



**City Council
Successor Redevelopment Agency
Financing Authority
Housing Authority**

AGENDA

Wednesday

Regular

**Closed Session 5:30 p.m.
Regular Session 6:00 p.m.**

May 16, 2012

**City Hall
100 West California Avenue
Ridgecrest CA 93555**

(760) 499-5000

**Ronald H. Carter, Mayor
Marshall G. Holloway, Mayor Pro Tempore
Jerry D. Taylor, Vice Mayor
Steven P. Morgan, Council Member
Jason Patin, Council Member**

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LAST ORDINANCE NO. 12-xx
LAST RESOLUTION CITY COUNCIL NO. 12-36
LAST RESOLUTION FINANCING AUTHORITY NO. 12-xx
LAST RESOLUTION OF THE HOUSING AUTHORITY NO. 12-xx
LAST RESOLUTION OF THE SUCCESSOR REDEVELOPMENT AGENCY NO. 12-xx

CITY OF RIDGECREST

CITY COUNCIL FINANCING AUTHORITY

AGENDA

Regular Council
Wednesday May 16, 2012

CITY COUNCIL CHAMBERS CITY HALL

100 West California Avenue
Ridgecrest, CA 93555

Closed Session – 5:30 p.m.
Regular Session – 6:00 p.m.

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

In compliance with SB 343. City Council Agenda and corresponding writings of open session items are available for public inspection at the following locations:

1. City of Ridgecrest City Hall, 100 W. California Ave., Ridgecrest, CA 93555
2. Kern County Library – Ridgecrest Branch, 131 E. Las Flores Avenue, Ridgecrest, CA 93555
3. City of Ridgecrest official website at <http://ci.ridgecrest.ca.us>

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENT – CLOSED SESSION

AGENDA - CITY COUNCIL - REGULAR

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CLOSED SESSION – 5:30 p.m.

- GC54956.9(B) Conference With Legal Counsel, Anticipated Litigation – Public Disclosure of Potential Litigant Would Prejudice the City of Ridgecrest.
- GC54956.9(A) Conference With Legal Counsel, Existing Litigation. County Of Kern v. City Of Ridgecrest
- GC54957.6 Labor Negotiations – United Food and Commercial Workers Golden State 8 (UFCW); Police Employee Association of Ridgecrest (PEAR); Management; Mid-Management; Confidential; Part-Time Employees. Agency Negotiator City Manager Kurt Wilson

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORTS

- Closed Session
- Other

PUBLIC COMMENT

CONSENT CALENDAR

1. Request Of The Ridgecrest City Council For Authorization To Apply And Accept A Off-Highway Vehicle Grant Through The Off-Highway Motor Vehicle Recreation Division Within The California Department Of Parks And Recreation Strand
2. Approve A Resolution Of The Ridgecrest City Council To Award A Construction Contract To The Lowest Responsible And Responsive Bidder In The Amount Of \$80,534.00 To High Desert Construction For Bike Rest Stations On Bowman Avenue At Downs Street, China Lake Boulevard, And Gateway Boulevard And Authorizes The City Manager To Execute The Contract Speer
3. A Resolution Of The Ridgecrest City Council Adopting A Sewer User Charge For District Fund 20455 For The 2012-2013 Fiscal Year Speer

AGENDA - CITY COUNCIL - REGULAR

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4. Approve A Resolution Of The City Council Of The City Of Ridgecrest, Acting As Successor Agency To The Ridgecrest Redevelopment Agency Adopting And Approving The Successor Agency's Proposed Administrative Budget Pursuant To Health And Safety Code Section 34177(j), And Authorizing The Successor Agency To Enter Into An Agreement With The City Of Ridgecrest For Reimbursement Of Financial, Administrative And Operational Services Pursuant To Health And Safety Code Section 34171; And Making Other Findings In Connection Therewith
Wilson
5. Approve Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of May 2, 2012
Ford

DISCUSSION AND OTHER ACTION ITEMS

6. Approve A Resolution Designating The City Of Ridgecrest Voting Delegate And Alternate For The League Of California Cities Annual Conference Ford
7. Continuation Of Budget Workshop Discussions And Adoption Of A Resolution Approving The Draft Budget For Fiscal Year 2012-2013 Staheli

DEPARTMENT AND COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders
Meeting: 2nd Wednesday Of The Month At 5:00 P.M., Council Conference Room
Next Meeting: June 6, 2012

Quality Of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meeting: 1st Thursday Of Every Even Month At 12:00 P.M.; Kerr-McGee Center
Next Meeting: June 7, 2012

City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 1st Tuesday Of The Month At 5:00 P.M.; Council Conference Room
Next Meeting: June 5, 2012

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders
Meetings: 1st Thursday Of The Month At 5:00 P.M.; Council Conference Room
Next Meeting: June 7, 2012

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Activate Community Talents And Interventions For Optimal Neighborhoods Task Force (ACTION)

Members: Ron Carter, Chip Holloway, Ron Strand

Meetings: 2nd Monday Of Odd Numbered Months At 4:00 P.M., Kerr-McGee Center

Next Meeting: July 9, 2012

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin

Meetings: 1st Wednesday Of The Month, 8:00 A.M.

Next Meeting: June 6, 2012 at Location to Be Announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

CITY MANAGER REPORTS

MAYOR AND COUNCIL COMMENTS

ADJOURNMENT

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RIDGECREST CITY COUNCIL / SUCCESSOR REDEVELOPMENT AGENCY
HOUSING AUTHORITY / FINANCING AUTHORITY

SUBJECT:

Request of the Ridgecrest City Council for authorization to apply and accept a off-highway vehicle grant through the Off-Highway Motor Vehicle Recreation Division within the California Department of Parks and Recreation

PRESENTED BY: Ron Strand, Chief of Police

SUMMARY:

Recently, the off-highway vehicle (OHV) activity in east Kern County has increased considerably due to off-road restrictions in other counties such as Los Angeles, San Bernardino, and Riverside. Riders from more inhabited urban areas make the Indian Wells Valley and surrounding areas their destination for outdoor OHV activities due to the relatively short travel time and near-endless open trails. During holidays and weekends, small off-road communities will form in the desert areas around the City of Ridgecrest. During their stay in the desert, these enthusiasts will often venture into Ridgecrest to replenish their food and fuel supplies. It is not uncommon for riders to bring their OHVs into town and trespass onto private property causing a need for an increased law enforcement presence to maintain a safe riding environment.

In addition to out-of-town riders, Ridgecrest also has a large number of off-road enthusiasts that call the city home. Dirt roads and open dirt lands are found within the city limits, crisscrossing and intersecting Ridgecrest neighborhoods. Ridgecrest-residing OHV enthusiasts will often ride on paved city streets in order to get to the open and nearby desert to ride. Some will operate their OHVs on vacant properties within the city limits creating dust and noise issues with nearby residences and businesses. The Ridgecrest Police Department receives a great number of calls related to these problematic issues. Grant funding received in 2010 and 2011 has enabled the police department to begin to address some of these issues.

The police department is seeking this grant funding to acquire additional OHV equipment, training and overtime to conduct further OHV enforcement and education programs.

The police department clearly understands that it needs to work with the OHV community for the mutual benefit of both the citizens of Ridgecrest and OHV enthusiasts.

If awarded in full, the grant will enable the police department to purchase a used four-wheel drive pickup, two quads, equipment, maintenance costs and project overtime. The grant also requires 25% in kind match. The police department has a plan to meet this funding requirement, in part by using police volunteers and reserve officers in OHV deployments and events.

FISCAL IMPACT: Total project amount: \$109,998 with a 25% in kind match of \$28,186

Reviewed by Administrative Services Director

ACTION REQUESTED:

Approval of Resolution

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

Submitted by: **RON STRAND**
(Rev. 2-14-07)

Action Date: May 16, 2012

RESOLUTION NO. 12-

A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING THE APPLICATION AND ACCEPTANCE OF AN OFF-HIGHWAY VEHICLE GRANT

WHEREAS, the people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for planning, acquiring, developing, operating, conserving and maintaining off-highway vehicle recreation; and,

WHEREAS, the Off-Highway Motor Vehicle Recreation Division within the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and,

WHEREAS, procedures established by the California Department of Parks and Recreation to certify by resolution the approval of applications before submission to the State; and,

WHEREAS, the Ridgecrest Police Department wishes to apply for a grant for equipment (used four wheel drive pick up and two quads), training and overtime funding to conduct off-highway vehicle (OHV) enforcement and education programs in the Ridgecrest area; and,

WHEREAS, the Ridgecrest Police Department is seeking grant funding in the amount of \$81,812 with a 25% in kind match of \$28,186 (total proposed project amount of \$109,998); and,

WHEREAS, this grant period begins July 1, 2012 and ends June 30, 2013, and;

WHEREAS, this project appears on, or is in conformity with, this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding this project, and,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Ridgecrest hereby:

1. Certifies that this agency understands its legal obligations to the State upon approval of the grant; and,
2. Certifies that the project will be well-maintained during its usual life; and,
3. Certifies that this agency will implement the project with diligence once funds are available and a Project Agreement has been consummated between the State and Ridgecrest Police Department.

