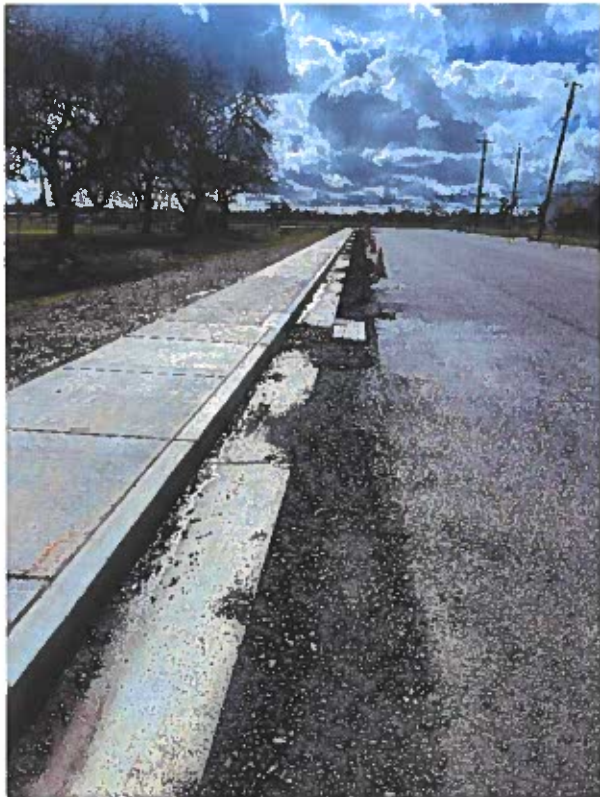
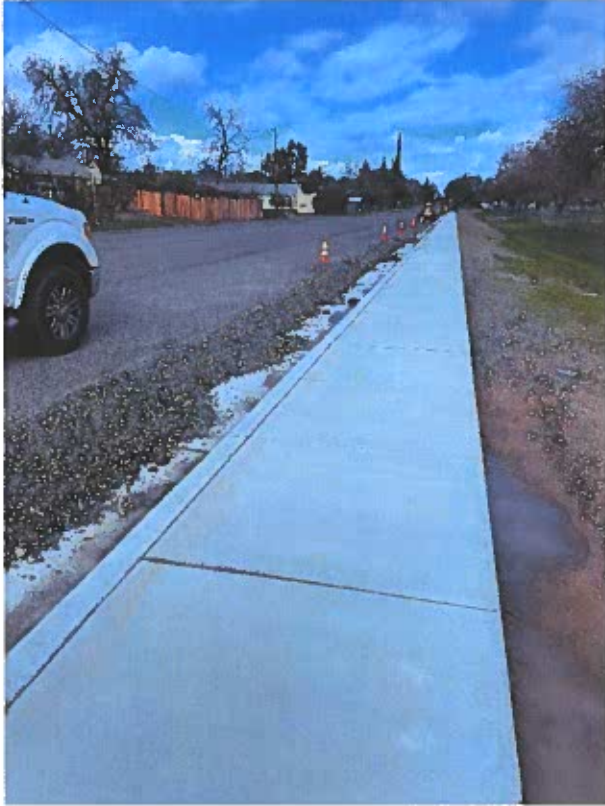
Area 1 Photos – Swale at Corner of Pear and Almond

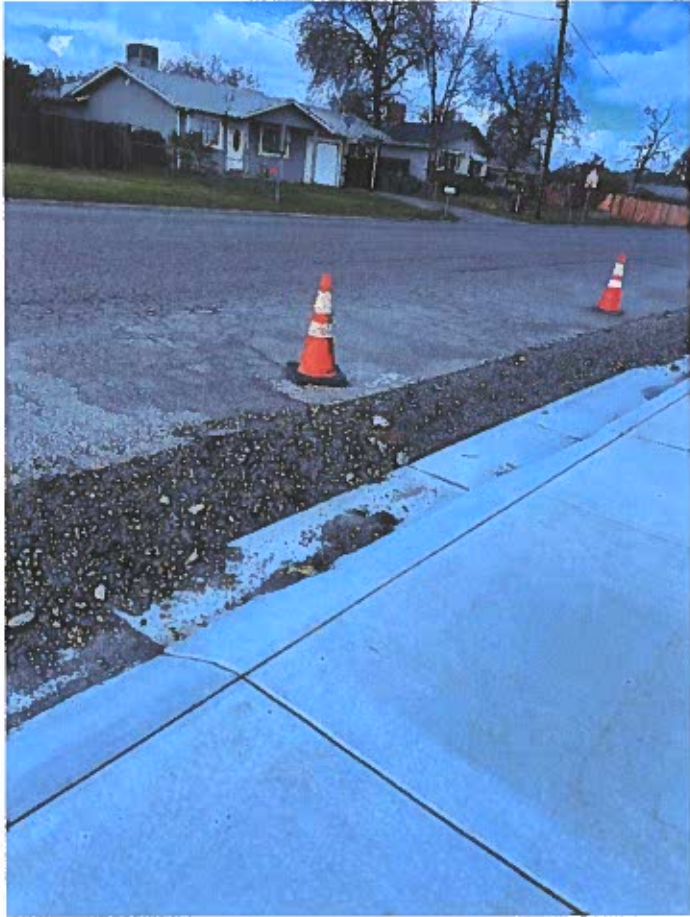


Area 2 Photos – Pear Street 4+50 to 6+50 Rt

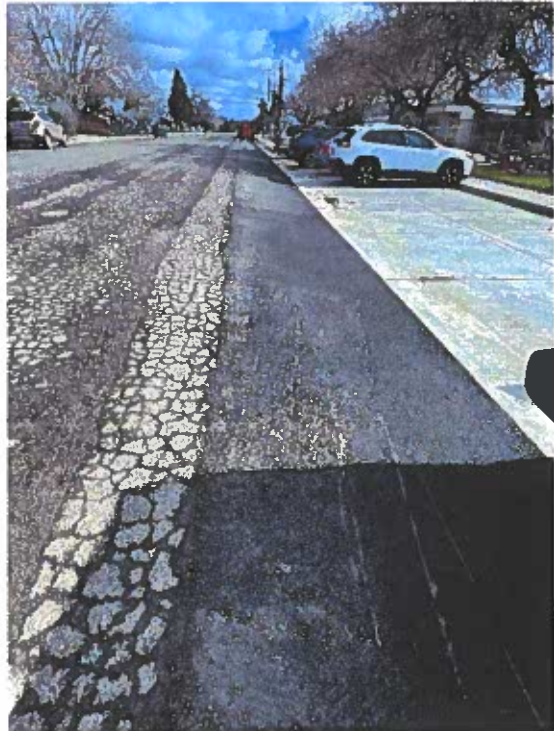
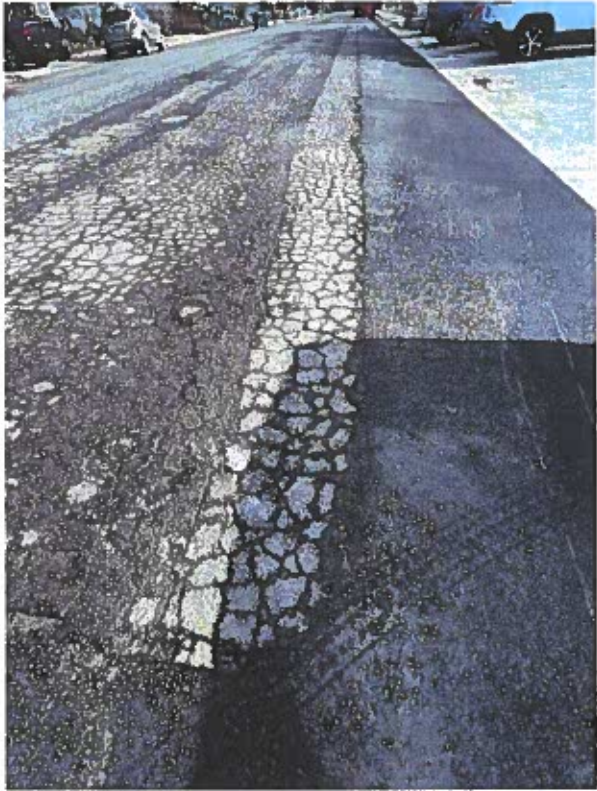


Area 3 Photos – Pear Street 1+25 to 2+80 Rt






Area 4 Photos – In front of parking stalls



ITEM NO.: J- 14
APPROVE CHANGE ORDER #1 IN THE
AMOUNT OF \$24,737.17 FOR BUILDER
SOLUTIONS INC. TO PAVE EXTRA
AREAS FOR THE WEST STREET
SCHOOL CONNECTIVITY PROJECT

February 13, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: BRANT MESKER, CITY MANAGER 
ROBIN KAMPMANN, PE; ENGINEER CONSULTANT

SUMMARY:

Staff has received a change order request from Builder Solutions Inc. for the West Street School Connectivity Project in the amount of \$24,737.17. Per the request submitted by Builder Solutions Inc. the new curb and gutter they placed in (2) two areas on South Street, (1) one area on Houghton Avenue, and (4) four areas on Marin Street does not match up with the existing pavement. The installation of asphalt in these areas per the plan will create excessive cross slopes that are outside of the City Standards.

