



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

**AGENDA**

**Wednesday**

**Regular**

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

**August 21, 2013**

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

**(760) 499-5000**

**Daniel O. Clark, Mayor  
Jason Patin, Mayor Pro Tempore  
Marshall 'Chip' Holloway, Vice Mayor  
James Sanders, Council Member  
Lori Acton, Council Member**

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LAST ORDINANCE NO. 13-03  
LAST RESOLUTION CITY COUNCIL NO. 13-57  
LAST RESOLUTION FINANCING AUTHORITY NO. 13-xx  
LAST RESOLUTION OF THE HOUSING AUTHORITY NO. 13-xx  
LAST RESOLUTION OF THE SUCCESSOR REDEVELOPMENT AGENCY NO. 13-xx

## **CITY OF RIDGECREST**

### **CITY COUNCIL REDEVELOPMENT SUCCESSOR AGENCY HOUSING AUTHORITY FINANCING AUTHORITY**

#### **AGENDA**

Regular Council  
Wednesday August 21, 2013

**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 ITEMS**

## AGENDA - CITY COUNCIL - REGULAR

August 21, 2013

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### CLOSED SESSION

- GC54956.9 Conference with Legal Counsel – Potential Litigation – Public Disclosure of Potential Litigant Would Prejudice the City of Ridgecrest
- GC54956.8 Redevelopment Successor Agency Real Property Negotiations – APN 419-073-16 – Agency Negotiator Dennis Speer, City Manager
- GC54956.8 Redevelopment Successor Agency Real Property Negotiations – APN 067-050-013 – Agency Negotiator Dennis Speer, City Manager

### REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

### CITY ATTORNEY REPORT

- Closed Session
- Other

### PUBLIC COMMENT

### CONSENT CALENDAR

1. Adopt Resolution Approving The City's Appropriations Limit Of \$19,556,487 For Fiscal Year 2013-14 (GANN Limit) McQuiston
2. Adopt A Resolution Of The Ridgecrest City Council Approving And Amending The City Of Ridgecrest Classification Plan And Adopting The Job Specifications Of Assistant Public Works Director/City Engineer Into The City Of Ridgecrest Classification Plan McQuiston
3. Adopt A Resolution Of The Ridgecrest City Council Approving And Amending The City Of Ridgecrest Classification Plan And Adopting The Job Specifications Of Custodian Into The City Of Ridgecrest Classification Plan McQuiston
4. Adopt A Resolution Of The Ridgecrest City Council Approving The Application For Funds From The Fy-14/15 Congestion Mitigation Air Quality (CMAQ) Program Under The Moving Ahead For Progress In The 21<sup>st</sup> Century (Map-21) For The Following Project: China Lake Blvd. Signal Interconnection And Synchronization Project Speer

**AGENDA - CITY COUNCIL - REGULAR**

**August 21, 2013**

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5. Adopt A Resolution Of The Ridgecrest City Council Approving The Application For Funds From The Fy-14/15 Congestion Mitigation Air Quality (CMAQ) Program Under The Moving Ahead For Progress In The 21<sup>st</sup> Century (Map-21) For The Following Project: North Warner Street Paving Project Speer
6. Adopt A Resolution Of The Ridgecrest City Council Approving The Application For Funds From The Fy-14/15 Congestion Mitigation Air Quality (CMAQ) Program Under The Moving Ahead For Progress In The 21<sup>st</sup> Century (Map-21) For The Following Project: Graff Ave. Shoulder Paving Project Speer
7. Adopt A Resolution Of The Ridgecrest City Council Approving The Application For Funds From The Fy-14/15 & Fy-15/16, Regional Surface Transportation Program (RSTP), Under The Moving Ahead For Progress In The 21<sup>st</sup> Century (Map-21) For The Following Project: China Lake Blvd. Resurfacing And/Or Rehabilitation, Bowman Road To College Hts. Blvd. Speer
8. Approval Of Draft Minutes Of The Regular Council Meeting Dated August 7, 2013 Ford

**ORDINANCES**

9. Introduction And First Reading, An Ordinance Of The Ridgecrest City Council amending Chapter XX of the Municipal Code, (Zoning) to permit Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District. Applicant: City of Ridgecrest Planning Department Alexander

**DISCUSSION AND OTHER ACTION ITEMS**

10. FY13 Year End Budget Projections Update McQuiston
11. Adopt A Resolution Recognizing The 2014 Petroglyph Festival As A Signature Event For The City Of Ridgecrest And Committing To Allocate Funding From The Fiscal Year 2014-2015 Budget To Support The Event Clark
12. Discussion And Establishment Of Process To Fill Council Vacancy Clark
13. Discussion And Appointments Of Council Representative To Outside Boards And Committees Clark

# AGENDA - CITY COUNCIL - REGULAR

August 21, 2013

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## COMMITTEE REPORTS

### City Organization

Members: Dan Clark, Jim Sanders  
Meeting: 3<sup>rd</sup> Tuesday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: To Be Announced

### Community Development Committee

Members: Chip Holloway  
Meetings: 1<sup>st</sup> Thursday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: To Be Announced

### Infrastructure Committee

Members: Dan Clark  
Meeting: 2<sup>nd</sup> Wednesday Of The Month At 5:00 P.M., Council Conference Room  
Next Meeting: To Be Announced

### Quality Of Life

Members: Chip Holloway, Lori Acton  
Meeting: 2<sup>nd</sup> Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center  
Next Meeting: To Be Announced (Dark in June, July, December, and January)

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

Members: Jim Sanders  
Meetings: 3<sup>rd</sup> Tuesday of the Month at 4:00 P.M., Kerr-McGee Center  
Next Meeting: To Be Announced

### Veterans Advisory Committee

Members: Lori Acton  
Meetings: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the Month At 6:00 p.m., Council Conference Room  
Next Meeting: To Be Announced

### Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway  
Meetings: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.  
Next Meeting: To Be Announced

## OTHER COMMITTEES, BOARDS, OR COMMISSIONS

## CITY MANAGER REPORT

## MAYOR AND COUNCIL COMMENTS

## ADJOURNMENT



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

**SUBJECT:**

Resolution To Establish The Appropriation Limit For Fiscal Year 2013/2014 And Determining Compliance With Government Code Section 7910.

**PRESENTED BY:**

Rachelle McQuiston, Finance Director/Agency Treasurer

**BACKGROUND:**

In November of 1979, the voters of California passed Proposition IV which specified that government appropriations may increase annually by a factor comprised of change in population combined with either the Consumer Price Index (CPI) or the change in the per capita personal income. This measure was intended to provide citizen control of government spending and taxation.

The adoption of the Gann Appropriation Limit is an annual requirement. The City of Ridgecrest's Gann Limit is currently calculated to be \$19,566,487. The General Fund tax proceeds subject to the Gann Limit are estimated to be \$9,392,721. Like past budget years, the City of Ridgecrest is well within the appropriations limit for Fiscal Year 2013/2014.

**ANALYSIS:**

The Gann limit calculation begins with the total forecasted General Fund revenues for Fiscal Year 2013/2014. Of the total forecasted revenues, revenue "proceeds" and "non-proceeds" are summarized in separate columns. Revenue proceeds are those revenue sources that are subject to the Gann Limit including most tax measures and intergovernmental revenue. Non-proceed revenues include most local fees, fines, and permits and are not subject to the Gann Limit.

Total General Fund revenues for Fiscal Year 2013/2014 are forecasted to be \$11,929,014. Of the \$11,929,014 amount, \$9,392,721 is calculated to be proceeds revenues or revenues subject to the Gann Limit and \$2,536,293 is calculated to be non-proceed revenue not subject to the Gann Limit.

Interest income has been allocated based on the weighted average of each category.

The Council adopted Gann Limit for Fiscal Year 20012/2013 was \$18,405,495. Each year, the City is required to adjust Ridgecrest's Gann Limit by both the prior year per capita personal income increment and the prior year change in population. This information is received from the State Department of Finance (please see the attached letter). The Fiscal Year 2013/2014 Gann Limit was adjusted by a per capita personal increment factor of 1.0512 and a population change factor of 1.0113. The Fiscal Year 2013/2014 Gann Limit is calculated to be \$19,566,487.

The forecasted General Fund proceed revenues subject to the Gann Limit is \$9,392,721, leaving \$10,173,766 (\$19,566,487 - \$9,392,721) of unused appropriation limit. As you can see, Ridgecrest is well within the Gann Limit.

**FISCAL IMPACT:**

None

Reviewed by Finance Director

**ACTION REQUESTED:**

Approval of the attached resolution

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Approval of the attached resolution as submitted

Submitted by: Rachelle McQuiston, Finance Director  
(Rev. 6/12/09)

Action Date: 08/21/2013

**RESOLUTION NO. 13-xx**

**RESOLUTION APPROVING THE CITY'S APPROPRIATIONS LIMIT OF \$19,556,487 FOR FISCAL YEAR 2013-14 (GANN LIMIT)**

**WHEREAS**, Article XIII of the California Constitution and Section 7900 et seq. of the California Government Code require cities to adopt limits on appropriations for each fiscal year, and

**WHEREAS**, the Appropriation Limit has been calculated for the fiscal year 2013-2014 and is set forth in that certain document 2013 Appropriation Limit Calculation, Attachment A, attached hereto and made a part hereof, and

**WHEREAS**, the staff report and the documentation used in determining the Appropriations Limit and the appropriations subject to limit have been made available to the public as required by law,

**NOW, THEREFORE, BE IT RESOLVED** by the Ridgecrest City Council that:

1. The adjustment factors selected for calculating this Appropriations Limit are based on California Per Capita Income change of 5.12% and the City of Ridgecrest population change of 1.13%;
2. The Appropriation Limit for 2013-2014 fiscal year is established at \$19,566,487; and
3. The City Council reserves the right to recalculate this Appropriations Limit utilizing Non-Residential Assessed Valuation.

**APPROVED AND ADOPTED** this 21<sup>ST</sup> day of August, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk

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

**SUBJECT:**

Resolution amending the City of Ridgecrest Classification Plan and adopting the Assistant Public Works Director and Assistant Public Works Director/City Engineer job specifications.

**PRESENTED BY:**

V. Rachele McQuiston, Director of Finance

**SUMMARY:**

This resolution formally amends the City's Classification Plan and adopts the job specifications for the position of Assistant Public Works Director and Assistant Public Works Director/City Engineer into the City of Ridgecrest Classification Plan.

The City's Classification Plan was formally approved and adopted by Resolution No. 01-94 on September 19, 2001.

Currently the essential functions of this specification are being performed by the City Engineer and the specification is incomplete. This resolution will add the classification necessary to cover all essential functions of a position which is designed to maintain City's compliance. Job specific tasks and special certifications required for this classification are outlined in the specification.

Assistant Public Works Director and Assistant Public Works Director/City Engineer is a classification within the Public Works Department. This position reports directly to the City Manager/Director of Public Works and serves as a liaison between the Operations Staff, State, County and Federal Transportation Officers, and Management.

