



## **City Council**

### **Redevelopment Agency**

#### **AGENDA**

**Wednesday**

**Regular**

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

**June 15, 2011**

**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. 11-xx  
LAST RESOLUTION CITY COUNCIL NO. 11-37  
LAST RESOLUTION REDEVELOPMENT AGENCY NO. 11-02  
LAST RESOLUTION FINANCING AUTHORITY NO. 11-xx

**CITY OF RIDGECREST**

**CITY COUNCIL  
RIDGECREST REDEVELOPMENT AGENCY  
FINANCING AUTHORITY**

**AGENDA**

Regular Council/Agency Meeting  
Wednesday June 15, 2011

**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/Ridgecrest Redevelopment Agency 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>

**Pursuant to California Government Code 54953 (b) (1) an additional call-in location has been established for council members who will attend this meeting via teleconference at 1121 15th Street, Sacramento, CA. This agenda will be duly posted at this location 72 hours prior to the meeting date and time and will be open to the public.**

**CALL TO ORDER**

**ROLL CALL**

# AGENDA - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

June 15, 2011

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## APPROVAL OF AGENDA

### CLOSED SESSION – 5:30 p.m.

- GC54957.6 Labor Negotiations – United Food and Commercial Workers Local 8 (UFCW); Police Employee Association of Ridgecrest (PEAR); Mid-Management Group of Employees (MM); Confidential Group of Employees (CO); Management Group of Employees (MG) – Agency Negotiator City Manager Kurt Wilson
- GC54956.9 Conference With Legal Counsel, Potential Litigation – Public Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest
- GC54956.9 (A) Conference With Legal Counsel; Existing Litigation; City Of Ridgecrest V. Benz Sanitation, Inc.

### PUBLIC COMMENT – CLOSED SESSION

### REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

### CITY ATTORNEY REPORTS

- Closed Session
- Other

### PUBLIC COMMENT

### CONSENT CALENDAR

1. Approve A Resolution Authorizing The Annual Sewer Availability For 2011-2012 Speer
2. Approve A Resolution Authorizing The Execution Of The Certifications And Assurances For The Public Transportation Modernization, Improvement, And Service Enhancement Account Bond Program Speer
3. Approve A Resolution Authorizing The Industrial Disability Retirement Of Sworn Police Sergeant Robert Obergfell Strand
4. A Resolution of the Ridgecrest City Council Authorizing the City Manager to submit and, if awarded, accept a competitive grant award of Prop 84 Statewide Park Development and Community Revitalization Program funds. Ponek

**AGENDA - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

June 15, 2011

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**DISCUSSION AND OTHER ACTION ITEMS**

5. Approval Of The Ridgecrest Redevelopment Agency Housing Set-Aside Project Proposal For Las Flores Homes By Metcalf West McRea
6. Discussion of Demand Warrant Register (DWR) Approval Process Taylor

**PUBLIC COMMENT**

**DEPARTMENT AND COMMITTEE REPORTS**

**Infrastructure Committee**

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders  
Meeting: 2<sup>nd</sup> Thursday of the month at 5:00 p.m., Council Conference Room  
Next Meeting: July 13, 2011

**Quality of Life**

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope  
Meetings: 1<sup>st</sup> Thursday of every even month at 12:00 p.m.; Kerr-McGee Center  
Next Meeting: August 4, 2011

**City Organization**

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu  
Meeting: 3<sup>rd</sup> Tuesday of the month at 5:00 p.m.; Council Conference Room  
Next meeting: June 21, 2011

**Community Development Committee**

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders  
Meetings: 1<sup>st</sup> Thursday of the month at 5:00 p.m.; Council Conference Room  
Next Meeting: July 7, 2011

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

Members: Ron Carter, Chip Holloway, Ron Strand  
Meetings: 2<sup>nd</sup> Monday of odd numbered months at 6:00 p.m., Kerr-McGee Center  
Next Meeting: July 11, 2011

**AGENDA - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**June 15, 2011**

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**Ridgecrest Area Convention and Visitors Bureau (RACVB)**

Members: Chip Holloway, Jason Patin

Meetings: 1<sup>st</sup> Wednesday of the month, 8:00 a.m.

Next meeting: July 6, 2011 and location to be announced

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

**CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**

**MAYOR AND COUNCIL COMMENTS**

**ADJOURNMENT**



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**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:**

A Resolution of the Ridgecrest City Council adopting a sewer user charge for the 2011-2012 fiscal year.

