

**REGULAR MEETING
CALIFORNIA CITY CITY COUNCIL
TUESDAY, October 3 2006, 6:00 p.m.
Council Chambers, 21000 Hacienda Blvd.
MINUTES**

OPENING CEREMONIES: Mayor Adams opened the meeting at 6:22 p.m. Following the Pledge of Allegiance, Rev. Neal Blanke, of the Trinity Lutheran Church, provided the invocation. The clerk called the roll:

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

ABSENT: None

Motion to excuse Councilman Edmiston from the 9/05/06 and the 9/16/06 council meetings by Councilman Schafer, second by Vice Mayor Dempsey; carried

Also Present:

City Manager William Way; City Attorney Wayne Lemieux; Finance Director Terry Hicks; Acting Fire Chief Chris Hayes; Public Works Director Dan Allen

ADOPTION OF AGENDA:

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

PRESENTATIONS:

Ben Higgins, State Director of the USDA, presented the Mayor with a ceremonial check to represent the \$5 million, low interest rate, loan that the City qualified for under USDA.

Acting Fire Chief gave an overview of the recent OES Table Top Exercise that staff participated in.

STAFF ANNOUNCEMENTS: None

CIVIC/COMMUNITY ORGANIZATION ANNOUNCEMENTS:

David Campbell - The Special Tax Committee for Measure "J" expect to have their mailer out next week and signs will be going up. Best source of information on the tax is on the website www.californiacityspecialtax.org

Buford Land - Chamber of Commerce is sponsoring a political candidate forum on Oct. 19th, 6pm at the middle school

Michelle Hornback - On Oct. 8th the next Concert in the Park will be held

from 2-5 pm. Renaissance Festival on Oct 21st-22nd. at the park.
Bob Smith - EKHD - Oct 28th will be the 4th Annual Cancer Walk
starting at the tennis courts.
Ed Walheim - EDC - events committee to meet on Oct. 13th at 10am at the
EDC.

PUBLIC BUSINESS FROM THE FLOOR: None

CONTINUED PUBLIC HEARING 1:

**Council consider Amendment of Kern County Community Development
Block Grant - City Manager**

Mayor Adams declared the hearing opened at 6:40 pm.

Public Works Director explained that the original project for the mobile home park will not cure the drainage issues for the entire park. The cost will be considerably much higher. It is staffs opinion that these monies would be better off used for the Ransburg-Mojave Road Project. It was also stated that the Citizen's Advisory Committee voted that they do not support using more special tax monies on the Ransburg Mojave Project. CDBG is in full support of extending the current project.

See Attachment "A" for powerpoint presentation.

Buford Land expressed his concerns over the dangerous intersection at Ransburg Rd turning left on Mendinburu.

No additional communications were received by the City Clerk.

**Motion by Councilman Lessenevitch, second by Councilman Schafer to
close the public hearing at 6:46 pm; carried**

**Motion by Councilman Edmiston, second by Councilman Lessenevitch to
adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CALIFORNIA CITY REGARDING THE AMENDMENT OF KERN
COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROJECT FOR CALIFORNIA CITY STREET IMPROVEMENTS
(RANDSBURG-MOJAVE ROAD ACTIVITY #13.04.1) AND THE
CANCELLATION OF THE LAKEVIEW MOBILE HOME VILLAGE
DRAINAGE IMPROVEMENTS (CD ACTIVITY #13.06.1). Roll call vote as
follows:**

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

PUBLIC HEARING 1:

**Council consider appeal by Larry Grimshaw regarding VTTM #6624 -
Assistant City Manager/Finance Director**

Mayor Adams declared the hearing opened at 6:50 pm.

Assistant City Manager Hicks recounted the course of events from the workshop held on Sept. 12th through this evening. On Sept 26th the Commission denied this VTTM by a vote of 3-2. No new conditions were offered by the Commission to accommodate a new map or new hydrology duty that would have incorporated a sump area on the site. They offered the proponent a postponement until the map could be redone and the proponent chose to have the Commission vote on the existing map with the original conditions. Mr. Grimshaw filed his right to appeal on Sept. 27th and it was verified that the public noticing requirements have been met.

During council questions Councilman Edmiston voiced his concerns on the density of the project. Mr. Grimshaw replied that he would lose a couple of lots for a sump area so the number of lots would be about 88. He stated that with the amount of money that is already invested in the project that is why he is going with that high of number of lots. He also reiterated that he is within the city's own ordinance/code for lot size and is also within the specification for R-1 development. He reminded the council that there were already several tracts build with small size lots.