**FISCAL IMPACT:**

None

Reviewed by Director of Finance

**ACTION REQUESTED:**

Approve Resolution amending class specifications

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Approve Resolution

Submitted by: Karen Guidangen  
(Rev. 2-14-07)

Action Date: August 21, 2013

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL  
APPROVING AND AMENDING THE CITY OF RIDGECREST  
CLASSIFICATION PLAN AND ADOPTING THE JOB  
SPECIFICATIONS OF ASSISTANT PUBLIC WORKS DIRECTOR  
AND ASSISTANT PUBLIC WORKS DIRECTOR/CITY ENGINEER  
INTO THE CITY OF RIDGECREST CLASSIFICATION PLAN**

**WHEREAS**, the City of Ridgecrest has formally adopted a Classification Plan with job specifications which are compliant with the Americans with Disabilities Act (ADA), by Resolution No. 01-94 on September 19, 2001; and

**WHEREAS**, new or revised job specifications must be submitted for adoption by City Council into the Classification Plan; and

**WHEREAS**, adopting new or revised job specification into the Classification Plan does not create new budgeted positions or adjust salaries.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ridgecrest does hereby approve amendments to the City of Ridgecrest Classification Plan, a copy of said amendments being attached hereto, as "Attachment A" and "Attachment B" and by this reference made a part hereof.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Daniel O Clark, Mayor

ATTEST

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Rachel J. Ford, CMC  
City Clerk

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**Assistant Director of Public Works**

DEFINITION

Under administrative direction, plans, directs, and coordinates engineering activities relating to City public works engineering projects; serves as City Engineer; performs related work as assigned.

CLASS CHARACTERISTICS

This class reports to the department director and is responsible for planning, managing, and directing the work of a section of the Public Works department staffed by sub-professional and contract engineering staff.

ESSENTIAL FUNCTIONS

These functions may not be present in all positions in multiple position classes. When a position is to be filled, the essential functions will be noted in the announcement of position availability.

Supervises and participates in a variety of professional and para-professional engineering work, including the preparation of plans and project specifications and public counter operations; directs and/or coordinates project inspections; may draft ordinances according to general instruction.

Supervises and participates in the review of plans; evaluates compliance with laws, ordinances, and acceptable engineering standards, and recommends corrections or improvements; supervises the preparation of legal descriptions and deeds for easements and rights-of-way.

Prepares and evaluates requests for proposals relating to projects requiring contract engineering work; directs the preparation of project cost estimates for competitive bidding purposes; reviews plans of consulting/engineering firms performing work for the City and evaluates their performance; performs construction contract modifications and negotiates contract changes.

Reviews operational procedures to ensure compliance with applicable policies and quality control standards as well as to ensure currency in technique; recommends and initiates changes to departmental procedures, policies, and regulations including engineering design standards.

Provides technical assistance to other departments and City personnel; assists in the design and construction of municipal works facilities, including streets, water, sewer, and storm drainage systems.

Compiles and analyzes statistical data and prepares technical reports relating to public works projects and programs; assists in the preparation of cost projections for the department budget and monitors expenditures.

Coordinates engineering activities with other department staff, City personnel, and agencies; attends and makes presentations to City committees and commissions.

Supervises engineering, public counter and/or inspection division staff; participates in the screening and selection of section staff; trains and evaluates employees; initiates and carries out appropriate disciplinary actions.

Knowledge, Skills, and Abilities

Extensive knowledge of engineering principles, methods, and practices as applied to public works, including planning and development, design and construction. Thorough knowledge of techniques for reviewing designs, plans, specifications, estimates, reports, and recommendations related to public works projects; related laws, ordinances, rules and regulations. Considerable knowledge of the methods and techniques of supervision.

Ability to communicate clearly and concisely, both orally and in writing; research and prepare complex engineering reports; review and check complex engineering designs, computations, plans and studies; plan, direct, and coordinate public works engineering programs and manage a section of the Public Works Department; select, train, supervise and evaluate employees; represent the City in a variety of meetings; make decisions regarding operational and personnel functions; operate programs within allocated amounts; respond to emergency and problem situations in an effective manner; understand, explain and apply policies and procedures; analyze unusual situations and resolve them through application of management and engineering principles and practices; develop comprehensive plans to meet future City needs/services; deal constructively with conflict and develop effective resolutions; plan and enforce a balanced budget; develop new policies impacting department operations/procedures; interpret financial statements and cost accounting reports; establish and maintain effective relationships with the community at large, the City Council, and other public officials.

Special Requirements

Possession of or ability to obtain a Class C California driver's license and a satisfactory driving record.

Possession of a certificate of registration as a Civil Engineer issued by the California State Board of Registration for Professional Engineers and certification to practice Land Surveying in the State of California or equivalent.

PHYSICAL PROFILE: Category I; 7.

**ASSISTANT DIRECTOR OF PUBLIC WORKS/CITY ENGINEER**

DEFINITION

Under administrative direction, plans, organizes, manages and directs the activities of the Public Works Department including engineering, street, sewer, storm drainage, equipment maintenance and wastewater treatment activities; serves as City Engineer and directs engineering related activities including small project design, design consultant liaison, consultant inspections, construction administration and design review; serves as member of the City's management team; assumes additional responsibilities as assigned; performs related duties as required.

CLASS CHARACTERISTICS

This position reports to the City Manager and is responsible for the development and administration of programs designed to address primary areas of City service. The incumbent is expected to exercise independent judgment, wisdom, common sense, and initiative in establishing efficient and effective departmental operations consistent with City Council policies and administrative guidelines established by the City Manager. The incumbent must also function as a member of the City's management team and participate actively in addressing issues of concern to the City which at times may not have a direct impact on their area of specialization.

ESSENTIAL FUNCTIONS

These functions may not be present in all positions in multiple position classes. When a position is to be filled, the essential functions will be noted in the announcement of position availability.

Develops, plans, implements and administers department goals and objectives as well as policies and procedures necessary to provide assigned engineering and public works services; approves new or modified programs, systems, policies and procedures; directs the maintenance of public works and engineering records.

Directs and manages the City engineering function including the planning, design and construction of public works facilities, traffic engineering, permit issuance and inspections, as well as development review and approval, ensuring that such activities and programs are carried out according to sound engineering practices and principles; serves as the City Engineer; reviews and approves engineering plans and subdivision maps.

Directs and manages the construction and maintenance of City streets, storm drainage, wastewater systems, and fleet maintenance activities; ensures proper usage of materials, equipment and work methods; maintains facilities and equipment according to City standards.

Meets with members of the public including local developers, members of the business community and citizen groups to explain City policies, procedures, goals and objectives; negotiates agreements and resolves difficult public works related problems and questions.

Serves as technical advisor to the City Council and the Planning Commission; serves on a variety of committees and commissions; advises other members of City management in matters related to public works activities and programs, subdivisions and development construction.

Directs the development and administration of the Public Works Department budget; directs the forecast of funds needed for staffing, equipment, materials and supplies; monitors and approves expenditures; makes mid-year adjustments.

Directs, manages and participates in the development of the department work plan and the City's Capital Improvement Program; directs the development of plans and specifications for public works maintenance and construction activities; administers contracts; approves progress payments and accepts improvements; assigns work activities, projects and programs; monitors work flow; reviews and evaluates work products, methods and procedures.

ESSENTIAL FUNCTIONS (Continued)

Meets with County, State and Federal regulatory agencies and reports compliance of City activities with the affected agencies.

Coordinates department activities with those of other departments and outside agencies and organizations; provides staff assistance to the City Council; prepares and presents staff reports and other necessary correspondence; researches public work problems and prepares a variety of comprehensive reports.

Selects, trains, motivates and evaluates staff; establishes and monitors employee performance objectives; prepares and presents employee performance reviews; provides or coordinates staff training; works with employees to correct deficiencies; implements disciplinary procedures; recommends employee terminations as necessary.

QUALIFICATIONS GUIDELINESEducation and/or Experience

Any combination of education and/or experience that has provided the knowledge, skills, and abilities necessary for acceptable job performance. Example combinations include bachelor's degree with major work in civil engineering, public administration, or a related field; and eight years of progressively responsible related civil engineering experience, including or supplemented by four years of experience in an administrative or supervisory capacity.

Knowledge, Skills and Abilities

Extensive knowledge of municipal public works planning, engineering, maintenance, and construction; fleet, streets, and utilities maintenance programs. Considerable knowledge of municipal organization, administration, budgeting, and cost accounting; modern principles and practices of management, personnel administration, staffing, supervision; civil engineering principles related to planning, traffic, streets, public buildings, and capital facilities planning; technical, legal, and financial requirements involved in the conduct of municipal public works studies, planning, and construction; techniques and methods of preparing designs, plans, specifications, estimates, and reports for proposed municipal facilities.

Ability to plan, organize, and direct the work of engineering, inspection, public works maintenance, and other personnel; oversee and coordinate consulting engineers effectively; prepare comprehensive administrative and engineering reports; make effective public presentations; establish and maintain effective and cooperative working relationships; communicate effectively both verbally and in writing; understand and follow verbal and written directions; analyze unusual situations and resolve through application of City/department policy; develop comprehensive plans to satisfy future needs of department service; deal constructively with conflict and develop effective resolutions; develop consensus for problem solving and project support.

Special Requirements

Possession of or ability to obtain a Class C California driver's license and a satisfactory driving record.

Possession of a certificate of registration as a Civil Engineer issued the California State Board of Registration for Professional Engineers and certification to practice Land Surveying in the State of California or equivalent.

PHYSICAL PROFILE: Category I; 7.



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

**SUBJECT:**

A Resolution amending the City of Ridgecrest Classification Plan and adopting the Custodian job specifications.

**PRESENTED BY:**

Rachelle McQuiston, Director of Finance

**SUMMARY:**

This resolution formally amends the City's Classification Plan and adopts the job specifications for the position of Custodian into the City of Ridgecrest Classification Plan.

The City's Classification Plan was formally approved and adopted by Resolution No. 01-94 on September 19, 2001.

Currently the essential functions of this specification are being performed by the Maintenance Worker I and the specification is incomplete. This resolution will add the classification necessary to cover all essential functions of a position which is designed to maintain City's compliance. Job specific tasks and special certifications required for this classification are outlined in the specification.

Custodian is a classification within the Parks and Recreation Department. This position currently reports to the Parks Maintenance Supervisor and is subject to change.

**FISCAL IMPACT:**

None

Reviewed by Director of Finance

**ACTION REQUESTED:**

Approve Resolution amending class specifications

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Approve Resolution as submitted

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL  
APPROVING AND AMENDING THE CITY OF RIDGECREST  
CLASSIFICATION PLAN AND ADOPTING THE JOB  
SPECIFICATIONS OF CUSTODIAN INTO THE CITY OF  
RIDGECREST CLASSIFICATION PLAN**

**WHEREAS**, the City of Ridgecrest has formally adopted a Classification Plan with job specifications which are compliant with the Americans with Disabilities Act (ADA), by Resolution No. 01-94 on September 19, 2001; and

**WHEREAS**, new or revised job specifications must be submitted for adoption by City Council into the Classification Plan; and

**WHEREAS**, adopting new or revised job specification into the Classification Plan does not create new budgeted positions or adjust salaries.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ridgecrest does hereby approve amendments to the City of Ridgecrest Classification Plan, a copy of said amendments being attached hereto, as "Attachment A" and by this reference made a part hereof.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Daniel O Clark, Mayor

ATTEST

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Rachel J. Ford, CMC  
City Clerk

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**CUSTODIAN**

DEFINITION

This position is responsible for performing custodial duties, minor maintenance and other miscellaneous duties in order to ensure that municipal buildings and facilities are maintained in a healthy, safe and sanitary manner.

