

**REGULAR MEETING
CALIFORNIA CITY CITY COUNCIL
TUESDAY, March 21, 2006, 6:00 p.m.
Council Chambers, 21000 Hacienda Blvd.
MINUTES**

OPENING CEREMONIES: Mayor Adams opened the meeting at 6:11 p.m. Following the pledge of Allegiance, Pastor Belton, Trinity Christian Church, provided the invocation. The clerk called the roll:

PRESENT: Council members Edmiston, Lessenevitch, Schafer, Dempsey, Adams.

ABSENT: None

Also Present:

City Manager Bill Way; City Attorney Wayne Lemieux; HR Manager Michelle Schafer, Battalion Chief Chris Hayes; Police Chief Linda Lunsford; Public Works Director Dan Allen, City Clerk Helen Dennis, Deputy Clerk Denise Hilliker.

ADOPTION OF AGENDA:

Motion to adopt agenda by Councilman Lessenevitch, second by Councilman Edmiston; carried.

PRESENTATIONS:

Councilman Edmiston read a letter he had obtained a letter from Governor Arnold Swartzenegger to City Clerk Dennis on the occasion of her retirement March 31. He also had a letter for Chief Antonucci for his service here and in the state OES office.

Mayor Adams presented Ms. Dennis a plaque from the City Council and staff.

STAFF ANNOUNCEMENTS: None

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS:

David Campbell, Special Tax Committee, announced again that the Committee will be coming before the Council asking to put a ballot measure for the tax on the November ballot. He discussed the need for the citizens to complete the current special tax survey to tell the Committee what their priorities are for city services, so the Committee will be able to bring a statistically viable sampling of opinion to the Council when they ask

for the ballot measure. The Council will make the determination on how the "pie" will be divided, taking public opinion into consideration. The next meeting of the tax committee is Monday, March 27, 6 pm. Surveys are available at the back of the room.

Roland Wilson, EDC, announced their installation dinner on Thursday March 30th, everyone invited. RSVP to Maryann at the EDC

PUBLIC BUSINESS FROM THE FLOOR:

Kim Collins thanked the MDN for printing his editorial regarding the proposed waste dump in Cantil, and thanked Helen Dennis for her service. Roland Wilson said he heard the veterinarian in town has to move from his location at the airport; he would like for the vet to get a temporary stay so that he can remain in business while he continues to work on his new facility on the boulevard. He said that Lancaster and Palmdale have made offers to him to set up practice in their cities. If California City wants to keep their vet they need to make accommodations. Vice Mayor Dempsey asked if he was working on his building. There are people working on it. The Vice Mayor said he never renewed his permits to operate; if he had come in the Vice Mayor is sure he would have had it renewed. Mr. Wilson said he applied for a permit to remain open. Mr. Way said he made inquiries, but never applied for a permit. Mr. Way said his rent expired where he was and the City granted extensions; the veterinarian did not complete the work within those extensions. Mayor Adams noted it would be good if the city could help him along to allow him to complete his building.

PUBLIC HEARING:

PH 1. Council consider Ordinance relating to land divisions - City Manager

Mayor Adams declared the public hearing open at 6:30 p.m.

City Manager Way noted this item was brought to the Planning Commission in August 2005, and then was not brought forward to the City Council. It is now before them for approval. This modifies our ordinance regarding land division and brings our ordinance into compliance with the state Map Act. Responsibility for the administration of this is transferred from the City Engineer to the City Manager.

Mayor asked for any council questions or public comment, which there was none. There was no communications received by the City Clerk.

Mayor asked for a motion to close the public hearing. Motion by Councilman Lessenevitch, second by Councilman Schafer. Carried. Closed hearing at 6:32 p.m. No further council discussion.

Motion by Councilman Edmiston, second by Councilman Schafer to give First Reading by Title Only with Further Reading Waived, of "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AMENDING THE CALIFORNIA CITY MUNICIPAL CODE AS IT RELATES TO LAND DIVISIONS" ,Roll Call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

NEW BUSINESS

NB 1. Appeal to Council regarding denied claim - Donald T. Jones

Mr. Jones explained his claim to the city to reimburse him for the loss of his vehicle oil pan due to the fact that the road is not maintained. He pointed out that other roads in the city have signage warning people that the road is not maintained. Mayor Adams asked who had investigated the claim; Dan Allen reported that he had done the investigation and there were potholes in the road. Mayor Adams asked him to do a further investigation and advise him (the Mayor) on his findings so he can advise Mr. Jones. (Note: No direction was given to staff regarding the validity or non-validity of the claim or appeal).

NB 2. Mayor proclaim week of April 2-8 as "Public Health Week 2006" in California City - Mayor Adams

Mayor Adams read the proclamation and presented it to a representative from Kern County Health Department

NB 3. Presentation by the California City Airport Advisory Board regarding runway access for local business -

Charlie Sprout said the Advisory Board is unanimously in favor of a taxiway at the west end of the runway. They do not want to see perpendicular taxiways to the main runway across the glider landing area; if there is an aircraft transiting such a perpendicular taxiway while a glider

is attempting to land, the glider cannot power up and go around; it is a flight safety issue.

Councilman Schafer noted that the primary requestor of such a perpendicular taxiway was Van Pray, whose business requires that he access the main runway several times a day.

