

**REGULAR MEETING
CITY OF CALIFORNIA CITY
CITY COUNCIL
Tuesday April 6, 2010
Council Chambers, 21000 Hacienda Blvd.
MINUTES**

CALL TO ORDER

Mayor Adams called the meeting to order at 5:30 pm

Following the Pledge of Allegiance and invocation, the city clerk called the roll:

PRESENT: Councilmembers Smith, Strong, Lessenevitch, Edmiston
Mayor Adams

ABSENT: None

ADOPTION OF AGENDA

Staff requested that CC8 item be removed.

Motion by Councilmember Lessenevitch, second by Councilmember Strong to adopt the agenda, removing item CC8. Motion carried 5-0

PRESENTATIONS None

STAFF ANNOUNCEMENTS/REPORTS

Police Chief Colerick updated the council on the department's recent Grand Jury inspection. Division Chief Paris reported that the fire department is currently working on hydrant cleaning and announced mandatory training that the department will be participating in. Public Works Director Bevins provided an update on the signalization project at CCB and CCB South

CIVIC / COMMUNITY ORGANIZATION ANNOUNCEMENTS

Chuck McGuire, Desert Tortoise Days – website deserttortoisadays.org
Pastor Pope, Solid Rock – Angel Food Ministries update
Russell Michael, Cal City Studios – announced partnership with Cerro Coso College
Kim Collins, Citizens Advisory Committee update

PUBLIC BUSINESS FROM THE FLOOR

Public comment was received from Wally Melendez, Kim Collins and Pat Bohannon

CONSENT CALENDAR / PUBLIC COMMENT

CC 1. City check registers dated through 3/31/10

- CC 2.** Adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AUTHORIZING THE FINANCE MANAGER TO EXECUTE GRANT APPLICATION FOR ASSISTANCE UNDER THE TRANSPORTATION DEVELOPMENT ACT” (Dial-A-Ride)
- CC 3.** Adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AUTHORIZING THE FINANCE MANAGER TO EXECUTE THE FEDERAL TRANSPORTATION ACT (FTA) SECTION 5311 OPERATING EXPENSE ASSISTANCE GRANT AND TITLE VI ASSURANCE AND URBAN MASS TRANSPORTATION CIVIL RIGHTS ASSURANCE”
- CC 4.** Adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AUTHORIZING THE FINANCE MANAGER TO EXECUTE GRANT APPLICATION FOR ASSISTANCE UNDER THE TRANSPORTATION DEVELOPMENT ACT” (Arterial & City Street Systems)
- CC 5.** Adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AMENDING THE MASTER FEE RESOLUTION (NO. 8-01-1941) AS IT RELATES TO FEES FOR DIAL A RIDE AND BURN PERMITS”
- CC 6.** Adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DEDICATING THE MARINA PAVILION IN HONOR OF NATHAN K. MENDELSON”
- CC 7.** Adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY NAMING THE BORAX BILL STATION - EDUCATION / INFORMATION AND VISITOR’S CENTER”
- CC 8.** ITEM REMOVED Approve Fire Recovery Services Agreement
- CC 9.** Approve Airport Hangar Reassignments

Motion by Councilmember Lessenevitch, second by Mayor Pro Tem Edmiston to approve the consent calendar. Roll call vote as follows:

AYES: Smith, Strong, Lessenevitch, Edmiston, Adams
NAYS: None
ABSTAIN: None
ABSENT: None

PUBLIC HEARING 1
Water Standby Charges FY 10/11

Mayor Adams read the item and declared the public hearing open at 6:04

Finance Manager Bailey provided the staff report. She reported that this is an annual process in order to establish water standby charges.

No council questions noted.

City Clerk Hilliker report that no communications were received regarding this item.

No Public testimony noted.

Motion by Councilmember Lessenevitch to close the public hearing. Motion carried 5-0

Motion by Mayor Pro Tem Edmiston, second by Councilmember Lessenevitch to adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ADOPTING WATER STANDBY CHARGES FOR THE FISCAL YEAR COMMENCING JULY 1, 2010”

Motion carried 5-0

PUBLIC HEARING 2

Unmet Transit Needs

Mayor Adams read the item and declared the public hearing open at 6:06

Finance Manager Bailey provided the staff report.

No council questions noted.

City Clerk Hilliker report that no communications were received regarding this item.

No Public testimony noted.

Motion by Councilmember Lessenevitch to close the public hearing. Motion carried 5-0

Motion by Mayor Pro Tem Edmiston, second by Councilmember Smith to adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DETERMINING THAT CALIFORNIA CITY HAS NO UNMET TRANSIT NEEDS THAT CANNOT REASONABLY BE MET BY THE EXISTING SYSTEM” Motion carried 5-0

NEW BUSINESS

NB 1. Proposed Supermarket Ballot Measure

Police Chief Colerick reported that recently the public had brought to the council's attention their continued desire to have a sizable market within our community. Members of the community have voiced their commitment to vote for a one time \$100 tax to generate the revenue to build one. If possible this could go on the November 2010 ballot. It is the recommendation of the City Manager for the council to open up discussion and form a subcommittee to work with community leaders to develop a position on this issue.