**PRESENTED BY:**

Dennis Speer, Public Works 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 2011-2012 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 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, 2011. 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:**

Reviewed by Finance Director

**ACTION REQUESTED:**

Adopt by Resolution No 11- by the Ridgecrest City Council sewer user charges for the 2011-2012 fiscal year.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested:

Submitted by: Dennis Speer  
(Rev. 6/12/09)

Action Date: June 15, 2011

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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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## **RESOLUTION NO. 11-**

### **A RESOLUTION OF THE RIDGECREST CITY COUNCIL ADOPTING A SEWER USER CHARGE FOR DISTRICT FUND 20455 FOR THE 2011-2012 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 2011-2012 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, 2011 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:

|                         |   |                                 |   |                                |   |
|-------------------------|---|---------------------------------|---|--------------------------------|---|
| <u>Flow</u>             |   | Availability                    |   | <u>SS</u>                      |   |
|                         |   | <u>BOD</u>                      |   |                                |   |
|                         |   | <u>Charge</u>                   |   |                                |   |
| <u>Daily Flow x .49</u> | + | <u>BOD Concentration x .255</u> | + | <u>SS Concentration x .255</u> | x |
| \$120.00                |   | 150                             |   | 150                            |   |
| 250                     |   |                                 |   |                                |   |

**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 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, 2011.

**The Board of Supervisors and the County Tax Collector** 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 15<sup>th</sup> day of June, 2011 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Ronald H. Carter, Mayor

ATTEST:

\_\_\_\_\_  
Rachel J. Ford, CMC  
City Clerk



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**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:** California Department of Transportation's Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Certifications and Assurances Document, Authorized Agent Form, Project Description and Allocation Request, and Expenditure plan worksheet.

**PRESENTED BY:**  
Dennis Speer, Public Works Director

**SUMMARY:**  
The California Department of Transportation (Department) has adopted certifications and assurances, as well as related documents, for the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program. As a condition of the receipt of PTMISEA bond funds, project sponsors must comply with these terms and conditions.

Affirmation of the Certifications and Assurances Document is to ensure that all recipients and sub-recipients comply with applicable requirements of the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program.

The City of Ridgecrest agrees to comply with all applicable provisions of the Certifications and Assurances Document.

For fiscal years 2009/10 and 2010/11, the City of Ridgecrest anticipates receiving \$162,991 in PTMISEA Funds. This amount represents potential funds for the acquisition of new transit busses.

These funds would be lost without the affirmation of the 2011 Certifications and Assurances Document and the submittal of the related forms.

**FISCAL IMPACT:** There are no costs to the City in submitting the Certifications and Assurances Document and related forms.  
Reviewed by Finance Director

**ACTION REQUESTED:**  
Motion to Approve the PTMISEA Certifications and Assurances Document and Motion to Authorized Agent Form, Project Description and Allocation Request, and Expenditure plan worksheet and authorize the City Manager to sign these documents and annual re-submittals of these Documents.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**  
  
Action as requested:

Submitted by: Dennis Speer  
(Rev. 6/12/09)

Action Date: June 15, 2011

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## Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Bond Program

### Certifications and Assurances

**Project Sponsor:** City of Ridgecrest

:

**Effective Date of this Document:** \_\_\_\_\_.

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program. As a condition of the receipt of PTMISEA bond funds, project sponsors must comply with these terms and conditions.

#### A. General

- (1) The project sponsor agrees to abide by the current PTMISEA Guidelines
- (2) The project sponsor must submit to the Department a PTMISEA Program Expenditure Plan, listing all projects to be funded for the life of the bond, including the amount for each project and the year in which the funds will be requested.
- (3) The project sponsor must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

#### B. Project Administration

- (1) The project sponsor certifies that required environmental documentation is complete before requesting an allocation of PTMISEA funds. The project sponsor assures that projects approved for PTMISEA funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project sponsor certifies that PTMISEA funds will be used only for the transit capital project and that the project will be completed and remains in operation for its useful life.
- (3) The project sponsor certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.

- (4) The project sponsor certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
- (5) The project sponsor must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (6) Any interest the project sponsor earns on PTMISEA funds must be used only on approved PTMISEA projects.
- (7) The project sponsor must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (8) Under extraordinary circumstances, a project sponsor may terminate a project prior to completion. In the event the Project Sponsor terminates a project prior to completion, the Project Sponsor must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.
- (9) Funds must be encumbered and liquidated within the time allowed in the applicable budget act.

