



**CITY OF CORNING  
CITY COUNCIL MINUTES**

**TUESDAY, FEBRUARY 23, 2010  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 7:00 p.m.**

**B. ROLL CALL:**

**Council:**

**Becky Hill  
Ross Turner  
Toni Parkins  
John Leach  
Gary Strack**

**Mayor:**

Mayor Strack and Councilors Turner and Parkins were present. It was announced that Councilor Hill officially resigned from the City Council on Friday, February 19, 2010. It was also announced that Councilor Leach would not be present tonight as he is recovering from surgery, our best wishes for a speedy recovery are with him.

**C. PLEDGE OF ALLEGIANCE: City Manager Kimbrough led the Pledge of Allegiance.**

**D. PROCLAMATIONS, RECOGNITION'S, APPOINTMENTS: None.**

**E. BUSINESS FROM THE FLOOR:**

At this time Mr. Bucky Bowen addressed the Council stating that it is stated in the City's Municipal Codes that City Council Meetings will be held on the second and fourth Tuesday of the month and start at 7:30 p.m. Tonights Agenda calls for the meeting to start at 7:00 p.m. This is a violation of the Municipal Code and he suggests that the meeting be adjourned and reconvened at 7:30 p.m. so that members of the public not aware of the time change will be able to attend.

In response, Mayor Strack adjourned the meeting to 7:30 p.m. City Clerk Lisa Linnet stated for the record that the 7:00 p.m. time listed on the Agenda was an error on her part. Because the error was not discovered until Monday and had been posted both outside City Hall and on the City's webpage as starting at 7:00 p.m. it would be best to let the time stand.

**Mayor Strack reconvened the meeting at 7:30 p.m.**

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

- 1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 2. February 17, 2010 Claim Warrant - \$205,471.32.**
- 3. Business License Report – February 17, 2010.**
- 4. Request for Development Impact Fee Credit for Sewer Trunkline Extension – Edith Avenue; California Department of Transportation (Caltrans).**
- 5. Accept Proposal and Agreement from North Valley Tree Service to Trim Ornamental Pear Trees for \$3,800.**

**6. Approve Recommendation of Khrystie Shoemaker for Appointment to the City Recreation Commission.**

Councilor Turner moved to approve Consent Items 1-6. Councilor Parkins seconded the motion. **Ayes: Strack, Turner and Parkins. Opposed: None. Absent: Leach. Abstain: None. Approved by a 3-0 vote with Leach absent and one vacant Council position.**

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

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

**I. REGULAR AGENDA:**

**7. Presentation by Tehama County/Red Bluff Landfill Management Agency and California Product Stewardship Council and Recommendation to Adopt Resolution 02-23-10-01 Supporting an Extended Producer Responsibility System for Managing Waste Products.**

Landfill Agency Manager Kristina Miller of the Tehama County/Red Bluff Landfill Management Agency and Bonnie Low from the California Product Stewardship Council provided a PowerPoint presentation and information on the "Extended Producer Responsibility System" for managing waste products. Ms. Miller and Ms. Low outlined the costs incurred by the County Landfill in managing waste disposal. They updated the Council on the various landfilling bans enacted by the State on products, the costs to cash-strapped local governments lacking in funding to enforce and police these bans and properly manage the growing list of landfill banned products stating that this is an unfunded mandate and the result is a "ban without a plan".

Ms. Low outlined the benefits of the Extended Producer Responsibility System (EPR) stating that producers will integrate the End of Life (EOL) cost at the time of purchase. Producers with the most cost efficient system will have the least expensive product allowing the free-market system to work for recycling, not against it.

Councilor Parkins moved to authorize the Mayor to sign the CPSC Pledge of Support and adopt Resolution 02-23-10-01 Supporting an extended producer responsibility system for managing waste products. Councilor Turner seconded the motion. **Ayes: Strack, Turner and Parkins. Opposed: None. Absent: Leach. Abstain: None. Approved by a 3-0 vote with Leach absent and one vacant Council position.**

**8. Presentation and Acceptance of Annual City Audit for Fiscal-Year 2008-2009.**

City Manager Kimbrough introduced the City's Auditor Donald Reynolds, CPA who briefed the Council on the outcome of the City's audit and drew everyone's attention to the audit which is on file in the office of the City Clerk. Mr. Reynolds stated that so far the City's been very diligent, overall the City has improved over the last year and it wasn't a benchmark year across the board. It's a time when belt tightening is the only alternative and the City's done well. He concluded by stating that the City is being fiscally prudent. Councilor Parkins moved to receive and accept the annual audit for Fiscal Year ending June 30, 2009. Councilor Turner seconded the motion. **Ayes: Strack, Turner and Parkins. Opposed: None. Absent: Leach. Abstain: None. Approved by a 3-0 vote with Leach absent and one vacant Council position.**

**9. Mid-Year Budget Review and General Discussion.**

Mayor Strack introduced this item by title and City Manager Kimbrough briefed the Council on the current fiscal year financial status, outlining the budget cuts initiated to date, revenues received to date and revenue reductions the City has been informed of and those the City is expecting. He stated that he would like to come back to the Council with more definitive figures in April. He stated that so far:

- State has taken transit monies for next year.
- Gas tax revenues are down; averages approximately \$37 per City resident per year based on a population of 7,220.