BE IT FURTHER RESOLVED that the City Council of the City of Ridgecrest authorize the City Manager, or his designee, to apply for this grant with the Off-Highway Motor Vehicle Recreation Division within the California Department of Parks and Recreation, and to approve, sign and execute all documents relating to the grant award, including amendments.

APPROVED AND ADOPTED THIS 16th day of May 2012, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/FINANCING
AUTHORITY/HOUSING AUTHORITY AGENDA ITEM**

SUBJECT:

A Resolution of the Ridgecrest City Council to award a construction contract to High Desert Construction for the construction of bike rest stations on Bowman Avenue at Downs Street, China Lake Boulevard, and Gateway Boulevard and authorize the City Manager to execute the contract.

PRESENTED BY:

Dennis Speer, Public Works Director

SUMMARY:

On Wednesday May 3, 2012, bids were opened for the construction of bike rest stations on Bowman Avenue at Downs Street, China Lake Boulevard, and Gateway Boulevard. A total of three bids were received as follows:

<u>Bidder</u>	<u>Bid</u>
A&M Construction	\$111,073.00
High Desert Construction	\$ 80,534.00
Pacific Construction	\$102,308.00

The bids were reviewed by the engineering firm of Helt Engineering and City Engineer Loren Culp. Based on this review, it is recommended that the contract be awarded to the lowest responsible and responsive bidder, High Desert Construction with the low bid of \$80,534.00. A purchase order will be issued to High Desert Construction in a total amount of \$80,534.00 for the construction of the bike rest stations. The total cost of the project to include construction management and contingency is \$103,087.00. The Transportation Development Act funds administered by Kern Council of Governments will provide a total funding to the City to cover the cost at one hundred percent (100%).

Funding for the execution of the contract shall come from account 018-4760-430-4601 ST11-01.

FISCAL IMPACT: NONE

Reviewed by Finance Director

ACTION REQUESTED: Adopt the Resolution of the Ridgecrest City Council to award a construction contract to High Desert Construction for the construction of bike rest stations on Bowman Avenue at Downs Street, China Lake Boulevard, and Gateway Boulevard and authorize the City Manger to execute the contract.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

Submitted by: Dennis Speer
(Rev. 02/13/12)

Action Date: May 16, 2012

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RESOLUTION NO. 12-

A RESOLUTION OF THE RIDGECREST CITY COUNCIL TO AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER IN THE AMOUNT OF \$80,534.00 TO HIGH DESERT CONSTRUCTION FOR BIKE REST STATIONS ON BOWMAN AVENUE AT DOWNS STREET, CHINA LAKE BOULEVARD, AND GATEWAY BOULEVARD AND AUTHORIZES THE CITY MANAGER TO EXECUTE THE CONTRACT.

WHEREAS, on Wednesday, May 3, 2012 bids were opened for bike rest stations on Bowman Avenue at Downs Street, China Lake Boulevard, and Gateway Boulevard; and

WHEREAS, a total of three bids were received and the results are follows:

<u>Bidder</u>	<u>Bid</u>
A&M Construction	\$111,073.00
High Desert Construction	\$ 80,534.00
Pacific Construction	\$102,308.00

WHEREAS, these bids were reviewed by the engineering firm Helt Engineering and the City Engineer Lore Culp for a determination of the lowest responsible and responsive bidder; and

WHEREAS, it was determined that High Desert Construction was the low bidder with the low bid of \$80,534.00; and

WHEREAS, a purchase order will be issued to High Desert Construction in a total amount of \$80,534.00 for construction of bike rest stations on Bowman Ave at Downs Street, China Lake Boulevard, and Gateway Boulevard; and

WHEREAS, the total cost of the project to include construction management and contingency is \$103,087.00; and

WHEREAS, Transportation Development Act funds will fund the project one hundred percent (100%); and

WHEREAS, the funding for the execution of the contract shall come from account 018-4760-430-4601 ST11-01; and

NOW THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Ridgecrest hereby:

1. Authorizes award of the contract for the bike rest station construction project described herein to the lowest responsible and responsive contractor, High Desert Construction; and
2. Authorizes the Finance Director to amend the budget to reflect all appropriate capital, revenue and transfer accounts, and
3. Authorizes the City Manager is execute the contract.

APPROVED AND ADOPTED this 16th day May 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Ronald Carter, Mayor

Rachel Ford
City Clerk

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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/FINANCING
AUTHORITY/HOUSING AUTHORITY AGENDA ITEM**

SUBJECT:

A Resolution of the Ridgecrest City Council adopting a sewer user charge for the 2012-2013 fiscal year.

PRESENTED BY:

Dennis Speer, Public Work Director

SUMMARY:

This Resolution adopts a sewer user charge equal to the previous year's charges. The charges are for the use of City sanitation facilities for the 2012-2013 fiscal year. The charges are as follows:

Single Family Residence	\$ 120.00
Multi Family Residence	\$ 96.00
Mobile Homes	\$ 74.00

The revenues derived from the subject charge shall be used only for construction, expansion, maintenance and operation of the City's wastewater treatment and collection facilities. This resolution complies with the applicable provisions of Article XIID of the California Constitution and California Government Code 54984 and has authority to adopt a sewer user charge for use of City sanitation facilities pursuant to Health and Safety Code Section 5471, et. seq. and Government Code Section 51334.

The City Council will direct the City Clerk to furnish the Kern County Board of Supervisors and the County Auditor-Controller with a description of the parcel against which the subject charge is billed and the amount of each charge. This report shall be furnished on or before August 10, 2012. The Council will also direct City Staff to bill and collect service charges for those properties whose status is tax exempt and not on the County tax rolls.

FISCAL IMPACT:

None

Reviewed by Finance Director

ACTION REQUESTED:

Adopt by Resolution No 12- by the Ridgecrest City Council sewer user charges for the 2012-2013 fiscal year.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve resolution establishing sewer user charges for Fiscal Year 2012-2013.

Submitted by: Dennis Speer
(Rev. 02/13/12)

Action Date: May 16, 2012

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RESOLUTION NO. 12-

A RESOLUTION OF THE RIDGECREST CITY COUNCIL ADOPTING A SEWER USER CHARGE FOR DISTRICT FUND 20455 FOR THE 2012-2013 FISCAL YEAR.

WHEREAS, the City Council of the City of Ridgecrest Resolves as follows:

Section 1 Purpose and Scope

This resolution adopts a sewer user charge for the City Wastewater Treatment Plant and Collection System for the 2012-2013 fiscal years for the District Fund 20455, and limits the usage of the revenues so derived and provides for the collection of such charges.

WHEREAS, the City Council finds, determines and declares as follows:

Section 2 Findings

- a) The charges proposed are the same as for the previous year
- b) The revenues derived from the subject charge will be used for the construction expansion, maintenance and operation of the wastewater treatment plant and collection facilities and to obtain funds for capital projects necessary to maintain service within the existing service area, and as such, is exempt from environmental review under 14 California Administrative Code Section 15273.
- c) The subject charge produces revenue which does not exceed the reasonable cost of the service for which the charge is levied.
- d) A majority of the owners of the property affected by the subject charge have not protested the imposition of the charge.
- e) This resolution complies with the applicable provisions of Article XIID of the California Constitution and California Government Code 54984.
- f) The City has authority to adopt a sewer user charge for the use of City sanitation facilities pursuant to Health and Safety Code Section 5471, et.seq. and Government Code Section 51334.
- g) Assessments are in compliance with the provisions of Proposition 218
- h) The charges are based on a rate schedule as shown in Exhibit A.

WHEREAS, the City Council establishes a sewer user charge as follows:

Section 3

A sewer user charge is hereby levied against each parcel of land from which sewage is deposited into the sanitation system of the City. The subject charge is levied for the fiscal year commencing July 1, 2012 in the amount of one hundred twenty dollars (\$120.00) for each parcel of land improved by a single family dwelling; in the amount of ninety-six dollars (\$96.00) for each dwelling unit located on a parcel of land which is

improved by a multiple-family dwelling; and in the amount of one hundred twenty dollars (\$120.00) for each equivalent residential unit located on a parcel of land which is improved with a non-residential structure. The charge for mobile home parks will be seventy-four dollars (\$74.00) per space in the park plus twenty-two cents (\$0.22) per hundred cubic feet of water consumption in the prior fiscal year.

