

**SPECIAL MEETING
CALIFORNIA CITY CITY COUNCIL
TUESDAY, August 9, 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 Lessenevitch, Schafer, Mayor Adams.

ABSENT: Councilman Edmiston, Vice-Mayor Dempsey

Also Present:

City Manager William Way; City Attorney Wayne Lemieux; Acting Fire Chief Chris Hayes; Police Chief Linda Lunsford; Public Works Director Dan Allen; City Clerk Denise Hilliker

ADOPTION OF AGENDA:

City Engineer Jerry Helt explained why there is a need for action on an item, which has arisen subsequent to the posting of the agenda, concerning a RSTP program supplement agreement No. 006-M, to be added to the agenda. Mr. Helt informed the council that this item needed to be added to tonight's agenda due to time restraints and because the original supplement, sent to the City back in May from Caltrans, was never located and its execution is necessary to obligate the funds for this project.

Councilman Lessenevitch voiced concerns that since he resides where this project is, would he have a conflict of interest discussing and voting on it. City Counsel advised him that this since this project affects him the same as a significant amount of others, there is no conflict.

Motion to make a finding that the need has arisen, subsequent to the posting of the agenda, to add this item to the agenda by Councilman Lessenevitch, second by Councilman Schafer; Roll call vote as follows:

AYES: Lessenevitch, Schafer, Adams

NAYS: None

ABSENT: Edmiston, Dempsey

ABSTAIN: None

Mr. Way announced that since there is nothing to report to the council concerning the closed session item, he requests that it be removed.

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

PRESENTATIONS:

Alis Clausen from Southern Calif. Edison offered some information in regards to residential electric rates, temperatures and general consumer consumption. She has handouts she will be leaving for the public as well.

STAFF ANNOUNCEMENTS:

City Manager Way - Project status reports were handed out and will be given to the council on a regular basis. A copy was provided to the media. Also a reminder that on August 29th there will be a special joint meeting of the council and the planning commission. It will be a scoping workshop regarding the City's General Plan.

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS:

Linda Wilson, representing the Calif. City Art Commission, invited everyone to attend their upcoming art show on Sept. 23-24. This year there will be an event for the kids. She also needs a few volunteers to help set up and tear down their partitions.

PUBLIC BUSINESS FROM THE FLOOR:

David Stafford voiced his concerns about where the excess monies coming into the building department is being put and what has it been spent on. To his knowledge the funds are not suppose to be put back in the general fund. Mayor Adams asked Mr. Way to set up an appointment with Mr. Hicks. Mr. Way will be making an appointment with himself, Mr. Stafford and Mr. Hicks for the following week.

PUBLIC HEARING: None

CONTINUED BUSINESS 1:

Council continue discussion of water rates - City Manager

Mr. Way deferred discussion of this item to the City Attorney. Mr. Lemieux wanted to bring the council some recent court rulings, which will impact on water rates in the City. California Supreme Court has decided that water rates are subject to all the provisions of Prop 218. Lemieux has believed, and has advised the City, that the substantive provisions of Prop 218 had to be complied with. That is that the water rates cannot exceed the reasonable cost of the service. We believe that the procedural provisions of Prop 218 did not apply to water rates. These provisions require notice of a public hearing. The California Supreme Court has decided that all of the procedural provisions of Prop 218 apply. Most of them are not a problem except for the notice to property owners affected by the water rates. (mass

mailings) There might be the chance that we do not have to send notices to those owners whose property does not have water service. He is recommending that we hold off on the discussion of raising water rates until we see how the present case is going to pan out. The Court has also deemed that connection fees are not property related. Mr. Lemieux stated he would like to give it until next week and then he can report if there has been any changes.

NEW BUSINESS 1:

STRATA Project - City Manager

Mr. Way reported that this major proposed development, which has been previously discussed, seeks amendments to previously approved contracts, due to the potential change in the scope of their project of 333 acres. Staff is seeking approval for these amendments as well as approval of the contract with Jones & Stokes Associates, who will prepare the required CEQA documents. (EIR)

Jones & Stokes Associates	\$ 280,240.	CEQA
LSA Associates, Inc	\$ 2,800.	Cultural Resources
PCR Services Corp.	\$ 47,585.	Biological Resources

The entire funding for this is strictly from the developer. Councilman Schafer inquired if these additional needed funds were already received. Mr. Way believed they were, but will verify with the Finance Director when he return Monday. Also that the agreements are not signed until the funds are verified as being received.