Builder Solutions Inc. has provided a breakdown of the work they are proposing to be done in the (4) four areas mentioned. (See attached request letter from Builder Solutions Inc.) The approval of this change order would bring the total project cost for construction to \$600,714.19. The work associated with this change order will be done on a time and material basis and will not exceed the \$24,737.17 as proposed.

BACKGROUND:

Builder Solutions, Inc. was awarded this project at the June 27, 2023 City Council Meeting after being determined to be the lowest responsive and responsible bidder in the amount of \$575,977.02.

FINANCIAL:

The City of Corning was awarded an ATP Grant for the West Street School Connectivity Project. 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. The cost of the proposed change order can be covered by the approved grant funding and there will be no impact to the City's General Fund.

RECOMMENDATION:

THAT MAYOR AND COUNCIL APPROVE CHANGE ORDER #1 IN THE AMOUNT OF \$24,737.17 FOR BUILDER SOLUTIONS INC. TO PAVE EXTRA AREAS FOR THE WEST STREET SCHOOL CONNECTIVITY PROJECT.

CONTRACT CHANGE ORDER

Order No. 1

Date: February 13, 2024

Contract for: West Street Elementary School Connectivity Project

Owner: City of Corning, 794 Third Street, Corning, CA 96021

To: Builder Solutions, Inc., 3001 East Center St, Anderson, CA 96007

You are hereby requested to comply with the following changes from the contract plans and specifications.

Description of Changes	DECREASE In Contract Price	INCREASE In Contract Price
------------------------	-------------------------------	-------------------------------

Contract Change Order Request:

CCO 1-1: Area 1: South Street

South Street Station 10+2- to Station 11+40, 120 feet, needs to be widened by 3 additional feet (2 feet to 5 Feet), and South Street from Station 11+40 to 13+8-, 240 feet, needs to be widened by 2 additional feet.

• Bid Item 4	Remove Base and Surfacing	\$97.20/cy	26 cy	\$2,527.20
• Bid Item 6	Class 2 Aggregate Base	\$79.68/cy	21 cy	\$1,673.28
• Bid Item 7	Hot Mix Asphalt Base	\$554.67/ton	10 tons	\$5,546.70
• Bid Item 1	Additional Traffic Control	\$1,000/lb	1 lb	\$1,000.00
				\$10,747.18

CCO 1-2: Area 2: Houghton Avenue

Houghton Ave Station 6+00 to Station 6+45, 45 feet of width of removal and repaving.

• Bid Item 4	Remove Base and Surfacing	\$97.20/cy	3 cy	\$291.60
• Bid Item 6	Class 2 Aggregate Base	\$79.68/cy	2 cy	\$159.36
• Bid Item 7	Hot Mis Asphalt	\$554.67/ton	1 tons	\$554.67
• Bid Item 1	Additional Traffic Control	\$500.00/lb	1 lb	\$500.00
				\$1,505.63

CCO 1-3: Area 3: Marin Street

Marin Street has four areas Station 10+43 to Station 11+48-6 additional feet of width (2 feet to 6 feet) of removal and repaving. Station 11+48 to Station 12+20-3 additional feet of width (2 feet to 5 feet) of removal and repaving. Station 12+20 to Station 13+24-1 additional foot of width (2 feet to 3 feet) of removal and repaving. Station 13+43 to Station 13+70-1 additional foot of width (2 feet to 3 feet) of removal and repaving.

• Bid Item 4	Remove Base and Surfacing	\$97.20/cy	30 cy	\$2,916.00
• Bid Item 6	Class 2 Aggregate Base	\$79.68/cy	24 cy	\$1,912.32
• Bid Item 7	Hot Mix Asphalt	\$554.67/ton	12 tons	\$6,656.04
• Bid Item 1	Additional Traffic Control	\$1,000.00/lb	1 lb	\$1,000.00
				\$12,484.36
				\$24,737.17

Total: **\$24,737.17**

Net Change: **\$24,737.17**

JUSTIFICATIONS:

For much of the distance along the east side of Pear Street the new curb and does not match up with the existing pavement. It has been identified that there are three areas along Pear Street and one area along Almond Street where the removal section must be widened and additional base and surfacing must be removed, and additional aggregate base and hot mix asphalt placed to flatten the cross slope of the road to a more acceptable level that is within the City Standard Cross Slope limits.

The original contract total \$575,977.02 including this and any previous change orders will be increased by \$24,737.17 for a new total of: \$600,714.19.

This document will become a supplement to the Contract and all provisions will apply hereto.

Requested: _____
City of Corning

Date: _____

Recommended: _____
Robin Kampmann, PE
City Engineer

Date: February 13, 2024

Accepted: _____
Builder Solutions, Inc.

Date: _____

Change Order Request

West Street School Connectivity project
West Street extra Paving Area's

There are several place on the West Street School Connectivity project where the new curb and gutter does not match up with the existing pavement. By street these areas are as follows. **South Street** has two areas Station 10+20 to Station 11+40 3 additional feet of width of removal and repave, and Station 11+40 to Station 13+80-2 additional feet of width of removal and repave. **Houghton Avenue** has one area Station 6+00 to Station 6+45 2 additional feet of width of removal and repaving. **Marin Street** has four areas Station 10+43 to Station 11+48 - 6 additional feet of width of removal and repaving, Station 11+48 to Station 12+20 - 3 additional feet of width of removal and repaving, Station 12+20 to Station 13+24 - 1 additional foot of width of removal and repaving, Station 13+24 to Station 13+70 - 1 additional foot of width of removal and repaving.

These areas are;

Area 1 - South Street. South Street Station 10+20 to Station 11+40, 120 feet, needs to be widened by 3 additional feet (2 feet to 5 feet) for 360 additional square feet of Base and Surface Removal (120ft x 3ft = 360sf), Class 2 Aggregate Base and Hot Mix Asphalt, and South Street from Station 11+40 to 13+80, 240 feet, needs to be widened by 2 additional feet (2 feet to 4 feet) for 480 square feet for a total additional area of 840 square feet (240f x 2ft = 480sf).

Area 2 - Houghton Ave Station 6+00 to Station 6+45, 45 feet of 2 additional feet of width of removal and repaving. For 90 square feet.

Area 3 - Marin Street has four areas Station 10+43 to Station 11+48 - 6 additional feet of width (2ft to 6ft) of removal and repaving (105ft x 6ft = 630sf). Station 11+48 to Station 12+20 - 3 additional feet of width (2ft to 5ft) of removal and repaving (72ft x 3ft= 216sf). Station 12+20 to Station 13+24 - 1 additional foot of width (2ft to 3ft) of removal and repaving (104ft x 1ft = 104sf), Station 13+43 to 13+70 - 1 additional foot of width (2ft to 3ft)of removal and repaving (27ft x 1ft = 27sf).

Change Order Quantity and Cost Summary

Area	Description	Item 4	Item 6	Item 7	Item 1
		Remove Base & Surfacing	Class 2 Agg Base	Hot Mix Asphalt Type A	Traffic Control
Area 1	South Street	26 cy	21 cy	10 tons	\$ 1,000.00 ls
Area 2	Houghton Ave	3 cy	2 cy	1 tons	\$ 500.00 ls
Area 3	Marin Street	30 cy	24 cy	12 tons	\$ 1,000.00 ls
Total Quantities		59 cy	47 cy	23 tons	
Bid Unit Price		\$ 97.20 /cy	\$ 79.68 /cy	\$ 554.67 /ton	\$ 2,500.00 ls
Item Totals		\$ 5,734.80	\$3,744.96	\$ 12,757.41	\$ 2,500.00 ls
Change Total		\$ 24,737.17			

Area 1- South Street

Area 1 - South Street. South Street Station 10+20 to Station 11+40, 120 feet, needs to be widened by 3 additional feet (2 feet to 5 feet) for 360 additional square feet of Base and Surface Removal (120ft x 3ft = 360sf), Class 2 Aggregate Base and Hot Mix Asphalt, and South Street from Station 11+40 to 13+80, 240 feet, needs to be widened by 2 additional feet (2 feet to 4 feet) for 480 square feet for a total additional area of 840 square feet (240f x 2ft = 480sf) .

Area 1 -Estimated Quantities

Description	Width	Length	Area/Volume
Area (sf) 10+20 to 11+40 @ 3 feet	3.00 ft	120.00 ft	360.00 sf
Area (sf) 11+40 to 13+80 @ 4 feet	2.00 ft	240.00 x	480.00 sf
Total Square Feet			840 sf

Item	Description	Area	Length	Area/Volume	Quantity
4	Asphalt & Base to remove(cy) 4"	840 sf	0.83 ft	697 cf	26 cy
6	Base Rock to Replace (cy) 8"	840 sf	0.67 ft	563 cf	21 cy
	Base Rock to Replace (ton)	21 cy	2.00 ton/cy	42 ton	
	Asphalt to Replace (cy)	840 sf	0.17 ft	140 cf	5 cy
7	Asphalt to Replace (ton)	5 cy	2.00 ton/cy	10 ton	10 ton

Area 1 -Estimated Cost

Bid Item	Item Description	Unit Cost	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 97.20 /cy	26 cy	\$ 2,527.20
6	Class 2 Aggregate Base	\$ 79.68 /cy	21 cy	\$ 1,673.28
7	Hot Mix Asphalt	\$ 554.67 /ton	10 ton	\$ 5,546.70
1	Additional Traffic Control	\$ 1,000.00 ls	1 ls	\$ 1,000.00
Total Estimated Cost Area 1				\$ 10,747.18

Area 2- Houghton Ave

Area 2 - Houghton Ave Station 6+00 to Station 6+45, 45 feet of 2 additional feet of width of removal and repaving. For 90 square feet.

