



**City Council**

**Redevelopment Agency**

**AGENDA**

**Wednesday**

**Regular**

**Closed Session 6:00 PM**

**Regular Session 6:30 PM**

**February 17, 2010**

**City Hall**

**100 West California Avenue**

**Ridgecrest CA 93555**

**(760) 499-5000**

**Steven P. Morgan, Mayor**

**Ronald H. Carter, Mayor Pro Tempore**

**Thomas R. Wiknich, Vice Mayor**

**Marshall G. Holloway, Council Member**

**Jerry D. Taylor, Council Member**



**CITY OF RIDGECREST**

**CITY COUNCIL  
RIDGECREST REDEVELOPMENT AGENCY**

**AGENDA**

Regular Council/Agency Meeting

Wednesday, February 17, 2010

**CITY COUNCIL CHAMBERS CITY HALL**

100 West California Avenue  
Ridgecrest, CA 93555

**Closed Session – 6:00 p.m.**

**Regular Session – 6:30 p.m.**

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

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

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

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

# AGENDA - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

February 17, 2010

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## CLOSED SESSION – 6:00 p.m.

- GC54956.9 Conference With Legal Council - Anticipated Litigation - Disclosure of Anticipated Litigant Would Prejudice The City Of Ridgecrest
- GC54956.9 Conference With Legal Council - Anticipated Litigation - Disclosure of Anticipated Litigant Would Prejudice The City Of Ridgecrest
- GC54956.8 Redevelopment Agency Real Property negotiations - Strip of vacant land adjacent to Civic Center, APN 478-010-5, Agency negotiators Harvey Rose, and James McRea
- GC54957 Personnel Matters – Public Employee Recruitment – City Manager – Update Report to Council

## REGULAR SESSION – 6:30 p.m.

### PLEDGE OF ALLEGIANCE

### INVOCATION

### CITY ATTORNEY REPORTS

- ❖ Closed Session
- ❖ Other

### COMMITTEES, BOARDS AND COMMISSIONS

#### Second Council Meeting (3rd Wednesday of the month)

#### Finance Director's Report - copy attached

#### Infrastructure Committee

Members: Tom Wiknich, Jerry Taylor, Lois Beres, Craig Porter  
Meetings: 2nd Wednesday of the month at 5:00 p.m., Council Conference Room  
Next meeting March 10, 2010

#### City Organization and Services Committee

Members: Jerry Taylor, Tom Wiknich, Nellavan Jeglum, Lois Beres  
Meetings: 2nd Monday of the month at 5:00 p.m.; Council Conference Room  
Next meeting March 8, 2010

# AGENDA - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

February 17, 2010

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

Members: Co-Chairs Ron Carter, Chip Holloway, Ron Strand

Meetings: 2nd Monday of odd numbered months at 6:00 p.m., Kerr-

McGee Center

Next meeting March 8, 2010

## **OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

## **CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**

## **PUBLIC HEARINGS**

### **1. Ridgecrest Redevelopment Agency Refund Bond List Projects McRea**

The City Council at an earlier Public Hearing adopted the Five Year Implementation Plan for 2009-10 through 2013-14. That Plan contained in outline form, the proposed projects and improvement program of a pending issuance. The various committees over the past two year have developed and reviewed the proposed projects. The current listing is present for consideration to the City Council, as a Committee of the Whole for recommendations to the Fiscal Consultants of the issuance. Individual project will be reviewed by the Committees and by the City Council prior to any implementation.

### **2. Joint City Council & RRA Public Hearing, Notice Of Real Property Sale, Exchange, And Disposition Development Agreement (DDA) To Construct, Develop, Or Sell A Commercial Use On Parcels 32 & 33, Parcel Map 10819, APN 33-070-32 & 33, Ridgecrest Business Park, In Exchange For A Portion Of APN 598-020-10, Ne ¼ Sec 5 T.27s R.40 E, A Vacant Parcel, Developer John Landry MD And Resolution 10- McRea**

A joint Public Hearing relating to the development of a DDA for the sale and development of Parcels 32 & 33 of the Ridgecrest Business Park by Mr. John Landry, The 33343 Summary Information Report and Resolution 10- is presented for adoption. The site will be developed pursuant to the DDA and CC&R's.

ORDINANCES AND RESOLUTIONS

3. **Ordinance No. 10- Introduction And First Reading An Ordinance of the Ridgecrest City Council Amending Chapter IV, Article 7, Section 102, of the Ridgecrest Municipal Code as it pertains to alcoholic beverages in City Parks** **Ponek**

The Parks, Recreation and Quality of Life Committee is recommending to City Council to amend Chapter IV, Article 7, Section 102, of the Ridgecrest Municipal Code that will allow alcohol in Parks with written approval from the Chief of Police. This recommendation is being made in an effort to allow alcohol during specified special events, such as the annual Maturango Junction.

**Recommended Motions - 2 motions**

**Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Amending Chapter IV, Article 7, Section 102, Of The Ridgecrest Municipal Code As It Pertains To Alcoholic Beverages In City Parks.**

**Requires A Second**

**Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Amending Chapter IV, Article 7, Section 102, Of The Ridgecrest Municipal Code As It Pertains To Alcoholic Beverages In City Parks.**

**Requires A Second**

**RECESS (if necessary)**

OTHER ACTION ITEMS

4. **A Report Of The Elections Official To The City Council As To The Sufficiency Of A Petition For An Initiative To Repeal And Amend Certain Portions Of The Ridgecrest Municipal Code Related To Recycling And Sanitation Services** **Ford**

California Elections Code requires that the Elections Official submit a report of sufficiency to the legislative board when an initiative petition is circulated by proponents within the jurisdiction of the legislative board. This petition was circulated in accordance with all provisions of the elections code and the report is brought to Council for acceptance and filing.

5. **Discussion And Action Item Of The Ridgecrest City Council Regarding An Initiative Ordinance To Repeal And Amend Certain Portions Of The Ridgecrest Municipal Code Related To Recycling And Sanitation Services**  
Rose

California elections Code requires a Legislative Board to take action immediately or within 10 days of the Elections Official submitting a report of sufficiency for initiative petitions. A sufficiency report qualifying an initiative petition has been presented to Council at this meeting and Council now must select one of three possible actions to take pertaining to that petition. The three options available to the Council in EC9111 are:

- a) Adopt the ordinance
- b) Order an election
- c) Order a report

#### CONSENT CALENDAR

6. **Tentative Tract No. 6731: Utilization Of Development Impact Traffic And Drainage Fees For Off-Site Improvements For A 40.6 Acres Project Located North Of The Northwest Corner Of Kendall Ave And S. Norma, (Kern County)**  
McRea

The City Council considered Tentative Tract Map 6731 relating to pre-zoning and annexation of the proposed project into the Corporate Limits of the City. The recommendations and conditions of approval of the Tentative Tract map made by the Planning Commission by PC Resolution 09-08 required two public access routes and a linear 30 foot parkway and park sump within the project. The Taft Corp has been working with the City Engineer in regards to these conditions of approval and reached tentative design standards and acceptable improvements.

The Developer has requested an agreement to utilize a portion of the Development Impact Traffic and Drainage Fees for these off-site improvements. It would be appropriate to receive the request and any presentation and authorize the City Engineer and Public Works Director to authorize a reimbursement credit agreement, not to exceed the Impact Fee for approved offsite improvements.

7. **Resolution No. 10- , A Resolution Of The Ridgecrest Redevelopment Agency Authorizing The Payment Of Fiscal Year 2010 Supplemental Educational Revenue Augmentation Fund (SERAF) Assessments By The State Of California In Conformance With Health And Safety Code 33690 And The Amendment Of The Annual Ridgecrest Redevelopment Agency Budget For This Payment**  
Staheli

As part of the State of California budget package for the FY 2010, Redevelopment Agencies are required to shift \$1.7 billion in property tax revenues to Supplemental Educational Revenue Augmentation Fund (SERAF)

8. **Resolution No. 10- , A Resolution Of The Ridgecrest City Council Authorizing Retainer Services In Connection With The City Of Ridgecrest's Interests Before The California Integrated Waste Management Board Or It's Successor State Agency Or Department** **Staheli**

City Council previously authorized the City Manager to secure the services of Flanigan Law Firm to represent the City's interest before the California Integrated Waste Management Board recently reorganized as CalRecycles. The City has a purchasing policy and procedure which requires a resolution of Council to authorize purchase orders above a designated dollar amount.

### **PUBLIC COMMENT**

Persons wishing to address the Council on matters that are within the Council's jurisdiction and do not already appear on the agenda, may do so at this time. Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on this Agenda. Speakers are limited to five (5) minutes. The PUBLIC COMMENT section of the Agenda is limited to a total of sixty (60) minutes. Speakers are asked to provide their name and address for the record.

### **MAYOR AND COUNCIL COMMENTS**

The Mayor and Council Members may make a brief statement. In addition, Council Members may ask questions of staff or the public for clarification on any matter, make a request of staff for factual information, or request staff to report back to the Council at a later meeting concerning any matter. In addition the Mayor or any Council Member may direct the City Manager to place an item of business on a future agenda.

### **ADJOURNMENT**



**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT**  
Ridgecrest Redevelopment Agency Refund Bond List Projects

**PRESENTED BY:**  
James E. McRea

**SUMMARY:**

The City Council at an earlier Public Hearing adopted the Five Year Implementation Plan for 2009-10 through 2013-14. That Plan contained in outline form the proposed projects and improvement program of a pending issuance. The various committees over the past two year have developed and reviewed the proposed projects. The current listing is present for consideration to the City Council, as a Committee of the Whole for recommendations to the Fiscal Consultants of the issuance. Individual project will be reviewed by the Committees and by the City Council prior to any implementation.

I would be appropriate to review and consider the proposed programs and projects.