Cindy Brickner, Caracole Soaring, noted that her glider landing area began to the west of the terminal, indicated by a yellow marking on the map provided, and she does not want cross-traffic on that landing strip. She proposes that the taxiway be paved as shown on the green portion of the map, which would permit Mr. Pray and other west end businesses access to the west end of the main runway. They propose a 35' width for the taxiway, which would allow Mr. Pray's aircraft to taxi on a hard surface and not damage his airplane.

Mayor Adams said that staff should pursue costs of both hot asphalt/base and grind for the proposed runway. Vice Mayor Dempsey said that Van has been in business for many years and has bought a lot of gas, and just because someone doesn't like Mr. Pray is no reason he should continue to go without runway access without having to cross the dirt taxiways and open ground to get to the runway. Council consensus was to have staff get costs for 3" surfacing of grind and asphalt/base sufficient to do the paving of the proposed green taxiway on the map. This matter was tabled until more information can be provided.

Public Comment: Bill Smith, City Hardware. He asked for a timeline for the completion of the proposed taxiway; this has been going on for 20 years; it's time we set a deadline for getting the numbers back to them. Council asked that the numbers be back by the 18th of April.

NB 4. Council consider options for Sports Arena - City Manager

Mr. Way deferred to Risk Manager Michele Schafer. She reported on the formal report from the investigators on the city buildings. They performed environmental tests on the city buildings in the park. The boy scout hut had no problems, the Pool and Marina had no problems except peeling paint. The Community Center has asbestos in the ceilings. This is being sealed by OSHA-approved paint and drywall installation for the short term, eventually it will have to be removed. The Sports Arena has black mold in the ceiling where the inspectors were to look, and the inspectors will not go up there to check the structural integrity of the buildings until that mold is removed.

Options:

- Hire licensed mold removal contractors to remove the mold so the inspectors can get up in the overhead;
- Burn the building down
- Refurbish the building (mold removal must still be done).

There was a discussion about saving the dome portion of the sports arena, however per Michele Hornback, the electrical system and air conditioning would have to be moved into the dome from the two wings where they are currently located. Also the restrooms are in the wings.

Bud Burnett asked why the city had to remove the mold in a condemned building; that should be the insurance company's job to clear out the mold if they want to look around. Per staff, that's not the way it works in municipal insurance policies.

Kim Collins asked how much the insurance and grants might pay; that remains to be determined, after the inspectors can get a look at the inside of the roof and structure.

The Council asked for the cost of each option, requesting the matter come back to them.

The City Clerk asked if the Community Center will be available for elections for the June Primary; it will be open next week. The Clerk will inform the Kern County Elections Department that the use of the Community Center is back on for the Primary and General Elections.

NB 5. Council vote to appoint Denise Hilliker as City Clerk, effective April 1, 2006 - Mayor Adams

Motion by Councilman Schafer, second by Councilman Lessenevitch, to appoint Denise Hilliker as City Clerk effective April 1, 2006. Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

COUNCIL AGENDA:

Councilman Edmiston - Requested a typewritten checklist to hand out to people when they come in to City Hall to get the permits or information on a project. Too often they are not told by one department that something is

needed in the process by another department. He wants them to know everything they have to do, to complete their project, in one piece of paper. Mayor Adams announced the Cal Trans event of the kickoff of the four-laning of Hwy. 14 from the north "Y" to Red Rock Canyon. It will be Thursday April 6, and the Mayor has been invited to speak.

CONSENT CALENDAR/PUBLIC COMMENT:

CC 1. Check register dated 3/10/06

CC 2. Minutes of March 7 Regular Meeting

CC 3. Council give Second Reading by Title Only with Further Reading Waived, and adopt "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ADOPTING ZONE CHANGE 173"

CC 4. Council give Second Reading by Title Only with Further Reading Waived, of "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ADOPTING ZONE CHANGE 170"

Motion by Councilman Edmiston, Second by Councilman Lessenevitch, to adopt the Consent Calendar. Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

Motion to adopt Consent Calendar by Councilman Schafer, second by Councilman Lessenevitch. Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

CLOSED SESSION:

CS. 1. Per Govt Code Sec. 54956.9, confer with legal counsel re existing lawsuit of Vermillion vs. City of California City

CS 2. Per Govt. Code Sec. 54956.9, confer with legal counsel regarding potential litigation, Guy claim.

CS 3. Per Govt. Code Sec. 54957.6, confer with Labor Negotiator William Way regarding Misc. Employees Union, California City Firefighters Association, and CCPOA.

Council adjourned at 7:28 pm to closed session, returned at 8:28 pm . City Attorney Lemieux reported that Council had given direction to the Labor

Negotiator regarding the unions, and had given him direction regarding the lawsuits. He noted that legal counsel had recommended Council reject the Guy claim for lateness, by motion.

Motion by Councilman Lessenevitch, second by Councilman Edmiston, to reject the claim of Sherrie Guy for lateness. Carried.

ADDITIONAL PUBLIC COMMENT: None

ADJOURNMENT:

Motion by Councilman Lessenevitch, second by Councilman Schafer, to adjourn at 8:28 p.m. Carried.

Respectfully submitted by:

Denise Hilliker, Deputy City Clerk