Area 2-Estimated Quantities

Item	Description	Width	Length	Area/Volume
	Area (sf) 6+00 to 6+45	2 ft	45 ft	90 sf

4	Asphalt & Base to remove(cy)	90.00 sf	0.83 ft	74.70 cf	3 cy
6	8" Base Rock to Replace (cy)	90.00 sf	0.67 ft	60.30 cf	2 cy
	8" Base Rock to Replace (ton)	2.00 cy	2.00 ton/cy	4.00 ton	
	Asphalt to Replace (cy)	90.00 sf	0.17 ft	15.30 cf	1 cy
7	Asphalt to Replace (ton)	0.57 cy	2.00 ton/cy	1.13 ton	1 ton

Area 2-Estimated Cost

Bid Item	Item Description	Unit Cost	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 97.20 /cy	3 cy	\$ 291.60
6	Class 2 Aggregate Base	\$ 79.68 /cy	2 cy	\$ 159.36
7	Hot Mix Asphalt	\$ 554.67 /ton	1 ton	\$ 554.67
1	Additional Traffic Control	\$ 500.00 ls	1 ls	\$ 500.00

Total Estimated Cost Area 2 \$ **1,505.63**

Area 3- Marin St.

Area 3 - Marin Street has four areas Station 10+43 to Station 11+48 - 6 additional feet of width (2ft to 6ft) of removal and repaving (105ft x 6ft = 630sf). Station 11+48 to Station 12+20 - 3 additional feet of width (2ft to 5ft) of removal and repaving (72ft x 3ft= 216sf). Station 12+20 to Station 13+24 - 1 additional foot of width (2ft to 3ft) of removal and repaving (104ft x 1ft = 104sf) , Station 13+43 to 13+70 - 1 additional foot of width (2ft to 3ft)of removal and repaving (27ft x 1ft = 27sf).

Area 3-Estimated Quantities

Description	Width	Length	Area/Volume
Area (sf) 10+43 to 11+48	105.00 ft	6.00 ft	630.00 sf
Area (sf) 11+48 to 12+20	72.00 ft	3.00 ft	216.00 sf
Area (sf) 12+20 to 13+24	104.00 ft	1.00 ft	104.00 sf
Area (sf) 13+43 to 13+70	27.00 ft	1.00 ft	27.00 sf
			977 sf

Item	Description	Width	Length	Area/Volume	Quantity
4	Asphalt, Base & Dirt to remove(cy)	977.00 sf	0.83 ft	810.91 cf	30 cy
6	Base Rock to Replace (cy) 8" Deep	977.00 sf	0.67 ft	654.59 cf	24 cy
	Base Rock to Replace (ton)	24.00 cy	2.00 ton/cy	48.00 ton	
	Asphalt to Replace (cy) 2"	977.00 sf	0.17 ft	163.16 cf	6 cy
7	Asphalt to Replace (ton)	6.00 cy	2.00 ton/cy	12.00 ton	12 ton

Area 3 - Estimated Cost

Bid Item	Item Description	Unit Cost	Quantity	Total Cost
4	Remove Base and Surfacing	\$ 97.20 /cy	30 cy	\$ 2,916.00
6	Class 2 Aggregate Base	\$ 79.68 /cy	24 cy	\$ 1,912.32
7	Hot Mix Asphalt	\$ 554.67 /ton	12 ton	\$ 6,656.04
1	Traffic Control	\$ 1,000.00 ls	1 ls	\$ 1,000.00
Total Estimated Cost Area 3				\$ 12,484.36

ITEM NO: J-15
REVIEW AND ADOPT
RESOLUTION 02-13-2024-01 A
RESOLUTION ADOPTING
WITHOUT REVISION THE CITY'S
CONFLICT OF INTEREST CODE

February 13, 2024

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: BRANT MESKER, CITY MANAGER *BM*
LISA M. LINNET, CITY CLERK *LML*
COLLIN BOGENER, CITY ATTORNEY

SUMMARY:

Upon review of the existing City of Corning Conflict of Interest Codes, the City Manager, City Attorney, City Clerk and Staff deem that currently no revisions are necessary to ensure that the City's Code conforms to State.

BACKGROUND:

State Law requires Public Agencies to review and update their Conflict-of-Interest Codes during even numbered years. At this time these Codes are discussed, and the City Council adopts the existing Codes without changes, or initiates and adopts any changes deemed necessary.

This Code affects the following positions within the City:

Mayor and City Councilors Director	Police Chief	Assistant Public Works
City Treasurer	Fire Chief	Recreation Director
City Clerk	Deputy City Clerk	Consultants
City Manager	Public Works Director	Planning Commissioners
Finance Officer	Building Inspector	Planning Director
City Attorney	Wastewater Treatment Plant Operator (Inframark, LLC)	

RECOMMENDATION:

MAYOR AND COUNCIL REVIEW THE CITY'S EXISTING CONFLICT OF INTEREST CODE AND MOVE TO ADOPT RESOLUTION NO. 02-13-2024-01 TO APPROVE WITHOUT ANY REVISIONS THE CITY OF CORNING CONFLICT OF INTEREST CODE.

RESOLUTION NO.: 02-13-2024-01

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORNING
ADOPTING WITHOUT REVISION THE CITY'S CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code Section 81000 et. Seq. requires State and Local Government Agencies to adopt Conflict of Interest Codes and review those Codes in even-numbered years to ensure that they are current; and

WHEREAS the Conflict of Interest Code currently in effect in the City of Corning requires no new revisions to reflect current law as it currently reflects the Fair Political Practices Commission adopted regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED that the designated employees shall file Statements of Economic Interest with the City Clerk who will then make such statements available for public inspection and reproduction (Gov. Code Section 81008); and

BE IT FURTHER RESOLVED that, should the requirements of State Law with regard to the matters set forth above be amended or be found to be in conflict with the foregoing provisions set forth in this Resolution, such State Laws shall prevail and govern; and

BE IT FURTHER RESOLVED that the list of designated employees required to file Statements of Economic Interest shall include all those Officers and Employees as set forth in "Appendix A" which is attached hereto and incorporated herein by this reference. The General Provisions and Disclosure Categories set forth in "Appendix B" attached hereto are also incorporated herein by this reference.

PASSED AND ADOPTED by the City Council of the City of Corning on this 13th day of February, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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, Resolution No. 02-13-2024-01, was duly introduced, approved, and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 13th day of February, 2024 by the votes listed above.

ATTEST:

Lisa M. Linnet, City Clerk

APPENDIX A

<u>Category Position</u>	<u>Disclosure</u>
City Manager	Note 1, below
City Attorney	Note 1, below
City Treasurer	Note 1, below
City Clerk	1
Deputy City Clerk	1
Finance Officer	Note 1, below
Public Works Director	2, 3, 4
Assistant Public Works Director	2, 3, 4
Planning Director	2, 3, 4
Building Inspector	2, 3, 4
Wastewater Treatment Plant Operator (Inframark, LLC)	2, 3, 4
Police Chief	2, 3
Fire Chief	2, 3
Recreation Supervisor	2, 3
Mayor	Note 1, below
City Council Members	Note 1, below
Planning Commissioners	Note 1, below
Consultants	Note 2, below

1. Although listed here, this position does not fall into the category of "designated employee" because it is a position identified in Government Code, Section 87200 and the Government Code itself specified the filing requirements for this position.
2. Consultants shall be included in the lists of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The City Manager may determine in writing that a particular Consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the Consultant's duties and based upon that description, a statement of the extent of disclosure requirement. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX B

General Provisions

When a designated employee is required to disclose investments and sources of income, he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

DISCLOSURE CATEGORIES:

Category 1: Officials and employees whose duties are broad and indefinable:

Investments, business positions, and income from sources located in or doing business in the City.

Interests in real property located in the jurisdiction, including property located within a two-mile radius of any property owned or used by the City.

Category 2: Officials and employees whose duties involve contracting or purchasing:

Investments, business positions, and sources of income of the type which:

- Provide services, supplies, materials, machinery, or equipment of the type utilized by the City.

Category 3: Agencies with regulatory powers:

Investments, business positions, and sources of income of the type which:

- Are subject to the regulatory, permit or licensing authority of the City.

Category 4: Designated employees whose decisions may affect real property interests:

Investments, business positions, and sources of income of the type which:

- Engage in land development, construction or the acquisition or sale of real property.
- Interests in real property located within the City, including property located within a two-mile radius of any property owned or used by the City.

Category 5: Agencies which provide pooled self-insurance benefits:

Interests in real property located within the City, including property located within a two-mile radius of any property owned or used by the City.

Investments, business positions, and sources of income of the type which:

- The City is empowered to invest its funds.
- Provide services, supplies, materials, machinery, or equipment of the type utilized by the City.

- Engaged in the business of insurance including, but not limited to, insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers and actuaries.
- Financial institutions including, but not limited to; Banks, Savings and Loan Associations and Credit Unions.
- Have filed a claim, or have a claim pending, against the City.

Category 6: Joint Power Authorities:

Interests in real property located within the City including property located within a two-mile radius of any property owned or used by the City.

Investments, business positions, and sources of income from the type which:

- The City is empowered to invest its funds.
- Contracted with the City to provide services, supplies, materials, or equipment.
- Are Insurance Companies, carriers, holding companies, underwriters, agents, solicitors, or brokers.
- Have filed a claim or have a claim pending against the City.