CLASS CHARACTERISTICS

This position reports to the City Manager and is responsible for maintaining municipal facilities and equipment. These responsibilities will help ensure the health, safety and security of the public.

ESSENTIAL FUNCTIONS

These functions may not be present in all positions in multiple position classes. When a position is to be filled, the essential functions will be noted in the announcement of position availability.

1. Clean and care for buildings and facilities in order to ensure they are maintained in a safe and healthy manner.

Main Activities:

- Clean offices, meeting chambers and recreational facilities
- Mop tile and concrete floor areas
- Vacuum all carpeted areas
- Dust all furniture and fixtures as required
- Wash and disinfect all washroom floors, toilets, toilet seats, hand dryers and fixtures
- Clean all mirrors
- Replenish toilet tissue and soap as needed
- Empty all waste baskets and garbage cans
- Place garbage in outside storage bin
- Clean entrance and exit including glass, doors and hardware
- Keep outside area near exit and entrance clear of snow, cans, paper, etc.
- Clean, wash and disinfect drinking fountains
- Wash all finger marks from walls, doors, hardware and glass
- Perform and/or report minor maintenance repairs
- Clean kitchen sinks and counters
- Report damages and acts of vandalism
- Wash and buff floors with floor polisher
- Wash entrance and exit floors
- Spot clean walls and toilet partitions

2. Maintain storage areas and cleaning equipment, materials and supplies in a safe and orderly manner in order to ensure the safety of staff and the public.

Main Activities:

- Secure storage areas
- Ensure cleaning materials and supplies are stored in a safe and orderly manner
- Maintain an adequate supply of cleaning materials and supplies
- Restock materials and supplies
- Make note of the need for equipment repairs

3. Perform other related duties as required

QUALIFICATIONS GUIDELINESEducation and/or Experience

Incumbent may possess any combination of education and/or experience that provides the knowledge, skills, and abilities necessary for acceptable job performance. Example combinations include graduation from high school or GED equivalent.

Knowledge, Skills and Abilities

The incumbent must have proficient knowledge in the following areas:

- Knowledge of standard cleaning procedures, chemicals, products and equipment
- Knowledge of the Workplace Hazardous Materials Information System
- Team building
- Decision making skills
- Problem solving skills
- Effective verbal and listening communications skills
- Time management skills
- Ability to read and understand labels and instructions, particularly on the use and application of cleaning chemicals and products
- Ability to work under little supervision or no supervision

The incumbent would normally attain the required knowledge and skills through related experience and completion of a Workplace Hazardous Materials Information Systems course. Equivalencies will be considered.

PHYSICAL PROFILE: II,2, 3, 4,5, 6,7,8,12,13,14,15,16,17,18,19,20, 22



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

**SUBJECT:**

FY-14/15 Congestion Mitigation Air Quality Program (CMAQ) Project Application

**PRESENTED BY:**

Dennis Speer, City Manager/Public Works Director

**SUMMARY:**

This is a Resolution authorizing staff to apply to Kern COG for a FY-14/15 Congestion Mitigation Air Quality (CMAQ) grant. The proposed project is the traffic signal interconnection and synchronization of China Lake Blvd. between College Hts. Blvd. and Ridgecrest Blvd. Currently, there are HSIP projects in design for signals along China Lake Blvd. at Upjohn Street and Bowman Road.

**FISCAL IMPACT:**

Award of this grant could result in a funding/revenue increase of about \$405,000 for the City. City will provide matching funds equal to 11.47 % or \$46,453.50 of the total project cost.

Reviewed by Finance Director

**ACTION REQUESTED:**

For Council to authorize staff to apply for FY-14/15 CMAQ grant.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Adopt the resolution approving the authorization to apply for the CMAQ grant and authorize the City Manager/Public Works Director to execute and file the application with Kern COG.

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE APPLICATION FOR FUNDS FROM THE FY-14/15 CONGESTION MITIGATION AIR QUALITY (CMAQ) PROGRAM UNDER THE MOVING AHEAD FOR PROGRESS IN THE 21<sup>ST</sup> CENTURY (MAP-21) FOR THE FOLLOWING PROJECT:**

**CHINA LAKE BLVD. SIGNAL INTERCONNECTION AND SYNCHRONIZATION PROJECT**

**WHEREAS**, the City of Ridgecrest is submitting an application to the Kern Council of Governments (Kern COG) for \$405,000 in funding from the Congestion Mitigation Air Quality for the China Lake Blvd. signal interconnection and synchronization project between College Hts. Blvd. and Ridgecrest Blvd, (herein referred to as PROJECT); and

**WHEREAS**, the City of Ridgecrest has the financial capacity to complete, operate and maintain the project; and

**WHEREAS**, the City of Ridgecrest will ensure that funds required from other sources will be reasonably expected to be available on the time frame needed to carry out the project; and

**WHEREAS**, the City of Ridgecrest is authorized to execute and file an application for funding the PROJECT under the Congestion Mitigation Air Quality Program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Ridgecrest City Council hereby states:

- (1) The City of Ridgecrest will provide (\$46,453.50) in local matching funds; and
- (2) The City of Ridgecrest understands that the Congestion Mitigation Air Quality Program funding for the project is fixed at the approved programmed amount, and that any cost increases must be funded by the City of Ridgecrest from other funds, and the City of Ridgecrest does not expect any cost increases to be funded with additional Congestion Mitigation Air Quality Program funding; and
- (3) The City of Ridgecrest understands the funding deadlines associated with these funds and will comply with the program implementation procedures described in Chapter 2 of the Kern COG Project Delivery Policies and Procedures manual; and
- (4) The PROJECT will be implemented as described in the complete application and in this resolution and, if approved, to the amount programmed in the FTIP; and

(5) The City of Ridgecrest and the PROJECT will comply with the requirements as set forth in the program; and

(6) The City of Ridgecrest authorizes its City Manager / Public Works Director or designee to execute and file an application with Kern COG for Congestion Mitigation Air Quality Program funding for the PROJECT as referenced in this resolution.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk

**5**

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

**SUBJECT:**

FY-14/15 Congestion Mitigation Air Quality Program (CMAQ) Project Application.

**PRESENTED BY:**

Dennis Speer, City Manager/Public Works Director

**SUMMARY:**

This is a Resolution authorizing staff to apply to Kern COG for a FY-14/15, Congestion Mitigation Air Quality (CMAQ) grant. The proposed project is the paving of N. Warner Street between Drummond Ave. and Howell Ave. Currently, there is a CMAQ project in design for paving of Sunland Street between Upjohn Street and Bowman Road.

**FISCAL IMPACT:**

Award of this grant could result in a funding/revenue increase of about \$307,350 for the City. City will provide matching funds equal to 11.47 % or \$35,253 of the total project cost.

Reviewed by Finance Director

**ACTION REQUESTED:**

For Council to authorize staff to apply for FY-14/15 CMAQ grant.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

**ACTION REQUESTED:** Adopt the resolution approving the authorization to apply for the CMAQ grant and authorize the City Manager/Public Works Director to execute and file the application with Kern COG.

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE APPLICATION FOR FUNDS FROM THE FY-14/15 CONGESTION MITIGATION AIR QUALITY (CMAQ) PROGRAM UNDER THE MOVING AHEAD FOR PROGRESS IN THE 21<sup>ST</sup> CENTURY (MAP-21) FOR THE FOLLOWING PROJECT:**

**NORTH WARNER STREET PAVING PROJECT**

**WHEREAS**, the City of Ridgecrest is submitting an application to the Kern Council of Governments (Kern COG) for \$307,350 in funding from the Congestion Mitigation Air Quality for the N. Warner Street paving project between Drummond and Howell Avenues., (herein referred to as PROJECT); and

**WHEREAS**, the City of Ridgecrest has the financial capacity to complete, operate and maintain the project; and

**WHEREAS**, the City of Ridgecrest will ensure that funds required from other sources will be reasonably expected to be available on the time frame needed to carry out the project; and

**WHEREAS**, the City of Ridgecrest is authorized to execute and file an application for funding the PROJECT under the Congestion Mitigation Air Quality Program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Ridgecrest City Council hereby states:

- (1) The City of Ridgecrest will provide (\$35,253) in local matching funds; and
- (2) The City of Ridgecrest understands that the Congestion Mitigation Air Quality Program funding for the project is fixed at the approved programmed amount, and that any cost increases must be funded by the City of Ridgecrest from other funds, and the City of Ridgecrest does not expect any cost increases to be funded with additional Congestion Mitigation Air Quality Program funding; and
- (3) The City of Ridgecrest understands the funding deadlines associated with these funds and will comply with the program implementation procedures described in Chapter 2 of the Kern COG Project Delivery Policies and Procedures manual; and
- (4) The PROJECT will be implemented as described in the complete application and in this resolution and, if approved, to the amount programmed in the FTIP; and
- (5) The City of Ridgecrest and the PROJECT will comply with the requirements as set forth in the program; and

(6) The City of Ridgecrest authorizes its City Manager / Public Works Director or designee to execute and file an application with Kern COG for Congestion Mitigation Air Quality Program funding for the PROJECT as referenced in this resolution.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk



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

**SUBJECT:**

FY-14/15 Congestion Mitigation Air Quality Program (CMAQ) Project Application.

**PRESENTED BY:**

Dennis Speer, City Manager/Public Works Director

**SUMMARY:**

This is a Resolution authorizing staff to apply to Kern COG for a FY-14/15 Congestion Mitigation Air Quality (CMAQ) grant. The proposed project is the shoulder paving of the half street section of Graff Ave. East of Sierra View. Currently, there is a CMAQ project in the design for paving of Sunland Street between Upjohn Street and Bowman Road.

**FISCAL IMPACT:**

Award of this grant could result in a funding/revenue increase of about \$104,600 for the City. City will provide matching funds equal to 11.47 % or \$11,997.62 of the total project cost.

Reviewed by Finance Director

**ACTION REQUESTED:**

For Council to authorize staff to apply for FY-14/15 CMAQ grant.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

**ACTION REQUESTED:** Adopt the resolution approving the authorization to apply for the CMAQ grant and authorize the City Manager/Public Works Director to execute and file the application with Kern COG.

