

**REGULAR MEETING
CALIFORNIA CITY CITY COUNCIL
TUESDAY, April 4, 2006, 6:00 p.m.
Council Chambers, 21000 Hacienda Blvd.
MINUTES**

OPENING CEREMONIES: Mayor Adams opened the meeting at 6:00 p.m. Following the pledge of Allegiance, Pastor Frank Bachara, Desert Song Foursquare, provided the invocation. The clerk called the roll:

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

ABSENT: None

Also Present:

City Manager William Way; City Attorney Wayne Lemieux; Finance Director Terry Hicks; HR Manager Michelle Schafer; Acting Fire Chief Chris Hayes; Police Chief Linda Lunsford; Public Works Director Dan; City Clerk Denise Hilliker

ADOPTION OF AGENDA:

Motion to adopt agenda with NB 6 added by Councilman Lessenevitch, second by Councilman Schafer; carried.

PRESENTATIONS: Presenter not present at this time

STAFF ANNOUNCEMENTS: None

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS: None

PUBLIC BUSINESS FROM THE FLOOR: None

NEW BUSINESS:

NB 1. Council consider policy resolution - City Manager

Mr. Way explained that this is a resolution responding to the potential recycling landfill in the community that has been highly publicized. He noted that there were two corrections to the original resolution; the impacted airspace will read R-2508 and the word "not" will be included in regards to signing of the petition.

Council Schafer reiterated that this dump would be directly underneath the Joint Service R-2508 airspace. Military aircraft, as well as commercial flights, would be impacted by the birds that would be in and around the dump.

Councilman Edmiston added that we have support county wide to pass this resolution.

Kim Collins urged residents to not sign the petition and requested public officials along with the churches and Christians to pray that this project never makes it.

Alis Clausen, AVBOT/SCE, reminded us that Kern Co has done an outstanding job of making sure they are properly zoned so that they prevent encroachment around EAFB.

Felix Gomez suggested the City write a letter to Senator Dean Florez, letting him know how much we appreciate the job he is doing.

Al Wagner, Chief of Staff for Senator Florez, wanted to thank the council for their support.

Motion by Councilman Schafer, second by Councilman Edmiston to adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY REGARDING EASTERN KERN COUNTY RECYCLING AND RENEWABLE ENERGY DISTRICT". Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

PRESENTATIONS: Late Arrival

Melinda Hunley, Emergency Communications Center Manager, from Kern County Fire, presented a power point presentation on the protocols of Emergency Medical Dispatch.

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS: Late Arrival

David Campbell, Special Tax Committee, reported the continuing effort to have residents fill out the survey forms.

NB 2. Council consider policy resolution - City Manager

Mr. Way reported that the City Council had met on March 25th in a lengthy strategy session to discuss the various directions that the City wanted to move in. Several policy statements were agreed upon, and are included in this resolution. Miss numeration was noted.

Councilman Lessenevitch asked if the attorney had reviewed the resolution (Mr. Lemieux replied yes) and if these statements were taken to be actions on part of the council? He was concerned about the policy statement regarding the sports arena being demolished and if that was something the council could decide without a Brown Act meeting? Mr. Lemieux explained that this meeting, as well as the workshop meeting, was indeed Brown Act meetings and that there are probably other meeting and discussions needed prior to the actual implantation of these statement policies.

Mr. Way stated that at March 25th meeting it was his understanding that these were statements of policy direction of the council for staff to follow moving in these directions.

Mike Kirby, Senior Air Quality Specialist from East Kern Air Pollution Control District expressed the districts concern over the option of "burning" the Sports Arena. They have the understanding that the tiles in the roofing materials, as well as the mastic, contain asbestos. This would be a violation of County and Federal regulations.

Michelle Schafer reported that the study that was conducted showed that there is asbestos only in the mastic, not the felt titles. Mr. Way clarified that the council concurs that there is no viable way to preserve the facility any longer and that moving forward with some type of demolition would be the best course.

Each policy statement will be dealt with individually as it arises.

Motion by Councilman Lessenevitch, second by Councilman Edmiston to adopt " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ESTABLISHING DIVERSE POLICY STATEMENTS REGARDING OPERATIONS OF THE CITY OF CALIFORNIA CITY". Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

NB 3. Council consider FAA Grant Application - Airport Manager Tom Weil

Mr. Weil explained that this grant, through the FAA, is for the design engineering to widen Runway 06/24. 95% of the funding is through the FAA, with 4.75% coming from the State. The remaining .25% match is estimated to be about \$1000.00 with the total project cost of \$378,376. This is a two step- process, engineering only this step with the following year being the actual construction.

Councilman Schafer inquired if the match was budgeted for. Mr. Weil replied yes.

Motion by Councilman Schafer, second by Councilman Lessenevitch, to authorize the City Manager to submit FAA Grant application and approve him to sign all necessary documents. Roll Call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

NB 4. Adoption of the Airport Master Plan Update Final Report - Airport Manager Tom Weil

Mr. Weil reported that this brings to a close a three-year process. This Plan, broken down in short terms, provides a roadmap for future development at the airport. This has been approved previously by both the California City Planning Commission and the California City Airport Advisory Board.