### **C. Reporting**

- (1) Per Government Code § 8879.55, the project sponsor must submit the following PTMISEA reports:
  - a. Semi-Annual Progress Reports by February 15<sup>th</sup> and August 15<sup>th</sup> each year.
  - b. A Final Report within six months of project completion.
  - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of PTMISEA bond funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which PTMISEA funds have been received or expended.

### **D. Cost Principles**

- (1) The project sponsor agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part

18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (2) The project sponsor agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and (b) those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving PTMISEA funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (3) Any project cost for which the project sponsor has received payment that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project sponsor to the State of California (State). Should the project sponsor fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project sponsor from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

#### **E. Record Retention**

- (1) The project sponsor agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project sponsor, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the project sponsor, its contractors and subcontractors connected with PTMISEA funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project sponsor, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Project Sponsor pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project sponsor's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.

- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project sponsor's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project sponsor shall furnish copies thereof if requested.
- (3) The project sponsor, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

#### **F. Special Situations**

- (1) A project sponsor may lend its unused funds from one year to another project sponsor for an eligible project, for maximum fund use each fiscal year (July1 – June 30). The project sponsor shall collect no interest on this loan.
- (2) Once funds have been appropriated in the budget act, a project sponsor may begin a project with its own funds before receiving an allocation of bond funds, but does so at its own risk.
- (3) The Department may perform an audit and/or request detailed project information of the project sponsor's PTMISEA funded projects at the Department's discretion at any time prior to the completion of the PTMISEA program.

I certify all of these conditions will be met.

**City of Ridgecrest**

**BY:** \_\_\_\_\_

**Kurt Wilson, City Manager**

**ATTACHMENT I**

(INSERT Agency Board Resolution approving this document)

*See Sample at*

**<http://www.dot.ca.gov/hq/MassTrans/Proposition-1B.html>  
under Forms**

**Division of Mass Transportation**  
**Public Transportation Modernization, Improvement, and**  
**Service Enhancement Account (PTMISEA)**  
**Authorized Agent Form**



Authorized Agent

AS THE \_\_\_\_\_ City Manager \_\_\_\_\_  
(Chief Executive Officer / Director / President / Secretary)

OF THE \_\_\_ City of Ridgecrest \_\_\_\_\_  
(Name of County/City Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds provided by the California Department of Transportation, Division of Mass Transportation. This form is valid at the beginning of Fiscal Year 2010-2011 until the end of the PTMISEA Program. If there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself.

\_\_\_\_\_ Kurt Wilson \_\_\_\_\_ OR  
(Name and Title of Authorized Agent)

\_\_\_\_\_ OR  
(Name and Title of Authorized Agent)

\_\_\_\_\_  
(Name and Title of Authorized Agent)

Kurt Wilson  
\_\_\_\_\_  
(Print Name)

City Manager  
\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Signature)

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_



**Public Transportation Modernization, Improvement, and Service Enhancement Account  
Total Project Cost and Funding Plan**

Shaded fields are automatically calculated. Please do not fill these fields.

| <b>Proposed Total Project Cost</b> |          |          |          |               |                |          |          | Project<br>Total |
|------------------------------------|----------|----------|----------|---------------|----------------|----------|----------|------------------|
| Component                          | Prior    | 07/08    | 08/09    | 09/10         | 10/11          | 11/12    | 12/13    |                  |
| PA&ED                              | 0        | 0        | 0        | 0             | 0              | 0        | 0        | 0                |
| PS&E                               | 0        | 0        | 0        | 0             | 0              | 0        | 0        | 0                |
| R/W                                | 0        | 0        | 0        | 0             | 0              | 0        | 0        | 0                |
| CON                                | 0        | 0        | 0        | 0             | 0              | 0        | 0        | 0                |
| Vehicle/Equip Purchase             | 0        | 0        | 0        | 39,519        | 123,472        | 0        | 0        | 162,991          |
| Other                              | 0        | 0        | 0        | 0             | 0              | 0        | 0        | 0                |
| <b>TOTAL</b>                       | <b>0</b> | <b>0</b> | <b>0</b> | <b>39,519</b> | <b>123,472</b> | <b>0</b> | <b>0</b> | <b>162,991</b>   |

| <b>Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)</b> |          |          |          |               |                |          |          |                |
|--|----------|----------|----------|---------------|----------------|----------|----------|----------------|
| Component  | Prior    | 07/08    | 08/09    | 09/10         | 10/11          | 11/12    | 12/13    | Total          |
| PA&ED  |          |          |          |               |                |          |          | 0              |
| PS&E   |          |          |          |               |                |          |          | 0              |
| R/W  |          |          |          |               |                |          |          | 0              |
| CON  |          |          |          |               |                |          |          | 0              |
| Veh/Equip Purchase   |          |          |          | 39,519        | 123,472        |          |          | 162,991        |
| Other  |          |          |          |               |                |          |          | 0              |
| <b>TOTAL</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>39,519</b> | <b>123,472</b> | <b>0</b> | <b>0</b> | <b>162,991</b> |