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE APPLICATION FOR FUNDS FROM THE FY-14/15 CONGESTION MITIGATION AIR QUALITY (CMAQ) PROGRAM UNDER THE MOVING AHEAD FOR PROGRESS IN THE 21<sup>ST</sup> CENTURY (MAP-21) FOR THE FOLLOWING PROJECT:**

**GRAFF AVE. SHOULDER PAVING PROJECT**

**WHEREAS**, the City of Ridgecrest is submitting an application to the Kern Council of Governments (Kern COG) for \$104,600 in funding from the Congestion Mitigation Air Quality Program for the Graff Ave. half street shoulder paving project East of Sierra View., (herein referred to as PROJECT); and

**WHEREAS**, the City of Ridgecrest has the financial capacity to complete, operate and maintain the project; and

**WHEREAS**, the City of Ridgecrest will ensure that funds required from other sources will be reasonably expected to be available on the time frame needed to carry out the project; and

**WHEREAS**, the City of Ridgecrest is authorized to execute and file an application for funding the PROJECT under the Congestion Mitigation Air Quality Program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Ridgecrest City Council hereby states:

- (1) The City of Ridgecrest will provide (\$11,977.62) in local matching funds; and
- (2) The City of Ridgecrest understands that the Congestion Mitigation Air Quality Program funding for the project is fixed at the approved programmed amount, and that any cost increases must be funded by the City of Ridgecrest from other funds, and the City of Ridgecrest does not expect any cost increases to be funded with additional Congestion Mitigation Air Quality Program funding; and
- (3) The City of Ridgecrest understands the funding deadlines associated with these funds and will comply with the program implementation procedures described in Chapter 2 of the Kern COG Project Delivery Policies and Procedures manual; and
- (4) The PROJECT will be implemented as described in the complete application and in this resolution and, if approved, to the amount programmed in the FTIP; and
- (5) The City of Ridgecrest and the PROJECT will comply with the requirements as set forth in the program; and

(6) The City of Ridgecrest authorizes its City Manager / Public Works Director or designee to execute and file an application with Kern COG for Congestion Mitigation Air Quality Program funding for the PROJECT as referenced in this resolution.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk



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

**SUBJECT:**

FY-14/15 & FY-15/16 Regional Surface Transportation Program (RSTP) Project Application

**PRESENTED BY:**

Dennis Speer, City Manager/Public Works Director

**SUMMARY:**

This is a Resolution authorizing staff to apply to Kern COG for a FY-14/15 & FY-15/16, Regional Surface Transportation Program (RSTP) grant. The proposed project is the resurfacing and or rehabilitation of China Lake Blvd. between Bowman Road and College Hts. Blvd. Currently, there is a FY-12/13 & FY-13/14 RSTP project in design for resurfacing China Lake Blvd. between Upjohn Street and Bowman Road.

**FISCAL IMPACT:**

Award of this grant could result in a funding/revenue increase of about \$604,000 for the City. City will provide matching funds equal to 11.47 % or \$78,254 of the total project cost.

Reviewed by Finance Director

**ACTION REQUESTED:**

For Council to authorize staff to apply for FY-14/15 & FY-15/16 RSTP grant.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

**ACTION REQUESTED:** Adopt the resolution approving the authorization to apply for the RSTP grant and authorize the City Manager/Public Works Director to execute and file the application with Kern COG.

Submitted By: Loren Culp

Action Date: August 21, 2013

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE APPLICATION FOR FUNDS FROM THE FY-14/15 & FY-15/16, REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP), UNDER THE MOVING AHEAD FOR PROGRESS IN THE 21<sup>ST</sup> CENTURY (MAP-21) FOR THE FOLLOWING PROJECT:**

**CHINA LAKE BLVD. RESURFACING AND/OR REHABILITATION, BOWMAN ROAD TO COLLEGE HTS. BLVD.**

**WHEREAS**, the City of Ridgecrest is submitting an application to the Kern Council of Governments (Kern COG) for \$604,000 in funding from the Regional Surface Transportation Program for the China Lake Resurfacing and / or Rehabilitation between Bowman Road and College Hts. Blvd., (herein referred to as PROJECT); and

**WHEREAS**, the City of Ridgecrest has the financial capacity to complete, operate and maintain the project; and

**WHEREAS**, the City of Ridgecrest will ensure that funds required from other sources will be reasonably expected to be available on the time frame needed to carry out the project; and

**WHEREAS**, the City of Ridgecrest is authorized to execute and file an application for funding the PROJECT under the Regional Surface Transportation Program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Ridgecrest City Council hereby states:

- (1) The City of Ridgecrest will provide \$78,254 in local matching funds; and
- (2) The City of Ridgecrest understands that the Regional Surface Transportation Program funding for the project is fixed at the approved programmed amount, and that any cost increases must be funded by the City of Ridgecrest from other funds, and the City of Ridgecrest does not expect any cost increases to be funded with additional Regional Surface Transportation Program funding; and
- (3) The City of Ridgecrest understands the funding deadlines associated with these funds and will comply with the program implementation procedures described in Chapter 2 of the Kern COG Project Delivery Policies and Procedures manual; and
- (4) PROJECT will be implemented as described in the complete application and in this resolution and, if approved, to the amount programmed in the FTIP; and

- (5) The City of Ridgecrest and the PROJECT will comply with the requirements as set forth in the program; and
- (6) The City of Ridgecrest authorizes its City Manager / Public Works Director or designee to execute and file an application with Kern COG for Regional Surface Transportation Program funding for the PROJECT as referenced in this resolution.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk



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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 August 7, 2013

**PRESENTED BY:**

Rachel J. Ford, City Clerk

**SUMMARY:**

Draft Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of August 7, 2013

**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: August 21, 2013

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## MINUTES OF THE REGULAR MEETING OF THE RIDGECREST CITY COUNCIL

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

**August 7, 2013  
6:00 pm**

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. Meetings are recorded for the purpose of preparation of minutes.

### **CALL TO ORDER – 6:00 p.m.**

### **ROLL CALL**

Council Present: Mayor Daniel O. Clark; Mayor Pro-Tem Jason Patin; Vice-Mayor Marshall 'Chip' Holloway; Council Members James Sanders and Lori Acton

Staff Present: City Manager Dennis Speer; City Clerk Rachel J. Ford; City; City Attorney Michael Silander and other staff

### **APPROVAL OF AGENDA**

*Motion To Move Public Comment On The Agenda To Occur After Presentations Made By Council Member Patin, Second By Council Member Acton . Motion Carried By Roll Call Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.*

### **REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation – Pastor Ralph Mueller

### **CITY ATTORNEY REPORT**

- No report

## PRESENTATIONS

1. **Presentation of Proclamations and Certificates**
  - a. **Col. Aaron Hakimi Presented An Award For Support Of National Guard Service Members To Vice Mayor Holloway** Col. Hakimi
  - b. **Certificate of Appreciation to Jim Ponek** Clark
  - c. **Proclamation Honoring Eagle Scout Gregory Ostrom II** Holloway
  - d. **Proclamation Honoring Ridgecrest Citizen Dr. Katherine Ferguson** Patin
  - e. **Proclamation Honoring Ridgecrest Citizen Dr. William Ferguson** Patin

Council presented a certificate of appreciation to Jim Ponek and proclamations honoring Gregory Ostrom II, Dr. Katherine Ferguson, and Dr. William Ferguson

### **PUBLIC COMMENT opened at 6:28 p.m.**

Deborah Hess

- Regional manager of SCE and happy to be back in Ridgecrest

Nick Coy

- Spoke on the Veteran's Advisory Committee
- Invited Council to attend fundraiser at Tommy 'T's Friday at 5:00pm in support of the veteran's stand-down.
- Band performance at 6:00pm – midnight and steak cookout with percentage of sales going to the veteran's stand-down
- Provided flyers to Council

Dave Matthews

- Congratulated Chip Holloway for department of defense award
- Extended well wishes to Jim Ponek
- Expressed praise for Gregory Ostrem's achievements
- Mentioned city of Ridgecrest 50<sup>th</sup> anniversary and has been resident for 45 of those years.
- Spoke on 2014 bi-centennial anniversary of Lindsey military academy in Virginia.
- Spoke on history in the United States in the past 200 years.

Paul Venderwerf

- Spoke on august 1984 flood and small reminder recently
- Expressed concern of the streets due to flood damage including mud and dirt.
- Working with landscaping consulting and referenced general plan water conservation practices.
- Spoke on fertilizer being spread on the ball parks and potential for burning the grass at this time of year
- Spoke on youth football and the burned concession stand

**MINUTES - CITY COUNCIL - REGULAR**

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Paul Vanderwerf *(continued)*

- Commented on watering times and runoff.
- Made comment about not following general plan in relation to water conservation
- Referenced discussions with football association and other organizations not knowing what was happening with Leroy Jackson Park.

Mike Neel

- Spoke on lawsuit between City of Ridgecrest and Dale Howard
- Read statistics related to the lawsuit history and purpose
- Read article from Jones & Mayer (city attorney) website
- Mentioned public record request for attorney expenditures
- Accused City of making Mr. Howard and wife homeless and penniless
- Expressed opinion of God expecting righteous judgment of leaders.

*Public comment closed at 6:47 p.m.*

**CONSENT CALENDAR**

- 2. Approval Of Draft Minutes Of The Regular Council Meeting Dated July 17, 2013 Ford**

*Motion To Approve Consent Calendar Made By Council Member Patin, Second By Council Member Sanders. Motion Carried By Voice Vote Of Ayes; 5 Noes; 0 Abstain; Absent.*

**DISCUSSION AND OTHER ACTION ITEMS**

- 3. Adopt A Resolution Of A Recommendation From The Planning Commission To Defer Site Plan Review 05-10 Modification (Ridgecrest Self Storage) Conditions 1.a.i And 1.a.ii Until Phase 3 Is Implemented Alexander**

Matthew Alexander

- Presented staff report
- PowerPoint presentation of modification request from Ridgecrest Self-Storage

Jason Patin

- Asked about a desire of property owner to eliminate the requirement
  - Matthew – has not been discussed with owner, staff feels worthwhile to eliminate the zoning requirement in industrial areas.
- Ok moving forward with idea to look at the code and possibly eliminate the requirement in the industrial area
- Asked about ADA issues without a sidewalk

**MINUTES - CITY COUNCIL - REGULAR**

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Chip Holloway

- Without the sidewalk do not have to make changes to the driveway.
- Would rather see landscaping instead of sidewalk that goes nowhere.
- Requested the code be amended in the near future.

Jim Sanders

- Agrees with comments made.

Lori Acton

- Sub-committee already working on the code changes
- Looking for a priority list in near future
- No problem with approving this.
- Asked if council can eliminate the provision or has to defer until code is change

Dan Clark

- Concur with council and support exploration of amending 25+ codes which are stumbling block to development
- Encouraged staff to follow thru with amending codes.

Jason Patin

- Asked if codes have been identified that council can make changes to and how will staff proceed.
  - Matthew Alexander – City Engineer and staff will review most controversial code issues and work with local office to ensure the changes can be made prior to proceeding.

*Public Comment*

Dave Matthews

- In this case has no problem with deferring sidewalk requirement by has issue with other areas.
- Would not recommend taking requirement completely out of the code.
  - Jim Sanders – reference of amending code was in industrial areas only.
  - Lori Acton – industrial has parking lots
  - Jason Patin – can soften the code and give staff leeway

*Motion To Approve A Resolution Authorizing To Defer Site Plan Review 05-10 Modification Made By Council Member Acton, Second By Council Member Sanders. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.*

**4. Adopt A Resolution Of A Recommendation From The Planning Commission To Defer Site Plan Review 76-16 Modification (Southern California Edison) Conditions 1.a.i And 1.a.ii Until Receipt Of Approval From The PUC** Alexander

Matthew Alexander

- Presented staff report
- PowerPoint presentation reviewing modification requested by southern California Edison

Richard Smith

- Available to answer questions

Chip Holloway

- Asked if requirement would exist if Ridgecrest were charter city rather than general law

Richard Smith

- Requirement is present any time a dedication of land to public.
- Have to request permission of PUC anytime unless purchase of new property.

*No member of the public presented questions or comments*

*Motion To Approve A Resolution Authorizing To Defer Site Plan Review 76-16 Modification Made By Council Member Acton, Second By Council Member Patin. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.*

**5. Discussion And Approval Of Additional Committee Members From Planning Commission** Speer

Dennis Speer

- Presented staff report

Jason Patin

- Discussed and suggested members of the public set appointments with staff.
- Not opposed to amending the code.