Pat Bohannon was present to represent the community group.

Mayor Pro Tem Edmiston inquired as to which supermarkets the group has contacted that have shown interest in coming to the city. Mr. Bohannon responded that none had been contacted. The idea that if the one time tax passed in November, with monies being collected the following year, the city would have that time to contact various supermarkets.

The council emphasized that the city has work diligently for years attempting to secure a full size market. With very little profit margin the amount of money a market needs to bring in on a normal basis is extremely high.

Councilmember Smith voiced his support of the tax, stating it will be the “people” who get the credit for making it happen.

Serge Rosebalt, owner of the local Farmer’s Groove Market, voiced his frustration. He reminded the council all he has gone through and the large amount of money he has spent over the past years getting his business open.

Further public comments were noted, both for and against the proposal.

Mayor Adams asked the public to get involved in this process and volunteer to be part of the committee.

Motion by Mayor Pro Tem Edmiston, second by Councilmember Smith to establish the committee as soon as possible to meet the established deadline of May 30th. Motion carried 5-0

NB 2. Water Rate Proposal

Public Works Director Bevins reported that we are approaching a new budget year, which the process starting in May. A major issue that will have to be dealt with at that time is the water rates for the enterprise fund. We ask that the council authorize staff to move forward with the engineering study to begin the Prop 218 process to review rates.

Motion by Mayor Pro Tem Edmiston, second by Councilmember Strong to go forward with the engineering study on water rates. Motion carried 5-0

NB 3. Central Park Pavilion Project

Police Chief Colerick reported he had previously been given direction to proceed with the Central Park Pavilion Project. The project includes installing a new metal roof on the pavilion, pouring a 4’ stamped concrete sidewalk, installing wrought iron, painting and minor electrical repairs. Phase I is the re-roofing and concrete work. Local contractor, found in good

standing, we offered walkthroughs and details for the project. During these walkthroughs structural damage to the oriented strand board was discovered and it was recommended that it should be replaced. Also noted was that the existing sidewalk adjacent to the pavilion is a hazard. Staff is recommending that the affection sections be removed and replaced. Two contractor submitted bids for Phase I and staff recommends the council to approve an agreement with Parker Construction in the amount of \$19,300.00. Funding source for this project is Park Maintenance Improvements.

Council questions were addressed. Public comments were noted.

Motion by Councilmember Strong, second by Councilmember Smith to award the project to Parker Construction. Roll call vote as follows:

AYES: Smith, Strong, Lessenevitch, Edmiston, Adams

NAYS: None

ABSTAIN: None

ABSENT: None

NB 4. Aspen Mall Landscaping and Lighting District

At this time Councilmembers Smith, Strong and Lessenevitch disclosed that they all have current businesses at the Aspen Mall and would need to abstain due to conflict of interest. City Attorney announced in order to restore the quorum he would write down a number between 1 and 3 and the three abstaining councilmembers would then chose a number between 1 and 3. Councilmember Lessenevitch picked the same number as the attorney and therefore remained on the dais. Councilmembers Smith and Strong stepped down from the dais.

City Attorney Lemieux explained the process in detail that will be taking place in order for the district to be formed and the need for two public hearings to be held.

Council questions were addressed.

Public comment was received.

Motion by Councilmember Lessenevitch, second by Mayor Pro Tem Edmiston to adopt “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY INITIATING PROCEEDINGS FOR THE FORMATION OF AN ASSESSMENT DISTRICT FOR THE ASPEN MALL UNDER THE LANDSCAPING AND LIGHTING DISTRICT ACT OF 1972**”

Motion carried 3-0-2

NB 5. Federal and State Highway Consulting Engineer

Public Works Director Bevins reported that in compliance with the California Local Highway manual, a Request for Qualifications for a three year contract for a Federal and State Highway Consulting Engineer was noticed on February 18, 2010. Three complete submissions were received and rated by the selection committee and it is their recommendation to confirm Helt Engineering as the Federal and State Highway Consulting Engineer from 1 April 2010 through 31 March 2013.

No council or public comments noted.

Motion by Mayor Pro Tem Edmiston, second by Councilmember Strong to approve Helt Engineering as our Federal and State Highway Consulting Engineer. Roll call vote as follows:

AYES: Smith, Strong, Lessenevitch, Edmiston, Adams

NAYS: None

ABSTAIN: None

ABSENT: None

COUNCIL AGENDA

Mayor Pro Tem Edmiston – Request to be excused from the 4/20 meeting

ADJOURNMENT

Motion by Councilmember Strong, second by Mayor Pro Tem Edmiston to adjourn at 7:08 pm. Motion carried.

Respectfully submitted by,

Denise Hilliker, City Clerk

APPROVED BY CITY COUNCIL ON _____