| <b>Funding Source: PTMISEA INTEREST</b> |          |          |          |          |          |          |          |          |
|---|----------|----------|----------|----------|----------|----------|----------|----------|
| Component                               | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
| PA&ED                                   |          |          |          |          |          |          |          | 0        |
| PS&E                                    |          |          |          |          |          |          |          | 0        |
| R/W                                     |          |          |          |          |          |          |          | 0        |
| CON                                     |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase                      |          |          |          |          |          |          |          | 0        |
| Other                                   |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>                            | <b>0</b> |

| <b>Funding Source:</b> |          |          |          |          |          |          |          |          |
|------------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| Component              | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
| PA&ED                  |          |          |          |          |          |          |          | 0        |
| PS&E                   |          |          |          |          |          |          |          | 0        |
| R/W                    |          |          |          |          |          |          |          | 0        |
| CON                    |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase     |          |          |          |          |          |          |          | 0        |
| Other                  |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>           | <b>0</b> |

| <b>Funding Source:</b> |          |          |          |          |          |          |          |          |
|------------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| Component              | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
| PA&ED                  |          |          |          |          |          |          |          | 0        |
| PS&E                   |          |          |          |          |          |          |          | 0        |
| R/W                    |          |          |          |          |          |          |          | 0        |
| CON                    |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase     |          |          |          |          |          |          |          | 0        |
| Other                  |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>           | <b>0</b> |

| <b>Funding Source:</b> |          |          |          |          |          |          |          |          |
|------------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| Component              | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
| PA&ED                  |          |          |          |          |          |          |          | 0        |
| PS&E                   |          |          |          |          |          |          |          | 0        |
| R/W                    |          |          |          |          |          |          |          | 0        |
| CON                    |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase     |          |          |          |          |          |          |          | 0        |
| Other                  |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>           | <b>0</b> |

**Public Transportation Modernization, Improvement, and Service Enhancement Account  
Total Project Cost and Funding Plan**

Shaded fields are automatically calculated. Please do not fill these fields.

**Funding Source:**

| Component          | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| PA&ED              |          |          |          |          |          |          |          | 0        |
| PS&E               |          |          |          |          |          |          |          | 0        |
| R/W                |          |          |          |          |          |          |          | 0        |
| CON                |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase |          |          |          |          |          |          |          | 0        |
| Other              |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>       | <b>0</b> |

**Funding Source:**

| Component          | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| PA&ED              |          |          |          |          |          |          |          | 0        |
| PS&E               |          |          |          |          |          |          |          | 0        |
| R/W                |          |          |          |          |          |          |          | 0        |
| CON                |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase |          |          |          |          |          |          |          | 0        |
| Other              |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>       | <b>0</b> |

**Funding Source:**

| Component          | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| PA&ED              |          |          |          |          |          |          |          | 0        |
| PS&E               |          |          |          |          |          |          |          | 0        |
| R/W                |          |          |          |          |          |          |          | 0        |
| CON                |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase |          |          |          |          |          |          |          | 0        |
| Other              |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>       | <b>0</b> |

**Funding Source:**

| Component          | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| PA&ED              |          |          |          |          |          |          |          | 0        |
| PS&E               |          |          |          |          |          |          |          | 0        |
| R/W                |          |          |          |          |          |          |          | 0        |
| CON                |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase |          |          |          |          |          |          |          | 0        |
| Other              |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>       | <b>0</b> |

**Funding Source:**

| Component          | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| PA&ED              |          |          |          |          |          |          |          | 0        |
| PS&E               |          |          |          |          |          |          |          | 0        |
| R/W                |          |          |          |          |          |          |          | 0        |
| CON                |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase |          |          |          |          |          |          |          | 0        |
| Other              |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>       | <b>0</b> |

**Funding Source:**

| Component          | Prior    | 07/08    | 08/09    | 09/10    | 10/11    | 11/12    | 12/13    | Total    |
|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| PA&ED              |          |          |          |          |          |          |          | 0        |
| PS&E               |          |          |          |          |          |          |          | 0        |
| R/W                |          |          |          |          |          |          |          | 0        |
| CON                |          |          |          |          |          |          |          | 0        |
| Veh/Equip Purchase |          |          |          |          |          |          |          | 0        |
| Other              |          |          |          |          |          |          |          | 0        |
| <b>TOTAL</b>       | <b>0</b> |