<b>Bond Refund</b>		<b>\$18,985,000</b>
Capital Infrastructure Improvements		<b>9,800,000</b>
West Ridgecrest Blvd design	1,000,000	
Norma Street Improvements (South of Bowman to China Lake)	800,000	
College Heights area infrastructure improvements	1,325,000	
Sunland	500,000	
Bataan	125,000	
Bowman East of Silver Ridge	450,000	
College Heights/China Lake Signal	250,000	
Add't Infrastructure Street CIP Improvements	3,675,000	
Corporate City Yards, 636 W. Ridgecrest Blvd.	3,000,000	
<b>Community Development</b>		<b>4,250,000</b>
Agency Economic development, Business Retention, and/or Incentive Grant Program	2,750,000	
Agency Improvement, Façade, & Business Retention Olde Towne Enhancement/Grant Program	1,000,000	
Civic Center Solar Realignment Energy Project	500,000	
<b>Parks and Recreation</b>		<b>4,935,000</b>
Kerr McGee Sport Complex Acquire Land	400,000	
Concession/Restroom/Storage	500,000	
Lighting on Football Field	125,000	
Rehab existing fields/fencing	200,000	
Parking /Road Development	<u>400,000</u>	
Estimated sub-total	1,625,000	
Jackson Sport Complex	200,000	
Concession/Restroom/Storage	200,000	
Lighting-Field Rehab & Tennis Crts	160,000	
Expand Skatepark-trick Bike Park	100,000	
Rehab Walking Trail/Concrete	<u>100,000</u>	
Estimated sub-total	560,000	
Aquatics Complex	2,750,000	
Estimated Phase I	2,750,000	

**FISCAL IMPACT:**

Life cycle maintenance of projects .  
Reviewed by Finance Director

**ACTION REQUESTED:**

Motion to accept as may be modified

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested : *Hayes M. Rose*

Submitted by: James McRea

Action Date: 02-17-10

(Rev 6-12-09)

# FIVE YEAR IMPLEMENTATION PLAN

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## RIDGECREST REDEVELOPMENT PROJECT

FY 2009-10 through 2013-14

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JANUARY 26, 2010

## ABOUT THIS IMPLEMENTATION PLAN

In 1993, the State Legislature enacted Assembly Bill 1290 requiring all redevelopment agencies to adopt five year implementation plans and ten year housing compliance plans. In fulfillment of Article 16.5 of California Community Redevelopment Law (“CRL”), the Ridgecrest Redevelopment Agency (“Agency”) has prepared this Implementation Plan for the Ridgecrest Redevelopment Project Area (“Implementation Plan”). This Implementation Plan is the Agency’s fourth Implementation Plan and covers fiscal years 2009-10 through 2013-14. Included in this Implementation Plan are the Agency’s anticipated redevelopment and affordable housing programs during the five year planning period.

This Implementation Plan conforms to the City’s General Plan and has been prepared according to guidelines established in the programs and goals outlined in the Housing Element of the General Plan.

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## ABOUT THE PROJECT AREA

*Who, What, When, Where, and Why*

The City of Ridgecrest (“City”) encompasses 13,691 acres in Kern County near the southern portion of the Indian Wells Valley. The City is surrounded by four mountain ranges: the Sierra Nevada on the west, the Cosos on the north, the Argus Range on the east, and the El Paso Mountains on the south. It is approximately 80 miles from the Lancaster/ Palmdale area and approximately 125 miles from both Bakersfield and San Bernardino, the three nearest major urban centers.

Prior to the establishment of the Naval Ordinance Test Station (NOTS) at China Lake in 1943, the community consisted of a few scattered farms and homesteads. Ridgecrest was founded in 1963, after development during the 1950s and 1960s housing and services for Federal employees and contractors. NOTS, later China Lake Naval Weapons Center (NWC) and now the China Lake Naval Air Weapons Station (NAWS), continue to be the major source of employment for Ridgecrest residents. At the same time NAWS depends increasingly upon Ridgecrest for services. The economic stability Ridgecrest has enjoyed as a service community for the NAWS has been essential to its successful emergence as a community in its own right.

On November 16, 1986, the City Council adopted the Ridgecrest Redevelopment Plan and Project Area. The Project Area represents 54 percent of the total city-wide acreage, with the remainder of the City’s acreage falling within NAWS and several vacant lot on the outskirts of the City. The Project Area is generally bound by Inyokern Road to the north, the Kern County limit to the east, College Heights Boulevard to the south, and Mahan Street to the west. The Project Area encompasses approximately 7,405 acres and contains a mix of land uses, predominantly residential and governmental. Other uses within the Project Area include commercial, industrial, and other miscellaneous land uses.

Notable Timeframes and Limitations		Land Uses	Population
Redevelopment Plan	Adopted 11/16/1986 Expires 11/16/2027	7,405 Acres	26,767 People <sup>3</sup>
Final Date to Incur Indebtedness	None	<ul style="list-style-type: none"> <li>■ Commercial</li> <li>■ Government</li> <li>■ Industrial</li> <li>■ Miscellaneous</li> <li>■ Residential</li> <li>■ Vacant</li> </ul>	<ul style="list-style-type: none"> <li>■ White</li> <li>■ Black</li> <li>■ Asian/Pacific Islander</li> <li>■ Other</li> </ul>
Eminent Domain Authority	N/A		
Final Date to Collect Tax Increment Revenue	11/16/2037		
Annual Tax Increment Revenue Limit <sup>1</sup>	\$ 20,063,181		
Total Bonded Indebtedness Limit <sup>2</sup>	\$ 200,631,814		

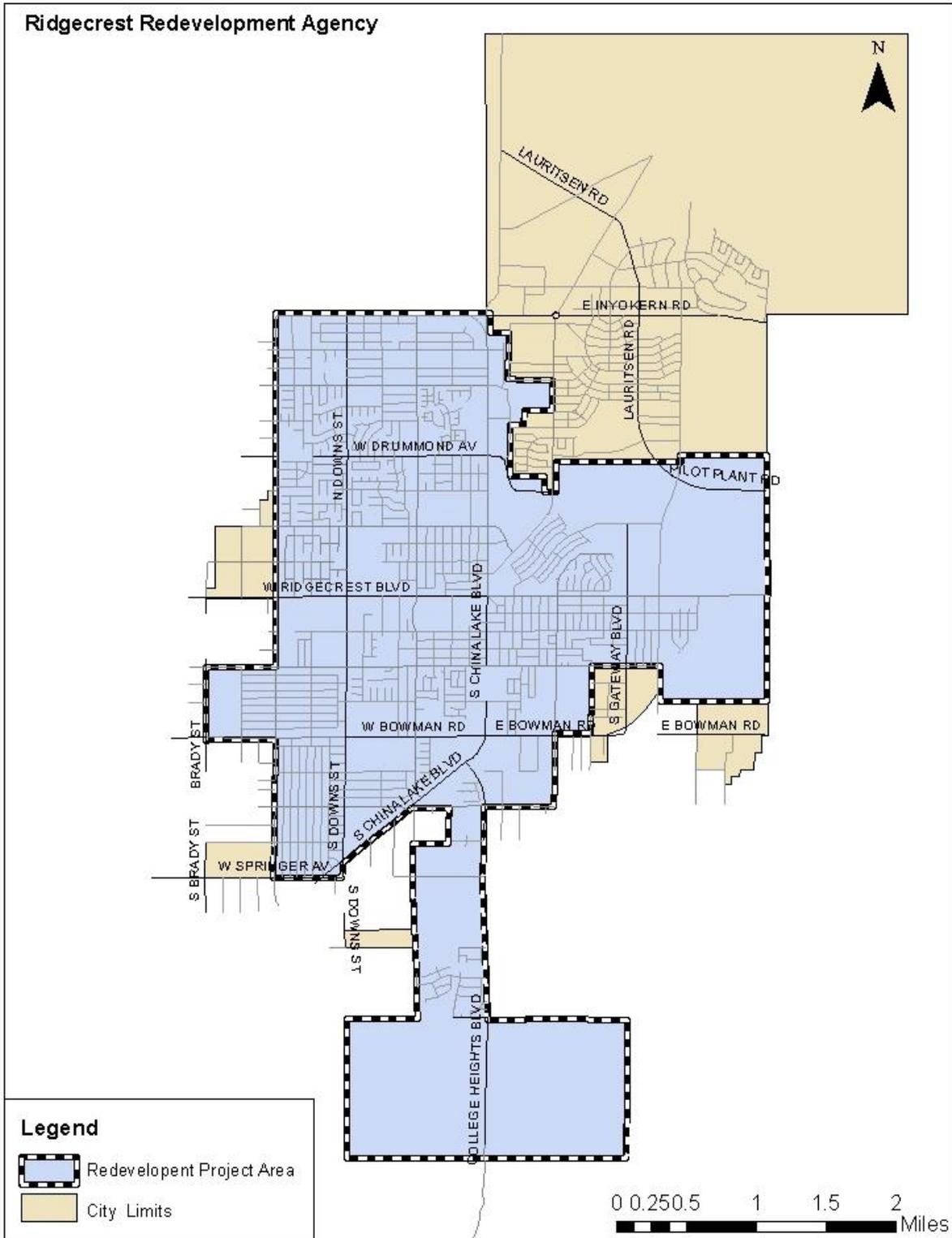
<sup>1</sup> The annual Tax Increment Revenue Limit is adjusted annually by a Consumer Price Index (CPI) Inflationary factor. The Revenue Limit in 1986 was \$10,000,000.

<sup>2</sup> The Total Bonded Indebtedness Limit is adjusted annually by a Consumer Price Index (CPI) Inflationary factor. The Indebtedness Limit in 1986 was \$100,000,000.

<sup>3</sup> 2009 population estimate from ESRI, based on 2000 Census information. Hispanic/Latino is not considered a separate racial category by the Census Bureau. Of the 26,767 people in Ridgecrest, 5,062 (18.9%) identify themselves as being of Hispanic origin.

**RIDGECREST REDEVELOPMENT PROJECT**  
Five Year Implementation Plan 2009-10 through 2013-14

**RIDGECREST REDEVELOPMENT PROJECT AREA**



## REDEVELOPMENT PLAN GOALS

### Community Reinvestment and Revitalization

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Adopted in 1986, the Redevelopment Plan establishes a variety of goals for redevelopment of the Project Area; these goals frame the near term redevelopment objectives for the Implementation Plan period. The Redevelopment Plan goals are listed below:



**CLEAN**

**Update and Renovate.** To stimulate and provide new private investment opportunities by revitalizing property characterized by deterioration or blight, and to encourage continued investment in the older commercial and industrial areas of the City. To remedy, remove and prevent blight and economic obsolescence.



**SHOP**

**Revitalize the Downtown.** Develop Ridgecrest as a regional center for shopping, business services, and a variety of recreational experiences by strengthening retail and other commercial functions.



**ACCESS**

**Improve Community Facilities.** To eliminate circulation problems through the reconstruction and improvement of existing streets in the project area. To improve inadequate public utilities, infrastructure and civic facilities which impair and, in some cases, prevent development allowed by the General Plan.



**GROW**

**Cultivate New Investment.** To remove physical restraints such as existing subdivision patterns which inhibit market forces for redevelopment or reuse. To provide for the expansion, renovation and relocation of businesses within the Project Area to enhance their economic viability.



**HELP**

**Encourage Participation.** Develop an effective local government that is responsive to the identified public service needs of the community, and maximize community participation in policy decisions. To encourage the cooperation and participation of residents, business, business persons, public agencies, and community organizations in the redevelopment process and activities.