Loadings: one equivalent residential unit's load is defined as follows:

Loadings for an Equivalent Parameter	Allocation	Residential Unit (ERU)
Flow	49.0%	250 gal/day
Biochemical Oxygen Demand (BOD)	25.5%	150 mg/l
Suspended Solids	25.5	150 mg/l

Non – residential service charges shall be calculated as follows:

Availability

Flow BOD SS Charge

$$\frac{\text{Daily Flow} \times .49}{250} + \frac{\text{BOD Concentration} \times .255}{150} + \frac{\text{SS Concentration} \times .255}{150} \times \$120.00$$

WHEREAS, the City Council designates the use of revenues of follows:

Section 4

The revenues derived from the subject charge shall be used only for construction, expansion, maintenance and operation of the City's wastewater treatment and collection facilities.

NOW, THEREFORE, THE RIDGECREST CITY COUNCIL RESOLVES that the City Clerk shall furnish the Kern County Board of Supervisors and the County Auditor-Controller's Office with a description of the parcel against which the subject charge is billed and the amount of each charge. This report shall be furnished on or before August 10, 2012.

The Board of Supervisors and the County Auditor-Controller's are hereby requested to levy and collect the charge as a part of the annual General County Tax Bill.

City Staff is hereby directed to bill and collect service charges for those properties whose status is tax exempt and not on the County tax rolls.

APPROVED AND ADOPTED this 16th day of May, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ronald H. Carter, Mayor

ATTEST

Rachel J. Ford, CMC
City Clerk

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Example of Flat Rate

FUND	ATN	ACTION	RATE	MULTIPLIER	Amount
20455	8002044008	C	00		13360.38
	41802003000	C	00		6856.30
	41802004003	A	00		6348.00
	41901016005	C	00		7104.00

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CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/FINANCE AUTHORITY
AGENDA ITEM

SUBJECT: Approval Of Successor Agency Administrative Budget And Resolution 12- Xx
As Presented By Adoption

PRESENTED BY: Tyrell Staheli

SUMMARY:

This item requests approval of the administrative budget for the successor agency.

In order for the successor agency to perform its administrative duties, Assembly Bill 1X 26 included provisions for providing access to necessary funds. In year one, the total administrative budget is set at the the greater of 1) 5% of the increment-funded obligations or 2) \$250,000.

FISCAL IMPACT:

Reviewed by Finance Director

ACTION REQUESTED:

Motion to Adopt Resolution 12-Xx

Submitted by: Staheli
(Rev. 02/13/12)

Action Date: May 16, 2012

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SUCCESSOR AGENCY RESOLUTION NO. 12-Xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, ACTING AS SUCCESSOR AGENCY TO THE RIDGECREST REDEVELOPMENT AGENCY ADOPTING AND APPROVING THE SUCCESSOR AGENCY'S PROPOSED ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j), AND AUTHORIZING THE SUCCESSOR AGENCY TO ENTER INTO AN AGREEMENT WITH THE CITY OF RIDGECREST FOR REIMBURSEMENT OF FINANCIAL, ADMINISTRATIVE AND OPERATIONAL SERVICES PURSUANT TO HEALTH AND SAFETY CODE SECTION 34171; AND MAKING OTHER FINDINGS IN CONNECTION THEREWITH

WHEREAS, the Ridgecrest Redevelopment Agency ("Agency") was established as a redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.* ("CRL"), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Ridgecrest ("City").

WHEREAS, assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies ("Dissolution Act").

WHEREAS, on December 29, 2011, in the petition *California Redevelopment Association v. Matosantos*, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of and on February 1, 2012 under the dates in the Dissolution Act that were reformed and extended thereby ("Supreme Court Decision").

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act.

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the "Successor Agency" and will perform its functions as the successor agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board").

WHEREAS, Health and Safety Code Section 34177(j), as modified by the Supreme Court decision, requires the Successor Agency to prepare a proposed administrative budget covering the period from February 1, 2012 through June 30, 2012 and submit it to the Oversight Board for approval.

WHEREAS, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is to include all of the following: (a) estimated amounts of the Successor Agency's administrative costs for the up-coming six month fiscal period; (b) the proposed sources of payment for the costs identified in (a); and (c) proposals for

arrangements for administrative and operations services provided by the City serving as Successor Agency.

WHEREAS, pursuant to Section 34180(h) the Successor Agency may request authorization from the Oversight Board for the Successor Agency and the City of RIDGECREST to enter into an agreement to ensure provision of the necessary services from the City to support Successor Agency responsibilities in winding down the activities of the former community redevelopment agency, including the estimated costs set forth in the Administrative Budget.

WHEREAS, the Successor Agency desires to enter into that certain “Cooperative Agreement Between the City of Ridgecrest and the City Acting as the Successor Agency for the Ridgecrest Redevelopment Agency” (“Cooperative Agreement”), which agreement will authorize the reimbursement of costs incurred by the City to support Successor Agency operations and obligations.

WHEREAS, pursuant to the Dissolution Act, the actions of the Oversight Board, including those approved by this Resolution, do not become effective for three (3) business days pending any request for review by the Department of Finance (“DOF”), and if the DOF requests review hereof, DOF will have 10 days from the date of its request to approve the Oversight Board action or return it to the Oversight Board for reconsideration and the action, if subject to review by DOF, will not be effective until approved by DOF.

WHEREAS, Health and Safety Code Section 34173(e) provides that “the liability of any successor agency, acting pursuant to the powers granted under the act adding this part, shall be limited to the extent of the total sum of property tax revenues it receives pursuant to this part and the value of assets transferred to it as a successor agency for a dissolved redevelopment agency.” Thus, the City’s obligations as Successor Agency are limited by the amount of property taxes and the value of assets it receives in its role as the Successor Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY OF THE CITY OF RIDGECREST, ACTING AS SUCCESSOR AGENCY TO THE RIDGECREST REDEVELOPMENT AGENCY:

Section 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. Pursuant to the Dissolution Act, the Successor Agency approves the proposed Administrative Budget, attached hereto as Attachment No. 1 and incorporated by this reference. Such approval is conditional upon approval of the Oversight Board.

Section 3. Pursuant to the Dissolution Act, the Successor Agency is authorized to enter into the Cooperative Agreement with the City substantially in the form of the Agreement attached hereto as Attachment No. 2 and incorporated by this reference. Such approval is conditional upon approval of the Oversight Board.

Section 4. Upon authorization of the Oversight Board, the Successor Agency shall transmit the Administrative Budget to the County Auditor-Controller.

Section 5. The Clerk of the Council shall certify the adoption of this Resolution.

APPROVED AND ADOPTED this 7th day of May, 2012.

Ronald H. Carter, Director

ATTEST:

By: _____
Rachel J. Ford, CMC
Successor Agency Secretary

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSTAIN: Councilmembers: _____

NOT PRESENT: Councilmembers: _____

CERTIFICATION OF ATTESTATION AND ORIGINALITY

I, Rachel J. Ford, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 12-_____ to be the original resolution adopted by the City Council in its role as the Successor Agency on May 16, 2012.

Date: _____

Rachel J. Ford, Clerk of the Council

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**COOPERATIVE AGREEMENT BETWEEN
THE CITY OF RIDGECREST AND
THE CITY OF RIDGECREST, ACTING AS SUCCESSOR
AGENCY FOR THE FORMER COMMUNITY
REDEVELOPMENT AGENCY FOR FINANCIAL
AND OPERATING SERVICES**

This COOPERATIVE AGREEMENT made and entered into this ___ day of May, 2012, by and between the CITY OF RIDGECREST, a municipal corporation, organized and existing under the laws of the State of California, hereinafter referred to as “City,” and the CITY OF RIDGECREST, ACTING AS THE SUCCESSOR AGENCY FOR THE RIDGECREST REDEVELOPMENT AGENCY, hereinafter referred to as “Successor Agency.”

RECITALS:

A. The Ridgcrest Redevelopment Agency (“Agency”) was established as a community redevelopment agency that was previously organized and existing under the California Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* (“CRL”), and previously authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council of the City.

B. Assembly Bill 1x 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies in California (“Dissolution Act”).

C. On December 29, 2011, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in the State of California were dissolved effective February 1, 2012.

D. As of February 1, 2012, the City serves as the Successor Agency and will perform its functions as the Successor Agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency’s affairs, all subject to the review and approval by a seven member Oversight Board formed thereunder. City as Successor Agency is engaged in activities necessary and appropriate to winding down the activities of the former Agency’s Merged Project Area consisting of six (6) project areas that were originally adopted and amended by ordinances of the City Council.