Motion by Councilman Schafer, second by Councilman Lessenevitch, to adopt the Airport Master Plan Update. Roll Call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

NB 5. Council consider adoption of similar Kern County Ordinance regarding Tobacco Retail Licenses - City Manager

SUBMITTAL OF INFORMATION ONLY

It was the consensus of the council to have this item brought back as an action item on a future agenda.

NB 6. Council consider Pre-Development Agreement Phase I between the City and Strata Equity Group, Inc. - City Manager

Mr. Way reported that Strata Equity Group has some parcels of property in the south section of the city. Map was not included in packets but is being shown here. It was explained that this agreement commits the developer to moving forward with all the necessary environmental reviews, design reviews, etc., for the development of this project. Since the size of this

project is going to create a tremendous amount of work for City staff, Strata has brought forth this agreement forward to fund those expenditures by making an initial deposit of \$175,000 to the City to pursue the background work needed to be done to see if it is feasible. This is a long term project covering 3 square miles.

Councilman Schafer expressed concern over whether the deposit might be perceived by local builders as a way that their projects will be put to the back burner by staff. Mr. Way replied that that should not be a concern due to the fact we have a professional staff that pays equal and appropriate attention to all development projects.

Councilman Edmiston questioned the City playing the "lead role" in applications and negotiations with State, County or Federal agencies and would that incur any cost to the City. Mr. Way explained developer will cover all costs. Mr. Lemieux also explained that we are already the "lead agency".

Jim Kosack of Strata, explained that they do not have a completed project scope for these properties. They are currently looking at a residential master planned community with some retail support to serve the housing needs. After studies are completed they will craft how the project will turnout. Timeline for entitlement and environmental process can generally be from one to three years. After all permits are received typically one year before houses would be started. This would be a 3-5 year project at best to get started.

Mr. Way assured Councilman Lessenevitch that the only obligation the City will have is actively pursuing this project in terms of helping to develop it's impact and scope.

Michael Sellard asked the developer if this is going to be a tract of land that is going to be split and sold off or actually be developed. Mr. Way reassured him that that was specifically talked about with the developers and they have no desire to do that.

Motion by Councilman Lessenevitch, second by Councilman Edmiston, to approve the Pre-Development Agreement Phase I between the City and Strata Equity, Inc. Roll Call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams
NAYS: None
ABSENT: None
ABSTAIN: None

COUNCIL AGENDA:

Councilman Edmiston - Concerned with 18" survey holes that have been showing up. Dan Allen reported that they have identified the survey

company responsible and will be following up to make sure they are repaired.

Councilman Schafer - None

Councilman Lessenevitch - None

Vice Mayor Dempsey - None

Mayor Adams - April 6th is the groundbreaking for the 14/CCB interchange; upgrade on video/audio in council chambers

CONSENT CALENDAR/PUBLIC COMMENT:

CC 1. Check Register dated 3/27/06

CC 2. Minutes of March 21, 2006 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 AMENDING THE CALIFORNIA CITY MUNICIPLE CODE AS IT RELATES TO LAND DIVISIONS"**

CC 4. Council adopt **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ADOPTING THE KERN COUNTY MULTI-HAZARD MITIGATION PLAN"**

CC 5. Council adopt **"A RESOLUTION OF THE CITY COUNCIL OF THE OF THE CITY OF CALIFORNIA CITY TO GRANT ANOTHER DESIGNATED PERIOD FOR TWO YEARS ADDITIONAL SERVICE CREDIT"**

Councilman Schafer requested # 3 and #4 pulled for discussion.

Ordinance relating to land divisions has a misspelling on page 3 (2), should read completed instead of completely. (h) was clarified that if indeed a revision was "minor" than a refilling fee would not be charged. On the resolution relating to K.C. Mitigation Plan, Acting Chief Hayes replied that the City, to his knowledge, was not encumbered.

Motion by Councilman Edmiston, seconded by Councilman Lessenevitch, to approve Consent Calendar. Roll Call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSENT: None

ABSTAIN: None

CLOSED SESSION:

CS 1.Pursuant to Gov't Code Sec. 54956.9, confer with legal counsel regarding existing litigation of Vermillion vs City of California City

CS 2.Pursuant to Gov't Code 54957.6, confer with Labor Negotiator William Way regarding Miscellaneous Employees Union, California City Firefighters Association, CCPOA

CS 3.Pursuant to Gov't Code Sec. 54956.9, confer with legal counsel regarding existing litigation of MedTrans vs City of California City

Council went into closed session at 7:15 pm, returned to open session at 7:25 pm. City Attorney Lemieux reported there was no formal action taken.

ADDITIONAL PUBLIC COMMENT: None

ADJOURNMENT:

Motion by Councilman Edmiston, second by Councilman Schafer, to adjourn at 7:27 p.m. Carried.

Respectfully submitted by:

Denise Hilliker, City Clerk

