

**REGULAR MEETING  
CALIFORNIA CITY REDEVELOPMENT AGENCY  
TUESDAY, March 17, 2009 5:30 p.m.  
Council Chambers, 21000 Hacienda Blvd.  
MINUTES**

**OPENING CEREMONIES**

The meeting was called to order at 5:32 p.m. by Chairman Lessenevitch. Following the pledge of allegiance, the City Clerk called the roll.

**PRESENT:** Smith, Strong, Edmiston, Adams, Lessenevitch

**ABSENT:** None

**ADOPT AGENDA**

Motion by Director Edmiston, second by Director Strong to adopt the agenda. Motion carried.

**STAFF ANNOUNCEMENTS/REPORTS** None

**PUBLIC BUSINESS FROM THE FLOOR**

Public comment was taken from Kim Collins

**CONSENT CALENDAR**

**CC 1.** Check register dated 3/12/09

**CC 2.** Board adopt **“A RESOLUTION OF THE MEMBERS OF THE REDEVELOPMENT AGENCY OF THE CITY OF CALIFORNIA CITY ADOPTING BYLAWS”**

**CC3.** Approve minutes of meetings dated 1/20/09 and 2/17/09

Motion by Director Edmiston, second by Director Strong to approve the consent calendar. Roll call vote as follows:

**YES:** Smith, Strong, Edmiston, Adams, Lessenevitch,

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** Strong RDA Ck # 7507

**NEW BUSINESS**

**NB 1.Habitat for Humanity - Request for grant**

Dennis Wallace, representing Habitat for Humanity, reported that their organization had recently received a donation of an unfinished home here in California City. Once renovated the home will be given to a local

deserving family. Mr. Wallace requested that the Board consider a grant in the amount of \$25,000 to be used for the completion of the home.

Board questions were addressed.

Motion by Director Edmiston, second by Director Strong to approve the \$25,000 grant for Habitat for Humanity. Roll call vote as follows:

**YES:** Strong, Edmiston, Adams, Lessenevitch,

**NAYS:** Smith

**ABSENT:** None

**ABSTAIN:** None

### **CONTINUED BUSINESS**

#### **CB1. Senior Housing Proposal**

Director Strong recused herself due to conflict of interest and left the chambers. Attorney Lemieux advised the other board members on their potential conflict of interest. It was determined that the amount of money that Viento spends yearly at Director Smith's hardware store does not constitute a conflict therefore Smith chose to remain. Chairman Lessenevitch reported that he has previously recused himself on this item due to the fact that it involved 4 Star Construction. Pepper Williams, whom he has a business interest with, is included in that company. Since Williams has no business dealings with Viento he will now take part and remain on the dais.

Public Works Director reported on the letter received by Viento, Inc., including a correction in the purchase price listed. It has been brought up to the city in the past that the board would like to be able to put this project out to bid. If this proposal from Viento is accepted as outlined in the letter the city would be able to take the existing plans and move forward with a bid proposal on a construction only process. If the proposal is not accepted Viento will still hold the option on the property and therefore we might have a complication with trying to buy their position over the top of them without their withdrawal from it. Additionally the city would have to put together the plans and specifications which will at least detain the project for three to four months. Staff is recommending that the board move forward with this proposal as long as it meets all the legal requirements. Attorney Lemieux explained the concept of "First Right of Refusal" and that he feels Viento has a creditable claim to it. He also stated that if the Agency deals directly with ARW (the current owners) Viento would be in a position to claim that we are interfering with their prospective business advantage.

The board received clarification to their issues and voiced their opinion on the proposal.

Rick Ruiz of ARW addressed the Board regarding their agreement with Viento. He highlighted an Amendment which he feels states that the option period expired at 5pm on January 27, 2009. He stated that per the amendment he feels they no longer have an option with Viento and that ARW can sell the property directly to the RDA.

City Attorney Lemieux quickly reviewed the details of the agreement and amendment and stated he doesn't understand how they fit together. Also there is a question as to the date the option actually expires. He did state that if ARW is saying they no longer have a valid option with Viento then his recommendation to the Agency is to start over from the beginning. This Agency should not be buying an option that they don't intend to exercise.

Jim Quiggle of Viento stated that there was a verbal conversation with Mr. Ruiz to continue the option until the RDA Board met again and then discuss further if necessary after that meeting.

Public comment was received at great length. Many expressed they frustration at how long this process was taking.

### **CLOSED SESSION**

City Attorney Lemieux requested that the board recess into closed session for discussion of property acquisition.

### **CLOSED SESSION ACTION**

City Attorney Lemieux reported that during closed session property acquisition was discussed with no formal action taken. He explained that it is now appropriate for the Board to move or not move with respect to the item on the agenda. Chairman Lessenevitch asked for the pleasure of the board. He explained that the Board has every intent to progress forward, this calls for some involvement from staff to develop a plan and specifications for what were are going to do. Consensus of the board was given and direction was given to staff.

### **AGENCY AGENDA** None

### **ADJOURNMENT:**

Motion by Director Edmiston, second by Director Smith to adjourn at 6:50pm. Motion carried.

Respectfully Submitted:

Denise Hilliker  
Agency Secretary

**APPROVED BY AGENCY ON** \_\_\_\_\_