E. Employees of the City will perform day-to-day administration and operation of the Successor Agency’s duties and functions. Since the Agency was originally formed, and upon Successor Agency’s effectiveness as of February 1, 2012, the City has provided and shall continue to provide services to the Successor Agency, including but not limited to providing administrative, accounting, auditing, planning, purchasing, engineering, legal, risk management, financial, clerical, record keeping, and other services necessary for the Successor Agency to carry out its responsibilities.

F. The City and Successor Agency desire to affirm and document an on-going cooperative arrangement regarding administrative and operational services and payment for

services and goods by entering into a new contract whereby City agrees to provide operational and administrative services and Successor Agency agrees to pay City for the cost of said services to be provided by City for Successor Agency in an amount equal to the Successor Agency Administrative Budget prepared pursuant to Health and Safety Code Section 34177 (j) and program expenses defined hereinbelow, and approved by the Oversight Board for each fiscal year under the term of this Agreement.

G. The parties agree and acknowledge that this Agreement is subject to Oversight Board review and approval and that the Oversight Board's actions shall not become effective for three business days, pending any request for review by the California Department of Finance ("DOF"). If DOF requests review of the Board action, DOF shall have ten days from the date of its request to approve the Board action or return it to the Board for reconsideration, and the action, if subject to review by DOF, shall not be effective until approved by DOF.

NOW THEREFORE, for and in consideration of their mutual covenants and promises, hereinafter set forth, and subject to the terms, conditions and other provisions of this Agreement hereinafter set forth, the parties hereto do hereby agree as follows:

1. **Reimbursement of Administrative Expenses.** The Successor Agency shall be liable to the City for the payment of its Administrative Expenses as set forth in this Agreement and as adopted as part of an Administrative Budget by the Successor Agency, as approved by the Oversight Board, as such annual Administrative Budget may be amended, revised or reconciled from time to time. These Administrative Expenses shall be in addition to any direct program or project expenses ("Program Expenses") incurred and noted on the Enforceable Obligations Payment Schedule ("EOPS") and in the Recognized Obligation Payment Schedule ("ROPS"), including salary and benefits of employees, and any contracts for goods and services funded by the Successor Agency for Program Expenses. The Successor Agency shall also be liable to the City for payment of these Program Expenses where they are adopted as part of the EOPS or ROPS.

2. **Cost of Administrative Expenses and Administrative Cost Allowance.**

2.1 Successor Agency and City estimate that the cost of administrative and operational services to be provided by City to Successor Agency for the period of February 1, 2012 through June 30, 2012 is stated as set forth in the Administrative Budget, attached hereto and incorporated herein as Exhibit A. Pursuant to the provisions of Section 4 herein, Successor Agency agrees to pay City for the estimated administrative expenses of the Successor Agency for the 2011-2012 fiscal year, subject to Oversight Board approval and Successor Agency preparation and approval of an administrative budget estimate for such services and costs. The Successor Agency shall also be liable to the City for payment of any Program Expenses incurred by City where they are adopted as part of the EOPS or ROPS.

2.2 Information and supporting data regarding the staffing and allocation of costs have been prepared by Successor Agency and City staff and are made a part hereof by this reference. Within thirty (30) days of the expiration of the 2011-2012 fiscal year and each year thereafter during the term of this Agreement, the parties shall determine the actual costs incurred by the Successor Agency for services provided to the City. If the actual amount incurred by the

Successor Agency is greater than the estimated amount, any additional amount above the estimated amount shall be due and payable by Successor Agency from Redevelopment Obligation Retirement Fund and the additional amount shall be advanced to Successor Agency by the City.

3. **Services to be Provided.** City agrees to continue to aid and cooperate and shall aid and cooperate in the planning, undertaking, construction and operation of remaining enforceable obligations of the Successor Agency previously incurred by the former Agency as it relates to enforceable obligations of the former Agency within the City provided the cost of such services are paid by Successor Agency. At the request of Successor Agency through the City Manager and duly authorized designees, City and its officers and employees shall perform services for Successor Agency in carrying out its work related to meeting the former Agency's enforceable obligations and for winding down the activities of the former Agency and shall have the access to any and all personnel, equipment, necessary and applicable contracts and consultant agreements, goods and the facilities of the departments and offices of the City. Those City officers and employees who are also performing work with or related to the Successor Agency shall perform services for each agency in a dual capacity. The City Manager, and other appropriate City officials on behalf of the City, and the Executive Director of the former Agency, and other appropriate Successor Agency staff on behalf of the Successor Agency, and their duly authorized designees shall determine and establish the procedures to be followed in requesting and rendering such services. The costs of administrative services shall be considered Administrative Expenses in the Annual Administrative Budget. The costs of other Successor Agency Program Expenses where supported by City services are identified in line items on the EOPS or ROPS and not part of the estimated Administrative Expenses identified in Section 1.

4. **Meeting Facilities.** City agrees to make available to Successor Agency which office space and meeting space as is necessary for conducting meetings and the business of such agency, including use of the City Council Chambers, City Hall and appropriate conference room(s) for open public meetings, closed session meetings, and study session meetings of the Successor Agency and Oversight Board, and meetings of Successor Agency staff, counsel, consultants, and other representatives. Each entity shall use such space in accordance with the rules and regulations of the City as applicable to other buildings and offices of the City.

5. **Succeeding Years during Term of Agreement.** The procedure set forth above in Sections 2, 3 and 4 shall be undertaken by Successor Agency, the Oversight Board, and City for each successive fiscal year during the term of this Agreement based on each approved Administrative Budget and ROPS prepared pursuant to the Dissolution Act.

6. **City Cost Allocation Plan; Estimated Cost of Administrative Services and Facilities.** Expenses shall be calculated in the manner set forth in the City's cost allocation plan, or other applicable reasonable cost allocation and accounting plan approved by the parties that conforms with generally accepted accounting principles and that is generally applicable to all users of services and facilities of the City. The specific costs to be allocated herein shall be based upon the cost of the following categories of services:

6.1 **Wage and Benefits Successor Agency.** Wage and Benefit expenses incurred in connection with City employees described to perform administrative services or certain work for Successor Agency associated with “Program Expenses” (related to enforceable obligations), include salaries, wage and fringe benefit administration (including, but not limited to, medical and life insurance, retirement system, vacation and sick leave provisions). The Successor Agency shall follow the City’s Personnel Policy and labor contracts, rules and regulations, including procedures affecting conflict of interest, use of funds and procedures on hiring and firing. The costs attributable to employees who devote less than 100% of their time to the Successor Agency shall be allocated in accordance with the City’s costs allocation plan.

6.2 **General Overhead.** A general indirect administrative operating expense and overhead support charge which shall be determined in accordance with the City’s cost allocation plan and Successor Agency’s Annual Administrative Budget.

6.3 **Specific Services.** All expenses that City may actually incur in providing specific administrative services on behalf of Successor Agency include, but are not limited to: audit services, lease of space to accommodate Successor Agency’s activities, City Treasurer service, property insurance for Successor Agency’s properties, contracts for real estate, data and information, records, department supplies and equipment, mail and postage services, equipment maintenance and IT support. Operational services which relate to specific program and projects, including but not limited to project management, legal services, engineering design, real estate services, construction management, planning, contract costs, contract administration, inspection, surveys shall not be considered administrative services but direct specific program and project expenditures (“Program Expenses”).

7. **Annual Expenses Deemed City Advance.** For each year in which Successor Agency does not have adequate funds to pay and reimburse for Administrative Expenses as shown in the adopted Administrative Budget each such amount shall be deemed an advance by City to Successor Agency and such amount shall be deemed to have been loaned by City to Successor Agency (“City/City Successor Agency Operations Loan”).

8. **Repayment of Operations Loan.** Successor Agency agrees to repay the City/Successor Agency Operations Loan (and all future advances thereto) from tax increment funds allocated to Successor Agency that are to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Fund pursuant to California Health and Safety Code Section 34177(k) and other applicable laws. Successor Agency shall repay to City the principal amount of the City/ Successor Agency Operations Loan on or before the last date that Successor Agency may receive tax increment funds pursuant to the time and financial limitations required to meet all enforceable obligations of the Successor Agency and subject to the Dissolution Act and other applicable laws.

9. **Provisions Severable.** If any provision of this Agreement or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are severable. The City Council and Successor Agency each hereby declare that it would have approved this Agreement irrespective of the invalidity of any particular portion thereof.

10. **Effective Date of Agreement.** This Agreement shall become effective as of the first day noted above and shall continue thereafter until modified or terminated by the parties hereto. This Agreement is subject to Oversight Board review.