**LIVE**

**Housing for All.** Facilitate provision of a range of housing by location, type, and price to meet the growth needs of the City. Promote affordable housing opportunities in compliance with the CRL and promote rehabilitation of the existing housing stock where appropriate.

## PROPOSED REDEVELOPMENT PROJECTS AND PROGRAMS

### Five Year Work Program for Reinvestment & Revitalization

Over the next five years, the Agency plans to implement the following redevelopment projects and programs using available non-housing redevelopment funds. The list below describes the projects proposed, what blighting conditions would be eliminated, approximate costs, and the Redevelopment Plan goals that would be achieved<sup>1</sup>.

Project/Description	Preliminary Cost Estimates	Goals Achieved
<p><b>Ridgecrest Business Park</b>                      Promote the expansion and upgrade of local commercial facilities by providing funding for exterior and interior rehabilitation. This project encompasses over 5.3 acres and contains 36 parcels located on North China Lake Boulevard. (need confirmation of description)</p> <p>Completion of this program would address vacant buildings, low lease rates, and dilapidated buildings in the Project Area.</p> <p><i>Timeframe</i>..... XXXX-XX</p>	<p>\$2,000,000</p> <p>(need confirmation that cost estimate has not changed from previous 5-year plan)</p>	 <p>GROW</p>  <p>CLEAN</p>
<p><b>Ridgecrest Industrial Park</b>                      Need Project Description</p> <p><i>Timeframe</i>..... XXXX-XX</p>	<p>Need Cost Estimate</p>	<p>Goals TBD</p>
<p><b>Capital Infrastructure Improvements</b>                      Design and reconstruct infrastructure at West Ridgecrest Boulevard, College Height Street, and Norma Street. Projects will include traffic improvements, curbs, gutters, and sidewalks where necessary. (need confirmation of description)</p> <p>Completion of these projects would address factors hindering the viable use of buildings or lots.</p> <p><i>Timeframe</i>..... XXXX-XX</p>	<p>\$6,800,000</p>	 <p>ACCESS</p>

<sup>1</sup> Costs are subject to change, and completion of these projects may require future action by the Agency.

**RIDGECREST REDEVELOPMENT PROJECT**  
 Five Year Implementation Plan 2009-10 through 2013-14

Project/Description	Preliminary Cost Estimates	Goals Achieved
<p><b>Corporate City Yard</b>            Design and construction of a Corporate City Yard incorporating public works, street maintenance, central garage fleet operations, parks and recreation, transit and other ancillary operations to a central location. <b>(need confirmation of description)</b></p> <p>Completion of this project would facilitate development of inadequate lots and vacant properties.</p> <p><b>Timeframe</b> ..... XXXX-XX</p>	\$3,000,000	 CLEAN
<p><b>Agency Economic Development, Business Retention, and/or Incentive Grant Program</b>            The Agency will provide grants and loans to provide development, relocation, or a loan funding aimed to increase jobs or employment opportunities within the City. <b>(need confirmation of description)</b></p> <p>Completion of this program will decrease business vacancies and increase low lease rates. It will also create and retain jobs within the Project Area.</p> <p><b>Timeframe</b> ..... XXXX-XX</p>		\$2,750,000
<p><b>Agency Improvement, Façade, and Business Retention Olde Towne Enhancement Grant Program</b>            The Agency may provide revolving loans to stimulate economic growth, business development, and business retention within the Project Area. Loan proceeds may be utilized to offset Development Impact Fees or Drainage and/or Traffic Fees for commercial, industrial, professional services, or retail properties. <b>(need confirmation of description)</b></p> <p>Completion of this program will decrease business vacancies and increase low lease rates. It will also create and retain jobs within the Project Area.</p> <p><b>Timeframe</b> ..... XXXX-XX</p>	\$1,000,000	
<p><b>Civic Center Solar Realignment Energy Project</b>  <b>Need Project Description</b></p> <p><b>Timeframe</b> ..... XXXX-XX</p>		\$500,000
<p><b>Parks and Recreation</b>  <b>Need Project Description</b></p> <p><b>Timeframe</b> ..... XXXX-XX</p>	\$4,935,000	

**RIDGECREST REDEVELOPMENT PROJECT**  
 Five Year Implementation Plan 2009-10 through 2013-14

Project/Description	Preliminary Cost Estimates	Goals Achieved
<b>Other Redevelopment Initiatives</b>		
<p>Consistent with the Redevelopment Plan, the Agency anticipates pursuing additional projects including infrastructure, public facilities, and other non-residential projects.</p> <p>The purpose of these projects would be to eliminate persistent elements of blight in the Project Area.</p> <p><i>Timeframe</i>.....2009-14</p>	<p>Contingent on available funding</p>	
<b>Total Preliminary Cost Estimate</b>	<b>\$XX,XXX,XXX</b>	

DRAFT

**PROPOSED HOUSING PROJECTS AND PROGRAMS**

*Five Year Work Program for Building Community Assets*

Over the next five years, the Agency plans to implement the following affordable housing projects and programs. The list below describes the projects proposed, what blighting conditions would be eliminated, approximate costs, and the Redevelopment Plan goals that would be achieved.

Project/Description	Preliminary Cost Estimates	Goals Achieved
<p><b>Ridgecrest Cares</b>                      This Program is targeted at assisting low and moderate income home owners to improve their residences to make a positive impact on the neighborhood. ? homes will be completed during the span of the program. (need confirmation that description/number assisted are accurate)</p> <p>Completion of this project will improve unsafe or unhealthy buildings.</p> <p><i>Timeframe</i> ..... 2009-14</p>	<p>\$???</p> <p>(need confirmation of cost estimate)</p>	 CLEAN  HELP
<p><b>Total Preliminary Cost Estimate</b></p>	<p><b>\$XXX,XXX</b></p>	

Need additional housing projects with anticipated expenditures and units to be constructed.

## AFFORDABLE HOUSING PROGRAM COMPLIANCE OBJECTIVES

### Ten Year Outlook of Affordable Housing

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The CRL requires all redevelopment agencies to prepare and adopt affordable housing compliance plans for successive ten year cycles, and include updates corresponding with adoption of their five year implementation plans.

This section of the Implementation Plan addresses specific requirements in the CRL with respect to prior affordable housing activities and the anticipated housing program for the current Ten-year Compliance Period from fiscal years 2004-05 through 2013-14 (“Ten Year Planning Period”). Additionally, this section evaluates the Agency’s affordable housing requirements for the life of the Redevelopment Plan.

Redevelopment agencies use implementation plans to establish ten year objectives to achieve compliance with the state law in its affordable housing programs. These housing goals generally fall into three categories:

- Housing Production – Based on the number of housing units constructed or substantially rehabilitated over a ten year period, a redevelopment agency must ensure that a percentage of these units are affordable to low and moderate income households.
- Replacement Housing – Another legal obligation for redevelopment agencies is to ensure that any housing units destroyed or removed as a result of an Agency redevelopment project are replaced within four years.
- Expenditures by Household Types – The law establishes specific requirements on the amount of housing set-aside funds an agency must spend over the Ten Year Planning Period on housing affordable to very low income households, low income households, and housing for residents under the age of 65.

The housing program goals are described in this report.

## HOUSING PRODUCTION

### Estimated Production Needs

This section of the Implementation Plan identifies all new residential construction or substantial rehabilitation that has occurred within the Project Area since adoption of the Redevelopment Plan in order to determine affordable housing production needs. It accounts for past residential construction and substantial rehabilitation, and includes projections of new dwelling units that may be constructed or substantially rehabilitated during the current ten year planning period which extends through June 30, 2014.

To date, the Agency has not directly developed or substantially rehabilitated housing units in the Project Area. However, per Section 33413(b) of the CRL, not less than 15 percent of the units produced by persons or entities other than the Agency must be affordable to low and moderate income households. In addition, not less than 40 percent of the required affordable units must be available to very low income households at an affordable housing cost. To satisfy the Agency's production requirements, new or substantially rehabilitated units must have recorded 55-year income restrictions or covenants for rental units and 45-year income restrictions or covenants for owner occupied units. The affordable housing units may be constructed inside or outside the Project Area, but units outside the Project Area may only be counted on a 2-for-1 basis. The Agency may also purchase affordability covenants on very-low or low-income multifamily units and received production credit for such purchases on a limited basis.

Table 1 summarizes the housing production activities within the Project Area, including the first five years of the Ten Year Planning Period, and identifies the projected production requirements for FY 2009-10 through 2013-14 of the Ten Year Planning Period, and over the life of the Redevelopment Plan. Historical construction and substantial rehabilitation statistics were provided by the State Department of Finance. The number of affordable units required is based on statutory thresholds, and the Agency is responsible for ensuring that the appropriate number of affordable units is created during the ten year planning period.

It should be noted that neither the existing housing units nor projections for future dwelling units include any units to be developed by the Agency. However, the Agency will continue to cooperate with and provide assistance and incentives to private developers, in order to fulfill the Agency's affordable housing production requirements.

# RIDGECREST REDEVELOPMENT PROJECT

Five Year Implementation Plan 2009-10 through 2013-14

<b>Table 1: Actual and Projected Housing Production Needs by Time Period</b>			
Time Period	Actual/Assumed Housing Units Constructed and Substantially Rehabilitated in Project Area	Required Affordable Units <sup>1</sup>	
		Total	Very Low
<b>Inception to 1993-94</b>	<b>3,059</b>	<b>459</b>	<b>184</b>
<b>1994-95 to 2003-04</b>	<b>58</b>	<b>9</b>	<b>4</b>
<b>Ten Year Planning Period</b>	<b>1,492</b>	<b>224</b>	<b>89</b>
2004-05 to 2008-09 (Actual)	488	73	29
2009-10 to 2013-14 (Forecast)	1,004	151	60
<b>2014-15 to 2018-19 (Forecast)</b>	<b>1,197</b>	<b>180</b>	<b>72</b>
<b>2019-20 to End of Plan (Forecast)</b>	<b>2,152</b>	<b>323</b>	<b>129</b>
<b>Redevelopment Plan Duration (1986 to 2027)</b>	<b>7,959</b>	<b>1,195</b>	<b>478</b>
<b>Notes:</b>			
1/	All required units based on 15 percent of actual/assumed units developed by entities other than the Agency. No units developed by the Agency.		
<i>Sources: Department of Finance, Kern KOG</i>			

In the current 2004-05 through 2013-14 planning period, actual and projected housing production is estimated to result in a need for 224 affordable units with 89 units affordable to very low income households. Over the duration of the Redevelopment Plan, the Agency is projected to need 1,195 affordable units of which 478 units must be affordable to very low income households.

The Agency has been able to obtain some of these affordable units to date, as discussed in the following section.