Dan Clark

- Spoke on the current skeleton staff and discussions during the election of eliminating planning commissioners from committees
- Idea is to prevent staff from having to deal with so much minutia when meeting become platforms for other discussion rather than city business
- Referenced previous opinion that code did not require planning commissioners on the committees

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Dan Clark *(continued)*

- Feels the planning commissioners do not need to be on the committee as voting members but are welcome to attend
- Recommends re-writing the ordinance and does not support as written.

Chip Holloway

- All committees are established by resolution, have discussed on multiple occasions of eliminating committees
- Staff are at bare bones and committees can take up several staff members time
- Attendance at committees is similar to council attendance.
- Suggested eliminating committees completely
- Persons who attend committees could accomplish same thing by scheduling meetings with staff members.
- In favor of eliminating committees, have not found one other city that has committees.
- Spoke on transparency and feel council meetings satisfy the transparency issue.
- Flexibility of council and suggested ad hoc committees for specific projects as they arise.
- Unfair to fellow council when questioned by public about items that are discussed in committees and not all council sit on every committee
- Eliminating committees will help staff who spend hours preparing agendas, perform research for individuals, and other requirements of supporting a committee.
- Suggested changing code to eliminate committees completely.

Dan Clark

- Recommend not eliminating the ACTION committee because of AB109 and the need to communicate between city, schools and police.

Chip Holloway

- Referenced ad hoc committee purpose and suggested bringing that committee back as an ad hoc

Lori Acton

- Supported the suggestion of eliminating committees and opening discussions to full council.

Jim Sanders

- In favor of either keeping with planning commission or eliminating completely
- Asked Dennis Speer about the staff time
  - Dennis Speer – staff does consume a considerable amount of time preparing for committee meetings.

**MINUTES - CITY COUNCIL - REGULAR**

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Jim Sanders *(continued)*

- Asked about the items coming before council
  - Dan Clark – specific items would be vetted thru a 2 council member and staff ad hoc on an as needed basis.
- Concerned with finding an efficient way of updating council perhaps with monthly reports.

Chip Holloway

- Referenced the monthly report that departments put out a few years ago with brief updates.
- If an item comes to council and cannot get to a reasonable decision at council, then item could be taken to an ad hoc committee to be researched and brought back to council.

Jason Patin

- Agrees with the staff time required to produce committee agendas and packets.
- In favor of eliminating committees.
- Committee attendance is typically 3-5 people and most of the time the information never makes it to the public, by discussing items at council will reach a broader base of public.

Public Comment

Dave Matthews

- Originally thought this item was to appoint planning commission because as standing now then committees are not set the way the ordinance reads.
- Either appoint two more members or change the code
- Staff time can't be too high because not many meetings being held.
- If committees are eliminated then need to bring back the staff reports because information is not being put in the newspaper or website
- There was a time when had both committee meetings and staff reports which is transparency.
- Against changing it.
- Need to change if not putting commissioners on it, need at least 3 people to break the tie.
- Originally objected to a 2 man committee.

Paul Vanderwerf

- Identification of dysfunction of process
- Commented on Mr. Speer best practices for strategic plan, would like a copy.
- Commented on general plan input but not moving forward
- Suggested needing more public involvement rather than less
- Spoke on sportsmanship standard

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Paul Vanderwerf *(continued)*

- Spoke on concussion management and asked quality of life committee to review a year ago but no action has been taken.
- Spoke on measure 'I' committee requesting staff time and assistance.
- Volunteered to work on committee's
- Commented on general plan section 7
- Spoke on elimination of parks director position and compared committees and need to evaluate leadership skills
- Leaders don't want to participate with committees because they are not being run effectively
- Advocate more community involvement rather than less

Dave Matthews

- Commented on Chip's statement of public meeting with staff but no minutes are taken at meetings like these and nothing to refer to later.

Public comment ended at 7:34pm

Lori Acton

- Listening to public comments and it is not just staff time.
- Referenced the time and effort staff expends preparing reports that are never heard by the public
- Council meeting is televised and recorded
- Need the regular reports brought to council
- Does not make sense to schedule meetings that the same 4 people show up and the information is reviewed again at council

Jim Sanders

- Requested monthly update at council meetings open for discussion by council members and public

Jason Patin

- Requested concerns of Mayor Clark regarding committees
  - Dan Clark
    - Items being held up by planning commissioners and public
    - Meetings being called when nothing to discuss
    - Amount of staff time required

*Motion Made By Council Member Holloway To Direct Staff To Move Forward With Code Revision Eliminating Standing Committees And Providing Flexible Language For Expediting Establishment Of Ad Hoc Committees As Needed. Motion Seconded By Council Member Acton. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.*

**6. Adopt A Resolution To Approve The Revised Rate Request For Solid Waste Services And Adjust The Contract Management Fee By 2.5% For FY 13/14**

**Speer**

Dennis Speer

- Presented staff report

Dan Clark

- Originally did not support because of sequestration and furloughs, recent increases to sewer fees.
- Suggested requesting Waste Management postpone for six months

Lori Acton

- Initially opposed but after reading again the amount is 2.5% which is cost of living
- Recent discussions because of not raising sewer rates for 20 years and do not want that to be repeated later.
- Costs have gone up and waste management is still considerably less than previous carrier
- Feel the responsible thing for council to do is not postpone like the wastewater fees and later have to charge more.
- If for some reason they asked an outrageous amount then would oppose but the cost of living increase is reasonable.

Jim Sanders

- Was originally against but do not feel we can put this off because we would be violating the contract if we postpone.
- Can question the report but do not feel we have a choice

Michael Silander

- Contract was approved in 2011 by previous council, just did not know the amount.
- Council can question the number but cannot postpone without breach of contract.

Chip Holloway

- Tend to over react.
- Was pinged on Saturday by a commercial customer
- Concern was the cumulative effect on mentality of community because of furloughs and recent wastewater increases
- Recent news of furloughs being eliminated in September eased fears.
- Other than one call on Saturday, have not received any other calls.
- Commented on committee that reviewed formula to establish the rate and council voted to approve the contract
- It would take 20 years to reach the rate we were at 2 years ago
- Analysis is independent and based on national standards

**MINUTES - CITY COUNCIL - REGULAR**

**August 7, 2013**

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Chip Holloway *(continued)*

- Largest increase is on commercial and a result of increased cost to county for dumping fees
- Unethical to turn our nose up at a contractor that has done everything they can to transition Ridgecrest and service us.
- Will affect other contractors from wanting to do business with us.

Jason Patin

- Agree with everything said
- Waste management did everything they could to make the transition seamless
- No problem with 2.5% and is justifiable
- Never want to have another council face raising fees 300%

Lori Acton

- Has heard nothing about this subject from the public

Public Comment

Dave Matthews

- Application was put forward in April and heard nothing about it until published in agenda.
- Residential is a small increase but commercial rates are large
- Commercial pass increases to the public
- Did not read anything about this prior to agenda
  - Chip Holloway – first notification was in the bill in June and waste management will put another notification in the monthly newsletter
  - Sandra Pursley – showed copy of notice to council and Mr. Matthews. Notice was in the paper one week ago and also in the June invoice. Next invoice which will reflect a \$1.18 increase for the quarter. Effective date will be October and another newsletter will be included. Will also add to their website.
- Asked if everyone was on the same billing cycle.
  - Sandra Pursley – depends on when someone signed up but goal is to keep everyone on the same cycle.

Public Comment Closed

*Motion To Approve Resolution Authorizing The Revised Rate Request For Solid Waste Services And Adjusting The Contract Management Fee By 2.5% For Fiscal Year 2013-2014 Made By Council Member Patin , Second By Council Member Holloway . Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.*

## COMMITTEE REPORTS

### City Organization

Members: Dan Clark, Jim Sanders  
Meeting: 3rd Tuesday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: August 20, 2013

Jim Sanders – no report

### Community Development Committee

Members: Jason Patin, Chip Holloway  
Meetings: 1<sup>st</sup> Thursday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: August 8, 2013

Jason Patin – no report

### Infrastructure Committee

Members: Dan Clark, Jason Patin  
Meeting: 2<sup>nd</sup> Wednesday Of The Month At 5:00 P.M., Council Conference Room  
Next Meeting: September 5, 2013

Jason Patin – no report

### Quality Of Life

Members: Chip Holloway, Lori Acton  
Meeting: 2<sup>nd</sup> Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center  
Next Meeting: August 8, 2013 (Dark in June, July, December, and January)

Chip Holloway – Meeting cancelled.

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

Members: Jim Sanders, Jason Patin  
Meetings: 3<sup>rd</sup> Tuesday of the Month at 4:00 P.M., Kerr-McGee Center  
Next Meeting: August 20, 2013

Chip Holloway – no meeting, did have workshop with USA Swim

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**Veterans Advisory Committee**

Members: Jason Patin, Dan Clark

Meetings: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the Month At 6:00 p.m., Council Conference Room

Next Meeting: August 19, 2013

Dan Clark

- o Information and fund raiser booth at Wal-Mart providing information on stand down, sold tickets to state dinner, received donations.
- o Announced next fundraiser

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

Members: Jason Patin, Chip Holloway

Meetings: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.

Next Meeting: September 4, 2013 at location to be announced

Chip Holloway – read director’s report *(Copy Available In City Clerk’s Office)*

Lori Acton – asked about fundraising and plans for billboards, also signs leading into Ridgecrest.

- o Doug Lueck – gave progress report

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

- None

**CITY MANAGER REPORT**

Dennis Speer

- No report

**MAYOR AND COUNCIL COMMENTS**

Lori Acton

- Sorry Mr. Ponek is leaving, he did a lot for the community and happy he and the family are happy with where they are going.
- Commented on immediate clean up after the flooding to remove mud and debris. Thanked staff for their quick response
- School starting, encourage public to be aware of school zones
- Commented on the meteor shower Monday night
- Website will be adding a new section called council corner with presentations of the processes for various projects council is working on such as roads.
- Asked to speak with council about their individual projects to be added to the website.
- Have a great two weeks and enjoy the kids going back to school

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**Jim Sanders**

- Excited about furloughs ending which will be a good thing for this community.
- Furloughs affect small business owners
- Grateful to see congress member McCarthy add a bill to exempt china lake from future furloughs
- Wish Jim Ponek well in his new venture, he will be missed.

**Chip Holloway**

- Worked with Mr. Ponek for 13 years, he is a class individual. He did not want to leave this community but was forced out of the community and some of the gutless, spineless people to did this did not even have the courage to attend this meeting
- One of the reasons he had to leave was his wife and 3 daughters were embarrassed and when members of the public attack the council they don't pay attention to how it affects that person's family.
- Some people wanted him gone for personal vendettas that had nothing to do with performance. He has done an exceptional job with what this council asked of him
- A lot of people who are criticized in this community leave and thrive somewhere else. All the geniuses who come here and criticize performance not willing to look at why people thrive elsewhere
- RACVB item to be brought to channel 6, will process thru IT
- Spoke on penalties from a sister city that has large TOT and tourism tax that supports an 18 million budget.
- RACVB will be working on a strategic effort to improve our TOT.
- Attended private meeting with McCarthy along with other agencies who were asked to give him a snapshot of issues in their area. Referenced statistics of TOT contribution to City general fund and the effects of sequestration
- Read a portion of report provided to McCarthy.