11. **Miscellaneous Provisions.**

- A. **Brown Act.** The Successor Agency meetings are noticed, open and public as required by the Ralph M. Brown Act (Government Code section 54950, *et seq.*, as amended).
- B. **Public Records Act.** The Successor Agency complies with the Public Records Act (Government Code section 6250, *et seq.*, as amended) and unless a records clearly falls within an exception, such records are made available to the public in compliance with the City's policies and procedures.
- C. **Political Reform Act.** The Successor Agency board members comply with the conflict of interest rules promulgated by the Political Reform Act in conformity with State law[Government Code Section 87300, as amended].
- D. **CEQA Guidelines.** The Successor Agency shall follow City policies and procedures with regard to CEQA.
- E. **Governing Law.** This Agreement and all questions relating to its validity, interpretation, performance, and enforcement shall be governed and construed in accordance with the laws of the State of California.
- F. **Amendment.** This Agreement may be amended as the parties hereto may mutually agree by an instrument in writing executed by the parties hereto.
- G. **Newspaper of General Circulation.** The Successor Agency shall follow City policies and procedures as to designation of the newspaper of general circulation which will be used when the Successor Agency is required to give notice regarding matters within the community (Government Code Section 6040, as amended).
- H. **Review of Bond Document Covenants.** The Successor Agency has established a routine audit and control procedure that ensures that the Successor Agency's ongoing activities comply with the bond document covenants.

IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement the date and year first above written.

ATTEST:

CITY OF RIDGECREST

By: _____
Rachel J. Ford, Clerk of the Council

By: _____
Kurt Wilson , City Manager

ATTEST:

CITY AS SUCCESSOR AGENCY

By: _____
Rachel J. Ford, Secretary

By: _____
Kurt Wilson, Executive Director

APPROVED AS TO FORM:

STRADLING YOCCA CARLSON & RAUTH

By: _____
Thomas P. Clark, Jr.
Agency Special Counsel

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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/HOUSING
AUTHORITY/FINANCING AUTHORITY AGENDA ITEM**

SUBJECT:

Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of May 2, 2012

PRESENTED BY:

Rachel J. Ford, City Clerk

SUMMARY:

Draft minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of May 2, 2012

FISCAL IMPACT:

None

Reviewed by Finance Director:

ACTION REQUESTED:

Approve minutes

CITY MANAGER 'S RECOMMENDATION:

Action as requested: Approve Draft Minutes

Submitted by: Rachel J. Ford
(Rev. 6-12-09)

Action Date: May 16, 2012

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**MINUTES OF THE REGULAR MEETING OF THE
RIDGECREST CITY COUNCIL
RIDGECREST HOUSING AUTHORITY
RIDGECREST FINANCE AUTHORITY**

**City Council Chambers
100 West California Avenue
Ridgecrest, California 93555**

**May 2, 2012
5:30 p.m.**

This meeting was recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council/Redevelopment Agency. Meetings are recorded for the purpose of preparation of minutes.

CALL TO ORDER

ROLL CALL

Council Present: Mayor Ronald H. Carter; Mayor Pro Tem Marshall 'Chip' Holloway; Vice Mayor Jerry D. Taylor; Council Member Steven P. Morgan; and Council Member Jason Patin

Staff Present: City Manager Kurt O. Wilson; City Clerk Rachel J. Ford; City Attorney Keith Lemieux (via teleconference); and other staff

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

Added information to item 6.

Motion To Approve Agenda As Amended Made By Council Member Morgan , Second By Council Member Holloway . Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 0 Absent.

PUBLIC COMMENT – CLOSED SESSION

No members of the public presented comments.

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CLOSED SESSION – 5:30 p.m.

- GC54956.9(A) Conference With Legal Counsel, Existing Litigation. City of Ridgecrest v. Benz
- GC54956.9(A) Conference With Legal Counsel, Existing Litigation. County Of Kern v. City Of Ridgecrest
- GC54957.6 Labor Negotiations – United Food and Commercial Workers Golden State 8 (UFCW); Police Employee Association of Ridgecrest (PEAR); Management; Mid-Management; Confidential; Part-Time Employees. Agency Negotiator City Manager Kurt Wilson

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORTS

- Closed Session
 - Litigation items City of Ridgecrest v. Benz and County of Kern v. City of Ridgecrest – reports received and no action taken on either item
 - Labor negotiations – report received and no action taken
- Other
 - none

PUBLIC COMMENT

Mary Ash

- Cannot see vehicles on downs when turning due to the overgrown medians. This is safety issue. Provided a photo for council members to view.
 - Jerry Taylor – placed item on infrastructure committee agenda for discussion
- Stated she contacted Parks and Recreation and understands the reductions to staff but safety concern needs to be addressed.

Harris Brokke

- Measure 'L' advocacy and referred to websites available for people to view.
- Wildflower Report – successful event and vendors, USO lectures, and other events matched last year. Planning next year's festival has begun.

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Chuck Hinson

- Past employee addressing council on comments of Mayor and Jim Fallgatter regarding smart meters.
- Made statements pertaining to State requirements and smart chips.
- Objects to State knowing which appliances are being used at what times.
- Spoke on liberty and freedom.
- Requested City fight the State to prevent tracking inside homes.

Dave Matthews

- Agrees with Chuck Hinson regarding the smart meters.
- Spoke on the book titled 1984 by George Orwell.
- Spoke about Closed Session negotiations with employees, no reports to public and does not see any progress.
- Appreciates the employees but a suggested steady part time job with benefits is sometimes better than no job.

Howard Auld

- Gave history of League of California Cities 100th anniversary. Presented plaque to Council Member Holloway for his efforts with the League on behalf of the City of Ridgecrest.

Barbara Auld

- Supports Measure 'L'
- Spoke on the political signs that have been stolen and damaged.

Mike Neel

- Spoke on the fiscal emergency mailer received.
- Disappointed in the borderline illegal campaign for Measure L
- Objects to taxpayer money being used in this manner.
- Stated the action was unethical.
- Asked council to have courage to state they either approve or disapprove. Assumed council approved the flyer.
 - Keith Lemieux – made clear to public that the attorney offices did review the mailer and determined that it was not an unlawful use of funds.

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Jim Davis

- Commented on success of the wildflower as well as other tourist events coming in May that is creating work and activity in the area.
- Questions for Council, item 2-5 on agenda. Does not see dollar amounts for these items. Anxious to hear presentations for more knowledge.
- part time employment helps reach budget restraints. Spoke on last year's personal business experience. Reviewed changes made with personal business and effects of the changes.
- If operating hours and staff are cut then not providing the services.
- Commend Ridgecrest police department for response received on incident at property. Is concerned that in process of investigation police were pulled to another call. Asked if cuts have been made too far. Commends police for their action but concerned about response issues.

Walt Maurer

- Echoed previous speaker's comments.
- Recently read about grant award for 10 tasers. Numerous incidents across the united states of misuse and concerned police have adequate funding for proper training.
- Spoke on the mailer previously mentioned by Mr. Neel. Objects to the photograph used of police in SWAT equipment.
- Comment that the mailer is borderline on the legal side but recalls California code section that prohibits active advocacy of the measure. Asked City Attorney if spend \$30,000 of private funds opposing Measure L, would I have to form a committee to legally challenge the measure.
 - Keith Lemieux – the mailer mentioned does not advocate for Measure L.

Mary Ash

- Original response was the mailer was informational. Asked how City plans on maintaining services as State continues to take funding. City needs funds to support the services. Local tax the public can state how the funds are to be spent. Supports the City and the tax.
- Asked council to bring back a code enforcement officer which is needed.

Tom Wiknich

- Spoke about a previously requested agenda item regarding parks and recreation projects.
- Asking for full disclosure of the parks projects.

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CONSENT CALENDAR

1. **Approve A Resolution Authorizing The Application For And Acceptance Of The United States Department Of Justice, Byrne Program Grant** Strand
2. **Approve A Consultant Agreement – Willdan, College Heights Boulevard III** Speer
3. **Approve A Consultant Agreement – Willdan, Drummond Avenue Norma Street to China Lake Boulevard** Speer
4. **Approve A Consultant Agreement – Quad Knopf, Downs Street Inyokern Road to Ward Avenue** Speer
5. **Approve A Consultant Agreement – Quad Knopf, Downs Street Ward Avenue to Drummond Avenue** Speer
6. **Approve A Construction Contract – Civic Center Exterior Lighting** Speer
7. **Approve Proclamations For The Month Of May 2012** Ford
 - a. Armed Forces Day – May 18, 2012
 - b. Be Kind to Animals Week – May 6-12, 2012
 - c. Youth Week – May 1-7, 2012
 - d. Mental Health Month – May 2012
 - e. Child Care Provider Appreciation Month – May 2012
 - f. National Police Officer Week – May 13-19, 2012
8. **Approve Draft Minutes of the Regular City Council Meeting Dated April 18, 2012** Ford

Items pulled from consent calendar for further discussion – 1; 2; 3; 4; 5; & 6

Motion To Approve Consent Calendar (As Amended) Made By Council Member Taylor , Second By Council Member Patin . Motion Carried By Voice Vote Of 5 Ayes; 0 Nays; 0 Abstain; And 0 Absent.