- City currently proposes to freeze the vacant Public Works position that was recently advertised...Staff doesn't want to fill the position and then be forced to lay-off the person hired.

Councilor Turner then read a statement he had prepared offering suggestions that he stated will not be pleasant for the City, for the Employees, or for the Elected Officials, but he stated something has to be done. These suggestions are as follows:

- **PERS Contributions:** Many Cities are requesting their Employees pay their own PERS contribution because the government entities, Cities, are no longer able to afford both the Employee and Employer contributions, and
- **Furlough Fridays:** According to the figures furnished, \$213,650 was saved by doing this twice a month, if we went to every Friday what would the projected savings be?
- **Possibility of Part-Time Employees:**
  - **Building Department:** 20 hours per week, no benefits, because there is no building going on now, can this be justified until it is needed.
  - **Planning Department:** 20 hours per week, no benefits, or revert back to City Manager who was Planning Director and could carry on this function with the minimal amount of activities going on at this time, with no adjustment in salary as there was no adjust when this position was given up in the past by the City Manager.
  - **Public Works:** With such a small crew of 1 mechanic and 4 or 5 field workers, the position of Assistant Director should be looked at or deleted for economic reasons and replaced with a man in the field at a salary reduction to the salary being paid the Assistant Director. One of these field workers could be classified as a "Lead Employee." The Assistant Director should have the rights to return to the field or retire with a golden handshake at this time based on years of service.
  - **Police and Fire Dispatch Costs:** 8 or 9 Employees staffing the two consoles, CAL FIRE already dispatches the Ambulance Service within the City Limits. CAL FIRE has in the past given the City through discussion on being the Corning Volunteer Fire Dispatch. If and when there was a movement to combine the dispatch units to one location we must realize that a 24 hour/day caretaker and maintenance person would still be required. But a person of this employment to maintain trucks and answer questions probably would be a great deal more economical than maintaining two consoles. This has been evaluated numerous times in studies but due to the economic situation the City of Corning faces today and future budgets, it needs to be reviewed again.
  - **Recreation:** As I suggested last fall, I think the Recreation Department is doing a great job, but I still feel from November 1<sup>st</sup> to May 1<sup>st</sup> a 20 hour/week position would fill the need of the program being furnished.

Mayor Strack confirmed with City Manager Kimbrough that additional furlough days would require negotiations with each of the Bargaining Units. Mayor Strack and the Council recommended to City Manager Kimbrough to start scheduling meetings with the Bargaining Units now and this will be further addressed at the March 9<sup>th</sup> City Council meeting. Mayor Strack then congratulated each of the Department Managers on the budget savings they have been able to make this year and challenged them to come up with additional savings for the remaining portion of this year and for the next fiscal year. **No action taken at this time.**

#### **J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

**Update on Tehama Herbal Collective (THC) Court Case:** City Attorney Michael Fitzpatrick informed the Council that he was in Court today relating to the fines issued by the City to THC. He stated that Judge Scheuler would preside over the case, that briefs are due to the court on May 4, 2010 and the case was continued to May 5, 2010.

**How to fill Council Vacancy:** Council discussed the process for filling the vacancy on the City Council created by Councilwoman Hill's resignation. City Attorney Michael Fitzpatrick informed

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the Council of the laws and regulations relating to how the vacancy can be filled. He outlined their options, basically stating that the position can be filled by an appointment by the Council or left vacant until the next election. Mayor Strack stated that he thought that they should fill the vacancy by appointment. The question was asked whether the Council could interview candidates, they were informed that all action must take place in an open session. Councilor Parkins suggested selecting the next top vote getter from the last election.

After some discussion, a decision by consensus of the Council was made to accept letters with resumes until 5:00 p.m. on March 4, 2010 to fill the vacant Council position. Letters with resume should be submitted to City Clerk Lisa Linnet. The Council will then review the resumes and make a decision by majority vote at the March 9, 2010 City Council Meeting. Councilor Parkins then asked if clear guidelines and a procedure could be adopted on how to fill future vacancies? City Attorney Fitzpatrick stated that the Council could; however future Councils could change this procedure at any time.

**K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.**

**L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

10. Turner: Announced the Peace Officer and Fireman's Dinner Saturday at 6:30 p.m. at the Veteran's Memorial Hall.
11. Parkins: None.
12. Leach: Absent
13. Strack: None.

**M. ADJOURNMENT!: 9:04 p.m.**

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**Lisa M. Linnet, City Clerk**