# RIDGECREST REDEVELOPMENT PROJECT

Five Year Implementation Plan 2009-10 through 2013-14

## Housing Production Fulfillment

Table 2 summarizes the Agency's production activities during the first five years of the Ten Year Planning Period, and identifies the anticipated plans to meet identified production requirements for the remainder of the Ten Year Planning Period, and over the life of the Redevelopment Plan.

Time Period	Units Required (from Table 1)		Units Produced		Additional Units Required		Net Surplus Units Produced <sup>1/</sup>	
	Total	Very Low	Total	Very Low	Total	Very Low	Total	Very Low
<b>10 Year Planning Period</b>	<b>224</b>	<b>89</b>	<b>79</b>	<b>47</b>	<b>145</b>	<b>42</b>	<b>0</b>	<b>0</b>
2004-05 to 2008-09(Actual) <sup>2/</sup>	73	29	79	47	0	0	6	18
<i>Larkspur</i>			79	47				
2009-10 to 2013-14(Forecast)	151	60	0	0	151	60	0	0
<b>2014-15 to 2018-19 (Forecast)</b>	<b>180</b>	<b>72</b>	<b>0</b>	<b>0</b>	<b>180</b>	<b>72</b>	<b>0</b>	<b>0</b>
<b>2019-20 to End of Plan (Forecast)</b>	<b>323</b>	<b>129</b>	<b>0</b>	<b>0</b>	<b>323</b>	<b>129</b>	<b>0</b>	<b>0</b>
<b>Redevelopment Plan Duration <sup>3/</sup></b> (1986-2027)	<b>1,195</b>	<b>478</b>	<b>566</b>	<b>194</b>	<b>629</b>	<b>284</b>	<b>0</b>	<b>0</b>

**Notes:**

1/ The surplus affordable units in a 10-year period may be applied against the unit production requirements during the following ten-year compliance period, while any deficit affordable units must be first produced during the following ten-year compliance period.

2/ Affordable Units Required based on actual or estimated Total Units Produced during each planning period within the Project Area pursuant to CRL Section 33413 (b).

3/ Redevelopment Plan Duration totals include requirements and production from the periods between the Plan inception and 2003-04. All requirements from the 1994-95 to 2003-04 period have been fulfilled, and a surplus of 18 affordable units constructed during this time period may be used to address future needs. A deficit of 41 very low income units stemming from the pre-1994 period must be addressed before the end of the Plan Duration.

Source: City of Ridgecrest Redevelopment Agency and Department of Finance Housing Estimates.

The Agency exceeded its affordable housing requirements during the 1994-95 to 2003-04 planning period, and carried a surplus of 19 total affordable units into the current Ten Year Planning Period. The surplus units may be used to help meet future requirements during any planning period until the end of the Redevelopment Plan duration. However, the Agency does have a deficit of 41 very low income units that was accumulated before 1994, when the obligation to fulfill housing requirements during each planning period came into effect. This deficit may be filled at any time prior to the end of the Redevelopment Plan duration.

During the first five years of the current Ten Year Planning Period (fiscal year 2004-05 through 2008-09), the Agency was required to generate 73 affordable units of which 29 needed to be affordable to very low income households. During this time 79 affordable units were created, including 47 very low income units, leaving a 6 unit surplus of affordable units and an 18 unit surplus of very low income units. During the remainder of the Ten Year Planning Period (fiscal year 2009-10 through 2013-14), the Agency is anticipated to incur a need for 151 inclusionary units, of which 60 need to be very low income units. The surplus of units from the first five years of

the Ten Year Planning Period may be applied to the anticipated housing need for the remaining five years. It is estimated that an additional 145 affordable units, of which 42 units must be affordable to very low income households, must be created over the next five years to meet the Ten Year Planning Period compliance requirements.

From 2014-15 to the remaining life of the Redevelopment Plan, the Agency is projected to generate the need for 503 affordable units of which 201 need to be affordable to very low income households. Over the duration of the Plan, it is estimated that the Agency will generate the need for 1,195 affordable housing units, including 478 very low income units. Thus far, 566 total affordable housing units, including 194 very low income units, have been constructed in the Project Area.

**REPLACEMENT HOUSING NEEDS**

The CRL requires that whenever dwelling units housing low and moderate income households are destroyed as part of an Agency project, the Agency is responsible for ensuring that an equivalent number of replacement units are constructed or substantially rehabilitated within four years. These units must provide at least the same number of bedrooms destroyed, and 100 percent of the replacement units must be affordable to the same income categories (i.e. very low, low, and moderate) as those removed. The Agency receives a full credit for replacement units created inside or outside the Project Area.

According to Agency records, no units have been destroyed by Agency activity. Additionally, no units are expected to be destroyed or removed as a part of an Agency project during the planning period or over the life of the Redevelopment Plan.

**LOW AND MODERATE INCOME HOUSING FUND**

The Agency’s primary source of funding for housing program implementation is the annual set-aside deposits of 20% of the Agency’s total tax increment in the Low and Moderate Income Housing Fund (“Housing Fund”). The CRL requires that not less than 20% of all tax increment revenue allocated to the Agency must be used to increase, improve, and preserve the community’s supply of housing available, at affordable housing cost, to persons and families of very low, low, and moderate incomes. Beginning July 1, 2009, the Agency had a Housing Fund balance of approximately \$4,901,910<sup>2</sup>. As shown in Table 3, it is estimated that the agency will deposit an additional \$10,178,073 into the Housing Fund.

Fiscal Year	Estimated Deposit Amount	
	Annual	Cumulative
2009-10	\$ 1,971,970	\$ 1,971,970
2010-11	1,965,134	3,937,104
2011-12	2,021,967	5,959,071
2012-13	2,079,936	8,039,007
2013-14	2,139,065	10,178,073

*Source: RSG Tax Increment Projections*

**Targeting of Housing Fund Expenditures**

Effective January 1, 2002, expenditure of housing set-aside revenues is subject to certain legal requirements. At a minimum, the Agency’s low and moderate income housing set-aside revenue is to be expended in proportion to the community’s need for very low and low income housing, as well as the proportion of the low income population under the age of 65. New legal requirements took effect in 2006 that modified the previous limitation of spending Housing Fund monies on households under the age of 65. Section 33334.4(b) of Redevelopment Law formerly required that an agency spend its Housing Fund monies “in at least the same proportion as the low-

<sup>2</sup> Per Agency’s Basic Financial Statements and Independent Auditors Report for the Fiscal Year Ended June 30, 2009.

income population under age 65 bears to the most recent census.” The new statute provides a higher level of specificity to spend monies “in at least the same proportion as the number of low-income households with a member under age 65 bears to the total number of low-income households of the community as reported in the most recent census.”

The percentage of very low and low income household expenditure requirements are based on Kern County Association of Governments (“KCOG”) Regional Housing Needs Assessment (“RHNA”) requirements for the City of Ridgecrest for the planning period of January 1, 2006 through June 30, 2014. The percentage of low income households under the age of 65 is based on Comprehensive Housing Affordability Strategy (“CHAS”) reports of 2000 Census data as required by SB 527 adopted in 2005. Data relating to low income households under the age of 65 is not readily available from the Census. However, CHAS uses an extrapolation of Census data to calculate the number of low income households under the age of 62; which is the data that may be closest to that which is required by the CRL and used in this Plan.

Table 4 below presents the Agency’s requirements over the Ten Year Planning Period for Housing Fund expenditures, from January 1, 2002 June 30, 2014.

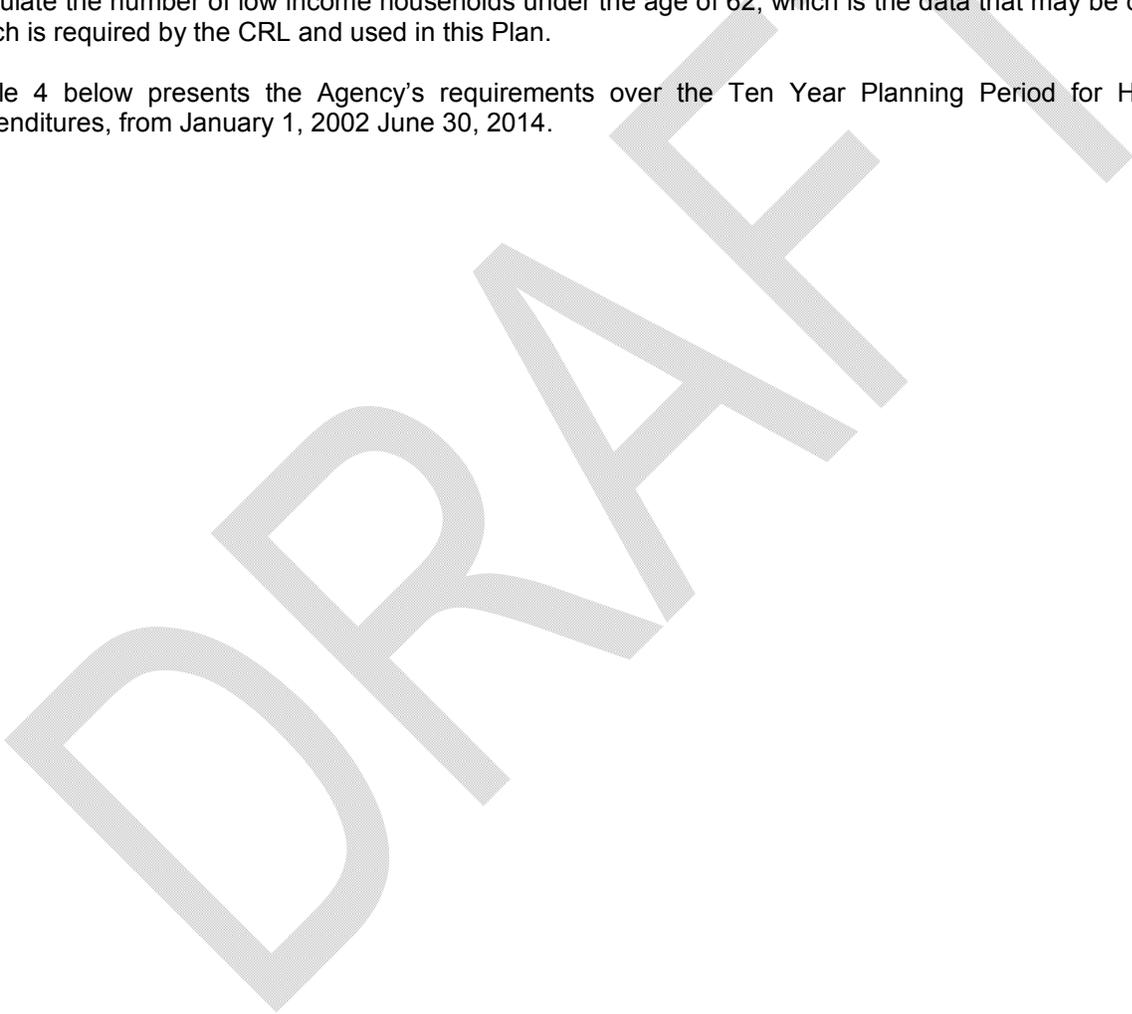


Table 4: Housing Expenditure Targeting Requirements		
Household Type	Minimum Percentage of Housing Set-Aside Expenditures	
	Between 2002 and 2014	
	Before 1/06 <sup>1</sup>	After 1/06 <sup>2</sup>
Households Under Age 65	89%	71%
Very Low Income Households	?	41%
Low Income Households	?	28%

**Notes:**

1/ Prior to January 1, 2006, percentage targets for households under age 65 were based on total households, not just low income households. Prior to January 1, 2006, the breakdown of the City's Regional Housing Needs Assessment fair share goals included 35 percent to low income households and 25 percent to low income households.