Item 1 Discussion

Cpt. Paul Wheeler

- Responded to Walt Maurer training question on Taser purchase and training.
- Model currently used is obsolete and will be replaced with new safer version.

Chip Holloway

- asked how long Ridgecrest has used and if they are beneficial.
 - Paul Wheeler - Several years and no major incidents.

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Dave Matthews

- Asked about limitations of the grant.
 - Paul Wheeler – reviewed the Byrne Grant program including additional POST training which is performed in-house.

Jerry Taylor

- Asked the color, Yellow.
 - Paul Wheeler - Yellow and Black

Motion To Approve A Resolution Authorizing The Application For And Acceptance Of The United States Department Of Justice, Byrne Program Grant By Council Member Taylor, Second By Council Member Morgan. Motion Carried By Voice Vote Of 5 Ayes; 0 Nays; 0 Abstain; And 0 Absent.

Items 2-5 Discussion

Jerry Taylor

- Asked staff to give brief overview.

Dennis Speer

- All projects went thru selection process of Kern COG for selection.
- This is the regular program year for these projects.
- Authorization to proceed has been issued by CalTrans.
- Typically need matching funds and Council authorized TAB money.
- Contract for construction must be awarded by July 1 or the projects go away.
- Consultants are for contract administration for required reporting from funding agencies.

Jerry Taylor

- Reminded public the TAB funding will also expire shortly.

Dave Matthews

- Contracts for a consultant at the construction sites.
- Asked why are we doing that rather than using in-house staffing.
 - Dennis Speer – ordinarily use local money for designs and construction management. Local staffing has been cut and do not have the capability of performing the function in-house.

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Steve Morgan

- These projects were applied for years ago, as they go thru the COG process and move up the ranking list and other individuals push their projects, have to have the match and designations written in the contracts.
- A couple of these are Transportation funding which has more requirements. By hiring a consultant, we were able to get the funding.
- Asked Dennis Speer for ballpark total funding price.
 - Dennis Speer – approximately 2.5 million dollars.

Chip Holloway

- Traffic impact fees being used?
 - Jerry Taylor – using TAB rather than general fund. Are using traffic impact fees.

Motion by Morgan, second by Holloway, 5 ayes.

Item 6 Discussion

Dave Matthews

- Asked what the project entails.
- Dennis Speer – gave overview of project replacing civic center parking and walkway lighting retrofit to energy efficient lighting.

Motion To Approve Items 2; 3; 4; & 5 Made By Council Member Holloway, Second By Council Member Taylor. Motion Carried By Voice Vote Of 5 Ayes; 0 Nays; 0 Abstain; And 0 Absent.

DISCUSSION AND OTHER ACTION ITEMS

9. Discussion of Real Property Donation To The City And Approving Resolution 12-XX Establishing Its Value And Acceptance McRea

Jim McRea

- Gave staff report outlining the real property donation locations and summary of actions taken by staff and donating estate.

Jerry Taylor

- Reiterated that this was a Tax incentive to donor and no burden to City.

Motion To Approve A Resolution Establishing Real Property Donation Value And Accepting Donation Of Real Property Made By Council Member Morgan, Second By Council Member Patin. Motion Carried By Voice Vote Of 5 Ayes; 0 Nays; 0 Abstain; And 0 Absent.

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10. Discussion Of Council Actions Regarding CalPERS Contributions For Unrepresented Employees Patin

Jason Patin

- Referred to Council decision taken several weeks ago, that removed 8% PERS member contribution from employee salaries and Social Security offset for unrepresented employees. Certain employees were affected where other were not. Want to give some type of representation to those employees and review impacts before moving forward to next budget cycle.
- Referred to comments written in the newspaper.
- Stated that from talking to employees, they feel they were made an example to the bargaining units. City managers recommendation was to not make the cuts. Rather than taking one group of people and affecting them, then real issue is conversation with unions should be more firm as to the urgency of why we need to get this done. If no agreements can be made then more jobs will be lost. Hopefully the process can come to agreement as soon as possible and help preserve jobs. Did not feel the changes made were well planned. Not for making cuts just to make cuts. Want cuts that will affect the big picture. Feel the decision was untimely and our responsibility as council to ensure the unrepresented employees are heard before being cut and being the only ones cut while everyone else is still whole. Feel we would be better served to go thru the process with everyone and then make the decisions.
- Still feel the cuts are going to happen but would like to see these cuts reinstated until a well thought out comprehensive plan is developed.

Jerry Taylor

- Appreciates the comments. Those cuts were made because they were the ones available to council. Is not willing to wait until July 1 to make the changes. City is still burning funds we do not have and are adding more debt daily. Personally suggested cuts that will affect the long-term cost savings needed. This change was achievable that evening and more are coming on a long and painful road. Feel bad about anything we have to do to employees, but have to be fiscally responsible. Need to cut, other assumption made was that by this time we would have labor agreements that were not different from everybody else. Want to continue to move forward whether we get Measure 'L' or not.

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Chip Holloway

- The one statement made that cannot be defended is the fairness. Nothing done the past few budget cycles is fair. Employees that are represented pay a premium for the representation. This is a symptom of what happens when put into the situation by the State and we try to manipulate the City Manager's plan. Our actions affected the overall plan.
- Comfortable with taking the steps to create an overall plan for the big picture. Asked about the process to rescind the action.
 - Tyrell Staheli – resolution change that would have to be amended by resolution. Minor changes to the system.
- Have to get to the same number with all employees. Willing to admit personally as part of the budget process, when we get agreement with all parties concern, make a onetime payment back to the employees who have been taking the cuts.

Steve Morgan

- Tough decisions by the council are inherently unfair. Going thru this process several times, and respectfully disagree with Mr. Patin. It is not possible to figure out what is fair between unions. Have to take action and follow thru until completed. Did affect a group of employees and understand and agree with that action. Agree it is unfair, but agree we have to get there with the other staff. Need to make across the board cut that affects everyone and in the end is fair and equal. These are the tough choice that Council has to make. Have made estimates and calculated the savings. Stands by Council's choice, difficulty is in being able to look an employee in the eye and tell them that I did not play a game without full understanding of the situation.

Ron Carter

- A lot of thinking since last council and agree and support a resolution rescinding the action until all employees are done at the same time.

Public Comment

Jim Fallgatter

- Thinks the taxpayers should be heard from.
- Recapped past history.
- Asked if Council understands how nice that action was all these years?
- Does not happen to other agencies and now we don't have the money to continue.
- Not a matter of being fair, but can't afford to give it now.
- Urged Council not to feel bad about the action.
- This was a wonderful gift to the employees, and does not understand Council feeling bad about doing a wonderful thing back then that was fiscally possible and not possible now.
- Does not understand the employees being upset.

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- This is not an inequity, just the end of a great run.
- Unfortunate the great run did not end concurrently for the unions but does not mean it was a bad decision.

Jim Davis

- Congratulations for having empathy for union and non-union employees.
- Spoke on previous job.
- Council must make tough choices.
- Mission is to balance the budget in a bad economic time.
- Think it was wonderful that council paid into the retirement, but council job is to balance the budget.
- Know council will come to a good decision and in future, other benefits may come.

Chip Holloway

- Mr. Fallgatter is half right.
- Understand what can happen when you do not have a benefit package.
- This is not sitting into an account the employees could make up elsewhere, was an 8% cut to their salary.
- Represented employees need to take heed.
- Affect to unrepresented employees was instantaneous with no warning to prepare for the action.
- This is not a pot of money like a savings plan.
- This was a direct cash flow cut.
- Not willing to change my decision now but am willing to look at the proposed reimbursement at the time all other employees are cut.

Jason Patin

- Do not disagree with the comments, need to make deeper cuts and believe we should have delayed the decision until the deeper cuts could be made across the board. Disagree with the manner in which this decision was made.
- Interested in giving a voice to the unrepresented employees. Unions get a negotiation process and the other did not get that. Has nothing to do with the cut made, feel it needs to happen to the other side also. Only disagree with the manner the cut was made for the employees who were not given a fair shake at the table like the unions were.

Ron Carter

- Eventually these cuts must be done.