ITEM NO: J-16

ADOPT RESOLUTION 02-13-2024-02 AND AUTHORIZE THE CITY CLERK TO RECORD A TAX LIEN ON 1 PROPERTY, KNOWN AS SPRING MOUNTAIN APARTMENTS FOR FOUR (4) DELINQUENT WATER AND/OR SEWER SERVICE ACCOUNTS IN THE TOTAL AMOUNT OF \$24,678.81.

February 13, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: BRANT MESKER, CITY MANAGER
MARY BRIMM, FINANCE MANAGER
LISA M. LINNET, CITY CLERK *LM*

SUMMARY:

The City Clerk is requesting City Council authorization to record a lien on 1 individual property in Corning otherwise known as Spring Mountain Apartments to secure payment on four (4) delinquent accounts for water and/or sewer service fees as allowed in the City's Municipal Code. The combined total owed for the four (4) accounts on the property as of January 17, 2024 is \$24,678.81.

BACKGROUND:

The Corning Municipal Code provides in Section 13, Section 13.04.430 (Sewer) and Section 13.08.150 (Water) that:

Section 13.04.430 (Sewer): Nonpayment of charges and fees shall result in disconnection of service. Any charge or rental levied by the City pursuant to this Chapter on any premises within the corporate limits of the City having a connection to the City sewerage System is made a lien upon the premises. The Director is authorized, and it shall be his duty, to disconnect any industrial sewer connection or domestic sewer connection on premises located either within the corporate limits of the City or outside the corporate limits of the City, upon failure of the person to whom such charge or rental is billed to pay such charge or rental prior to delinquency. (Ord. 541 (part), 1993); and

Section 13.08.150 (Water): Charges as lien-Nonpayment-disconnection. Any charge levied by the City by or pursuant to this Chapter or the Resolutions made pursuant to the authority hereof on any premises within the corporate limits of the City having a connection to the City Water Distribution System is made a lien upon premises. The water superintendent is authorized, and it shall be his duty to disconnect the water upon failure of the person to whom such charge or rental is billed to pay the charges as set forth in this Chapter. (Ord. 111 §20, 1953 and Ord. 685).

To avoid additional loss of revenues through fees from Collection Agencies, Staff seeks City Council authorization to place liens on the individual properties.

RECOMMENDATION:

MAYOR AND COUNCIL ADOPT RESOLUTION 02-13-2024-02 AND AUTHORIZE THE CITY CLERK TO RECORD LIENS IN THE COMBINED AMOUNT OF \$24,678.81 FOR THE FOUR (4) DELINQUENT WATER AND/OR SEWER SERVICE ACCOUNTS ON THE PROPERTY OTHERWISE KNOWN AS SPRING MOUNTAIN APARTMENTS.

RESOLUTION 02-13-2024-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
AUTHORIZING RECORDING OF RESOLUTION 02-13-2024-02 AND
ATTACHED NOTICE OF LIEN FOR DELINQUENT AND UNCOLLECTED WATER
AND/OR SEWER FEES IN THE COMBINED AMOUNT OF \$24,678.81 ON 1 PROPERTY
LOCATED WITHIN THE SPHERE OF INFLUENCE OF THE CITY OF CORNING AND
LISTED ON EXHIBIT "A" ATTACHED**

WHEREAS the one (1) property listed on the attached Exhibit "A" is delinquent on four (4) of their water and/or sewer accounts in the combined amount of \$24,678.81 due to non-payment; and

WHEREAS due notice has been given to the person or persons having an interest in said properties and no appeal was timely filed from the determination made of the amount of delinquent water and sewer fees;

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

1. The City of Corning, pursuant to the authority granted under the City of Corning Municipal Code, Section 13.04.430 (Sewer), does hereby impose liens on the real properties described in Exhibit "A", attached hereto, and incorporated herein by reference, for further delinquent and uncollected Water and/or Sewer Fees; and
2. The matter having now come before the Mayor and Council for confirmation of the amount of the liens to be imposed, the following fees are found to have been delinquent after proper notification to the property/business owners pursuant to proceedings under the above referenced provisions of the Corning Municipal Code; and
3. The statement of additional fees on file with the City Clerk in the amount of \$24,678.81 is hereby confirmed and adopted as a lien against the 1 property identified in Exhibit "A" hereto; and
4. The Notice of Lien attached hereto as Exhibit "B" is hereby approved and the City Clerk is hereby directed to record a certified copy of this Resolution and the attached Notice of Lien with the Tehama County Clerk and Recorder.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Corning held on February 13, 2024 by the following vote:

AYES:

OPPOSED:

ABSENT:

ABSTAIN:

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 (Resolution 02-13-2024-02) was duly introduced, approved, and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 13th day of February, 2024 by the votes listed above.

Lisa M. Linnet, City Clerk

EXHIBIT "A"

LIENABLE PROPERTY

APN#	Account No's.	Balance Due	APN Listed Owner	APN or (*) Billing Mailing Address	Name on Account
069-260-031-000	SPR0027	\$19,647.78	Spring Time LLC	8251 Alpine Ave., Sacramento, CA 95926	Spring Mountain Apartments
069-260-031-000	SPR0028	\$1,635.12	Spring Time LLC	8251 Alpine Ave., Sacramento, CA 95926	Spring Mountain Apartments
069-260-031-000	SPR009	\$992.61	Spring Time LLC	8251 Alpine Ave., Sacramento, CA 95926	Spring Mountain Apartments
069-260-031-000	SPR0030	\$2,403.30	Spring Time LLC	8251 Alpine Ave., Sacramento, CA 95926	Spring Mountain Apartments
Total:					\$24,678.81

EXHIBIT "B"

RETURN TO:

**CITY OF CORNING
794 THIRD STREET
CORNING, CA 96021**

**NOTICE OF LIEN
(Delinquent Uncollected Water and Sewer Fees)**

The City of Corning, a Municipal Corporation, (hereafter "City") with offices at City Hall, 794 Third Street, Corning, California, 96021, gives notice that it claims liens for the costs of delinquent uncollected Water and/or Sewer Fees upon the real properties listed on the attached Exhibit "A". These liens are claimed under the provisions of the City of Corning Municipal Code Sections 13.04.430 (Sewer, Ordinance 541 (part), 1993), and 13.08.150 (Water, Ordinance 111 §20, 1953).

Take notice that the City and its Mayor and Council, by action recorded in their official minutes of February 13, 2024 have assessed the combined amount of **\$24,678.81** as the delinquent uncollected Water and/or Sewer Fees for the 1 property identified on the attached Exhibit "A". The specified sums shall be liens upon said real property until it has been paid in full and discharged of record. The Finance Director has complied with all provisions of the Corning Municipal Code in determining the amount required to be paid.

The real properties upon which these liens are claimed are located within the "Sphere of Influence" of the City of Corning, County of Tehama, State of California and are described on the attached Exhibit "A".

Resolution No.: 02-13-2024-02

Reference: Delinquent and Uncollected Water and/or Sewer Fees

Lisa M. Linnet, City Clerk

(Acknowledgment is not required pursuant to GC §27282)

WHEN RECORDED MAIL TO:

**City of Corning
Attn: Lisa M. Linnet, City Clerk
794 Third Street
Corning, CA 96021**



**DELINQUENT AND UNCOLLECTED
WATER AND/OR SEWER PROPERTY LIENS**

City of Corning Resolution No. 02-13-2024-02, A Resolution of the City of Corning Imposing Lien on a Parcel listed on the attached Exhibit "A" for Delinquent and Uncollected Water and Sewer Fees for the total combined amount of \$24,678.81.

ITEM NO: J-17
REVIEW MAYOR'S
RECOMMENDATIONS AND APPOINT
VICE MAYOR AND CITY
REPRESENTATIVES TO VARIOUS
COMMISSIONS/COMMITTEES

February 13, 2024

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

SUMMARY:

Vice Mayor:

Based upon the "City Council Procedures for Meetings", the Council shall select a Vice-Mayor from its membership with the position being held for a one-year term. The selection shall be held annually at the first regular City Council Meeting in December. Vacancies in the Vice-Mayor position shall be filled in the same manner for the unexpired portion of any term. Mayor Snow recommends that Councilor Dave Demo remain as Vice Mayor.

Commission/Committee Representatives:

The Mayor makes unilateral appointments to various local Commissions/Committees subject to Council approval or disapproval. The Mayor offers for discussion and action the recommendations listed below for Committee/Commission or Board appointments.

Vice Mayor: Councilman Dave Demo.

Tehama County Transportation Commission: Dave Demo

Tehama County Indian Gaming Local Community Benefit Committee: Robert Snow & Lisa M. Linnet.

Wayfinding Signs Adhoc Committee: Jose "Chuy" Valerio & Shelly Hargans

LAFCO (Tehama County Local Agency Formation Commission): Dave Demo

Tehama County Community Action Agency: Lisa Lomeli

Tehama County Solid Waste Management Agency (JPA): Shelly Hargans, Alternate: Dave Demo

SCORE: Brant Mesker & Robert Snow

Corning Chamber of Commerce Non-Voting Representative: Jose "Chuy" Valerio

Corning Community Foundation: Lisa Lomeli

Senior Center Representative: Dave Demo

Tehama Vehicle Abatement Authority: Craig Bassett

NCSSIF: Brant Mesker & Craig Bassett

Airport Land Use Commission: Richard Poisson

Mosquito Abatement Authority: Ross Turner

Tehama County Flood Control & Water Conservation District Groundwater Commission: Cody Lamb

AB3030 TAC: Steve Lindeman

2x2x2 School/City Committee: Robert Snow, Jose "Chuy" Valerio, and Brant Mesker

Recreation Adhoc Committee: Dave Demo & Shelly Hargans (City Council); Blaine Smith & Meredith Allen (Recreation Commission).