2/ Effective January 1, 2006, AB 527 (Alquist) enacted a change to how targets to households under age 65 should be determined, specifically to limit the percentage to low income households in the community. As a result, the targets changed in 2006. However, because such data is not available directly from the Census, common practice is to use data for households under the age of 62 as reported in the Comprehensive Housing Affordability Strategy. (<http://socds.org/chas/index.htm>)

*Source: ESRI Business Online, KCOG*

Between 2002 through 2006, the Agency's expenditures on non-senior housing were expected to be proportional to the prior requirement of 89 percent. Expenditures on very-low and low income households within the same period were expected to be **at least ?percent and ? percent** of total Housing Fund expenditures, respectively.

**Need to get 2000 RHNA breakdown (Very Low, Low, Moderate, and Above Moderate).**

However, for expenditures after 2006, including this implementation plan period, the minimum non-senior housing requirement is 71 percent of total Housing Fund expenditures. The minimum requirement for very-low and low housing after 2006 is 41 percent and 28 percent of total Housing Fund expenditures, respectively. Over the next five years of the compliance planning period available Housing Fund revenue need to be allocated based on these RHNA-based ratios.

Housing Set-Aside Expenditures Since January 2002

The proportionality requirements affect expenditures over a ten year period, although the law permits the compliance initially for a period beginning January 2002 and ending June 30, 2014. Table 5 below documents the amount of Housing Fund revenues used since January 2002 for these income categories. The Agency is required to fulfill its target requirements by FY 2013-14.

<b>Table 5: Expenditure Targeting Status - Actual and Planned Expenditures</b>				
	Total <sup>1/</sup>	Very Low Income	Low Income	Households Under age 65
<b>Expenditure Targeting Summary</b>				
Actuals (2001-02 through 2008-09)	\$ 687,433	\$ 64,551	\$ 559,132	\$212,433
Planned (2009-10 through 2013-14) <sup>2/</sup>				
<b>Planning Period Projected Totals</b>	<b>687,433</b>	<b>64,551</b>	<b>559,132</b>	<b>212,433</b>
<b>Planning Period Targets <sup>3/</sup></b>				
<b>Potential Surplus/(Shortfall)</b>				
<b>Notes:</b>				
1/	Also includes moderate income household and senior housing expenditures which are not subject to proportionality requirements.			
2/	Planned expenditures based on projects listed in 2009-10 implementation plan and are subject to change.			
3/	Targets based on estimates of planned expenditures and targeting percentages shown in Table 4. Actual targets are based on actual expenditures at the end of the 2001-02 - 2013-14 compliance period.			
<i>Source: City of Ridgecrest financial statements and estimated housing fund expenditures</i>				

## RIDGECREST REDEVELOPMENT PROJECT

Five Year Implementation Plan 2009-10 through 2013-14

### Units Assisted by the Housing Fund

State law requires a recap of the affordable housing projects for families (households under the age of 65) assisted by the Housing Fund over the past implementation plan period. In addition the CRL requires a recap of affordable housing projects assisted by the Housing Fund. Table 6 below summarizes these statistics by project from 2002 through 2009 to account for affordable housing projects since proportionality requirements became effective.

Table 6: Housing Expenditures on Non-Senior Family Projects						
Project/Location	Housing Set-Aside Expenditures	Units Assisted by Housing Set-Aside Fund (FY 2001-02 through 2008-09)				
		Extr. Low	Very Low	Low	Moderate	Total
<b>Family Projects</b>	<b>\$ 212,433</b> <b>31%</b>	<b>0</b>	<b>27</b>	<b>49</b>	<b>40</b>	<b>116</b>
First Time Homebuyer	\$ 15,000	0	26	19	15	60
Ridgecrest Cares	\$ 32,433	0	1	9	0	10
Desert Willows	\$ 75,000	0	0	15	0	15
Habitat for Humanity	\$ 30,000	0	0	6	0	6
Women's Shelter	\$ 60,000	0	0	0	25	25
<b>Senior Projects</b>	<b>\$ 475,000</b> <b>69%</b>	<b>0</b>	<b>3</b>	<b>23</b>	<b>0</b>	<b>26</b>
High Desert Haven	\$ 475,000	0	3	23	0	26
<b>Totals</b>	<b>\$ 687,433</b> <b>100%</b>	<b>0</b>	<b>30</b>	<b>72</b>	<b>40</b>	<b>142</b>

### Housing Units Constructed During Prior Implementation Plan without Using Housing Funds

The Agency participated in the development of the Larkspur Apartments Project that resulted in 79 affordable housing units in the Project Area. Of the 79 units, 47 are affordable to very low income households. The project was funded through California Tax Credits and private investment. The project features 55-year affordability covenants ensuring that all 79 units remain affordable to low and moderate income households.



**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:**

Joint City Council & RRA Public Hearing, Notice Of Real Property Sale, Exchange, And Disposition Development Agreement (DDA) To Construct, Develop, Or Sell A Commercial Use On Parcels 32 & 33, Parcel Map 10819, APN 33-070-32 & 33, Ridgecrest Business Park, In Exchange For A Portion Of APN 598-020-10, Ne ¼ Sec 5 T.27S R.40 E, A Vacant Parcel

**PRESENTED BY:**

James McRea

**SUMMARY:**

This agenda item is a joint Public Hearing of the City Council and the Ridgecrest Redevelopment Agency. This is a duly noticed joint Public Hearing on the sale and exchange of Real Property and a pending DDA. The DDA for this agenda item is still in the process of approval and will be present to the Agency at a later date. The RRA is in the process of executing a Disposition Development Agreement (DDA) for the sale and exchange of Parcels 32 & 33 of Parcel Map # 18019 of the Ridgecrest Business Park. The site will be developed for a permitted commercial use in accordance with the CC&R's for the Business Park within an established time period. Attachment I, Phase Two, defines the proposed exchange of real property.

Pursuant to Section 33433 of the California Health and Safety Code a summary report is attached and presented for the sale and exchange of the property at fair market value. The Agency DDA has proposed to exchange the specific sites of 3.10 gross acres for \$3.72 a sq. ft. with value of \$463,000 for approximately 11.1 net acres at \$1.52 a sq. ft. with a value of approximately \$735,000 after the recording of a lot line adjustment to create the parcel. Upon review of the project, it would be appropriate to open the joint Public Hearing and consider any comments. At the conclusion of the public hearing staff recommends authorization of the sale, opening of required escrow, and execution of the DDA by the Executive Director, as may be modified in final negotiations by Agency Counsel.

**FISCAL IMPACT:**

Sale of the property in accordance in Group II parcels with Group I credits, of the Ridgecrest Business Park in the amount of and exchange agreement.

Reviewed by Finance Director

**ACTION REQUESTED:**

Motion to approve sale, exchange, and acquisition of real property in accordance with the DDA and authorize execution by the Executive Director after review. . Motion to approve Resolution 10-

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: 

Submitted by: James McRea

Action Date: 02-17-10

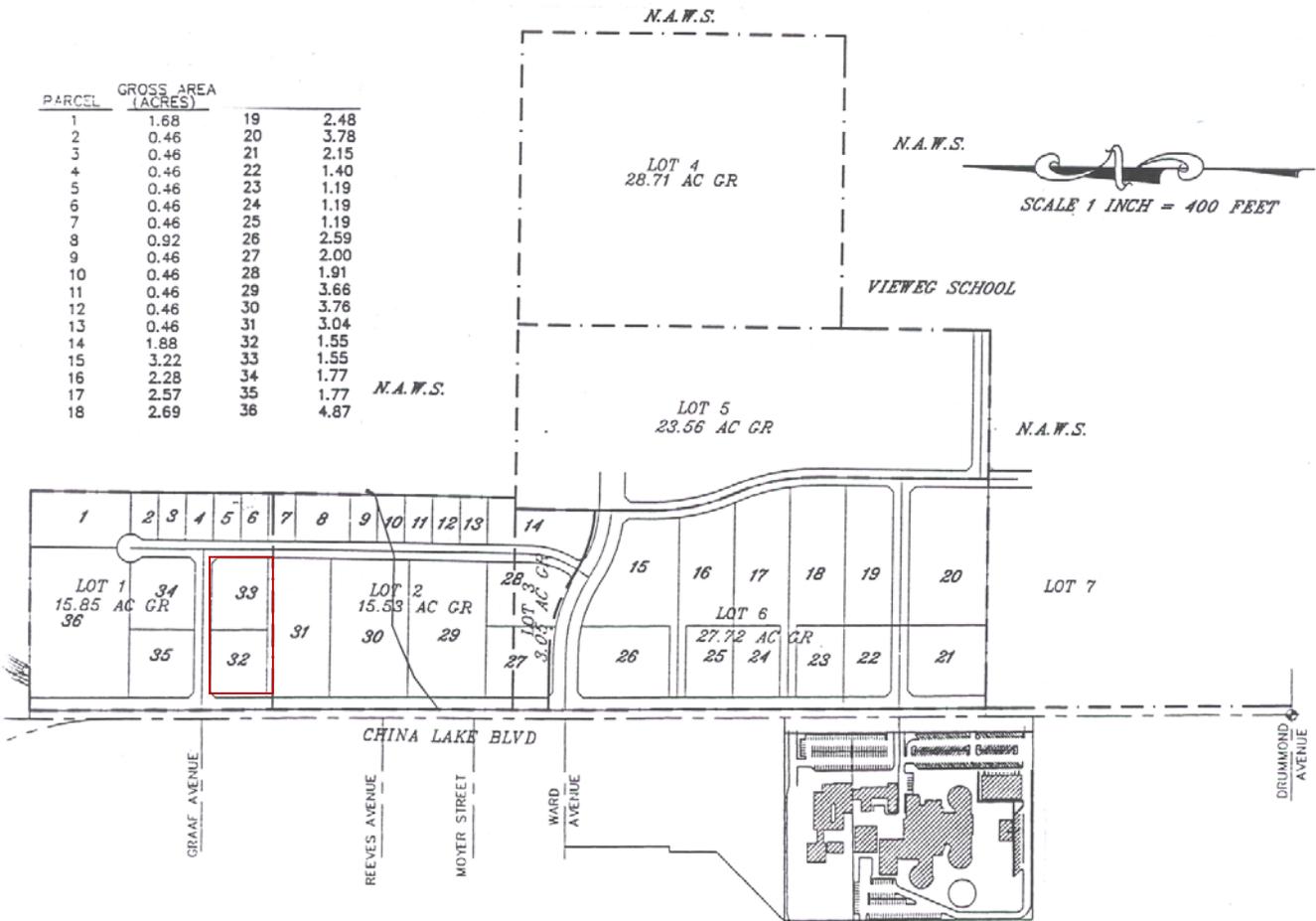
# The Ridgecrest Business Park

East side of N. China Lake Blvd.  
At the north entrance to the City of Ridgecrest

