

**REGULAR MEETING
CALIFORNIA CITY CITY COUNCIL
TUESDAY, June 19, 2007, 6:00 p.m.
Council Chambers, 21000 Hacienda Blvd.
MINUTES**

OPENING CEREMONIES:

Mayor Evans opened the meeting at 6:00 p.m. Following the Pledge of Allegiance and invocation, the city clerk called the roll:

PRESENT: Council members Edmiston, Schafer, Strong, Mayor Pro Tem Lessenevitch, Mayor Evans

ABSENT: None

Also Present:

City Manager William Way; City Attorney Wayne Lemieux; Police Chief Lunsford; City Clerk Hilliker

ADOPTION OF AGENDA:

Motion by Mayor Pro Tem Lessenevitch, second by Councilmember Edmiston to make a finding that the need has arisen subsequent to the posting of the agenda to consider a declaration of emergency on the repair of a city facility. (NB 9) Motion carried.

Motion by Councilmember Schafer, second by Councilmember Strong to move NB 8 to the first item of business, and to adopt the agenda. Motion carried.

PRESENTATIONS:

Larry Phelps, Superintendent Mojave Unified School District gave an update pertaining to Cal City's new schools set to open on August 20th. He also expressed the importance of the bond measure on the ballot for the September 18th special election.

David Stafford, EDC, thanked everyone who participated in the June 9th city clean up event.

Toni Evans, Presidential Volunteer Service Awards, presented awards to Cassie Kruger, Kelsey Evans, Kistie Evans, Savannah Davis and Crystal Kruger. They were also recognized for their hours of volunteerism by representatives for Senator Ashburn, Assemblyman Maze and Congressman McCarthy.

STAFF ANNOUNCEMENTS/REPORTS:

City Manager Way gave a report on the watering procedures of the Par 3 golf course.

City Manager Way gave an update on the Sports Arena currently under construction.

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS:

Buford Land, Chamber of Commerce, invited everyone to attend a ribbon cutting for the California City Pharmacy this Friday.

Jim Quiggle, EDC, reminder that Thursday 8am is their breakfast.

Ed Waldheim, Events Committee, Concert in the Park 3rd Saturday of each month

PUBLIC BUSINESS FROM THE FLOOR:

Wally Melendez, North Edwards, recommending bus route to run east and west on Cal City Blvd.

Wayne Nosala, Cal City, requests some type of sign identifying Wonder Acres.

Kim Collins, Cal City, trash issues

NEW BUSINESS 8 (Addendum):

Naming of Boy Scout Building

Mayor Evans reported that it has been purposed that the city name the Boy Scout hut in Central Park after Bob Parker. Mr. Parker was well known for his dedication to the Boy Scout of California City for many many years.

Public comments made were in favor of renaming the hut.

Motion by Councilmember Schafer, second by Mayor Pro Tem Lessenevitch to adopt “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY, NAMING “THE BOB PARKER BOY SCOUT HUT” Motion carried.

Mayor Evans invited the Bob Parker family to step forward and presented them with a Proclamation honoring him.

NEW BUSINESS 1:

Airport Widening Project

Mr. Way provided the background on this item. The widening of the runway is to comply with the airport improvements recommendations outlined in the Municipal Airport Master Plan which council approved on December 13, 2005. The City has received authorization from FAA to advertise for this project. Staff is recommending that council approve the advertisement of the Notice to Contractors for the construction and accept the advertising date of June 20, 2007. Bid opening is scheduled for July 24, 2007. The sources of funding are from: FAA Construction grant of

\$1,797,295., Caltrans Division of Aeronautics \$99,850., and City match of \$99,850.

City Engineer Helt added this project will be to widen runway 6-24 from the existing 60 feet to 75 feet. In the bid it asks for quotes for relocating and replacing existing lighting system. The project is scheduled to take two months and the interest in the airport project is how the airport will be impacted. Many concerns from the council and citizens were raised about the possibility of the airport being shut down during the project. Mr. Way explained that there will be an opportunity to investigate various options and alternatives. When council is asked to approve and award the contract there will be an answer at that point. Mr. Helt stated that with the input received tonight, part of the authorization with the plans would reflect the use of the runway as discussed and be presented in the bid package.

Motion by Councilmember Edmiston, second by Councilmember Schafer to direct staff to go forward with the bids, with previously mentioned items and file required paperwork with the FFA and Caltrans. Roll call vote as follows:

AYES: Edmiston, Schafer, Strong, Lessenevitch, Evans

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS 2:

Code Maintenance Ordinance / City Personnel

City Attorney Lemieux explained that code maintenance is done periodically to keep the code current.

Motion by Mayor Evans, second by Councilmember Edmiston 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 CODE MAINTENANCE**” Roll call vote as follows:

AYES: Edmiston, Schafer, Strong, Lessenevitch, Evans

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS 3:

Ordinance / Process for making expenditures

City Attorney explained that over the past weeks council has been discussing the expenditure process. He identified the changes that are proposed throughout that entire section of the code.

Motion by Councilmember Schafer, second by Councilmember Edmiston 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 THE PROCESS FOR MAKING EXPENDITURES” Roll call vote as follows:

AYES: Edmiston, Schafer, Strong, Lessenevitch, Evans
NAYS: None
ABSTAIN: None
ABSENT: None

NEW BUSINESS 4:

Ordinance / Acquisition of Real Property

City Attorney Lemieux reminded the council that the Redevelopment Agency has the power of eminent domain only because the city has given it the power of eminent domain. The decision now has to be made if the city wants to continue giving their redevelopment agency that power. Staff has put together an ordinance for that purpose suggesting that the agency continue to exercise that power of eminent domain except that it has not exercise it to acquire owner occupied single family residence. City Manager Way announced that the council does not full concurrence of staff on legal counsel’s recommendation. He disagrees with the intent to diminish the authority of the either the city council or the redevelopment agency.