BACKGROUND:

Mayor:

By a unanimous vote of the Council, the "General Procedures of the Council" portion of the City Council Procedures for meetings was amended on March 24, 2009. The amended section now states the following:

The Council shall select a Vice-Mayor from its membership with the position being held for a one-year term. Although the same person may be selected to serve more than once, the Council's preference is each time to attempt to select one of its members who has not previously served in that capacity. The selection shall be held annually at the regular Council meeting held on the first Tuesday in December. Vacancies in the Vice-Mayor position shall be filled in the same manner for the unexpired portion of any term.

Current Commission/Committee Representatives:

Vice Mayor: Dave Demo.

Tehama County Transportation Commission: Dave Demo

Tehama County Indian Gaming Local Community Benefit Committee: Robert Snow & Lisa M. Linnet.

Wayfinding Signs Adhoc Committee: Jose "Chuy" Valerio & Shelly Hargens

LAFCO (Tehama County Local Agency Formation Commission): Dave Demo

Tehama County Community Action Agency: Lisa Lomeli

Tehama County Solid Waste Management Agency (JPA): Shelly Hargens, Alternate Dave Demo

3CORE: Brant Mesker & Robert Snow

Corning Chamber of Commerce Non-Voting Representative: Jose "Chuy" Valerio

Corning Community Foundation: Jose "Chuy" Valerio

Senior Center Representative: Dave Demo

Tehama Vehicle Abatement Authority: Vacant (was Ron Robbins)

NCCSIF: Brant Mesker & Craig Bassett (was former City Manager and Police Chief)

Airport Land Use Commission: Richard Poisson

Mosquito Abatement Authority: Ross Turner

Tehama County Flood Control & Water Conservation District Groundwater Commission: Cody Lamb

AB3030 TAC: Steve Lindeman

Tehama County Integrated Waste Management Task Force (AB939): Steve Lindeman

2x2x2 School/City Committee: Robert Snow, Jose "Chuy" Valerio, and Brant Mesker

Recreation Adhoc Committee: Dave Demo & Shelly Hargens (City Council); Blaine Smith & Meredith Allen (Recreation Commission).

RECOMMENDATION:

- ❖ **MAYOR AND COUNCIL DISCUSS AND SELECT VICE MAYOR; AND**
- ❖ **DISCUSS AND APPROVE THE MAYOR'S RECOMMENDED APPOINTMENT OF REPRESENTATIVES TO THE BELOW LISTED COMMITTEES, COMMISSIONS, AND BOARDS:**

Vice Mayor: Councilman Dave Demo.

Tehama County Transportation Commission: Dave Demo

Tehama County Indian Gaming Local Community Benefit Committee: Robert Snow & Lisa M. Linnet.

Wayfinding Signs Adhoc Committee: Jose "Chuy" Valerio & Shelly Hargens

LAFCO (Tehama County Local Agency Formation Commission): Dave Demo

Tehama County Community Action Agency: Lisa Lomeli

Tehama County Solid Waste Management Agency (JPA): Shelly Hargens, Alternate: Dave Demo

3CORE: Brant Mesker & Robert Snow

Corning Chamber of Commerce Non-Voting Representative: Jose "Chuy" Valerio

Corning Community Foundation: Lisa Lomeli

Senior Center Representative: Dave Demo

Tehama Vehicle Abatement Authority: Craig Bassett

NCCSIF: Brant Mesker & Craig Bassett

Airport Land Use Commission: Richard Poisson

Mosquito Abatement Authority: Ross Turner

Tehama County Flood Control & Water Conservation District Groundwater Commission:
Cody Lamb

AB3030 TAC: Steve Lindeman

Tehama County Integrated Waste Management Task Force (AB939): Steve Lindeman

2x2x2 School/City Committee: Robert Snow, Jose "Chuy" Valerio, and Brant Mesker

Recreation Adhoc Committee: Dave Demo and Shelly Hargens (City Council); and Blaine Smith and Meredith Allen (Recreation Commission).

CITY COUNCIL PROCEDURES FOR MEETINGS

Meeting Schedule

Regular meetings are held in the Council Chambers of City Hall, 794 Third Street, Corning, California. Regular Council Meetings are scheduled for the second and fourth Tuesday evenings of each month or as otherwise established by resolution of the City Council in January of each calendar year. The public sessions of meetings begin at 7:30 p.m. with closed sessions generally being convened earlier as needed. No Council meeting will be held in the event that a regular meeting of the Council falls on a legal holiday or the day prior to a holiday.

Annual resolution may set dates of Council meetings.

Special Meetings

Special meetings may only be called by the Mayor or by three members of the City Council. Written notice, unless waived, must be given to the City Council and to the media 24 hours prior to a special meeting (Cal Govt Code Section 54956). The call and notice of the meeting must be posted at least 24 hours prior to the meeting in a location freely accessible to members of the public. No business other than that announced may be discussed.

The Mayor or three Council members may call a special meeting.

24 hours advance notice required.

Adjourned Meetings/Continued Hearings

Meetings of the City Council may be adjourned from time to time. A copy of the notice of adjournment shall be posted on or near the door to the Council Chambers within 24 hours after the time of the adjournment.

Meetings may be adjourned and continued to a later date if posted.

Any hearing may be continued to any subsequent meeting of the City Council but if it is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance shall be posted immediately following the meeting at which the hearing was continued.

Workshop or Study Sessions

The City Council may convene its own workshop or study sessions which are not designed to make decisions for the City but are designed to train Council and staff, study various issues and facilitate the exchange of information. Such workshops or study sessions may include the Planning Commission, staff members, consultants, and others and shall comply with all of the requirements of the Ralph M. Brown Act.

Study sessions are permitted as are joint meetings with Planning Commission.

Public Participation

At all regular and special meetings, public comments must be permitted before or during consideration of any agenda item. Public comment is appropriate on any matter within the jurisdiction of the City Council. A three minute time limit shall apply unless the Council makes an exception due to special circumstances.

Public must be allowed to participate.

Notice/Minutes

Notice requirements of the Brown Act shall be complied with for all meetings (72 hours for regular meetings); minutes of the meeting shall be taken by the City Clerk or designee and shall be available for public inspection.

72 hours posted notice required for regular meetings

Placing Items on Agenda

City Council: A Council member may request an item be considered on a future agenda and staff will prepare a staff report if formal Council action is required. Council members may make this request during the "Council Reports" portion of a meeting or between Council meetings with the Council Clerk prior to the adopted agenda deadline.

Council members, City Manager, City Attorney, or members of the Public may place items on the agenda.

City Manager/City Attorney: Either the City Manager or the City Attorney may place matters on the agenda without special permission from the City Council.

Members of the public: A member of the public may request an item be placed on a future agenda during the public comment period of a meeting or through other communication with Council members or with staff. If the City Council or City Manager consent, such item will be agenda item. To be placed on the agenda, such an item will have to be submitted by the adopted agenda deadline with sufficient details to alert the public what will be discussed or requested.

Emergency items: Emergency and non-agenda items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare.

Urgency items: On occasion, after the agenda is posted an item arises on which the Council would like to act. Non-agenda items may be added to the agenda only if the Council makes findings that (1) the need to consider the item arose after the posting of the agenda and (2) that there is a need to take immediate action at this meeting of the City Council. These findings must be approved by a 4/5 vote; if less than four members of Council are present, the findings require a unanimous vote of those present.

Urgency items may be added in certain limited situations following posting of the agenda.

Order of Business

The City Council establishes the general order of meetings. This section summarizes each meeting component.

1. Closed sessions (closed to the public):

The ability of a City Council to conduct sessions not open to the public is restricted by State Law to ensure open proceedings. Certain defined circumstances exist wherein a City Council may meet without the public in attendance. Such circumstances include:

a. Real Property: Closed sessions to discuss the purchase, sale, exchange or lease of real property may be conducted. The location of the real property and the identities of the City's negotiator; and the person(s) with whom the City may negotiate must be announced in open session prior to the closed session (Cal Govt Code Section 54956.8).

b. Litigation: Closed sessions may be conducted to discuss pending litigation or a significant exposure to litigation, or the decision to initiate litigation. The litigation or title must be identified in open session prior to the closed session unless the Council states that to do so would jeopardize its ability to conclude existing settlement negotiations or serve legal documents (Cal Govt Code Section 54956.9).

c. Compensation (salaries and benefits) of employees: Closed sessions may be held to discuss employee compensation; to review the City's position and instruct designated representatives (Cal Govt Code Section 54957.6).

d. Personnel: Closed sessions are allowed to discuss the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear complaints against the employee unless the employee requests a public hearing (Cal Govt Code Section 54957).

e. Confidentiality: Members of the Council, employees of the City, or anyone else present shall not disclose to any person the content or substance of any discussion which takes place in a closed session unless authorized to do so by the Council or required by court order or provisions of law.

f. Scheduling: Typically closed sessions will be scheduled prior to the public portions of the meeting. This is done so that public portions of the meeting are not interrupted by closed sessions. In addition, such sessions may require the attendance of special legal counsel and consultants. In an attempt to manage the costs of these professionals, it is beneficial to conduct closed sessions at a set time.

