

**SPECIAL JOINT MEETING  
CALIFORNIA CITY  
CITY COUNCIL / REDEVELOPMENT AGENCY  
TUESDAY, January 4, 2011  
Council Chambers, 21000 Hacienda Blvd.  
MINUTES**

**OPENING CEREMONIES**

The meeting was called to order at 5:30 p.m. by Mayor Bohannon. Following the pledge of allegiance the City Clerk called the roll.

**PRESENT:** Councilmembers: Fuller, McGuire, Lessenevitch, Smith  
Mayor Bohannon

**ABSENT:** None

**PRESENT:** Directors: Fuller, McGuire, Smith, Bohannon  
Chairman Lessenevitch

**ABSENT:** None

**ADOPT AGENDA**

Motion by Councilmember Lessenevitch, second by Councilmember Smith to adopt the agenda. Motion carried 5-0

**PRESENTATIONS** None

**STAFF ANNOUNCEMENTS / REPORTS**

City Manager Weil provided an update on the recent flooding. FEMA is set to come tour the estimated 1.6million damage, which the city will seek reimbursement for up to 85%; 3/28/11 SDI Court date in Fresno; Official Pinning ceremony for Chief Hurtado will be held at City Hall on 1/11/11 @11am; thermal striping has arrived to complete the CCB street project Chief Hurtado provided an update on the Mojave Bank robbery ongoing investigation

**CIVIC / COMMUNITY / ORGANIZATIONS ANNOUNCEMENTS**

Ed Waldheim - requests participation on the Event Calendar

Charles Peeper - Thank you to all who helped with the garden projects at our local schools

Samuel Pope - Angel Food Ministries update

**PUBLIC BUSINESS FROM THE FLOOR**

Public comment was received by David Stafford, Rick Warren and Kim Collins

## **CONSENT CALENDAR**

- CC 1.** City check registers dated through 12/30/10
- CC 2.** RDA check register dated through 12/30/10
- CC 3.** Approve minutes of RDA meeting dated 12/21/10
- CC 4.** Council discuss and give Second Reading, by Title Only, with Further Reading and adopt **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY MUNICIPAL CODE ZONING REGULATIONS AS THEY PERTAIN TO THE INDUSTRIAL ZONES”**
- CC 5.** Council discuss and give First Reading, by Title Only, with Further Reading of an **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY MUNICIPAL CODE AS IT PERTAINS TO THE TIME OF REGULAR COUNCIL MEETINGS”**
- CC 6.** Agency adopt **“A RESOLUTION OF THE MEMBERS OF THE REDEVELOPMENT AGENCY OF THE CITY OF CALIFORNIA CITY AMENDING RESOLUTION NO. 03-09-88R (BYLAWS) AS IT RELATES TO THE TIME FOR REGULAR BOARD MEETINGS”**
- CC 7.** Approve minutes of council meeting dated 12/7/10

Motion by Councilmember/Director Fuller, second by Councilmember/Chairman Lessenevitch to approve the consent calendar.  
Roll call vote as follows:

**AYES:** Fuller, McGuire, Lessenevitch, Smith, Bohannon

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

## **CONTINUED BUSINESS / RDA**

### **CB 1. The Legends**

City Manager Weil reported that on December 21<sup>st</sup>, 2010, at 2pm there was the bid opening for the Legends Senior Housing Project. One bid, from Vortex Construction, was received. The bid was broken down with base bid for six units total, with the alternate bid for seven units total. The bid amount for the base bid was \$856,182. and the alternate was \$962,446. We have since received a notice from our city attorney that prevailing wage need not be applied to this project under state labor code section 1720c4. Vortex has revised their original bid amounts to reflect the change in labor costs. Due to this change the Agency has the option to reject the bid and rebid the project, however staff feels that this change will not significantly change the end result due to the necessary bonding requirements involved. Civil code, which is completely different, requires a payment bond for every contractor awarded a contract by a public entity for a public works project in excess of \$25,000. He further explained the code that supports this requirement. Staff recommends the board direct them to present to them the revised bid and if acceptable have staff proceed with signing of the contract.

Legal counsel went into further explanation that it is two completely separate issues regarding the fact prevailing wage is not required and that no matter what the wage is that has no bearing on the law requiring a payment bond.

Mr. Weil reported that the revised bid amounts, with the wage adjustment, are now \$786,391. for the 6 units and \$885,122. for the 7 units. Staff is recommending the approval of 7 units.