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**RESOLUTION NO. 11-**

**Authorization for the Execution of THE CERTIFICATIONS AND ASSURANCES FOR THE PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT BOND PROGRAM.**

**WHEREAS**, the City of Ridgecrest is an eligible project sponsor and may receive state funding from the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) now or sometime in the future for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, Senate Bill 88 (2007) named the Department of Transportation (Department) as the administrative agency for the PTMISEA; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing PTMISEA funds to eligible project sponsors (local agencies); and

**WHEREAS**, the City of Ridgecrest wishes to delegate authorization to execute these documents and any amendments thereto to the City Manager.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ridgecrest that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all PTMISEA funded transit projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the City Manager be authorized to execute all required documents of the PTMISEA program and any Amendments thereto with the California Department of Transportation.

**APPROVED AND ADOPTED** this 15<sup>th</sup> day of June, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ronald H. Carter, Mayor

ATTEST:

\_\_\_\_\_  
Rachel J. Ford, CMC  
City Clerk

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**RESOLUTION NO. 11-**

**A RESOLUTION TO APPROVE THE PTMISEA CERTIFICATIONS AND ASSURANCES DOCUMENT, AUTHORIZED AGENT FORM, PROJECT DESCRIPTION AND ALLOCATION REQUEST, AND EXPENDITURE PLAN WORKSHEET AND AUTHORIZE THE CITY MANAGER TO SIGN THE THESE DOCUMENTS AND ANNUAL RE-SUBMITTALS OF THESE DOCUMENTS.**

**WHEREAS**, the City of Ridgecrest is proposing to request Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds; and

**WHEREAS**, the California Department of Transportation (Department) has adopted certifications and assurances, as well as related documents, for the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program; and

**WHEREAS**, as a condition of the receipt of PTMISEA bond funds, project sponsors must comply with these terms and conditions; and

**WHEREAS**, affirmation of the Certifications and Assurances Document is to ensure that all recipients and sub-recipients comply with applicable requirements of the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program; and

**WHEREAS**, the City of Ridgecrest agrees to comply with all applicable provisions of the Certifications and Assurances Document, as well as, the related documents; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Ridgecrest hereby approves the PTMISEA Certifications and Assurances Document. Authorized Agent Form, Project Description and Allocation Request, and Expenditure plan worksheet and authorizes the City Manager to sign the these documents and annual re-submittals of these Documents.

**APPROVED AND ADOPTED** this 15<sup>th</sup> day of June, 2011 by the following vote.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Ronald H. Carter, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk

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**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:**

Resolution approving the disability retirement of Police Sergeant Robert Obergfell

**PRESENTED BY:**

Kurt Wilson – City Manager

**SUMMARY:**

The Public Employee's Retirement Law requires that a contracting agency (City of Ridgecrest) determine whether an employee of such agency in employment in which he/she is classified as a local safety member is disabled for purposes of the Public Employee's Retirement Law and whether such disability is "industrial" within the meaning of such Law.

This resolution authorizes the Disability Retirement and Advanced Disability Pension Payments (ADPP) for Police Sergeant Robert Obergfell.

Sergeant Obergfell has been declared Permanent and Stationary by his treating physician and is unable to perform certain duties of the position of Police Sergeant. This disability has been reviewed by Staff and Worker's Compensation and is believed to be a result of industrial injury and will be apportioned by Worker's Compensation and CalPERS when calculating the final retirement pension.

The resolution authorizes that advance payments be issued to Sergeant Obergfell until such time as his retirement payments are issued by CalPERS, at which time the advance payments will be reimbursed to the City of Ridgecrest by CalPERS.

This Worker's Compensation claim is handled by our worker's compensation administrator, which has been notified of Sergeant Obergfell's retirement date of June 16, 2011

**FISCAL IMPACT:**

Monthly Advance Disability Pension Payments (ADPP) of \$3,032.69

Reviewed by Administrative Services Director

**ACTION REQUESTED:**

Approve as requested

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested:

Submitted by: Kurt Wilson

Action Date: June 15, 2011

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**RESOLUTION NO. 11 –**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
RIDGECREST AUTHORIZING THE DISABILITY RETIREMENT OF  
SWORN SAFETY MEMBER ROBERT OBERGFELL**

**WHEREAS**, the City of Ridgecrest (hereinafter referred to as Agency) is a contracting Agency of the Public Employee's Retirement System; and