Council raised questions and concerns about the verbiage of the ordinance. Counsel reminded the council that there is a statutory deadline to get their decision adopted. If the council wishes not to approve this then we will most likely lose the power of eminent domain for the agency. Also noted was that this ordinance can be amended if the need arises.

Public comment was taken.

Motion by Councilmember Edmiston, second by Councilmember Strong to give First Reading of Ordinance with the modification of the 2nd paragraph to read “will” and not “will not” Roll call vote as follows:

AYES: Edmiston, Strong
NAYS: Schafer, Lessenevitch, Evans

ABSTAIN: None
ABSENT: None

Motion by Councilmember Schafer, second by Mayor Pro Tem Lessenevitch to give First Reading by Title Only, With Further Reading Waived of “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ADOPTING A DESCRIPTION OF THE PROGRAM FOR THE ACQUISITION OF REAL PROPERTY FOR THE REDEVELOPMENT PLAN FOR THE REDEVELOPMENT AREA, AND RELATED ACTIONS**” Roll call vote as follows:

AYES: Schafer, Lessenevitch
NAYS: Edmiston, Strong, Evans
ABSTAIN: None
ABSENT: None

There was a consensus of the council to re-word paragraph two of the ordinance to read as follows:

“The Agency may acquire real property by eminent domain other than owner-occupied, single-family residences”

Motion by Councilmember Edmiston, second by Mayor Pro Tem Lessenevitch to give First Reading by Title Only, With Further Reading Waived of “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY ADOPTING A DESCRIPTION OF THE PROGRAM FOR THE ACQUISITION OF REAL PROPERTY FOR THE REDEVELOPMENT PROJECT AREA OF THE REDEVELOPMENT AREA, AND RELATED ACTIONS**”, with modification to second paragraph. Roll call vote as follows:

AYES: Edmiston, Schafer, Schafer, Lessenevitch
NAYS: Evans
ABSTAIN: None
ABSENT: None

NEW BUSINESS 5:
Personnel Manual / Vacancy Announcements

Mr. Way explained that this is request by staff to modify the personnel manual so that it emphasizes that jobs within the city would be offered to current city employees first for a period of 5 days prior to external advertising.

Motion by Councilmember Schafer, second by Councilmember Strong to accept changes to the personnel manual. Roll call vote as follows:

AYES: Edmiston, Schafer, Strong, Lessenevitch, Evans
NAYS: None
ABSTAIN: None
ABSENT: None

NEW BUSINESS 6:
General Plan Update proposal

Staff requested that this item be tabled until the City Attorney reviews this proposal.

NEW BUSINESS 7:
Sale of Tax-Defaulted Property

Councilmember Strong reported that she researched the list of tax-defaulted properties included in the sale. Of the nine properties that were within the city limits, she felt they would only be of value to the adjacent property owners.

Motion by Councilmember Schafer, second by Mayor Pro Tem Lessenevitch to not object to the sale of tax-defaulted property. Consensus of the Council in favor of motion, carried.

NEW BUSINESS 9:
Emergency Mitigation on Community Center

Mr. Way reported that the Council had previously authorized staff to contract with Kerntec to move forward on the mitigation of the community center due to the fire and other issues. Staff is requesting that the Council declare that the condition is an emergency so that Kerntec can move forward with contracting of various firms to proceed. City Attorney Lemieux added that this emergency declaration must pass by a 4/5th vote of the Council to allow the expenditure of public funds without having to complete the formal bidding process. The emergency declaration is the finding that public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property.

Motion by Councilmember Schafer, second by Councilmember Edmiston to declare an emergency and allow the project to proceed. Roll call vote as follows:

AYES: Edmiston, Schafer, Strong, Evans
NAYS: Lessenevitch
ABSTAIN: None
ABSENT: None

COUNCIL AGENDA:

Councilmember Schafer - Thanks to Dave Stafford on city clean up
Councilmember Edmiston - Thanks to the community on clean up; request agenda item on proper trash can usage, inviting Benz to participate
Mayor Pro Tem Lessenevitch - Attending KernCog this Thursday. Cal City still does not have a representative for the Tec. Advisory Committee.
Request report from legal counsel regarding commercial sanitation rates.
Mayor Evans - promoting a clean and green community

CONSENT CALENDAR/PUBLIC COMMENT:

CC 1. Check register dated 06/08/07

CC 2. Approve the minutes of the Regular Meeting held 04/17/07

CC 3. Adopt **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY, STATE OF CALIFORNIA, IN THE MATTER OF: UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES”**

Attorney Lemieux explained that CC3 is unnecessary due to the fact it is already included in the municipal code. Item CC3 removed.

Motion by Councilmember Edmiston, second by Councilmember Schafer to approve the Consent Calendar. Roll call vote as follows:

AYES: Edmiston, Schafer, Strong, Lessenevitch, Evans

NAYS: None

ABSTAIN: None

ABSENT: None

ADDITIONAL PUBLIC COMMENT:

Kim Collins inquired and received information on the process for hiring vacant code enforcement position.

CLOSED SESSION:

CS 1. Per Govt. Code Section 54956.9, confer with Legal Counsel regarding existing litigation; Guy

CS 2. Per Govt. Code Section 54957.6, confer with Labor Negotiator regarding Misc. Union.

City Attorney Lemieux reported that the council was given a progress report; no action taken

ADJOURNMENT:

Motion by Councilmember Edmiston, second by Councilmember Strong to adjourn at 10:00 pm. Motion carried.

Respectfully submitted by, Denise Hilliker, City Clerk

