

**REGULAR MEETING  
CITY OF CALIFORNIA CITY  
CITY COUNCIL  
Tuesday November 17, 2009  
Council Chambers, 21000 Hacienda Blvd.  
MINUTES**

**CALL TO ORDER**

Mayor Adams called the meeting to order at 6:35pm

**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**

Motion by Councilmember Lessenevitch, second by Mayor Pro Tem Edmiston to adopt the agenda with the Addendum. Motion carried 5-0

**PRESENTATIONS** None

**STAFF ANNOUNCEMENTS/REPORTS**

Chief Colerick reported on the conditions of the roof at the Animal Control building. (handout)

**CIVIC / COMMUNITY ORGANIZATION ANNOUNCEMENTS**

"Feed the Hungry" Dinner 11/23 American Legion 5:30

MaryAnn LeBlanc - EDC: Breakfast 8am 11/19 @ Foxy's

Shelly Hornback - Kern Co. Health giving H1N1 flu shots on 11/19

**PUBLIC BUSINESS FROM THE FLOOR**

Public comment was received from Wayne Nosala, Kim Collins, Chuck McGuire and David Stafford

**CONSENT CALENDAR / PUBLIC COMMENT**

**CC 1.** City check registers dated through 11/12/09

**CC 2.** 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 AT TIERRA DEL SOL GOLF COURSE"

**CC 3.** Accept the bid and authorize the City Mayor to execute an Agreement for the Intersection Signalization and Improvements at California City Blvd., Randsburg-Mojave Rd. & Proctor Blvd., ESPL 5399-(014) with PTM General Engineering Services, Inc. for \$404,040.

**CC 4.** Approve minutes of meetings dated 09/01/09 and 09/15/09

Public received clarification regarding Ck #80636; Cal City Sanitation and Ck #80662; Helt Engineering. Public was reminded that part of the fees paid to Helt are reimbursed by grant funds.

Public received clarification regarding CC 3, explaining that this project met all the federal requirements in order to be funded under the stimulus monies.

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:** Smith Ck #80641

**ABSENT:** None

### **NEW BUSINESS**

**NB 1.** Ordinance: Placement of Flag Poles and similar devices

City Manager Weil explained that this revision to the code is simply to insure that the device pose no threat to public safety. This will be done through a site plan review by the Planning Director. The height requirements listed are not being changed and are part of the original ordinance. Public Works Director also provided input on this item.

Public input was received expressing concern in local governments involvement of something located on personal property.

Motion by Mayor Pro Tem Edmiston, second by Councilmember Strong 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 PLACEMENT OF FLAG POLES AND SIMILAR DEVICES**”. Roll call vote as follows:

**AYES:** Strong, Edmiston, Adams

**NAYS:** Smith, Lessenevitch

**ABSTAIN:** None

**ABSENT:** None

## **NB 2. RFP for the Structural Analysis on the Community Center**

City Manager Weil reported that the Community Center has been discussed with the County as a candidate for a Community Development Block Grant. County's staff has prepared a Request for Proposal for the Structural Analysis on the center, prior to moving forward with additional planning. The grant will total \$50,000. with \$45,000. going for the proposal; and the remaining \$5,000. going towards the city's administrative costs. Mr. Weil explained the details of the analysis and how it is necessary to accurately determine the direction for the renovation of the Center.

Clarification was given to the public on the term RFP.

Motion by Mayor Pro Tem Edmiston, second by Councilmember Smith to approve the RFP. Roll call vote as follows:

**AYES:** Smith, Strong, Lessenevitch, Edmiston, Adams

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

## **ADDENDUM**

### **NB 3. CaliforniaFIRST Program Application**

City Manager Weil explained the CaliforniaFIRST Program which offers cities in Kern County an opportunity to make low-cost property secured financing available to their residents and businesses under the terms of Assembly Bill 811. This funding would be for energy efficiency, solar power improvements. There are no matching funds, administrative costs, or grant reporting required. Staff is recommending submitting a nonbinding letter of commitment to ensure that the City can participate in this pilot program, if it wishes to do so.

Mr. Weil explained the benefits from this pilot program for both the property owners and the City.

City Attorney Lemieux offered his opinion on the program. Mayor Adams stated it makes sense to encourage property owners to do energy projects but is not sure this is the way to go. Mr. Weil requested we go ahead with Letter and in the mean time gather more information. Also staff informed council that it is up to individual property owners to decide if they want to do a project and the City is not involved in the application or the project.

Public input was received; questioning how much the assessment would be on the property. That would be based on the amount of monies borrowed and time limit to pay it back.

Motion by Mayor Pro Tem Edmiston, second by Councilmember Strong to approve the letter of commitment. Roll call vote as follows:

**AYES:** Strong, Edmiston, Adams

**NAYS:** Smith, Lessenevitch

**ABSTAIN:** None

**ABSENT:** None

### **COUNCIL AGENDA**

Councilmember Smith - Request letter of recognition for those persons who worked on the food bank; also letter from property owner on South Loop

Councilmember Lessenevitch - abandoned building concerns

Mayor Adams - concerns with speeding in the park

### **CLOSED SESSION**

**CS 1.** Per Gov't Code Section 54956.9; confer with Legal Counsel - Potential Litigation

**CS 2.** Per Gov't Code Section 54956.9; confer with Legal Counsel - Existing Litigation, Guy vs California City

### **CLOSED SESSION ACTION**

City Attorney Lemieux reported that the council took two actions in closed session. In respect to the Efford claim (CS1) council authorized the City Manager to engage with an insurance adjuster to examine the claim. In respect to CS2, Guy litigation, specifically dealing with out insurance company PARSAC, the city received a letter of compromise on the proceeds of the settlement. Mr. Lemieux further explained the complex case.

Motion by Mayor Adams, second by Councilmember Lessenevitch to approve the letter of compromise involving the insurance proceeds and deductions. Roll call vote as follows:

**AYES:** Smith, Strong, Lessenevitch, Edmiston, Adams

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

**ADJOURNMENT:**

Motion by Councilmember Lessenevitch, second by Councilmember Smith to adjourn at 7:56 pm. Motion carried.

Respectfully submitted by,

Denise Hilliker, City Clerk

**APPROVED BY CITY COUNCIL ON \_\_\_\_\_**