**WHEREAS**, the Public Employee's Retirement Law requires that a contracting Agency determine whether an employee of such Agency in employment which he/she is classified as a local safety member is disabled for purposes of the Public Employee's Retirement Law and whether such disability is "industrial" within the meaning of such Law:

**WHEREAS**, an application for disability/industrial disability retirement of Robert Obergfell employed by the Agency in the position of Police Sergeant has been filed with the Public Employees' Retirement System; and

**WHEREAS**, The Ridgecrest City Council has reviewed the medical and other evidence relevant to such alleged disability;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Ridgecrest City Council find and determine and it does hereby find and determine that Robert Obergfell is substantially incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Police Sergeant, and

**BE IT FURTHER RESOLVED THAT THE:**

2. Ridgecrest City Council find and determine and it does hereby find and determine that Robert Obergfell is also substantially incapacitated from the performance of the usual duties of the position of Police Sergeant with other California public agencies in CalPERS.
3. Ridgecrest City Council find and determine and it does hereby find and determine that such disability is a result of injury or disease arising out of and in the course of employment.
4. Neither said Robert Obergfell nor the Agency City of Ridgecrest has applied to the Workers' Compensation Appeals Board for a determination pursuant to Section 21166 whether such disability is industrial.

**BE IT FURTHER RESOLVED:**

5. That the member was, or will be, separated from his employment in the position of Police Sergeant after expiration of his leave rights under Section 21164, Government Code, effective June 16, 2011 and that no dispute as to the expiration of such leave rights is pending. His last day on pay status is June 15, 2011
6. There is not a possibility of third party liability.
7. The primary disabling condition is Orthopedic.
8. Advanced Disability Pension payments will be made. The payments will be made Monthly in the amount of \$3,032.69 beginning June 16, 2011 and will be mailed to the retiree's home address.
9. Sergeant Robert Obergfell is afforded all of the rights and privileges allowed by the law to a retired Police Captain.

**APPROVED AND ADOPTED**, this 15<sup>th</sup> day of June, 2011 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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Ronald H. Carter, Mayor

Attest:

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Rachel J. Ford, CMC  
City Clerk



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**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:**

A Resolution of the Ridgecrest City Council Approving the Application for Statewide Park Program Grant Funds.

**PRESENTED BY:** Jim Ponek, Director of Parks & Recreation

**SUMMARY:**

Proposition 84, also known as the Statewide Park Development and Community Revitalization Program, was passed by California voters in November 2006 providing more than \$5 billion for funding in eight project areas. City staff, in consultation with the grant writing firm of Passantino Andersen; have determined that that an expansion of the Pinney Pool is consistent with the eligibility criteria of the Statewide Park Development and Community Revitalization Program component of the proposition. This competitive funding opportunity represents the second and likely final, round of funding for this portion of Proposition 84 funds.

The Redevelopment Agency Board previously considered a funding amount of up to \$800,000 for rehabilitation of the Pinney Pool from Tax Allocation Bond (TAB) proceeds. If the City is successful in this award, that investment could be enhanced with up to \$5,000,000 of Prop 84 funds to support a new Ridgecrest Aquatics Complex totaling an estimated \$5.8 million.

There is no cost to the City for applying for this funding opportunity because the outside grant writing firm has agreed to donate their services in support of this project. Several prescribed steps, including convening public meetings, will be implemented by City staff along with staff from Passantino Andersen.

Staff recommends the adoption of the attached resolution authorizing the City Manager to submit and, if awarded, accept and implement a competitive grant award of Prop 84 Statewide Park Development and Community Revitalization Program funds.

**FISCAL IMPACT:** \$800,000

Reviewed by Administrative Services Director

**ACTION REQUESTED:** Approve Resolution No. 11\_\_\_ Authorizing the City Manager to submit and, if awarded, accept and implement a competitive grant award of Prop 84 Statewide Park Development and Community Revitalization Program funds.