Motion by Councilman Schafer, second by Councilman Lessenevitch to approve contract amendments and contract with Jones & Stokes Associates, with the stipulation that the funds are verified to be available. Also direct the City Manager to execute all necessary documents; Roll call vote as follows:

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

NEW BUSINESS 2:

Federal-Aid Regional Transportation Project Program Supplement - City Engineer

Mr. Helt explained that the project itself was previously qualified under the CMK program. The PE is scheduled to begin this fiscal year. In order to begin the project the sequence of events is that the authorization has to be received from CALTRANS before any work can be done. The first step to obtain the document to allow the reimbursements is the program supplement that has been added to tonight's agenda. Execution of the supplement, by the City Manager, will be sent to CALTRANS at which time they will process an authorization, which is sent to the City to use for the reimbursement process. If this were not executed, the funds would be de-obligated.

Councilman Schafer asked where the match was budgeted. Mr. Way replied that that specific match of \$8,049. had not been specifically earmarked. He will have to meet with the Finance Director early Monday to determine the specific location of those funds. Councilman Lessenevitch voiced that there would be no reason why it could not come special tax monies.

Motion by Councilman Lessenevitch, second by Councilman Schafer to adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY APPROVING THE PROGRAM SUPPLEMENT AGREEMENT NO. 006-M TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 09-5399 FOR THE REDWOOD BOULEVARD WIDENING FROM HACIENDA BLVD. TO NEURALIA AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT"; Roll call vote as follows:

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

COUNCIL AGENDA:

Councilman Schafer - Wanted explanation regarding placement of new pipe being laid on North Loop. Mr. Allen answered his concerns. Thanked the police dept. for their efforts at National Night Out. Expressed concerns regarding the cars and items being "for sale" in the front row of Aspen Mall. He would like this item put on a future agenda.

Councilman Lessenevitch - Asked the Chief of Police to investigate address on Bancroft regarding major cat issues.

Mayor Adams - Thanked everyone for their participation at the Eric Dodge concert and National Night Out. Heard they were both successful. Also reported that donations from local citizens for renovation of the park is up

to about \$21,000. The two pumps to fix the waterfall can now be purchased. Wishes to thank everyone who has come together to make this a successful project.

CONSENT CALENDAR/PUBLIC COMMENT:

CC 1. Check Register dated 7/31/06

CC 2. Minutes of July 18, 2006, regular meeting

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

AYES: Lessenevitch, Schafer, Adams

NAYS: None

ABSENT: Edmiston, Dempsey

ABSTAIN: None

CLOSED SESSION: None

ADDITIONAL PUBLIC COMMENT: None

ADJOURNMENT:

Motion by Councilman Lessenevitch, second by Councilman Schafer, to adjourn at 7:12 p.m. Carried.

Respectfully submitted by:

Denise Hilliker, City Clerk

**REGULAR MEETING
CALIFORNIA CITY CITY COUNCIL
TUESDAY, August 15, 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, Adams.

ABSENT: Vice Mayor Dempsey

Motion by Councilman Lessenevitch, second by Councilman Schafer to excuse Councilman Edmiston and Vice Mayor Dempsey from the 8/9/06 Special Council Meeting; carried

Also Present:

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

ADOPTION OF AGENDA:

Motion to adopt agenda by Councilman Lessenevitch, second by Councilman Schafer; carried

PRESENTATIONS: None

STAFF ANNOUNCEMENTS:

Public Works Director - Dan Allen gave an overview/update on the slurry seal project. Map was provided showing what streets have been completed as of today. Door hangers are being given to affected residents and the total project should be completed within 4 weeks.

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS:

Jim Quiggle, EDC, reminded the public that the 5th Thursday Dinner is planned for 8/31/06 at the Community Center. Cost is \$15 per person. Shelly Hornback - "Blue Diamond" will be performing at the next Concert at Central Park. It will be held on Sunday 8/20 from 5-8 pm. Donations are being accepted.

Bud Burnette, Calif. City Advisory Committee, reminding all residents the importance of passing the Special Tax this November.

PUBLIC BUSINESS FROM THE FLOOR:

David Stafford - Would like the excess funds that come into the building department set aside and put back in that department only. He feels that if the builders need extra inspectors, than those positions could be funded from the banked money.

PUBLIC HEARING: None

NEW BUSINESS 1:

05' - 06' Year-end financial reports - City Manager

Mr. Way explained that he wanted the council to have an opportunity to get year-end financial reports prior to them being audited, which is not done until November 06'.