**Jason Patin**

- Agree with comments regarding Jim Ponek
- He did the best job he could with the resources council gave him
- Mr. Speer will move forward and parks will be good again
- Working to improve community development
- Hopefully can resolve issues with state and get TAB funds
- Have to find ways to take care of issues as a community.
- County is not going to offer resources, council is dedicated to moving forward despite circumstances
- Mr. Speer and Mrs. McQuiston were put in a tight position with trying to create the current budget but think we are moving forward and glad to be a part of it.
- Thanked son for attending the meeting.

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Dan Clark

- Thanked fellow council members, all doing a good job
- November 1-3 is 50<sup>th</sup> celebration of incorporation and schedule of events are being published and base is celebrating 70<sup>th</sup> anniversary
- November 6-8, 2014 putting together a petroglyph festival.
- Spoke on email of mayors supporting illegal gun control, after researching found this group has duped many mayors because their agenda is going against any person who does not support a bill they support. Will be sending in my resignation. Thanked Jim Sanders for information on this organization.
  - Jim Sanders – organization is very deceitful and thanked mayor for integrity to resign after receiving the facts.
  - Lori Acton – will put information on the city's Facebook page.
- Spoke on recent trip to Europe and exchange with Burg Meister of Milltonburg Germany and related story of ringing the town church bells during a neo-Nazi rally.
- Received a letter from Burg Meister Beiber and will continue to correspond.

**ADJOURNMENT at 8:40pm**

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Rachel J. Ford, CMC  
City Clerk



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

**SUBJECT:**

An Ordinance Of The Ridgecrest City Council amending Chapter XX of the Municipal Code, (Zoning) to permit Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District. Applicant: City of Ridgecrest Planning Department.

**PRESENTED BY:**

Matthew Alexander, AICP

**SUMMARY:**

Currently the Ridgecrest Zoning Ordinance allows a building or structure height maximum of 35 feet within Residential Zoning Districts. This Zone Text amendment was initiated when Steven Rainey addressed the Planning Commission on September 25, 2012.

Mr. Rainey had requested a building permit to erect a 55 foot ham radio tower at his home located at 231 N. Sierra Vista St. The zoning for this property is R-1 Single Family Residential. He was told that the maximum height for a building or structure within this zone district is 35 feet.

On November 27, 2013, the Planning Commission held a Public Hearing to consider recommending that the City Council amend the Zoning Ordinance to permit both Ham Radio and windmill towers in excess of 35' within residential zone districts subject to a CUP.

In the opinion of the Planning Commission Ham Radio operators provide an invaluable service to the community during emergency situations. The Commission also recommends that windmills in excess of 35' also be considered with a CUP because the city should facilitate renewable energy.

The Planning Commission recommends that the City Council amend the Zoning Ordinance to permit Ham Radio and windmill towers in excess of 35 feet on a case by case basis subject to a Conditional Use Permit. This way, neighbors will be appraised of the proposal, have an opportunity to comment and the Planning Commission will have the ability to require the applicant to meet reasonable conditions of approval.

**FISCAL IMPACT:**

None.

Reviewed by Finance Director:

**ACTION REQUESTED:**

Approve the following two motions:

1. Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Adopting Zoning Text Amendment No. 12-02, By Amending The Zoning Ordinance And First Reading, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Adopting Zoning Text Amendment No. 12-02, By Amending Chapter XX (Zoning) Of The Municipal Code By Permitting Amateur Ham Radio Antennas And Windmill Towers In Excess Of 35 Feet To Be Erected Subject To A Conditional Use Permit Within The Estate Residential Zone Districts,(E-1,E-2 And E-3), The Single Family Residential Zone District, (R-1), The Residential Mobile Home District, (RMH), And The Agricultural Zone District, (A-5). Applicant: City Of Ridgecrest Planning Department

Requires A Second

2. Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Adopting Zoning Text Amendment No. 12-02, By Amending The Zoning Ordinance And First Reading, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Adopting Zoning Text Amendment No. 12-02, By Amending Chapter XX (Zoning) Of The Municipal Code By Permitting Amateur Ham Radio Antennas And Windmill Towers In Excess Of 35 Feet To Be Erected Subject To A Conditional Use Permit Within The Estate Residential Zone Districts,(E-1,E-2 And E-3), The Single Family Residential Zone District, (R-1), The Residential Mobile Home District, (RMH), And The Agricultural Zone District, (A-5). Applicant: City Of Ridgecrest Planning Department

Requires A Second

**CITY MANAGER'S RECOMMENDATION:**

Action as requested: Approve two motions as submitted.

Submitted by: Matthew Alexander AICP

Action Date: 08-21-13

## **ORDINANCE NO. 13-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST ADOPTING ZONING TEXT AMENDMENT NO. 12-02, BY AMENDING THE ZONING ORDINANCE AND FIRST READING, BY TITLE ONLY, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST ADOPTING ZONING TEXT AMENDMENT NO. 12-02, BY AMENDING CHAPTER XX (ZONING) OF THE MUNICIPAL CODE BY PERMITTING AMATEUR HAM RADIO ANTENNAS AND WINDMILL TOWERS IN EXCESS OF 35 FEET TO BE ERECTED SUBJECT TO A CONDITIONAL USE PERMIT WITHIN THE ESTATE RESIDENTIAL ZONE DISTRICTS,(E-1,E-2 AND E-3), THE SINGLE FAMILY RESIDENTIAL ZONE DISTRICT, (R-1), THE RESIDENTIAL MOBILE HOME DISTRICT, (RMH), AND THE AGRICULTURAL ZONE DISTRICT, (A-5). APPLICANT: CITY OF RIDGECREST PLANNING DEPARTMENT.**

**THE CITY COUNCIL OF THE CITY OF RIDGECREST RESOLVES** as follows:

### **SECTION 1. PURPOSE**

This ordinance adopts Zoning Text Amendment No. 12-02

### **SECTION 2. FINDINGS**

1. On November 27, 2012 the Planning Commission held a public hearing and duly and regularly considered and recommended amending The Zoning Ordinance Text by amending Chapter XX of the Municipal Code, (Zoning) to permit Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District.
  
2. The Council finds, determines and declares:
  - (a) This zoning text amendment will not be accompanied by any significant environmental impacts.
  - (b) This zoning text amendment is consistent with the General Plan as adopted.
  - (c) This zoning text amendment will not have a significant impact on the environment and is not likely to cause environmental damage or serious public health problems,
  - (d) This zoning text amendment will promote the health, welfare and safety of the community.

**SECTION 3. DESCRIPTION**

The application for the proposed Zoning Text Amendment is hereby recommended for approval as shown in SECTION 4. APPROVAL, below.

**SECTION 4. APPROVAL**

The City Council hereby adopts this Ordinance Amendment by permitting Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District..

The City Clerk shall certify to the passage and adoption of the ordinance and shall cause this ordinance to be published in the manner required by law.

APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote:

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

\_\_\_\_\_  
Daniel O. Clark, Mayor

ATTEST:

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

## Planning Commission

Public Hearing: November 27, 2012

**ZT 12-02 (Zoning Ordinance Text Amendment)** – ZONING TEXT AMENDMENT 12-02, a request to permit ham radio towers and windmills in excess of 35 feet to be constructed in Residential Zone Districts subject to a Conditional Use Permit. The Planning Commission may recommend that the City Council amend Chapter XX, (Zoning) of the Municipal Code to permit Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District.

**Applicant: City of Ridgecrest Planning Department**

### BACKGROUND

Currently the Ridgecrest Zoning Ordinance allows a building or structure height maximum of 35 feet within Residential Zoning Districts. This Zone Text amendment was initiated when Steven Rainey addressed the Planning Commission on September 25, 2012.

Mr. Rainey had requested a building permit to erect a 55 foot ham radio tower at his home located at 231 N. Sierra Vista St. the zoning for this property is R-1 Single Family Residential. He was told that the maximum height for a building or structure within this zone district is 35 feet.

The radio tower is proposed to lie flat on the ground and be raised only when in operation either through a hand crank or motorized crank. It would appear from Mr. Rainey's illustration that, in addition to the 55' tower in sections, there is an additional ham radio tower located an additional 16' above the main tower.

This item was brought to the Planning Commission in order to generate some discussion regarding how the City should handle requests for towers that exceed 35' in residential neighborhoods. Clearly, Ham Radio operators provide an invaluable service to the community during emergency situations.

One way to proceed may be to amend the municipal code to permit towers above 35' subject to a conditional use permit. This way the surrounding neighbors would be made aware the item is going to the Planning Commission for a public hearing and the Commission would be allowed to condition the tower.

The Planning Commission recommended that the staff consider the steps necessary to allow towers in excess of 35 feet in Residential Zone Districts.

The staff has researched the alternatives and believes that the best way to allow for towers in excess of 35' in Residential Zone Districts is to amend the Zoning Ordinance to make towers above 35 feet a conditionally permitted use reviewed and approved by the Planning Commission. This way all, the tower proponent's neighbors will have an opportunity to speak regarding the erection of a tower within their back yard.

A notice of this public hearing appeared within the *Daily Independent*.

## ALTERNATIVE TO CUP METHOD FOR APPROVING TOWERS

An alternative methodology to permitting towers in excess of 35' within Residential Zone Districts is to amend the municipal code to permit towers subject to certain regulations. The following ordinance is from the City of Fountain Hills, Arizona:

### WIRELESS TELECOMMUNICATIONS TOWERS AND ANTENNAS

#### Section 17.01 Purpose

The purpose of this ordinance is to establish general guidelines for the siting of wireless communications towers and antennas. The goals of this ordinance are to: (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers throughout the community; (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider the public health and safety of communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, Town of Fountain Hills shall give due consideration to the Town of Fountain Hills General Plan, the Town of Fountain Hills Zoning Ordinance, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

#### Section 17.02 Definitions

As used in this ordinance, the following terms shall have the meanings set forth below:

**Alternative Tower Structure:** means man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

**Antenna:** means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

**Backhaul network:** means the lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**Existing Structure:** means light poles, power poles, chimneys, billboards, and other similar structures, which are placed, within the Town at the time of adoption of this Chapter, except existing buildings.

**FAA:** means the Federal Aviation Administration.

**FCC:** means the Federal Communications Commission.

**Height:** means, when referring to a tower or other structure, the vertical distance measured from the natural grade level to the highest point of the structure directly above the natural grade when such structure is not located in a platted subdivision. If the structure is located in a platted subdivision, the height shall be the vertical distance measured from the finished grade as shown on the subdivision grading plans or finished grade as shown on the individual lot's grading plans, (whichever is lower), to the highest point of the structure directly above the finished grade. In the event that terrain problems prevent an accurate determination of height, the Zoning Administrator shall rule as to height and appeal from that decision shall be to the Board of Adjustment.

**Pre-existing towers and preexisting antennas:** means any tower or antenna for which a building permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

**Tower:** means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term also includes the structure and any support thereto.

## Section 17.03 Applicability

**A. New Towers and Antennas:** All new towers or antennas in Town of Fountain Hills shall be subject to these regulations.

**B. Exceptions:**

1. **Amateur Radio Station Operators/Receive Only Antennas.** This ordinance shall not govern any tower, or the installation of any antenna, that is under the maximum building height of the zoning district in which such structure is located and which is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only operations.

2. **Preexisting Towers or Antennas.** Legally established preexisting towers and preexisting antennas shall not be required to meet the requirements of this ordinance, other than the requirements of Sections 17.04(F) & (G).