Closed sessions may be conducted only for subjects specified in the Brown Act.

Real Property Negotiations

Litigation

Personnel

Labor Negotiations (Meet and Confer)

Contents of discussion within closed sessions shall not be disclosed.

Closed Session Scheduling.

g. Announcements: Prior to each closed session, the purpose of the closed session shall either be announced from the dais or by reference to the published agenda.

Immediately after each closed session an announcement shall be made from the dais either (1) summarizing any reportable action taken in closed session or (2) stating that no reportable action was taken. When no reportable action was taken, it is advisable to announce the general nature of the business conducted in closed session to enhance public confidence in the process.

2. Proclamations, Appointments, Recognitions, Presentations.

This is the time for Council proclamations, presentations, and for special recognition of persons, organizations, activities, and events. Unless any Council member objects, in which case a vote is required, proclamations will be read aloud and considered adopted by consensus of the entire Council.

3. Public Participation.

a. Scheduled Citizens: Persons who have, by the deadline set for the agenda, requested to address the Council are usually given the opportunity to do so at this time. The subject they wish to discuss is identified on the agenda and any supporting materials are usually sent out with the agenda packets to the Council members.

b. Public Comment on Non-Agendized Items: This is the time for members of the public to address the Council on non-agendized matters. If the matter is expected to take more than five minutes, it should be moved to the end of the regular agenda. The purpose for this is to avoid inconveniencing those who have planned ahead and taken the necessary steps to have their issues properly agendized. Persons who wish to raise non-agendized items should be cautioned that in most cases the Brown Act prohibits the Council from taking formal action on the item but that they will be heard and then the matter will be referred to staff for appropriate follow-up and usually agendized for the next meeting if formal Council action is necessary.

c. Public Comment on Agendized Items: The Brown Act requires that the public be given the opportunity to address the Council on all matters on the agenda (matters to be discussed in either open or closed session, but not the right to enter the closed sessions) before action is taken on those items. At the beginning of each meeting, the Mayor should inform persons in the audience that they are welcome to come forward to the podium and wait to be recognized if they wish to address

Closed session announcements are required both before and following each closed session.

Proclamations do not require voting unless there is an objection raised.

The public should be invited to comment on all items, even if no public hearings are scheduled.

Lengthy non-agendized items should be considered at the end of the agenda.

the Council on any items under discussion.

d. General Rules for Public Participation:

No member of the public may be required to provide an address as a precondition to participation but they may be invited to do so voluntarily so that the Clerk will be able to get in touch with them if necessary. Reasonable time limits may be placed on each speaker and limits may be placed on the number of times each person is allowed to speak.

Speakers are limited to three minutes unless the Council makes an exception due to special circumstances. Speakers may be directed not to use profanity or make personal attacks on Council members or staff, but speakers cannot be restricted from being critical of Council, staff or other public officials. They may not be prohibited from "criticizing the policies, procedures, programs or services of the City or the acts or omissions" of City officials.

Time limits may be placed on speakers, but criticism of the City and its officials may not be restricted.

4. Approval/Correction of Minutes.

Minutes of the City Council meetings shall be submitted to the Council for approval and/or correction in draft form at a subsequent regular meeting. It is the policy of the City Council that only members of the Council and the City Clerk have the authority to make revisions to the minutes subject to a majority vote of the City Council. Council members having only typographical corrections to minutes are encouraged to provide such corrections to the City Clerk directly and need not wait to submit such corrections at a meeting.

5. Consent Calendar.

Those items on the Council agenda which are considered to be of a routine and non-controversial nature by the City Manager are placed on the "Consent Calendar". These items shall be approved, adopted, accepted, etc., by one motion of the Council. For example, final reading and adoption of ordinances, various resolutions approving agreements, minor budgetary items, status reports, and routine city operations are usually on the consent agenda.

Council members or members of the public may request that any item listed under "Consent Calendar" be removed from the Consent Calendar, and Council will then take action separately on this item. Items which are removed ("pulled") by members of the Council for discussion will typically be heard immediately following adoption of the Consent Calendar unless the Council chooses to move such items to a later place in the agenda.

Council members or members of the public may remove items from the consent calendar for discussion.

The order of the agenda may be changed.

Minor questions: A Council member may ask questions on any item on the Consent Calendar. When a Council member has a minor question for clarification concerning a consent item which will not involve extended discussion, the question will be addressed before adoption of the Consent Calendar. Council members are encouraged to seek clarifications prior to the meeting, if possible.

No vote: When a Council member wishes to pull an item simply to register a dissenting vote, the Council member shall inform the presiding officer that he or she wishes to register a dissenting vote without discussion. This item will be handled along with the rest of the Consent Calendar, and the City Clerk will register this member's "no" vote in the minutes on this particular item even though such member then votes to approve the Consent Calendar.

An item does not have to be pulled from the consent calendar to register a dissenting vote.

6. Public Hearings.

The City Council schedules "public hearings" from time to time on various issues, usually because of legal requirements that special opportunities to be given to the public, or to certain segments of the public specially affected by the matter, to listen to the discussion and to provide input to the Council before a decision is made.

When a public hearing is scheduled, staff should be asked to present a staff report first; then the public hearing should be opened and the public should be invited to speak; then the public hearing should be closed and the matter returned to the Council for discussion and action.

Once the public hearing has been closed, persons from the audience should not be allowed to participate in the Council discussions unless in response to a specific question posed by a member of the Council to someone in the audience.

Although it is proper to do so, there is no legal requirement to structure the public hearing so that proponents of the measure or project speak first followed by those in opposition with a conclusion [or rebuttal] by the proponents. However, if the Mayor or Council prefers to conduct the hearing in this manner it may prove useful to do so when there are several different speakers and extended debate.

A standard procedure should ordinarily be followed when conducting public hearings.

7. Regular Business Items.

Regular items are shown on the agenda in the order they will be considered unless, before discussion of regular agenda items begins, a motion is made and passes which will change the order of the agenda to accommodate a request and to change the order of the agenda.

8. Staff and Council Reports.

This time on the agenda provides members of the Council an opportunity to briefly discuss matters not specifically agendized including brief announcements, questions of staff and requests for items to be placed on the agenda at a future meeting. Examples of appropriate communications would be sharing of information of general interest received from outside agencies, sharing comments or inquiries received from individuals or from the public, raising requests to agendize future items, making reports of his or her own activities or making announcements of general interest to the public.

State law provides that Council can take action only on such matters which have been noticed at least three days in advance of the meeting unless special circumstances are found to exist (as mentioned above). Formal action or approval on non-agendized items is not allowed and such items should normally be placed on the agenda of the next regular meeting if formal Council action is required.

General Procedures of the Council

1. Vice-Mayor: Rotation.

"The Council shall select a Vice-Mayor from its membership with the position being held for a one-year term. Although the same person may be selected to serve more than once, the Council's preference is each time to attempt to select one of its members who has not previously served in that capacity. The selection shall be held annually at the regular Council meeting held on the first Tuesday in December. Vacancies in the Vice-Mayor position shall be filled in the same manner for the unexpired portion of any term."

2. Duties of Presiding Officer.

The Mayor is the presiding officer and acts as the Chair at all Council meetings. In the absence of the Mayor, the Vice-Mayor serves as the presiding officer. The Mayor states every question coming before the Council before it takes action, announces the decision of the Council on each vote, maintains order during the meetings, conducts any public hearings, explains the purpose and order of the proceedings to the public in attendance, greets and thanks all participants and, with the assistance of the City Attorney, decides questions of order. The Mayor also makes any legally required announcements including, but not limited to, the announcements required by the Brown Act.

The Mayor appears at public functions to represent the City unless the Council designates another person to do so with regard to a specific event.

Staff and Council reports should be brief, and no formal action should be requested in such reports.

The Vice-Mayor shall be selected from its membership with the position being held for a one-year term. (*Revised on March 24, 2009 by a 5-0 vote of the City Council.*)

The Mayor directs the meetings. Direct questioning of staff from members of the public should be avoided.

The Mayor has authority to unilaterally make appointments to committees, commissions, and boards subject to Council approval or disapproval. Council member appointments to committees, commissions and boards do not require Council action.

The Mayor makes unilateral appointments subject to Council approval or disapproval.

3. Signing of City Documents.

The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts, and other documents which have been adopted by the City Council and require an official signature except in those cases where the City Manager or another individual has been specifically authorized by Council action to sign particular documents. In the event the Mayor is unavailable, the Vice-Mayor is authorized to sign on behalf of the City in his or her place.

The Mayor signs all official documents unless the Council designates someone else to do so.

4. Quorum.

Three-fifths of the Council members constitute a quorum for the transaction of business.

3/5 is a quorum.

5. Distribution of Agenda and Written Materials.

At least 72 hours prior to regular meetings of the Council (and 24 hours prior to any special meetings), an agenda must be posted which contains a brief general description of each item to be transacted or discussed at the Council meeting. Copies of that agenda will be mailed before each meeting to each Council member and to members of the public and the press who have requested to receive copies.

Agendas must be posted at least 72 hours before each Council meeting.

Writings which are public records distributed during Council meetings shall be made available to the public in attendance at that same meeting if such documents were prepared by City staff or City officials. If prepared by some other person, copies of such documents will be made available following the meeting. A reasonable fee may be charged to offset the actual cost of making such copies.