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Jerry Taylor

- Better debate than congress has, my opinion has not changed.
- Referred to redevelopment decisions.
- Related dates actions occurred and patience is out.
- Have to step it up and make the changes faster. Expected us to be further along by this time and expected layoffs to remove furloughs on the other employees.
- No problem with the debate and am torn when discussing the issue with employees.

Ron Carter – called for a motion

Motion To Bring Resolution To Council To Rescind The Calpers Employee Contribution For Unrepresented Employee Group Was Made By Council Member Patin, No Second To The Motion. Motion Does Not Carry.

11. Discussion Of Furloughs For Employees Not Currently On Furlough Status Taylor

Jerry Taylor

- Looking at the fairness issue, brought this request forward because there are employees who have been on furlough for 3 years and previous city manager wanted direct reporting staff/department heads not to be on furloughs. Bring this forward to be fiscally responsible and fair across the board. Don't want to vote on future loans to pay existing debt. Last audit report, general fund ended with a negative balance. In terms of fairness, want department heads to be the same as other employees have been for the past 3 years.

Chip Holloway

- Concern is we had 5 consent items we almost missed because of deadlines which is a symptom of staff time and capability. If one had not gone thru, we would have lost the savings under guise of fairness. Frustration of council is getting information and projects in a timely manner. Are we cutting our own throat?

Jason Patin

- Took no action on the previous item, why is it fair to do that and not the other.

Jerry Taylor

- Not about fairness but because we are spending money we do not have.

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Steve Morgan

- Not willing to change current operation because when we cut staff we place more burdens on the department heads and not putting them under furlough is the same justification for not insisting police go on furlough. Public safety is not where we should do this. Once again one for all is not feasible. With reductions in staff and our requests of department head making them work longer and harder is not fair. Unpopular and unfair to some, but I believe it to be correct.

Jason Patin

- Keep making little decisions that do not affect the budget. Let us get to the big decisions rather than piece it together. Get the budget where it needs to be.

Jerry Taylor

- Agreed with Jason Patin

Ron Carter

- Stay in reality. Dates have been set and staff is compiling the data.

Jerry Taylor

- A year ago we already had a budget.

Ron Carter

- Staff will get it to us as soon as they can unless council wants to hire more staff.

Chip Holloway

- Last year's level of uncertainty was not as great as this year. Finance is having difficulty getting answers from the state.

Public Comment

Tom Wiknich

- Asked if public would have the chance to see the budget before action is taken.
 - Tyrell Staheli – will release to public and council at the same time.

No motion was made.

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12. Discussion Of Council Priorities With Regard To The Draft Budget Wilson

Jerry Taylor

- When council meets for the budget discussions, we lost approximately \$2 million from RDA and council needs to sustain police and potentially increase police and city priorities. Need to be able to do the other services and critical functions. Have not been maintaining our streets adequately to avoid a bigger bill later. Can take optimistic view of potential revenue could plug the hole but need to maintain police and streets. Spoke on picking up rocks coming out the streets. Need to set the number for how much we are going to set aside in the budget. Need to spend more than we have been spending in past. Part of what we paid before has to go since the funds are now gone. Want to have the discussion to build consensus or understanding of a percentage reduction to departments to provide wiggle room for increasing the areas we need to fund. If a budget comes in with the police and streets are covered and then essential services then fine with that. Established public safety and streets and personal priority.

Steve Morgan

- Agree that police followed by roads and commodes is a priority. Not advocating for a two-tiered budget, I am advocating for a nuclear winter budget like our dearly departed Harvey Rose used to advocate for. Think we might be able to utilize something done in the past if council thinks it is a good idea. I believe we have a good feel for target numbers. In past we had department heads put forward their priorities for their departments and working with finance department there were numbers associated with that and then a department head presentation to council and public of what they believed they could do with their target. Then council picked apart the proposal. Public discussions. Referred to the colored dots used in past indicating preferences for projects. Would like to utilize that type of process when coming up with how to finalize the budget. Give target number and give department heads the opportunity to represent their department. Include public opinion.

Jason Patin

- Agrees that public safety and infrastructure including parks maintaining as priorities. To be fiscally responsible need to get budget back to bare bones and know what we have coming in. One-time money and grants is great but should not be included in the discussion. Use same approach as in personal home. Get back to the basics. Already had some employee layoffs, need to look at projects and programs and salary adjustments. Benefits are being addressed. Look at all areas we are spending money. Wants Staff to take it back to bare bones, live within our means, and not count on possible monies. Make deep cuts and create a solid budget.

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Chip Holloway

- Agree with Harvey Rose's Nuclear Winter Budget. Need a budget that assumes nothing will change for the good. Majority of cuts in past have been in parks and recreation. Would like furloughs to end, pay remaining employees a competitive wage, feel there will have to be cuts in police in benefits. Elimination of health benefits and compensate employees with pay difference. Control future health care costs. Already going down the pension path. Want to see the 1.5 million to maintain our roads. Will support a budget we can afford without one-time money. Less employees working full time and doing what we can do. Cannot afford fairness.

Ron Carter

- Looking forward to draft budget, not going to look good and will be less employees. No wiggle room and cannot give certain things. A lot of employee cuts coming. Not going to be shocked, community may be shocked because there will be services we will no longer be able to do. Do not know how staff will put together, but have confidence in staff. Let us get it done and deal with it.

Steve Morgan

- May 17-20 and June 9-12 will be out of town. If there are all day sessions then go ahead and do it, I do not have to be here, go ahead and get it done.

Public Comment

Barbara Auld

- If any reason to pass measure L then you just heard it. City is important to everyone and needs our help. Work hard to get measure N passed but city was not willing to do that, do not understand why people for a little bit of money are going to fight the no-tax battle. Need to support the city. Four generations living in Ridgecrest. Vote yes on measure I.

Jim Davis

- Public can see your concern, can't make a decision, why? Set your priorities. See the frustration. Do not lose sight of the facts related to personal business experience. Gave personal experience. Get a draft budget so you can begin to do the revision. Can we revamp the priorities? Draft budget is important. Staffing guides go along with draft budget. Explained marketing plan and goals with monthly revisions and reviews. Urged council to ask the tough questions and get the draft budget. Referred to forecasts and formulas available to finance department. Balanced basic budget that can be changed as economy changes. Safety issues are the greatest concern in the community. Can't make a decision unless there is a draft budget.

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Tom Wiknich

- Agree with Council comments on police being important aspect of the community. Invited council to participate in a ride along before making decisions about the police.

Jim Fallgatter

- Getting budget without the underlying supporting documents handicaps the council and public. Need to be able to study the basic document. Like the colored dot idea presented by Mr. Morgan. When all is said and done, you do not have to second-guess what the public wants.

Jerry Taylor

- Expectations is to assume no success in June; no RDA funding or minimum of 3%; road funding; police department; one-time dollars found should go to bringing reserve out of deficit; additional dollars can then move forward with additional roads, reinforcing police; bringing employees to full time equivalent. Set priorities from there down. Not here to close parks but may have to charge more fees or cut programs. Redevelopment funds built the parks and not willing to let them die if we can.

Jason Patin

- Agree furloughs need to go and all employees remaining after this budget be whole. Want us to be careful that we are not taking the city issue and making it just an employee issue. We have many programs and other ways the city spends money and we need to look at those before we start cutting employees. Be mindful of the people and families we affect along the way. We want to have a draft budget to look at the earliest possible time, not saying we feel staff isn't doing their job, just want the process to get going.

Ron Carter

- Agree that as many cuts we can make before cutting employees is important.

Jerry Taylor

- Need to adopt something as soon as possible.

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DEPARTMENT AND COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders

Meeting: 2nd Wednesday Of The Month At 5:00 P.M., Council
Conference Room

Next Meeting: May 9, 2012

Jerry Taylor

- May 10 at 5pm date change
- Reviewed agenda discussions to take place.
- Explained purpose in reviewing street light options.

Quality Of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope

Meeting: 1st Thursday Of Every Even Month At 12:00 P.M.; Kerr-
McGee Center

Next Meeting: May 3, 2012

Jason Patin

- Announced next meeting

City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu

Meeting: 1st Tuesday Of The Month At 5:00 P.M.; Council Conference
Room

Next Meeting: June 5, 2012

Jerry Taylor

- No meeting scheduled

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James
Sanders

Meetings: 1st Thursday Of The Month At 5:00 P.M.; Council
Conference Room

Next Meeting: May 3, 2012

Jason Patin

- Announced next meeting and discussion items.

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**Activate Community Talents And Interventions For Optimal Neighborhoods
Task Force (ACTION)**

Members: Ron Carter, Chip Holloway, Ron Strand

Meetings: 2nd Monday Of Odd Numbered Months At 4:00 P.M., Kerr-
McGee Center

Next Meeting: May 14, 2012

Ron Carter

- Cancelling the meeting

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin

Meetings: 1st Wednesday Of The Month, 8:00 A.M.