3. **AM Array.** For purposes of implementing this ordinance, an AM array, consisting of one or more tower units and supporting ground system which functions as one AM broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

## Section 17.04 General Requirements

**A. Principal or Accessory Use:** Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

**B. Lot Size:** For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.

**C. Inventory of Existing Sites:** Each applicant for an antenna and/or tower shall provide to the Community Development Director an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the Town of Fountain Hills or within one mile of the border thereof, including specific information about the location, height, and design of each tower. Each applicant shall also provide a one-year build-out plan for all other wireless communications facilities within the town. The Community Development Director may share such information with other applicants applying for administrative approvals or special use permits under this ordinance or with other organizations seeking to locate antennas within the jurisdiction of Town of Fountain Hills, provided, however that the Community Development Director is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

**D. Aesthetics:** Towers and antennas shall meet the following requirements:

1. Towers shall, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.

2. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials; colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.

3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

**E. Lighting:** Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If

lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

**F. State or Federal Requirements:** All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

**G. Building Codes; Safety Standards:** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the Town of Fountain Hills concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.

**H. Measurement:** For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the Town of Fountain Hills irrespective of municipal and county jurisdictional boundaries.

**I. Not Essential Services:** Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities.

**J. Franchises:** Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the Town of Fountain Hills have been obtained and shall file a copy of all required franchises with the Community Development Director.

**K. Public Notice:** For purposes of this chapter, any special use request shall require public notice pursuant to Section 2.02 (C) of this Zoning Ordinance except that the notice required shall include posting of the property, and mailing to all property owners within 300 feet of the proposed use, and publication in a newspaper of general circulation regardless of any expression to the contrary in Section 2.02.

**L. Signs:** No signs shall be allowed on an antenna or tower.

**M. Buildings and Support Equipment:** Buildings and support equipment associated with antennas or towers shall comply with the requirements of Section 17.08.

**N. Co-location and Multiple Antenna/Tower Plan:** The Town of Fountain Hills encourages tower and antenna users to submit a single application for approval of multiple towers and/or antenna sites and to submit applications, which utilize co-location with an existing wireless telecommunications provider. Applications for approval of multiple sites or for co-location with an existing provider shall be given priority in the review process.

**O. Security fencing:** Towers shall be enclosed by security fencing not less than six (6) feet in height and no more than eight (8) feet in height, shall be constructed of a block or masonry, and shall be equipped with an appropriate anti-climbing device; provided however, that the Town Council may waive such requirements, as it deems appropriate.

**P. Landscaping:** The following requirements shall govern the landscaping surrounding towers; provided, however, that the Town Council may waive such requirements if the goals of this chapter would be better served thereby.

1. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from residential property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.

2. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived.

3. Existing mature plant growth and natural landforms on the site shall be preserved to the maximum extent possible.

## Section 17.05 Permitted Uses

**A. General:** The uses listed in this Section are deemed to be permitted uses and shall not require administrative approval or a special use permit.

**B. Permitted Uses:** The following uses are specifically permitted:

1. Antennas or towers located on property owned, leased, or otherwise controlled by the Town of Fountain Hills provided a license or lease authorizing such antenna or tower has been approved by the Town of Fountain Hills. No such license or lease shall be issued for a tower located within three hundred (300) feet of any residentially zoned property until a public hearing has been held at a regular or special Town Council meeting.
2. Alternative tower structures when such structures and their accompanying equipment are appropriately blended into the surrounding terrain, are within the height limitations of the underlying zoning district and are not nearer than three hundred (300) feet to residentially zoned and platted property.

## Section 17.06 Special Use Permits

**A. General:** The following provisions shall govern the issuance of special use permits for towers or antennas by the Town Council:

1. If the tower or antenna is not a permitted use under Section 17.05 of this chapter, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
2. Applications for special use permits under this Section shall be subject to the procedures and requirements of Chapter 2, Section 2.02, of this Zoning Ordinance, except as modified in this Section.
3. In granting a special use permit, the Town Council may impose conditions to the extent such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
4. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by an Arizona Licensed Professional Engineer.
5. An applicant for a special use permit shall submit the information described in this section and a non-refundable fee established pursuant to Section 2.02 (H) of this Zoning Ordinance.
6. A Special Use Permit issued under this Chapter shall be conditioned upon verification by the Town Engineer or designee that such tower structure is structurally sound. Such verification shall be received by the applicant prior to submission.

**B. Towers:**

1. Information required. In addition to any information required for applications for special use permits pursuant to Chapter 2, Section 2.02 of this Zoning Ordinance, applicants for a special use permit for a tower shall submit the following information:
  - a. A Plan of Development as required in Section 2.04 plus zoning, General Plan classification of the site and all properties within the applicable separation distances set forth in Section 17.07(B), adjacent roadways, proposed means of access, elevation drawings of the proposed tower and any other structures, and other information deemed by the Community Development Director to be necessary to assess compliance with this chapter.
  - b. The setback distance between the proposed tower and the nearest residential unit and residentially zoned properties.
  - c. The separation distance from other towers described in the inventory of existing sites submitted pursuant to Section 17.04(C) shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.

- d. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
- e. A description of compliance with Sections 17.04(C), (D), (E), (F), (G), (J), (L), and (M), (N), (O) and (P), 17.07(A), 17.07(B) and all applicable federal, state or local laws.
- f. A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
- g. Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality.
- h. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.
- i. A description of the feasible alternative location(s) of future towers or antennas within the Town of Fountain Hills based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
- j. A statement of compliance with Federal Communications Commission (FCC) Radio Frequency (RF) exposure standards.

**2. Noise:** No permit shall be issued for any facility, which generates a noise level greater than fifty decibels (50 db) as measured at the edge of the property upon which such facility is sited.

**3. Factors Considered in Granting Special Use Permits for Towers:** In addition to any standards for consideration of special use permit applications pursuant to Chapter 2, Section 2.02 of this Zoning Ordinance, the Town Council shall consider the following factors in determining whether to issue a special use permit, although the Town Council may waive or reduce the burden on the applicant of one or more of these criteria if the Town Council concludes that the goals of this ordinance are better served thereby:

- a. Height of the proposed tower;
- b. Proximity of the tower to residential structures and residentially zoned district boundaries;
- c. Nature of uses on adjacent and nearby properties;
- d. Surrounding topography;
- e. Surrounding tree coverage and foliage;
- f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
- g. Proposed ingress and egress; and
- h. Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in Section 17.06(B)(4) of this chapter.

**4. Availability of Suitable Existing Towers, Other Structures, or Alternative Technology:** No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Town Council that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's a proposed antenna. An applicant shall submit information requested by the Town Council related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

- a. No existing towers or structures are located within the geographic area, which meet applicant's engineering requirements.

- b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
- c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- g. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

### Section 17.07 Minimum Setbacks and Separation

**A. Setbacks:** The following setback requirements shall apply to all towers; provided, however, that the Town Council may reduce the standard setback requirements if the goals of this chapter would be better served thereby:

- 1. Towers must be set back a distance equal to at least one hundred percent (100%) of the height of the tower from any adjoining lot line. Provided, however, that separation distances from residential uses shall be in accordance with Table 1 set forth below.
- 2. Accessory buildings must satisfy the minimum zoning district setback requirements.

**B. Separation:** The following separation requirements shall apply to all towers and antennas provided, however, that the Town Council may reduce the standard separation requirements if the goals of this chapter would be better served thereby.

- 1. Separation from off-site uses/designated areas.
  - a. Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 1, except as otherwise provided in Table 1.
  - b. Separation requirements for towers shall comply with the minimum standards established in Table 1.

**Table 1**

**Separation Requirements from Offsite Uses/Areas**

Off-site Use/Designated Area	Separation Distance
Single-family or duplex residential units <sup>1</sup>	200 feet or 300% of tower height, whichever is greater
Vacant single-family or duplex residentially zoned land which is either platted or has preliminary plat approval which is not expired	200 feet or 300% of tower height, whichever is greater <sup>2</sup>
Vacant unplatted residentially zoned lands <sup>3</sup>	100 feet or 100% of tower height, whichever is greater

Existing multi-family residential units greater than duplex units	100 feet or 100% of tower height, whichever is greater
Non-residentially zoned lands or non-residential uses	None, only setbacks apply

\*<sup>1</sup> Includes modular homes and mobile homes used for living purposes.

\*<sup>2</sup> Separation measured from base of tower to closest building setback line.

\*<sup>3</sup> Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan and any multi-family residentially zoned land greater than a duplex.

2. Separation distances between towers:

Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in Table number 2.

**Table 2**

**Separation Distances between Towers**

	<b>Monopole 65 ft. in height or greater</b>	<b>Monopole less than 65 ft. in height but greater than 40 ft. in height</b>	<b>Monopole less than 40 ft. in height</b>
<b>Monopole 65 ft. in height or greater</b>	2,000 feet	1,500 feet	1,000 feet
<b>Monopole less than 65 ft. in height but greater than 40 ft. in height</b>	1,500 feet	1,500 feet	1,000 feet
<b>Monopole less than 40 ft. in height</b>	1,000 feet	1,000 feet	750 feet

## RECOMMENDATION

After consideration of the CUP alternative vs. creating a code section for towers within residential districts, it is recommended that the Planning Commission APPROVE A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND THE ZONING ORDINANCE to permit Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), and the Residential Mobile Home District, (RMH).

DRAFT RESOLUTION NO. PC 12-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING CHAPTER XX OF THE RIDGECREST MUNICIPAL CODE

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On November 27, 2012 the Planning Commission duly and regularly reviewed an amendment to the Zoning Ordinance regarding Chapter XX , currently prohibiting building and structure heights in excess of 35 feet in Residential Zoning Districts

The Commission considered the proposed amendment based upon the findings that:

- (a) Subject to the proposed Zoning Text Amendment, the amendment is in compliance with the City of Ridgecrest Zoning regulations and procedures.
- (b) Subject to the proposed Zoning Text Amendment, the amendment is in compliance with regulations and procedures established by the County of Kern, State of California, and United States of America.
- (c) The amendment is in conformity with the applicable elements of the City of Ridgecrest General Plan.

SECTION 2. RECOMMENDATION

The Commission hereby recommends that the City Council adopt an Ordinance Amendment by permitting Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District.