6. Closed Session Procedures and Announcements.

Prior to any closed session, the Mayor or his or her designee shall generally describe the subjects to be discussed in such session or shall refer the public to the numbered item on the agenda which describes the subject.

Closed session announcements are legally required.

At the conclusion of each closed session, the Council shall reconvene and the Mayor shall announce any final decisions made on subjects required to be reported or, if there are no such subjects, shall generally describe what the Council did in closed session without compromising the integrity and confidentiality of what was discussed.

Council members, outside of closed session, shall not inform others about the content of any closed session discussions or decisions unless authorized to do so by the Council or required to do so by court order or provisions of law.

Closed sessions are confidential.

7. Discussion and Voting Rules.

Discussion:

a. Obtaining the floor: A member of the City Council or staff shall first address the Mayor and gain recognition. Comments and questions should be limited to the issue before the Council. Members of the public should not be allowed to directly question staff members in attendance, but all such questions should be addressed through the Mayor for response.

b. Questions of staff: The Mayor, or any member of the Council upon being recognized by the Mayor, may direct questions to any member of the staff who is in attendance.

c. Interruptions: Once recognized, a Council member should not be interrupted while speaking except to make a point of order or personal privilege. If a Council member is called to order while speaking, the individual should cease speaking until the question of order is determined.

d. Tabling procedures: A motion to table immediately stops discussion and causes a vote to postpone the matter indefinitely or to a date and time certain.

Voting:

e. Procedures used for motions: The Council follows a simplified version of Robert's Rules of Order. Those rules are summarized in a chart attached hereto and are hereby adopted as governing the precedence and administration of motions.

f. Requirement to vote: All Council members present who are not abstaining are required to vote. It shall be the duty of the recording clerk to ensure that a vote is taken on every matter requiring formal action and that each and every non-abstaining member actually casts a vote which such clerk then records in the minutes of the meeting. Silence when a vote is called for shall be interpreted as an Ayes vote.

g. Requirement of a second: A second is required on all matters before they can proceed to a vote. If no second is received, the motion dies for lack of a second. Seconding a motion does not indicate or imply that the member doing so will vote in favor of the motion. It simply allows the matter to be discussed and proceed to a vote.

Most actions require a vote on a motion, Resolution, or Ordinance.

Robert's Rules have been simplified--See attached chart.

All Council members not abstaining must vote.

Silence is an "Ayes" vote.

Motions die without being seconded.

A member seconding a motion isn't indicating he or she favors such motion.

h. Motions and votes by presiding officer: The presiding officer, whether it be the Mayor or Vice-Mayor or any other member of the Council, is allowed to make and second motions and to cast votes in the same manner as any other member of the Council.

The Mayor may make or second motions.

i. Roll call votes: Any member of the Council may request that a matter being voted on be handled by roll call vote. Upon such a request being made, the Clerk shall poll the Council and record the votes being cast.

j. Right of protest: A Council member is never required to state the reason for a dissenting vote.

k. Disqualification and abstention from voting: Members of the Council are required to vote on all matters coming before the entire Council for a vote unless an individual member is disqualified due to a conflict of interest as defined in the City's "Conflict of Interest Code". If a member has a question whether or not he or she has a conflict, he or she should discuss that issue with the City Attorney or seek advice from the Fair Political Practices Commission before the meeting whenever time permits. If a member abstains due to a conflict, he or she shall state the general nature of the conflict so that the audience is aware of what is occurring and then he or she shall leave the Council Chambers until the matter then before the Council has been resolved.

If a member abstains, he or she should explain why and then leave the Chambers.

l. Tie votes: A tie vote is equivalent to a vote which has failed. A tie vote to grant or approve something doesn't represent consent nor does it represent denial of permission to act. It leaves the status unchanged and, if the proponent of the action requires permission to move forward, he or she has simply failed to obtain it.

On the other hand, a tie vote to deny or disapprove something does not represent either approval or denial. It also leaves the situation unchanged and, if the proponent of the action requires permission to move forward, he or she has again failed to obtain it.

If a tie vote occurs on an appeal of an action coming up from the Planning Commission, the appeal has neither been granted nor denied. Since the status quo is unchanged, the end result is the equivalent of a denial of the appeal since the appellant in order to overturn the action taken by the Planning Commission must obtain some action at Council level. A tie vote is the equivalent of no action, except insofar as it satisfies the legal requirement that the matter be presented to the Council for consideration.

Tie votes on appeals are the equivalent of a denial of the appeal.

Tie votes leave the status unchanged.

If a tie vote occurs with the fifth member of the Council absent from the meeting and not due to the abstention of such member, the matter will automatically be continued until the next Council meeting when such member can be present to cast a vote unless there is a time limit imposed by law which precludes such a continuance.

m. Public participation following a motion:
Public participation in the discussion should be avoided in most cases after a motion has been made unless it is specifically invited by a member of the Council.

8. Consensus, Motions, Resolutions and Ordinances.

a. Consensus: Occasionally it is appropriate for the Mayor to simply request a "consensus" of the Council on routine issues such as referring matters to staff without taking a formal vote. Proclamations are considered to be adopted by consensus without a vote unless any member of the Council requests a vote be conducted.

Some actions may be taken by consensus.

b. Motions: Most actions of the City Council may be taken by motion on a voice vote. With some exceptions, motions pass upon the affirmative vote of a majority of the members voting. For example, if two members are absent or abstain from voting, a 2-1 vote is sufficient to adopt most motions.

c. Resolutions: Resolutions are a more formal way of memorializing actions of the City Council. A resolution, rather than a motion, is only necessary when required by law and requires at least three votes for approval. Condemnation resolutions require the affirmative vote of at least four members.

Resolutions require at least 3 votes in favor of adoption.

d. Ordinances: With the exception of urgency matters, ordinances cannot be adopted until at least five days following their introduction and can only be adopted at a regular City Council meeting. Changes to an ordinance once introduced, except for minor clerical changes, require the ordinance to be reintroduced and at least five more days to pass before adoption. Ordinances require the affirmative vote of at least three Council members. Ordinances do not have to be read in full at the time of introduction or adoption (they may be read by "short title" only) if the Council votes to read only the title. The Council usually votes to do so as one of the items on its "Consent Calendar." Ordinances become effective 30 days after their adoption except for urgency ordinances, ordinances calling elections, improvement proceeding ordinances and certain other ordinances which take effect immediately:

Ordinances require at least 3 votes in favor of adoption.

10. Rules for Hearings.

a. Legislative Matters: When the Council has a "legislative" matter before it, the individual Council members may investigate the issue before the meeting, discuss the matter with whomever they wish and, if they consider it politically expedient, even announce their "position" on the issue before the meeting of the entire Council. They, of course, cannot seek a consensus on the issue before the meeting by contacting a majority of the other members of the Council [either personally or by contacting one and, in turn, having that one contact another ("seriatim meetings")].

Proper to take positions on legislative matters at any time.

b. Quasi-Judicial Matters: When the matter coming before the Council is of a "quasi-judicial" nature (i.e. appeals from Planning Commission matters such as use permits; consideration of tentative parcel maps; etc.), the individual members of the Council must scrupulously avoid discussing such matters with proponents, opponents or others before the meeting. If any Council member happens to receive information outside of the meeting which such member will take into account in making a decision, he or she must report that information to the rest of the Council in public during the discussion period.

If FINDINGS are required to be made, Council members should be careful to declare precisely what evidence they have considered which allows them to make the required findings. In doing so, they can refer to information in the staff report and adopt that information as a part of their motion. However, they should keep in mind that the staff report was prepared prior to the public hearing and that new information not previously known to staff may come out during the hearing. Council may rely on staff to outline what findings are required to be made to support a particular motion, but the Council itself is responsible to state on the record what facts it has considered which supports each of the required findings.

Findings are usually required to be made to support quasi-judicial decisions.

ITEM NO.: J-18
**APPROVE ADDENDUM #5 TO EXISTING
PUBLIC WORKS CONSULTANT/ENGINEERING
SERVICES AGREEMENT BETWEEN THE CITY
AND NORTHSTAR TO ELIMINATE PUBLIC
WORKS MANAGERIAL DUTIES AND ADJUST
SERVICE COSTS**

February 13, 2024

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: BRANT MESKER, CITY MANAGER
LISA M. LINNET, ADMINISTRATIVE SERVICES MANAGER

SUMMARY:

In response to the recent hiring of a full time Public Works Director, Staff is seeking approval of the proposed Addendum #5 to the existing Agreement which alters the following:

- Scope of Work to the existing Agreement, (see attached Exhibit "A") to eliminate the managerial Public Works Director duties; and
- Increases the billable rate as outlined in Exhibit "B" attached. These rates have not been increased in two and a half years.

As stated in Exhibit "A" of the proposed Addendum #5, NorthStar agrees to continue to provide the City Engineer/Surveyor services to the City as requested for three (3) years from the date of approval of Addendum #5 with the option extend the contract under terms agreed upon by both parties. Staff requests City Council approval of the proposed Addendum #5 to the current Agreement. The Addendum is attached for City Council approval.

BACKGROUND:

Robin Kampmann, NorthStar, currently serves as the City Engineer and began serving as the Public Works Consultant on October 1, 2018 under a Professional Service Agreement whereby she previously provided Public Works Consultant Services to the City on Mondays and Wednesdays of each week. Since Mrs. Kampmann served as the City Engineer, there was some time-savings by also having her serve as the Public Works Consultant. Since September 21, 2018 when the initial Agreement was approved, the City Council has approved four (4) Addendums to initial Agreement.