A new 63 acre business, technology, and medical Business park  
Opening Winter of 2001



PARCEL	GROSS AREA (ACRES)	
1	1.68	19
2	0.46	20
3	0.46	21
4	0.46	22
5	0.46	23
6	0.46	24
7	0.46	25
8	0.92	26
9	0.46	27
10	0.46	28
11	0.46	29
12	0.46	30
13	0.46	31
14	1.88	32
15	3.22	33
16	2.28	34
17	2.57	35
18	2.69	36



## RESOLUTION RRA NO. 10-

### RESOLUTION OF THE RIDGECREST REDEVELOPMENT AGENCY APPROVING DISPOSITION AND DEVELOPMENT AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF

**WHEREAS**, the Agency is a redevelopment agency duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Community Redevelopment Law (Part 1 of Division 24 (commencing with Section 33000) of the Health and Safety Code of the State of California), and the powers of the Agency include the power to own and lease real property;

**WHEREAS**, the Agency and the City Council of the City of Ridgecrest have held a duly noticed joint public hearing on February 17, 2010; and

**WHEREAS**, the Agency has determined that it is in the best interests and for the benefit of the community and in accordance with the public purposes and provisions of applicable state and local laws and requirements to enter into a Disposition and Development Agreement by and between the Ridgecrest Redevelopment Agency and John Landry. (the "DDA").

**NOW THEREFORE**, the Ridgecrest Redevelopment Agency does hereby RESOLVE, DETERMINE AND ORDER as follows:

The Agency hereby finds and determines that based upon substantial evidence provided in the record before it, (I) the disposition and exchange of the Property to the John Landry pursuant to the DDA is in accordance with the covenants and conditions governing the transfer of the Property, and complies with the purposes of the Redevelopment Plan for the use and maintenance of the Property, which is in the best interest of the community and (ii) the consideration for the disposition of the Property pursuant to the terms and conditions of the DDA is not less than either the fair market value or the fair reuse value in accordance with the covenants, conditions and restrictions imposed under the DDA and the costs required under the DDA. The Agency further finds and determines that the disposition of the Property pursuant to the DDA (i) will assist in the elimination of blight by requiring redevelopment of the Property in accordance with the DDA is consistent with the implementation plan for the Redevelopment Project adopted by the Agency pursuant to Health and Safety Code Section 33490.

The disposition of the Property by the Agency to John Landry pursuant to the DDA and any changes mutually agreed upon by John Landry and the Executive Director as are minor and in substantial conformance with the DDA submitted herewith, which establishes terms and conditions for the transfer and exchange of the Property, are hereby approved by the Agency.

The Agency concurs in authorizing the Executive Director of the Agency to execute the Agreement and to make all steps, and to sign all documents (including the Grant Deed) necessary to implement and carry out the DDA on behalf of the Agency in the amount of an even exchange, plus or minus gross/net adjustment, as a result of easements.

The Agency hereby finds and determines that the environmental status of the project remains consistent with the environmental impact report (EIR) prepared for Redevelopment Project Area, and the DDA does not add new environmental impacts and neither a supplemental nor a subsequent EIR is required for the RBP, except for potential development of the Kerr McGee Youth Sport Complex, pending specific site improvements proposals. .

**PASSED, APPROVED AND ADOPTED** this 17th day of February 2010 by \_\_\_\_\_ the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Steven P. Morgan, Chair

ATTEST:

\_\_\_\_\_  
Rachel Ford  
Agency Secretary

INFORMATION SUMMARY (33433 REPORT)  
FOR THE  
PURCHASE AGREEMENT, EXCHANGE OF REAL PRPERTY, AND  
A DISPOSITION DEVELOPMENT AGREEMENT

This summary is provided pursuant to Section 33433 of the California Community Redevelopment Law (Part I of Division 24 of the Health and Safety Code).

**1. Cost of the Project to the Agency:**

The proposed sale involves Parcels 32 & 33, consisting of a parcel of land of 2.86 gross acres within the Ridgecrest Business Park on No. China Lake Blvd and Graff Avenue. The site is described as Parcels 32 & 33 of Parcel Map No. 10819. The site ("the Site") is being considered for exchange and development by Mr. John Landry (the Developer") within a Disposition Development Agreement with the Agency; in exchange for a portion of real property located west of the Kerr McGee Youth Sports Complex, currently described as a potion of APN 598-020-10. The agency site proposed for sale and exchange was acquired by the Agency by a purchase agreement with China Lake Properties, and is within the Redevelopment Project Area. The site owned by the Developer is a portion of a vacant parcel of 25.51 acres of which approximately 11 .1 acres would be exchanged by a Lot Line Adjustment. The Ridgecrest Business Park Development and infrastructure improvements are completed under a cooperative grant with the City of Ridgecrest from the Economic Development Administration under Award No.07-49-04856. The overall "prorated" fair market value of the site is estimated to be \$463,000 at \$3.72/sq. ft. which is based on Market Value Appraisal Report by Butler Burgher Group Real Estate Services (BBG) dated January 19, 2010 for Parcels 32 & 33. The fair market value of the agency acquired exchange site is estimated to be \$890,000 for 13.40 gross acres at \$1.52/sq. ft. or \$735,000 for 11.1 net useable acres at \$1.52/ sq. ft. which is based on Market Value Appraisal Report by Butler Burgher Group Real Estate Services (BBG) dated January 19, 2010 for a portion of APN 508-020-10. The fair market value sale is additionally based on the following information:

- a. Land Acquisition Costs: The property was initially acquired by the Agency as part of a large undeveloped tract of land, the gross amount expended was approximately \$ 1,853,478.00. The Agency DDA has proposed to exchange the specific sites of 3.10gross acres for \$3.72 a sq. ft. with value of \$463,000 for approximately 11.1 net acres at \$1.52 a sq. ft. with a value of approximately \$735,000 after the recording of a lot line adjustment to create the parcel. Negotiation has been ongoing and the sale price was indexed at this time based on the appraised value of similar properties.

- b. Relocation costs: None
- c. Improvement costs: The Agency has made infrastructure improvements to the Ridgecrest Business Park. The DDA provides for certain assessments, and CC&R's. All school, development impact fees, sewer fees, water district, and utility fees are to be paid by developer. Utility access is provided at the property line, except for fire flow detection devices. No improvements have been made to the acquired exchanged parcel.
- d. Finance costs: None
- e. Purchase Agreement: The purchase agreement requires the agency to consider the lot area in the sale and exchange of the sites. The Agency will assist in the creation of the proposed parcel by a Lot Line Adjustment.

**2. Estimated value of interest to be conveyed by the City and Agency to the Developer determined at the highest and best use permitted by the Redevelopment Plan.**

The estimated value of interest to be conveyed at its "highest and best use" based on the appraised value as established. This value is the basis of an independent appraisal of the property prepared in 2010 for the specific sites as may be improved by the proposed enhancements.

**3. Estimated value of interest to be conveyed at the use and with conditions, covenants and development costs required by the sale:**

Analysis of the "estimated value of interest" being conveyed. The fair market value provides for a property value to the Agency based on gross square footage and exceeds Agency purchase price and all improvements made by it resulting in a net profit to the agency. The purchase agreement provides for the sale and exchange of the sites as defined as within Group II parcels as part of the development schedule for the Ridgecrest Business Park, assuming utilization of the additional Class I credits, in addition to the Class II parcels already sold and developed.

The property is being conveyed at a net purchase and exchange value by the Agency.

The Developer has the responsibility of the development of the RBP sites within a defined time schedule for permitted uses as defined by the DDA and CC&R's.

4. **The acquisition price which the developer will be required to pay during the terms of the DDA:**

The developer will receive title to the parcels, subject to the terms and conditions as outlined within the DDA. The developer will guarantee to invest necessary funds into the new site construction improvements and guarantee establishment of new jobs for the project's operation upon development within a specified time, including the sale of said parcels which the same terms and conditions.

5. **Explanation as to the reason why the sale of the property will assist in the elimination of blight:**

Sale of this site will help eliminate blight by development of a vacant parcel of the Ridgecrest Business Park within the City of Ridgecrest Redevelopment Project Area. The City and the Redevelopment Agency have recognized this general area to be underutilized and "blighted" and have encouraged this development in support of the overall development of the Ridgecrest Business Park. The site acquired by the exchange will permit the expansion and improvements to the Kerr McGee Youth Sport Complex by improvement of vacant property and improvement of existing conditions.

# Kerr McGee Youth Sports Complex Potential Expansion

## Phase Two

A potential expansion of the KMYSC project is recommended by the Quality of Life Committee and it is unfunded at this point. Several options are being reviewed. It is listed on the RDA Bond Issuance Project List and as indicated is a priority of the Parks Recreation and Cultural Affairs Department.

The property owner, Mr. John Landry, of APN 508-002-10 has met with Jim Ponek and had verbal discussion with Gary Parsons in regard to the potential sale or exchange of real property of a portion of his holdings immediately west of the KMYSC.