APPROVED AND ADOPTED this 27th day of November, 2012 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Craig Porter, Chairperson

ATTEST:

\_\_\_\_\_  
Ricca Charlon, Secretary



**CITY OF RIDGECREST**  
100 West California Avenue  
Ridgecrest, CA 93555  
**DRAFT MINUTES**

**MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION**  
**Tuesday, November 27, 2012**

1. CALL TO ORDER – 6:05pm
2. ROLL CALL  
Present: Chairman Porter, Vice Chairman Beres, Commissioners LeCornu, Sanders & Pope  
Absent: None  
Staff Present: Matthew Alexander, Ricca Charlon
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA  
Motion to approve Agenda as written by C. LeCornu, seconded by J. Sanders  
*5 Ayes, 0 Nays, 0 Abstain, and 0 Absent*
5. APPROVAL OF MINUTES - October 23, 2012 Planning Commission Meeting  
Motion to approve October 23, 2012 Minutes by L. Beres, seconded by C. Pope  
*5 Ayes, 0 Nays, 0 Abstain, and 0 Absent.*
6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA - None
7. PUBLIC HEARING  
ZONING TEXT AMENDMENT 12-02, a request to permit ham radio towers and windmills in excess of 35 feet to be constructed in Residential Zone Districts subject to a Conditional Use Permit. The Planning Commission may recommend that the City Council amend Chapter XX, (Zoning) of the Municipal Code to permit Amateur Ham Radio Antennas and Windmill Towers in excess of 35 feet to be erected subject to a Conditional Use Permit within the Estate Density Zone Districts, (E-1, E-2 and E-3), the Single-Family Residential District, (R-1), the Residential Mobile Home District, (RMH) and the Agricultural (A-5) District. Applicant: City of Ridgecrest.
  - M. Alexander and staff recommend that the Commission recommend to the City Council that they amend the zoning ordinance in the municipal code to allow Amateur Ham radio towers be allowed with the requirement to apply for a conditional use permit (CUP). This would allow each case to be reviewed independently and conditions be put on a case by case basis depending on the public hearing comments heard during that specific application process.
  - C. Porter – The resolution states windmill towers as well, why?
  - M. Alexander – yes, the staff was trying to be forward thinking and encompass anything that might come up so we don't have to go back and do this again. Our thinking was that windmills are becoming more popular as an energy source.
  - C. Pope – does the CUP process have an opportunity to make sure we are not interfering with the flight path of the Navy?
  - M. Alexander – Yes
  - J. Sanders – maybe we should consider generalizing even more to state any structure in excess of 35ft such as towers, windmills or the like.

- L. Beres – you don't want to say structures because someone might build a 4 story house.
- J. Sanders – Exactly, you would want to make sure the intent of the resolution is well understood so there is no confusion.
- C. Pope – likes the idea of generalizing but not the idea of putting in examples because it might limit
- C. Porter – reason for considering radio towers is because Ham Radio operators are considered part of public safety and recognized in the Joint Resolution of Congress in a disaster. The public hearing was specific to Ham Radio towers and I think a new public hearing would be in order to do that. Thinks all we have talked and heard about is Amateur Radio and their special use in emergencies.
- C. Pope – generalizing would speed up the process and getting the individual cases heard. They could still be denied based on the topic if necessary.
- J. Sanders – likes the idea of allowing the property owner to have the ability to apply at his discretion and use of his property. Recommends **amend to state 'Towers' as opposed to 'Amateur Ham Radio Antennas and Windmill Towers' in section 2 of the Resolution.**

Public Comment -

- D. Mathews – examples – TV Antennas, Satellite dishes. Thinks the topic should be broadened.
- S. Rainey – encouraged with what he has heard and agrees with the CUP idea. This sets precedence for other Amateur operators in the area.

*Motion To Approve Resolution 12-10 **A Resolution Of The Planning Commission Of The City Of Ridgecrest Recommending That The City Council Adopt An Ordinance Amending Chapter XX Of The Ridgecrest Municipal Code, As Amended Made By Committee Member L. Beres, Second By Committee Member J. Sanders. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 0 Absent.***

**8. DISCUSSION ITEMS**

Staff presentation to show summary of Planning Commission actions during the past two years. M. Alexander thanked the Commission for their work.

**9. COMMISSIONER ITEMS**

- Report from Committees
  - City Org – Has not met
  - CDC – Has not met
  - QOL – Has not met
  - Infrastructure – Has not met
- Commissioner Contacts - None

**10. STAFF ITEMS - None**

**11. ADJOURN 6:30pm**

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

**SUBJECT:**

Executive Summary and Discussion of Fiscal Year 2012-13 Budget Projections

**PRESENTED BY:**

Rachelle McQuiston – Director of Finance

**SUMMARY:**

Pursuant to Council request, the Director of Finance has actively researched revenue and expenditure projections for the remaining Fiscal Year 2012-13 Budget.

At time of posting of the agenda, the projections worksheet was in process. These projections and the impact to the current budget will be presented and discussed at the Council meeting.

**FISCAL IMPACT:**

No Fiscal Impact

Reviewed by Finance Director

**ACTION REQUESTED:**

Discussion item only, no action required

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Discussion and possible direction to staff

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

**SUBJECT:**

Approval Of A Resolution Of Support For The First Petroglyph Festival As A Signature Event For The City Of Ridgecrest And Establishing A Monetary Commitment For The Fiscal Year 2014-15 Budget To Support The Event

**PRESENTED BY:**

Dan Clark – Mayor

**SUMMARY:**

Council is actively seeking methods of generating new revenue for the City's general fund budget. One option which has been proven in City's throughout the country is to create and hold an annual signature event which in time will bring visitors to the City in large numbers. Perhaps the most widely known signature event in the nation is Mardi Gras in New Orleans, however smaller events are a positive source of revenue for cities such as the Gilroy California Garlic Festival, the Rose Festival of Portland, the Cherry Blossom festival of Washington DC, or various sporting events such as the Boston Marathon.

This proposal is brought before Council for discussion and adoption of a resolution of support to make the upcoming Petroglyph Festival a signature event for our City. At this time the Petroglyph Festival is in concept form and at the beginning of the planning stage. It is scheduled for November 7-9, 2014 and will include guided tours, vendors, music, food, educational opportunities and other activities.

There is a need for a monetary commitment to be determined and approved for inclusion in the City's fiscal year 2014-2015 budget, but the return on this small investment thru increased sales tax within the City for lodging, food, and gasoline could aid the general fund budget in an amount far greater than our initial investment.

**FISCAL IMPACT:**

Undetermined For FY14-15 Budget

Reviewed by Finance Director

**ACTION REQUESTED:**

Approve a resolution of support and commitment to make the Petroglyph Festival a signature event for the City of Ridgecrest

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: approve resolution as submitted

Submitted by: Dan Clark  
(Rev. 02/13/12)

Action Date: August 21, 2013

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL SUPPORTING THE 2014 PETROGLYPH FESTIVAL AS A SIGNATURE EVENT OF THE CITY AND COMMITTING TO ALLOCATE FUNDING FROM THE FISCAL YEAR 2014-2015 BUDGET TO SUPPORT THE EVENT**

**WHEREAS**, the City recognizes and acknowledges the importance of public events that serve to enrich the civic, charitable, cultural, economic, athletic, and education of the community, and;

**WHEREAS**, the City encourages support of public events that provide the community and visitors these enrichments, and;

**WHEREAS**, the City desires to support the 2014 Petroglyph Festival as a signature event and allocate funding in the Fiscal Year 2014-2015 budget to assist with costs associated with holding a signature event in the community, and;

**WHEREAS**, the City can benefit from a successful Signature Event, with increased revenues from tourism.

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

1. Declares the 2014 Petroglyph Festival a Signature Event for the City of Ridgecrest and,
2. Commits to allocate funding, in an amount to be determined during the budget hearings for the Fiscal Year 2014-2015 budget, to assist local agencies with costs associated with holding the event.

**APPROVED AND ADOPTED** this 21<sup>st</sup> day of August, 2013 by the following vote:

AYES  
NOES  
ABSTAIN  
ABSENT

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Daniel O. Clark, Mayor

ATTEST

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Rachel J. Ford, CMC, City Clerk

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

**SUBJECT:**

Discussion and establishment of processes to fill vacancy on City Council

**PRESENTED BY:**

Daniel O. Clark – Mayor

**SUMMARY:**

Effective August 9, 2013, Council Member Jason Patin resigned his seat on the City Council. As outlined in Attachment A it is required to fill the vacancy for the remainder of the term within 60 days of the vacancy.

While there is no statutory obligation to follow a set procedure to fill the vacancy, it is the recommendation of the City Attorney to proceed as follows: (1) promptly announcing the vacancy and solicit applications for the appointment (if filling the seat by appointment), (2) establishing an application filing deadline, and (3) schedule a public meeting to conduct interviews and selection. As set forth above, the appointment process must be completed by October 8, 2013.

Costs associated with conducting a special election to fill the vacancy begin at \$98,000 and could increase depending on circumstances. City would be obligated to coordinate with Kern County elections office due to lack of manpower and supplies necessary to conduct, canvas, and certify an election internally.

This item is brought before council to discuss and determine the method which will be used to fill the vacancy and to establish filing deadlines as needed. It is anticipated the process will be completed no later than the Council meeting of October 2, 2013 which satisfies statutory requirements.

**FISCAL IMPACT:**

Undetermined

Reviewed by Finance Director

**ACTION REQUESTED:**

Discuss and determine the process to be used to fill the vacancy by October 8, 2013 and establish filing deadlines as necessary to complete the recommended process.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: recommend following the process outlined by the City Attorney in Attachment A, discuss and establish necessary deadlines.

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## Attachment A

# Lemieux & O'Neill

a professional law corporation

Provided by Michael Silander, Associate

Former city councilmember Jason Patin's written letter to City qualifies as a resignation of his seat and creates an immediate vacancy. [Govt. Code 1770(c).] The effective date of the resignation and vacancy is August 9, 2013. The resignation cannot be withdrawn. [American Fed'n of Teachers v. Board of Educ. (1980) 107 CA3d 829, 840.]

Within 60 days of the resignation/vacancy (i.e. by October 8, 2013), the city council must fill the vacancy either by appointment or by calling a special election. The successor serves until the expiration of the predecessor's term. [Govt Code 34902(a) and 36512.] If the council opts to fill the vacancy by appointment, the Brown Act requires any candidate interviews to be conducted by the entire city council in open session. The council may not appoint one of its own officers to a vacant position. [23 Ops Cal Atty Gen 75 (1954); Govt. Code 1752.]

The imposition of term limits raises an additional issue that should be addressed. Section 2-2.101(e) of the Municipal Code states that "any person who has held the office of member of the City Council for eight (8) consecutive years shall not be eligible to hold such office until at least two (2) years have passed since such person last held such office. In no event shall any person be eligible to serve as a member of the City Council for more than eight (8) consecutive years." However, subsection (f) clarifies that "any sitting Mayor or member of the City Council already in office at the time of the adoption of the limitations described in Sections 2-2.101(e) and 2-2.101(f), or elected at any election concurrent with the adoption of the limitations described in Sections 2-2.101(e) and 2-2.101(f), shall be considered to be in their first four-year term for the purpose of computing years of consecutive service." Councilmembers who lost or gave up their seats at the 2012 election are consequently eligible for appointment.

Unlike the appointment procedures for certain special districts, general cities do not have a statutory obligation to declare a vacancy or notify the County Recorder. However, from a practical standpoint, City should consider (1) promptly announcing the vacancy and solicit applications for the appointment (if filling the seat by appointment), (2) establishing an application filing deadline, and (3) schedule a public meeting to conduct interviews and selection. As set forth above, the appointment process must be completed by October 8, 2013.

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

**SUBJECT:**

Appointment Of Council Representative To Other Agency Boards And Committees

**PRESENTED BY:**

Daniel O. Clark – Mayor

**SUMMARY:**

With the recent resignation of Council Member Patin, there is a need to fill two vacancies on the following agency boards and commissions:

- Ridgecrest Area Convention and Visitors Bureau
- League of California Cities

Council will discuss and select temporary appointments to serve on these two committees.

**FISCAL IMPACT:**

No Fiscal Impact

Reviewed by Finance Director

**ACTION REQUESTED:**

Discuss and appoint members of the council to serve on the two committees as identified

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: discuss and appoint members to the two committees as identified

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