Next Meeting: June 6, 2012 at Location to Be Announced

Chip Holloway

- Read director's report from today's meeting. *(copy available in city clerk's office)*

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Jerry Taylor – Desert Mountain Friday at Apple Valley

CITY MANAGER REPORTS

Kurt Wilson - none

MAYOR AND COUNCIL COMMENTS

Ron Carter

- very difficult time. In 15 plus years have never been faced with what we are faced with. Appreciate community comments and the process is not going to be easy. Encouraged public to come and give advice. Thanks those who spoke tonight.

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Jason Patin

- tough times. Congratulated Harris Brokke on the wildflower festival and what they have accomplished in two years. Just returned from Sacramento meetings with legislators. Our focus is on our fiscal situations and is frustrating to listen to people argue about how to get the city to pay for sidewalks if a tree breaks it. Hope our state and legislators who take their time to argue about these things are replaced and focus on what is really important. Mayor's prayer breakfast at 6am in the morning. Busy day tomorrow. Discussed unrepresented employees and unions. Hoping all city staff work diligently to get the situation resolved with concessions. Bottom line is we will lose jobs. Hot topic right now is medians and parks maintenance. Not sure what we will do about that subject. On the flip side have had a lot of private businesses request to help maintain the medians. There is a significant savings in parks and medians if we can come up with a program. Want to see a program in place. If money not in the budget then need to find other ways to get it done.

Jerry Taylor

- Appreciate citizens contributing to oversight committee to allow us to begin moving forward on projects. Where are we with disposal of property for digital 395?
 - Kurt Wilson – still waiting on answer from legal counsel. More complicated than originally believed. Because the issue is not in staffs hands am hesitant to estimate a timeline of the transfer of property from the business park.
- Would like a report on the current median issues. Maintenance, water, overview of all maintenance issues for public knowledge. Also in budget report, explanation of \$10,000 received from Waste Management and understanding of how those funds are to be used.

Chip Holloway

- Congratulations to everyone who organized and participated in the wildflower festival. Family fun days at the fairgrounds did not realize the attendance anticipated. Encouraged public to get out and participate and support the fairgrounds. If you want these events then have to support them. Fairgrounds are on life support and we need the community to support the spring event and the fall event. League of California cities meetings with legislators was very bad. Senator Fuller has a bill called the CARE bill, reduced cost energy program on the honor system with no auditing in place, the bill would help all rate payers. Attended ribbon cutting of jawbone canyon visitors expansion. Private public partnership allowed them to do 70% more than the grant anticipated. Thanked BLM and Ed Waldheim for their efforts and representation of Ridgecrest. Encouraged public to stop and visit the center. Budget, this is the worst time ever as a council member. This is not fun or cute. Employees who have given to this city for years are now being demonized. Our hesitation is because of the people, we are cutting people along with programs.

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- I hope that in a couple years, things will turn around and then we will have to recreate what we destroyed. The 8% taken from the employees, in past PERS was super funded but now it isn't and the employee does not have the option to opt out. Everybody in the state is going thru this. Need to give relief to employees to opt out. On medians, am amazed with a wide strip of dirt that won't grow anything but a small strip on the edge that flourishes, need some weed killer. Apologize to employees.

Steve Morgan

- Sacramento discussions with elected representatives, been told to my face that legislators on one side of the aisle cannot put their name on legislations from the other side of the aisle because senior legislators won't allow it. It is mind-blowing and frustrating. Doesn't do us any good to go up there but we consistently try. The most maddening thing is for my state senator and assembly member come here and give reports like it is somebody else's fault. City of Ridgecrest is about \$2 million upside down because we lost \$2 million in RDA funds. Council members have never experienced this before. We've lost ERAF funds to the school systems and survived by making cuts and difficult decisions. Employees have made sacrifices and continue to make sacrifices. Have come full circle, cuts in years past then were able to make raises. We allowed city to pay employee portion of PERS. Unions bargained away past benefits to get this benefit. Unfortunately, because of our current situations we need to stop paying that benefit. All subsequent KernCOG employees will pay their PERS membership contributions. Just because I am not up here pounding the desk and raising my voice adamantly, doesn't mean that I or any other council member have not been expressing our concerns and working with the staff and talking to the city manager about trying to get things done. Not always the quote in the paper that is important, but is important that all five council members are actively engaged and involved. Been here 15 years and have delt with it all, one-time money was used to keep things alive and I'm not sorry for that, we did it because we could until the money ran out. Used up the reserve when the state tanked and we tried to be prudent with that reserve to keep things alive and active. The symptoms you see now are a long time coming because we have protected it and band aided it for years. I do care about the staff. When accused of being cavalier, I speak to the employees to find out what they think. Staff understand council is in a difficult situation same as the employees. Staff take tremendous abuse from the public which you don't see, we take that abuse from the bloody pulpit but that is nothing to what staff has to put up with. When we put staff on furloughs which meant a lot to me, the next day I had my council salary cut 25%. Didn't announce it but did it because it was the right thing to do. When Mr. Taylor said council should not have benefits, the next day I had my benefits cut 100% and took the additional PERS amount from my salary because it is the right thing to do. I didn't go the press because I didn't think it was necessary. Since I'm being accused of not caring you should know that I am doing these things.

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Ron Carter

- thanked people who came to the meeting. Need more people to get involved. These are not good times and I'm seeing the negative from public and employees. Encouraged positive comments and participation. Come to the meetings and give input on your tax dollars.

ADJOURNMENT at 9:05pm

Rachel J. Ford, CMC
City Clerk

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CITY COUNCIL/SUCCESSOR AGENCY/FINANCING AUTHORITY/HOUSING AUTHORITY
AGENDA ITEM

SUBJECT:

Approval of a resolution designating a voting member and alternate to attend the League of California Cities annual business meeting and represent the City of Ridgecrest.

PRESENTED BY:

Kurt Wilson – City Manager

SUMMARY:

The League's 2012 Annual Conference is scheduled for September 5-7 in San Diego. An important part of the Annual Conference is the Annual Business Meeting (*at the closing General Assembly*). At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate. The City may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity

Council will select a voting delegate and an alternate voting delegate to serve as our voice at the League of California Cities annual business meeting.

FISCAL IMPACT:

No Fiscal Impact

Reviewed by Finance Director

ACTION REQUESTED:

Approve a resolution designating a voting delegate and an alternate voting delegate to attend the annual business meeting of the League of California Cities

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve a resolution designating both a voting delegate and an alternate voting delegate for the annual business meeting of the League of California Cities.

Submitted by: Kurt Wilson – City Manager
(Rev. 6/12/09)

Action Date: May 16, 2012

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RESOLUTION NO. 12-xx

A RESOLUTION OF THE RIDGECREST CITY COUNCIL DESIGNATING VOTING DELEGATES AND ALTERNATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

WHEREAS, the League of California Cities hosts an Annual Conference; and

WHEREAS, business meetings and actions occur at this conference; and

WHEREAS, the conference will be held September 5th through 7th, 2012 in the City of San Diego; and

WHEREAS, the City Council must approve voting delegates by adoption of this resolution by City Council.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Ridgecrest hereby designates _____ as the voting delegate and appoints _____ as the alternate voting delegate .

APPROVED, AND ADOPTED, this 16th day of May 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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CITY OF RIDGECREST

Telephone 760 499-5000

FAX 499-1500

<http://ci.ridgecrest.ca.us/>

100 West California Avenue, Ridgecrest, California 93555-4054

May 17, 2012

League of California Cities
Attn: Mary McCullough
1400 K Street
Sacramento CA 95814

RE: Voting Delegate and Voting Delegate - Alternate for League of California Cities
2012 Annual Conference, September 5-7, 2012 in San Diego, California

Enclosed is the original of the League of California Cities Voting Delegate/Alternate form for the City of Ridgecrest.

Voting Delegate: _____
Voting Delegate-Alternates: _____ & _____

The delegates were confirmed at the May 16, 2012 City Council meeting and all are attending the conference.

If there are any questions I can be reached at 760 499-5002 or rford@ci.ridgecrest.ca.us.

Rachel J. Ford, CMC
City Clerk

Enclosure:
Voting Delegate/Alternate Form

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Diego Convention Center, will be open at the following times: Wednesday, September 5, 9:00 a.m. – 6:30 p.m.; Thursday, September 6, 7:00 a.m. – 4:00 p.m.; and September 7, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Wednesday, August 15. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2012 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

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CITY: _____

2012 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Wednesday, August 15, 2012. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Wednesday, August 15th, to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mmccullough@cacities.org
(916) 658-8247

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1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures 2012 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

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