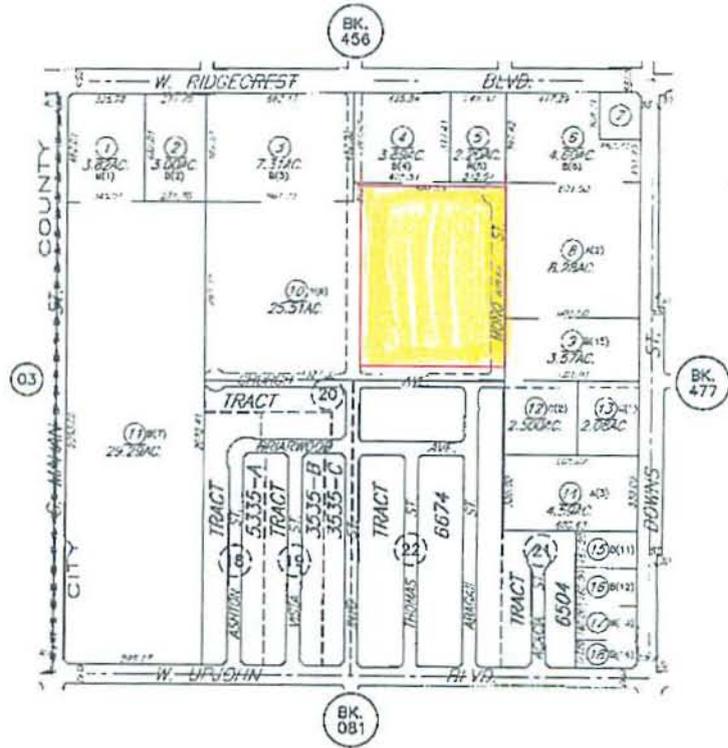
The parcel is currently 25.51 acres bisected by the Inyo Street right-of-way and bounded on two sides by Church Avenue and Mono Street right-of-ways. The adjacent portion to the KMYSC site is 879.67 by 667.55; 587,223.7 sq. ft.; 13.48 acres. It is bounded to the west by unimproved Inyo St., on the east by unimproved Mono Street and to the south by 50 percent improved Church Ave. Substantial grading of the site will be required.

### Kerr McGee Youth Sport Complex Potential Expansion, Phase Two

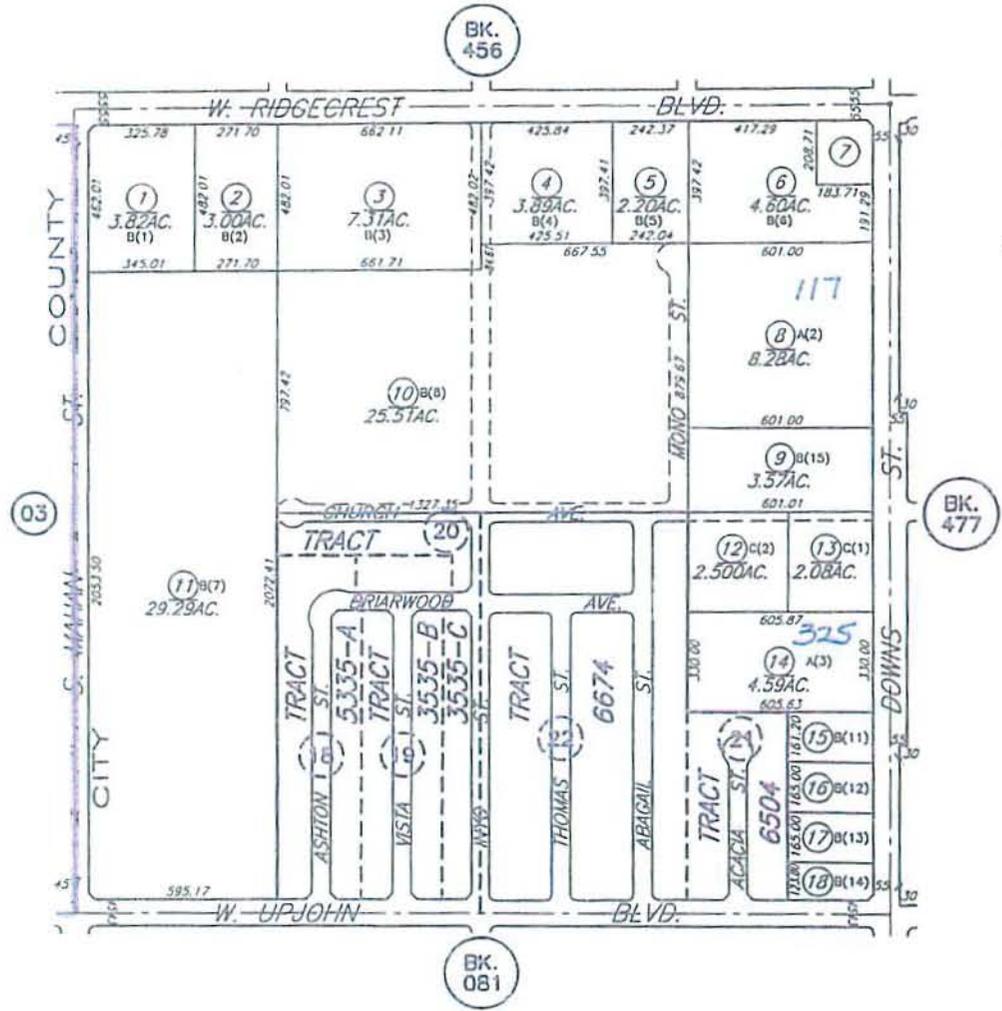
APN 508-02-10  
 Owner Mr. John Landry  
 Sq. Ft. 879.67 x 667.55  
 587,223.7 sq. ft.  
 3.48 acres  
 Useable 483,628.7 sq. ft.  
 11.1 acres  
 Gen. Plan Low Density  
 Zoning Mixed  
 CG & R-2

E1/4 SEC.5 T.27S. R.40E.

508-02

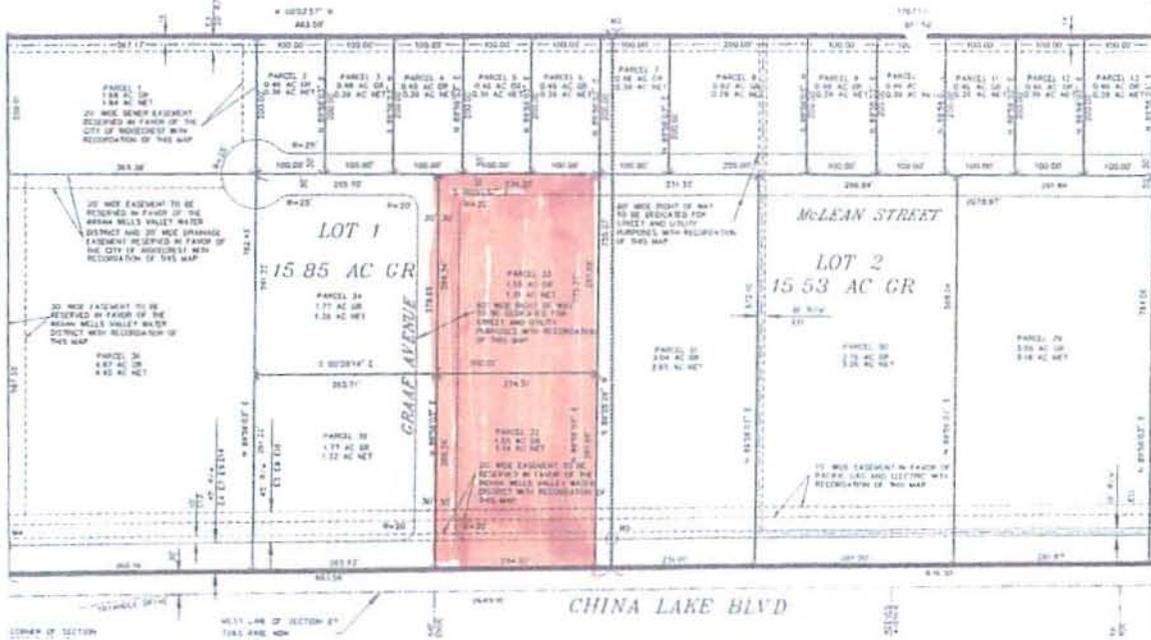


LEGEND	
DRAWN January 23, 2005	
JURISDICTION CITY OF RIDGECREST & VICINITY	
SUBD. KEY	
REF.	SUBD.
A	PM 7912
B	PM 8533
C	PM 9593
(LOT DESIGNATIONS IN PARENTHESIS)	
DISCLAIMER	
This map is for assessment purposes only it is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.	



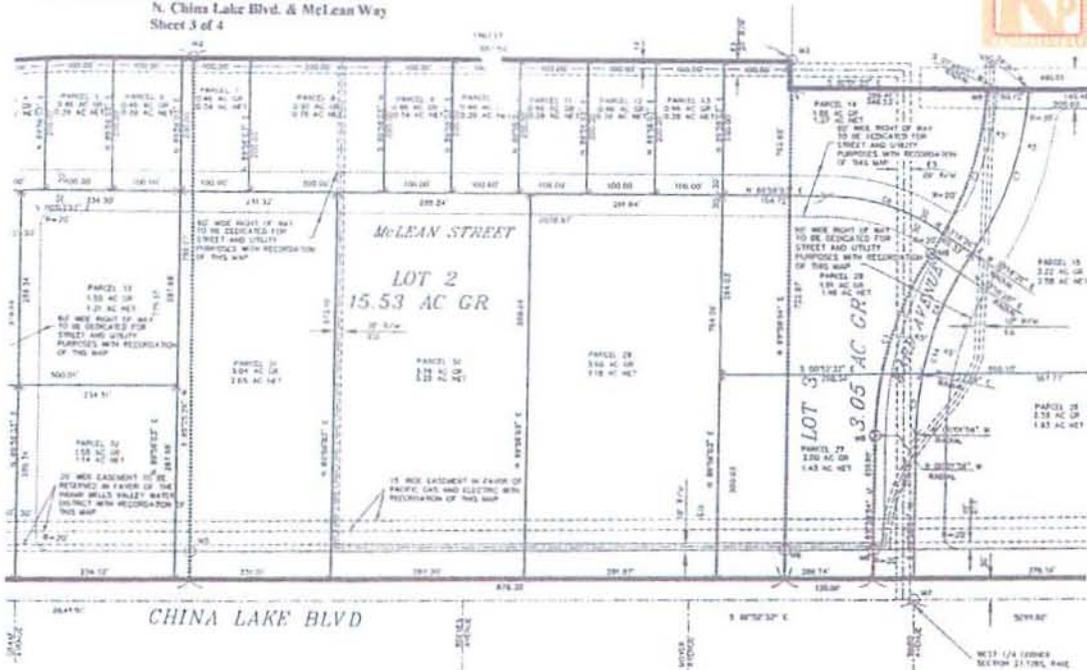
# The Ridgecrest Business Park

Northern portion: E. Graaf Avenue & McLean Way  
N. China Lake Blvd. & McLean Way  
Sheet 2 of 4



# The Ridgecrest Business Park

Center portion: E. Graaf Avenue & Ward Avenue  
N. China Lake Blvd. & McLean Way  
Sheet 3 of 4



PARCEL MAP 10819

# KERR MCGEE YOUTH SPORTS COMPLEX POTENTIAL EXPANSION

- 2.64 ac. parcel of TPM 11562 AMG
- 11.1 ac. portion of Landry property

Phase One  
Phase Two





**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

SUBJECT: An Ordinance of the Ridgecrest City Council Amending Chapter IV, Article 7, Section 102, of the Ridgecrest Municipal Code as it pertains to alcoholic beverages in City Parks.