**CITY MANAGER/EXECUTIVE DIRECTOR RECOMMENDATION:**  
Action as requested

Submitted by: Jim Ponek, Director of Parks & Recreation

Action Date: June 15, 2011

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**RESOLUTION NO. 11-XX**

**A RESOLUTION OF THE CITY OF RIDGECREST CITY COUNCIL  
APPROVING THE APPLICATION FOR STATEWIDE PARK PROGRAM  
GRANT FUNDS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:

**WHEREAS, The** State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the Administration of the Statewide Park Program, setting up necessary procedures governing the Application; and

**WHEREAS, said** procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application (s) before submission of said applicant (s) to the State; and

**WHEREAS,**

The applicant will enter into a contract with the State of California to complete the grant scope project;

**NOW, THEREFORE, BE IT RESOLVED;**

The City of Ridgecrest:

1. Certifies that the City of Ridgecrest will have available \$800,000 from TAB funds prior to the commencement of any work on the project included in this application for Proposition 84 Statewide Park Development and Community Revitalization Program for the development of the new Ridgecrest Aquatics Complex; and
2. Certifies that the City of Ridgecrest will have sufficient funds to maintain and operate the Ridgecrest Aquatics Complex annually; and
3. Certifies that the City of Ridgecrest has reviewed, understands, and agrees to the general provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

**PASSED, APPROVED AND ADOPTED** on June 15, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ronald H. Carter, Mayor

ATTEST:

\_\_\_\_\_  
Rachel J. Ford, CMC  
City Clerk

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

**SUBJECT:**

Ridgecrest Redevelopment Agency Housing Set-Aside Project Proposal;  
Las Flores Homes By Metcalf West.

**PRESENTED BY:** James E. McRea

**SUMMARY:**

The Redevelopment Agency considered this project at the regular meetings of May 18, 2011 and June 1, 2011. Additional information was developed with respect to the concerns of the City Council and affordable housing. This in-fill development project by Metcalf West is a combination of land purchase for 1.2 million dollars and a new construction of up to eighty three affordable housing units. The property is north west of the Corporate Yards between Argus Avenue and Las Flores Avenue which consists of approximately 14 acres. The dwelling units will range from 1232 sq. ft. to 1968 sq. ft. with a project purchase price in the range of \$155,850 to a maximum of \$198,000. It is recommended that the Agency fund a low interest loan of up to \$1,200,000. The Developer will use this loan to fund the purchase of the site from the City in the amount \$650,000 of the 1.2 million land purchase price with the developer directly funding the remaining \$550,000 portion with his own funds at the time of purchase.

The remaining 550,000 dollars of the loan to be used for the payment of various City Development Impact fees and wastewater sewer fees. Building permit fees and other associated costs to be paid directly by the developer are estimated at approximately \$422,000. The project will generate approximately \$2,100,000 in development revenue to the City. The first phase of the project would be 34 dwelling units with access from both Las Flores and Coso Ave.

The Community Development Committee has reviewed and recommended the request for Agency funding at their meeting of April 7, 2011. The projects phase 1 tract map is attached and staff recommendation is the Agency participation of the project with a partial loan recovery. A Disposition Development Agreement (DDA) will be developed and a draft has been presented to the developer with conditions of sale which does include a first right of re-purchase if the developers fails to complete the project as conditioned by the DDA. The entire project will meet affordable housing standards

The Tentative Tract Map is still in process and an application to the Planning Commission has not yet been completed. The concern expressed from both the Agency and public comments have been reviewed with the developer and the project is submitted again for review and approval.

**FISCAL IMPACT:**

Low and Moderate Housing Set-Aside funding of up to \$1,200,000 and in lieu funding of Development Impact fees. Real Property sale of the City site by simultaneous closure of \$1,200,000 conveyance.

Reviewed by Finance Director

**ACTION REQUESTED:**

Authorization of funding of the proposed project pending the final review of needed funding level up to 1.2 million and approval of the DDA and required documents and agreements by the Agency and City Council.