Public comment was received on the item. It was explained by staff that the issue of only one bid being received is due the inability of local contractors to obtain a payment bond and that our local financial institutions are not willing, for whatever the reason, to bond them. Other public comments addressed the units being overpriced per square foot and the idea that perhaps a contractor buy the land, build the units and then sell it back to the city. Chairman Lessenevitch replied that something like that had previously been tried, and the city is now in litigation. He concluded that the message how the board proceeds come from the motion and vote. Executive Director Bevins reminded the board that the original bid went out for tri-plexes and four-plexes, perhaps a project of single duplexes at a time would work. Though the cost would still be around \$200,000, perhaps that would open up the opportunity for the local contractors to bid. Also noted is that there will again be new costs to advertise each job, engineer will have to review, but cost should go down as the projects move along.

Motion by Director Smith, second by Vice Chairman Bohannon to reject the bid of Vortex Construction

The board further discussed the item. The consensus of the board to do whatever it takes to scale down the project in hopes of it being built by local contractors. The above motion is amended as follows:

Motion by Director Smith, second by Vice Chairman Bohannon to reject the bid of Vortex Construction and to reduce the scope of the project and bid one duplex at a time. Roll call vote as follows:

**AYES:** Fuller, McGuire, Smith, Bohannon, Lessenevitch

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

## **NEW BUSINESS / COUNCIL**

### **NB 1. Community Clean -Up**

City Manager Weil reported that per a council workshop held on 12/14/10 he has directed code enforcement to begin a systematic review of the city in order to respond to the concerns by citizens on issues that affect the quality of life ie: zoning, overgrown lots/yards, inoperative vehicles, maintenance of structures and other public nuisances . City wide inspections will performed to ensure properties are in compliance with the city code. This process will be starting the second week in January, beginning with the California City Boulevard. Staff would like to invite any further comment from council or the public on this matter.

Public comment was received. Mayor Bohannon addressed vacant lot issues. The idea is to have the property owner pretty much “mow” it down to a certain height so that the fire hazard issue is abated and it is not scraped adding to the erosion problem. The notice/citation process will pretty much remain the same, but now we will include an estimation of the cost to clean it up and a listing of current business owners who they could possible hire to clean it up. It was reiterated that the city does not have funds available to pay for the clean up. If a local contractor wants to do the job, the city will assist with getting that owed amount added to the property’s tax bill for possible collection at a later date.

### **NB 2. Ordinance: Establishing a Dog Park**

City Manager Weil reported that the proposed ordinance allows dogs within the park at specifically designated locations. Currently the only location designated is adjacent to Freedom Park and the Par 3 Golf Course. Rules for the use of the Dog Park have been established by the California City Park’s Commission and are incorporated in this ordinance. Staff recommends first reading of the proposed ordinance so that plans can be made to up signage up.

Councilmember Smith is concerned about allowing the dogs off their leashes. Mr. Weil reiterated that the main purpose of dog parks is to allow the dogs to run around and play.

Public comments for and against were noted.

Motion by Councilmember Fuller, second by Councilmember McGuire to give First reading, by Title, with Further Reading waived of an “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AMENDING THE CALIFORNIA CITY MUNICIPAL CODE BY ESTABLISHING A DOG PARK”

Roll call vote as follows:

**AYES:** Fuller, McGuire, Smith, Bohannon

**NAYS:** Lessenevitch

**ABSTAIN:** None

**ABSENT:** None

**COUNCIL / AGENCY AGENDA**

**Fuller:** Aerial photos available of flood damage available through Jawbone

**McGuire:** Congratulations to the police department on the apprehension of suspects in the bank robbery. Thanks to all who came together to help with the flooding

**Lessenevitch:** No meeting on Jan 18<sup>th</sup>; Special workshop on water/special tax on Jan 17<sup>th</sup>. Consensus to schedule special meeting.

**Smith:** advised public to call in danger spots/ roads due to storm damage

**Bohannon:** request to put recording on dial a ride phone, informing public of holiday closures. Thanks to all who came together to help with the flooding

**CLOSED SESSION**

**CS 1.** Per Gov't Code Section 54956.9: Confer with Legal Counsel - Potential Litigation; Benz

**CLOSED SESSION ACTION**

City Attorney Lemieux reported that the item was discussed, with further direction given to staff. No formal action was taken.

**ADJOURNMENT:**

Motion by Councilmember Fuller, second by Councilmember Smith to adjourn at 7:25 pm. Motion carried.

Respectfully Submitted:

Denise Hilliker  
City Clerk

**APPROVED BY COUNCIL ON \_\_\_\_\_**