Councilman Schafer voiced his concerns that while he was for the project he would like to see a park included with the sump along with results of a current traffic study. Mr. Grimshaw stated that a traffic study as well as a hydrology study had been completed. He believes that this would be a desirable place for those wishing to buy with the added amenities. CEQA issues have also been addressed.

Comments were given by various members of the public. All questioned whether this project was in harmony with the existing projects and that this project would have a definite affect on the surrounding areas. Traffic problems will also become an issue. It was also recommended by the public that the council stand behind their appointed planning commissioners.

No additional communications were received by the City Clerk.

Motion by Councilman Lessenevitch, second by Councilman Edmiston to close the public hearing at 7:28 pm; carried.

Vice Mayor added that he feels that we should not dictate to Mr. Grimshaw what he does with his property since he is within the city's code and regulations.

City Attorney Lemieux stated that the council had three choices in regards to this matter. Approve the vested tentative map, disapprove it, or table it.

Motion by Councilman Schafer, second by Councilman Edmiston to vote no on this appeal regarding VTTM #6624 and encourage the proponent to present a new map with the suggested changes to the planning commission. Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey

NAYS: Adams

ABSTAIN: None

ABSENT: None

NEW BUSINESS 1:

Final Tract Map 7013 - City Manager

Mr. Way explained that for all intents and purposes this final tract map is a replica of final tract map 5722 which was considered and approved previously but the attorney in his review discovered that there were certain aspects of it which needed to be re-reviewed as a map for the planning commission to consider and ultimately to the council. It is the recommendation of staff for council to approve.

It was verified that the conditions of approval do date back to 1993. It was also explained that the abandonment of city streets has not yet been accomplished and will be on an agenda in the future.

Motion by Councilman Schafer, second by Councilman Edmiston to adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY APPROVING THE FINAL MAP FOR TRACT 7013, PHASES II THROUGH V AND AUTHORIZING THE CITY CLERK TO EXECUTE THE FINAL MAP AND THE CITY ENGINEER TO FILE THE MAP WITH THE COUNTY CLERK". Roll call vote as follows:

AYES: Edmiston, Lessenevitch, Schafer, Dempsey, Adams

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS 2:

Sludge Centrifuge - Public Works Director

Mr. Allen explained that this project has been worked on for the past year.

****See Attachment "B" for power point presentation*****

Since the drying beds were not expanded back in 2002, the plant is experiencing a shortfall in its handling capacity. This machine/process would allow us to process Class "A" sludge which is non-toxic and therefore can be land applied. ie: golf course, parks, etc. Time on return is projected at around 5-6 years. In regards to the sludge "B" that we now produce, it is getting increasingly harder to get it hauled away. The cost of this machine will come out of sewer connection fees.

Positive public comment was also noted.

Motion by Councilman Lessenevitch, second by Councilman Schafer to approve purchase of sludge centrifuge at a cost of \$733,000.00 Roll call vote as follows:

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

COUNCIL AGENDA:

Councilman Lessenevitch - None

Councilman Schafer - None

Vice Mayor Dempsey - Discussion on next meeting regarding impact fees.

Mayor Adams - cameras to help catch graffiti vandalism, request to have representative for Measure "I" at our next meeting

CONSENT CALENDAR/PUBLIC COMMENT:

CC 1. Check Register dated 9/22/06

CC 2. Approve minutes of Special Meeting held on 9/5/06

CC 3. Council adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY AUTHORIZING THE APPLICATION FOR THE WATERLINE IMPROVEMENT PROJECT, PHASE II, THROUGH THE USDA WATER AND WASTE DISPOSAL PROGRAM AND INSTRUCTING THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY TO OBTAIN THE GRANT"

Motion by Councilman Edmiston, second by Councilman Schafer 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. Per Gov't Code Sec. 54957.6, confer with Labor Negotiator William Way regarding C.C. Firefighters Assoc. and CCPOA

CS 2. Per Gov't Code Sec. 54957.6, Public Employee, Fire Chief

CS 3. Per Gov't Code Sec. 54956.9, confer with Legal Counsel regarding potential litigation, Aspen Mall

Council recessed at 8:00pm for closed session. Upon return at 9:04pm City Attorney Lemieux reported that in respect to negotiations with the Fire and Police Associations, the City's labor negotiator was given further instructions. No other action was taken or reportable. The City Manager was instructed and authorized to extend an offer of employment for Fire Chief. There was nothing to report on potential litigation, as no action was taken.

ADJOURNMENT:

Motion by Councilman Lessenevitch second by Councilman Edmiston, to adjourn at 9:06 pm. Carried.

Respectfully submitted by:

Denise Hilliker, City Clerk