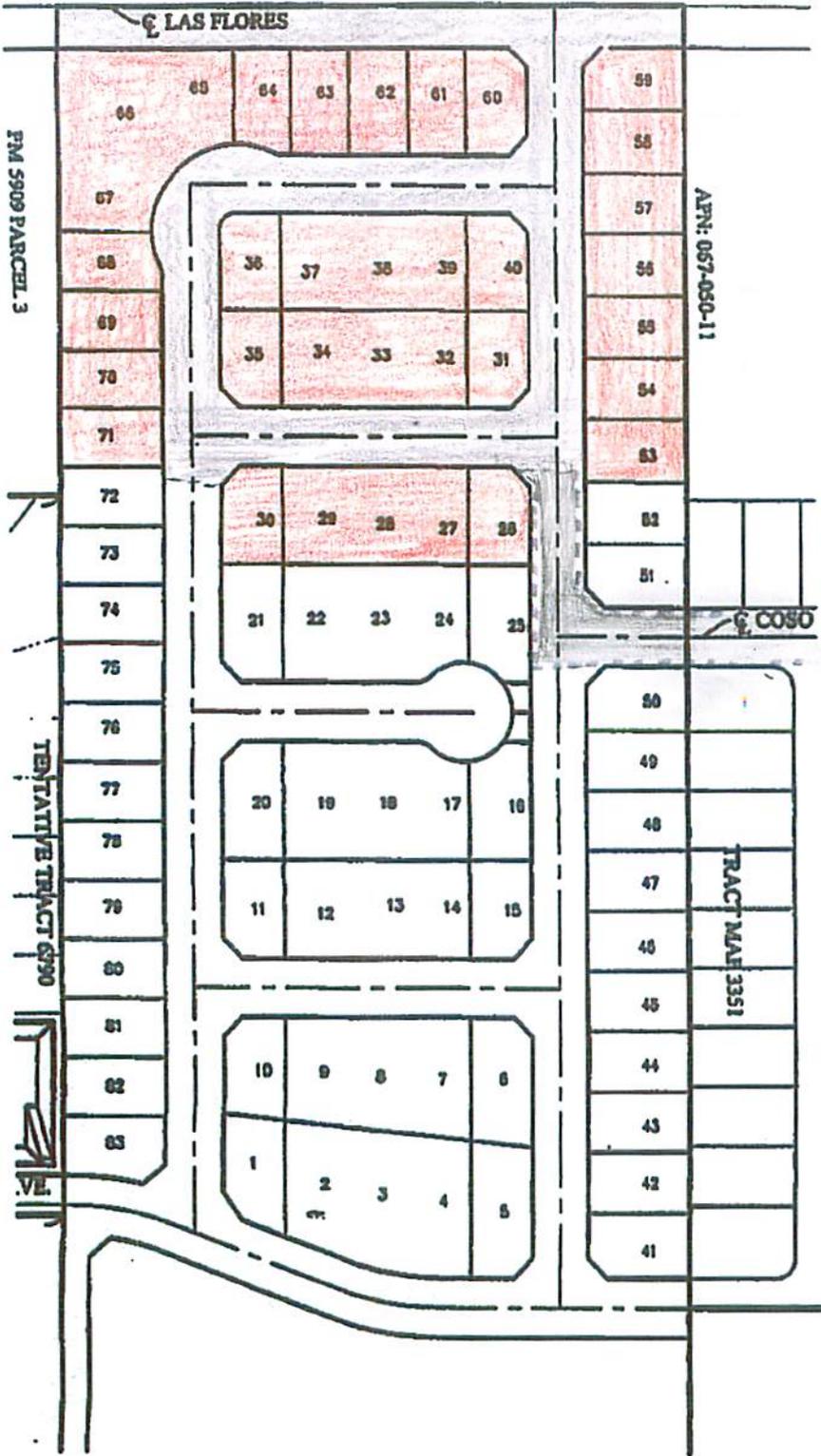
**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested

Submitted by: James McRea  
(Rev 6-12-09)

Action Date 06-15-11

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**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

|   |
|---|
| <b>SUBJECT:</b><br>DEMAND WARRANT REGISTER (DWR) DISCUSSION   |
| <b>PRESENTED BY:</b><br>Jerry D. Taylor, Vice Mayor   |
| <b>SUMMARY:</b><br>Current practices include approval of DWR items as part of the annual spending plan (budget), as well as, the re-approval at council meetings following the expenditure. In order to improve efficiencies and reduce costs, staff has implemented the following Government Code.<br><br>Government Code section 37208;<br><br><i>(c) Notwithstanding subdivisions (a) and (b), budgeted payrolls and demands paid by warrants or checks may be presented to the legislative body for ratification and approval in the form of an audited comprehensive annual financial report,</i><br><br>The City of Ridgecrest is not required to continue its after-the-fact consent approval process following each delivery of payment by warrants or checks for budgeted payroll and audited bills. Instead, such payments may now be presented to the City of Ridgecrest City Council for ratification and approval annually in the form of an audited comprehensive annual financial report.<br><br>Many cities have adopted the more efficient process of ratification and approval in the form of an annual report. The Finance department will submit the DWR to council in the form of correspondence upon completion for informational review. The DWR will continue to be available to the public upon request. The Finance Department will prepare the annual report as required for review and approval of the Council. |
| <b>FISCAL IMPACT:</b><br>This will save a minor amount of time and money spent in preparing and copying reports for approval by the Council and will remove this routine matter from the Council Consent Agenda.<br>Reviewed by Finance Director  |
| <b>ACTION REQUESTED:</b><br>No action required.   |
| <b>CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:</b><br>Action as requested:  |

Submitted by: Tyrell Staheli

Action Date: 06/15/11

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