Finance Director Hicks wanted to speak to the financial position of the City. In particular, in relation to, the adopted 06'-07' budget. He again wanted to remind the Council that the numbers before them are un-audited. Speaking on the subject of fund balances, in total for the general fund, we did program \$2,098,000. as a beginning fund balance for the general fund, the latest number is at \$2,093,000. For motor vehicle in lieu reserve, based on one more budgeting transfer from last year, we will have \$78,000., which was the forecast. No material difference there. Supplemental Law Enforcement Fund, we will be at zero, as forecasted. We will transfer in an estimated \$27,000 from the general fund to zero out the results of the fund. Dial-A-Ride, we estimated a zero fund balance, because this fund is procedurally suppose to zero out each year. We will have an estimated \$25,000. transferred to zero out the fund. The Street fund, we did predict in total \$1,685,967., the latest available figure is \$1,717,000. Public Safety Augmentation Fund, ½ cent sales tax, will be at zero, as predicted, when we close out the books. The Water Fund we will be extremely close to the forecasted \$400,000. figure. For available fund balance and for total water main project, we will have at least \$1.5 million. Sanitary Sewer Fund, we predicted \$595,000. and as of now we have an estimated \$680,000. An improvement. The Airport Fund, we predicted a negative position of \$90,000. and currently that position is about negative \$100,000. The Aspen Mall Maintenance District, we predicted zero, and it is currently a slight positive position of \$4,000. We predicted \$130,000. for Fund 80, we have a position of \$129,555. That concludes a brief comparison of where we stand at this point in time, prior to closing out the books in terms of our beginning fund balances.

Councilman Edmiston asked if the City had any open lines of credit. Mr. Hicks replied No.

Councilman Lessenevitch asked it questions specific to the water department would be appropriate at this time. It was the consensus to discuss that when the subject of water rate increases is brought back before the council. He inquired if it would be possible to having this existing

financial statement converted into a form that could be put along side the budget to compare. Mr. Hicks conquered that he will compile a form that shows the comparison for 05'-06', in the standard budget format, and also see the fund balances.

NEW BUSINESS 2:

Claim for \$1,000.00 Graffiti Reward - City Manager

Mr. Way recalled that a couple of months ago, the city council authorized the establishment of a graffiti reward fund of \$1,000.00 for anyone that presented us with information leading to the arrest and conviction of those performing graffiti in the city. There was an incident where two citizens submitted such evidence; an arrest was made, which led to a guilty confession and conviction. Staff recommends that council go forward and award the \$1000.00. Even though the courts do not allow the reward money be made part of the restitution, it is a positive thing for the city. Mr. Way also added that since there was ample funds forecasted for liability insurance this year, so the \$1000. can come out of that aspect of the budget.

Councilman Schafer inquired about when we might expect the guilty individual to be back in the city doing their community service. Chief Lunsford explained that it would be after the individual serves his 90 days in jail.

Motion by Councilman Schafer, second by Councilman Lessenevitch to approve payment of reward; Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Adams

NAYS: None

ABSENT: Dempsey

ABSTAIN: None

COUNCIL AGENDA:

Councilman Edmiston - Keep up the effort to clean up the lots within the City.

Councilman Schafer - Concerns that members of the community are stating they have heard nothing about the upcoming special tax. Hopefully we can do all in our power to continue to get the word out.

Councilman Lessenevitch - None

Mayor Adams - New code enforcement officer hired. He thanked Sharon Williams for organizing the next concert in the park.

CONSENT CALENDAR/PUBLIC COMMENT:

CC 1. Check Register dated 8/8/06

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

AYES: Edmiston, Lessenevitch, Schafer, Adams

NAYS: None

ABSENT: Dempsey

ABSTAIN: None

CLOSED SESSION:

CS 1.Pursuant to Gov't Code Sec. 54957.6, confer with Labor Negotiator William Way regarding C.C. Firefighters Assoc.and CCPOA

CS 2.Pursuant to Gov't Code Section 54956.9, confer with Legal Counsel regarding claim of Gerardo Zavala

Council recessed at 6:30 pm for closed session. Upon return at 6:51 pm City Attorney Lemieux stated that after discussion of said claim it was now appropriate to act on said claim.

Motion by Councilman Lessenevitch, second by Councilman Schafer to pay the claim. Roll Call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Adams

NAYS: None

ABSENT: Dempsey

ABSTAIN: None

City Attorney Lemieux further stated that the council received a report from its labor negotiator and no action was taken.

ADDITIONAL PUBLIC COMMENT:

Councilman Schafer asked for an update on the new Sports Arena at the next council meeting.

ADJOURNMENT:

Motion by Councilman Edmiston second by Councilman Lessenevitch, to adjourn at 6:55 p.m. Carried.

Respectfully submitted by:

Denise Hilliker, City Clerk