FINANCIAL:

If proposed Addendum #5 is approved, the following hourly rates will be used for Robin Kampmann, PE for the term of Addendum No. 5:

February 2024 – January 2025	\$195.00 per hour
February 2025 – January 2026	\$205.00 per hour
February 2026 – January 2027	\$215.00 per hour

If additional staff are requested, they will be billed on a time and material basis at the current hourly rate as listed on Exhibit "B" attached. It is anticipated that the services under this Agreement should not exceed \$150,000 annually.

RECOMMENDATION:

MAYOR AND COUNCIL:

1. **APPROVE ADDENDUM #5 FOR THE AGREEMENT BETWEEN THE CITY AND NORTHSTAR FOR PUBLIC WORKS CONSULTANT SERVICES; and,**
2. **AUTHORIZE THE CITY MANAGER TO EXECUTE AND SIGN THE ADDENDUM**



**ADDENDUM NO. #5
TO AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN CONSULTANT AND CLIENT**

DATE: February 6, 2023

CLIENT: City of Corning
794 Third Street
Corning, CA 96021

CONSULTANT: NorthStar
111 Mission Ranch Blvd., Suite 100
Chico, CA 95926
(530) 893-1600

PROJECT: City Engineer/City Surveyor

NS#: 18-087

A. CLIENT AND CONSULTANT AGREE AS FOLLOWS:

1. This agreement will serve as an addendum to our previous Agreement, dated September 21, 2018, Addendum #1 dated September 11, 2019, Addendum #2 dated September 16, 2021, Addendum #3 dated September 25, 2021 and Addendum #4 dated March 2, 2022. Work under this Agreement will be subject to the terms and conditions of our previous Agreement, except as noted below.
2. Consultant agrees to perform the additional services as set forth on Exhibit "A" attached hereto and incorporated herein by this reference ("Additional Scope of Services").
3. Client agrees (unless otherwise stated herein) to compensate Consultant for its Services according to the cost proposal attached hereto as Exhibit "B" and incorporated herein by this reference ("Cost Proposal for Additional Work").

B. GENERAL PROVISIONS:

1. **Timeline for Offer to Contract / Termination of Agreement.** This offer to contract for additional services is good for 14 days after the date shown below in the Consultant's signature block. If Client fails to sign this contract within 14 days, the offer for additional services shall be withdrawn making it null and void. Client may terminate this contract by giving notice to Consultant in writing and bringing all outstanding charges current prior to termination of Agreement.
2. **Liability Limits.** Client and Consultant have discussed the risks and rewards associated with this project, as well as Consultant's fee for services. Client and Consultant agree to allocate certain of the risks so that, to the fullest extent permitted by law, Consultant's total aggregate liability to Client and all contractors and subcontractors is limited to three times the contract amount for any and all injuries, damages, claims, losses, expenses or claim expenses (including attorneys' fees) arising out of this Agreement from any cause or causes. Such causes include, but are not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract, or breach of warranty.

Client further agrees to notify all contractors and sub-contractors of this limitation of Consultant's liability to them and require them to abide by this limitation of damages suffered by any contractor or subcontractor arising from Consultant's actions or inactions. Neither the contractor nor any subcontractor assumes any liability for damages to others which may arise on account of Consultant's actions or inactions.

3. **Preparation of Agreement.** By signing the Agreement, both parties consent that the Agreement has been prepared and negotiated equally by Client and Consultant.

IN WITNESS WHEREOF, the parties hereby execute this Agreement upon the terms and conditions stated above and on the date first above written.

CLIENT:

BY: _____
TITLE: _____
SIGNED: _____
DATE: _____

CLIENT:

BY: _____
TITLE: _____
SIGNED: _____
DATE: _____

CONSULTANT:

BY: Robin Kampmann, PE
TITLE: Senior Managing Engineer
LICENSE NO.: RCE 73943
SIGNED: _____
DATE: _____

CONSULTANT:

BY: _____
TITLE: _____
LICENSE NO.: _____
SIGNED: _____
DATE: _____

ATTACHMENTS included and made a part of this agreement:

X	EXHIBIT "A"	ADDITIONAL SCOPE OF SERVICES
X	EXHIBIT "B"	COST PROPOSAL & STANDARD RATE SCHEDULE
	EXHIBIT "C"	
	EXHIBIT "D"	



EXHIBIT "A" **SCOPE OF SERVICES**

As requested NorthStar will continue to provide the City Engineer/Surveyor services described below for a period of three (3) years from the date of approval of. At such time the contract may be extended with terms agreed upon by both the City of Corning and NorthStar. The contract may be terminated by either party with a 30 day notice for any reason.

The services include:

Provide City Engineer services as requested by the City of Corning City Manager and Public Works Director. The general duties of the City Engineer may include the following:

- Performs the duties of the City Engineer as prescribed by State law and City ordinances, including overseeing the preparation of engineering plans and specifications, the construction of public projects, and the administration of professional service, construction, maintenance, and other contracts.
- Reviews, approves and signs plans and specifications for City infrastructure and facilities, assessment districts, subdivisions, and developments.
- Confers with and represents the Public Works Department and the City in meetings with members of the City Council, members of boards and commissions, various governmental agencies, developers, contractors, business and industrial groups and the public.
- Assists in the development or update of the City's stormwater, wastewater and water plans, and programs, the Capital Improvement Plan and other plans related to municipal infrastructure.
- Oversees traffic engineering and transportation planning activities; develops local, state, and federal funding sources for such activities.

Provide City Surveyor services as requested by the City of Corning City Manager and Public Works Director. The general duties of the City Surveyor may include the following:

- Review of Parcel and Final maps, and technical review of Tentative Maps, for consistency with the City of Corning Municipal Code and Ordinances, the State of California Subdivision Map Act and acceptable engineering and surveying practices in the State of California for preparation of parcel and final maps.
- Review of maps for technical correctness includes review of title reports, closure calculations, deeds, adjoining deeds, relevant maps affecting the subdivision, easement locations, map format, dedications to the public, locations of proposed and existing monuments, consistency with the approved tentative map, conditions of approval, CEQA compliance, public improvement plans, on-site development plans and City Right of Way needs.
- Review of plats and legal descriptions in conjunction with lot line adjustments, mergers, certificates of compliance, certificates of corrections, street and easement vacations, and other development related reviews, as assigned.

Robin Kampmann, PE will be the acting City Engineer and will be the primary point of contact for the City. Robin will perform services and attend meetings on an as needed basis up to thirty-two (32) hours per month. Regular hours at City Hall will not be included in this contract amendment. Robin will attend the necessary City Council meetings, as determined by the City Manager.

Addendum to Agreement

NS#: 18-087

Page 3 of 5



Robin will identify the need for additional NorthStar staff with consultation and approval of the City Manager to ensure that the City's needs are being met. Additional staff may include, but is not limited to:

Michael Mays, LS – Land Surveying

Lambert Lowe, PE – SWPPP QSD

Additional hours may be requested by the City Manager. If necessary additional services, not listed in the scope of work, are requested NorthStar will provide the City with a Task Order with a description of the additional services such as land surveying or the development of construction documents. The exact scope of work will be established for each Task Order and will require approval by the City of Corning prior to starting the work.



EXHIBIT "B"
COST PROPOSAL

CONSULTANT FEE: This is a time and material project with Standard Hourly Rates. The following hourly rates will be used for Robin Kampmann, PE for the term of Addendum No. 5:

February 2024 – January 2025	\$195.00 per hour
February 2025 – January 2026	\$205.00 per hour
February 2026 – January 2027	\$215.00 per hour

If additional staff is requested they will be billed on a time and material basis at the current hourly rate. Standard Hourly Rate sheets will be provided as needed.



EXHIBIT "B"
STANDARD HOURLY RATES
Effective July 1, 2023 through June 30, 2024*

<u>Engineering/Surveying</u>	<u>Hourly Rate</u>
Principal Engineer/Surveyor	\$240.00
Senior Managing Engineer/Surveyor	\$220.00
Senior Engineer/Surveyor	\$196.00
Associate Engineer/Surveyor	\$172.00
Assistant Engineer/Surveyor	\$150.00
Junior Engineer	\$130.00
Senior Designer/Technician	\$142.00
Associate Designer/Technician	\$120.00
Assistant Designer/Technician	\$100.00
One Person with GPS/Robotic (Party Chief)	\$190.00
Two-Person Survey Crew	\$260.00
Party Chief (Prevailing Wage)	\$210.00
Two-Person Survey Crew (Prevailing Wage)	\$335.00
<u>Architecture</u>	<u>Hourly Rate</u>
Senior Architect	\$180.00
Project Architect	\$165.00
Assistant Architect	\$150.00
Architectural Job Captain	\$135.00
Architectural Drafter	\$115.00
<u>Planning/Environmental/GIS</u>	<u>Hourly Rate</u>
Principal Planner	\$180.00
<u>Administrative</u>	<u>Hourly Rate</u>
Project Management	\$170.00
Administrative	\$100.00
<u>Other</u>	<u>Rate</u>
Litigation Support – Expert Witness Testimony	\$500.00 per hour
Mileage	Current Federal Rate
Reproduction, Materials, Fees, Special Mail, etc.	Cost + 15%
Subcontractors	Cost + 15%
*Rates typically increase 4-5% per year	