PRESENTED BY: Jim Ponek, Director of Parks & Recreation

**SUMMARY:**

The Parks, Recreation and Quality of Life Committee is recommending to City Council to amend Chapter IV, Article 7, Section 102, of the Ridgecrest Municipal Code to allow alcohol in Parks at the written approval of the Chief of Police. This recommendation is being made in an effort to allow alcohol during specified special events, such as the annual Maturango Junction.

The policy of NO Alcohol in Parks will not change. This amendment to the municipal code is to only provide the City with the flexibility to allow for Alcohol at a City park for a special event. The same policy will then be followed as we do for the Kerr McGee Community Center for vendors providing alcohol. They will need to have a California Alcohol Beverage & Control License, liability insurance naming the City of Ridgecrest as additional insured and final approval from the City for the one or two day special event.

The recommended amended municipal code is to now read as follows:

**"Sec. 4-7.102. Alcoholic Beverages.**

No person shall possess an alcoholic beverage in a public park owned or operated by the City, unless by the written permission of the City's Chief of Police."

Staff is recommending approval.

Ordinance has been reviewed and drafted by our City Attorney.

Reviewed and Approved by Chief of Police Ron Strand.

FISCAL IMPACT: None.

Reviewed by Administrative Services Director:

ACTION REQUESTED: Approve Resolution No. 10\_\_\_ An Ordinance of the Ridgecrest City Council Amending Chapter IV, Article 7, Section 102, of the Ridgecrest Municipal Code as it pertains to alcoholic beverages in City Parks.

**CITY MANAGER/EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested:



Submitted by: Jim Ponek, Director of Parks & Recreation    Action Date: February 17, 2010

ORDINANCE NO. 10-\_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST  
AMENDING THE RIDGECREST MUNICIPAL CODE AS IT PERTAINS TO  
THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN CITY PARKS**

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

**1. Purpose.**

This ordinance amends the Municipal Code concerning the consumption of alcoholic beverages in city parks.

**2. Amendment.**

Chapter IV, Article 7, Section 102, of the Ridgecrest Municipal Code is hereby amended to read as follows:

**"Sec. 4-7.102. Alcoholic Beverages.**

No person shall possess an alcoholic beverage in a public park owned or operated by the City, unless by the written permission of the City's Chief of Police."

**3. Other.**

Except as provided herein, the Ridgecrest Municipal Code is reaffirmed and readopted.

**PASSED, APPROVED AND ADOPTED** on \_\_\_\_\_, 2010, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Steven Morgan, Mayor

ATTEST:

\_\_\_\_\_  
Rachel Ford, City Clerk

(SEAL)



**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:**

A Report to the City Council as to the sufficiency of a petition for an initiative to Repeal and Amend Certain Portions of the Ridgecrest Municipal Code Related to Recycling and Sanitation Services.

**PRESENTED BY:**

Rachel J. Ford

**SUMMARY:**

Proponents of the Initiative to Require the City Council of the City of Ridgecrest to Submit a Measure to the Voters on Whether to Elect a Mayor; submitted a notice of intent to circulate an initiative petition to the City Clerk on November 4, 2009.

All provisions of the California Elections Code have been met by the proponents and after circulation of the petition it was duly filed with the City Clerk on January 11, 2010. The City Clerk then filed the petition for signature verification with the County Clerk on January 11, 2010.

Kern County Clerks Signature Verification Certificate was received by fax on February 1, 2010 and the original Certificate bearing the official seal of the County Clerk was received on February 4, 2010. The Signature Verification Certificate (Attachment A) shows that the petition initially contained 3134 signatures of which 2393 were found sufficient. Proponents needed 1370 signatures to qualify the petition as sufficient, therefore this report of the City Clerk is that the petition has qualified pursuant to Elections Code 9114

Per Election Code section 9215, the Council has the following options:

1. Adopt the ordinance at the regular meeting at which the certification of the petition is presented or within ten days after it is presented.
2. Immediately order an election where the ordinance is submitted to a vote of the people.
3. Order a report at the regular meeting at which the certification of the petition is presented.

**FISCAL IMPACT:**

Reviewed by Finance Director

**ACTION REQUESTED:**

Report and File

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested:

*Harvey M. Rose*

Submitted by: Rachel J. Ford

Action Date: February 17, 2010

**CITY OF RIDGECREST**



**CERTIFICATE OF THE CITY CLERK**

I, RACHEL J. FORD, City Clerk of the City of Ridgecrest, County of Kern, State of California, hereby certify that, pursuant to Section 9211 of the Elections code, I have examined the petition submitted to me on January 11, 2010, by Robert Eierman and Walter H. Maurer.

The total number of registered voters in the City of Ridgecrest as last reported to the Secretary of State was 13,696; 10% being 1,370 as required by Section 9215 of the Elections code. The petition contained 3,134, 3,134 of which were examined utilizing the full verification provided by the Secretary of State of which 2,393 were verified. This projects to a total number of 2,393 valid signatures of qualified electors of the City.

I further certify that the petition is sufficient.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 2<sup>nd</sup> day of February, 2010.



*Rachel J. Ford*  
RACHEL J. FORD, CITY CLERK  
CITY OF RIDGECREST, CALIFORNIA

**ANN K. BARNETT**  
**Auditor-Controller-County Clerk**

**Nancy M. Lawson**  
**Assistant Auditor-Controller-County Clerk**

County Administrative Center  
1115 Truxtun Avenue, Second Floor  
Bakersfield, CA 93301-4639  
FAX 661-868-3560



**Auditor-Controller:** 661-868-3599  
**County Clerk:** 661-868-3588  
**Registrar of Voters (Elections):**  
661-868-3590  
800-452-VOTE  
TTY Relay 800-735-2929  
FAX 661-868-3768

February 1, 2010

Rachel J. Ford, City Clerk  
City of Ridgecrest  
100 W. California Ave.  
Ridgecrest, CA 93555

**RECEIVED**

FEB 04 2010

**City Clerks Office**

Dear Ms. Ford:

Attached is the Kern County Clerks Signature Verification Certificate as to the Initiative to Repeal and Amend Certain Portions of the Ridgecrest Municipal Code Related to Recycling and Sanitation Services petition submitted by you for signature verification.

Sincerely,

Ann K. Barnett  
Auditor-Controller-County Clerk

By: *Karen J. Rhea*  
Karen J. Rhea, Chief Deputy Registrar

AKB/KJR/as

Attachments

INIT-SOS

# SIGNATURE VERIFICATION CERTIFICATE

I, ANN K. BARNETT, AUDITOR-CONTROLLER-COUNTY CLERK  
County Clerk/Registrar of Voters  
of the County of KERN, State of California, hereby certify:

That the INITIATIVE TO REPEAL AND AMEND CERTAIN PORTIONS OF THE  
RIDGECREST MUNICIPAL CODE RELATED TO RECYCLING AND SANITATION SERVICES.

Initiative Measure HAS been filed with this office on JANUARY 11, 2010.  
has/has not

That said petition consists of 431 sections;

That each section contains signatures purporting to be the signatures of qualified electors of the City of Ridgecrest;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signatures to that section was the genuine signature of the person whose name it purports to be;

That after the City Clerk filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

- |    |   |              |
|----|---|--------------|
| 1. | Number of unverified signatures filed by the City Clerk (raw count) | <u>3,133</u> |
| 2. | Number of signatures verified                                       | <u>3,134</u> |
| a. | Number of signatures found SUFFICIENT                               | <u>2,393</u> |
| b. | Number of signatures found NOT SUFFICIENT                           | <u>741</u>   |
| 1. | NOT SUFFICIENT because DUPLICATE                                    | <u>19</u>    |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st

Day of February, 20 10.



Ann K. Barnett  
County Clerk/Registrar of Voters  
By: Karen J. Rhea  
Chief Deputy Registrar



# Petition Result Breakdown

Ridgecrest Recycling and Sanitation Services  
Ridgecrest Recycling and Sanitation Services

<b>Signatures Required</b>	<b>1370</b>		
<b>Raw Count</b>	<b>3,134</b>		
<b>Sample Size</b>	<b>3,134</b>		
<b>Sigs Checked</b>	<b>3,134</b>	<i>Percent of Sigs Checked</i>	<i>Percent of Sample Size</i>
<b>Sigs Not Checked</b>	<b>0</b>		0.0 %
<b>Sigs Valid</b>	<b>2,393</b>	76.4 %	76.4 %
<b>Sigs Invalid</b>	<b>741</b>	23.6 %	23.6 %
Duplicated	19	1.0 %	0.6 %
Non-duplicate Invalids	722	23.0 %	23.0 %

RESULT ABBR	RESULT DESCRIPTION		
Approved	Valid Signature	2,393	76.4 %
NotReg	Voter is Not Registered	382	12.2 %
DiffAdd	Registered @ Diff Address	181	5.8 %
OutOfDist	Out of District	79	2.5 %
Dup	Signed More Than Once	19	0.6 %
CantIdentfy	Cannot Identify Voter	1	0.0 %
MultAdd	More than One Address Given on	2	0.1 %
NoResAdd	No Residence Addr Given	8	0.3 %
PrintedSig	Printed Signature	3	0.1 %
SigNoMatch	Sig Does Not Match	66	2.1 %

KERN COUNTY ELECTIONS

ANN R. BARNELL  
KERN COUNTY ELECTIONS

PETITION RECEIPT

BY \_\_\_\_\_

2010 JAN 11 PM 2:53

RECEIVED: \_\_\_\_\_

FILED: \_\_\_\_\_

RECEIVED FROM RACHEL J. FORD,

AUTHORIZED REPRESENTATIVE OF THE CITY OF RIDGECREST,

APPROXIMATELY 431 SECTIONS,

CONTAINING APPROXIMATELY 3,133 SIGNATURES

FOR Init. to Repeal & Amend Certain portions  
of the R/C Municipal Code Related to Recycling &  
Sanitation Services.

DATED: 1-11-10

BY: *ahund*

DEPUTY

*Rachel J. Ford*  
Authorized Representative Signature

CITY OF RIDGECREST



Date: January 11, 2010

I, RACHEL J. FORD, City Clerk of the City of Ridgecrest, California, received on this date, the following:

431 Petition Sections that upon prima facie check are bearing 3133 signatures for the:

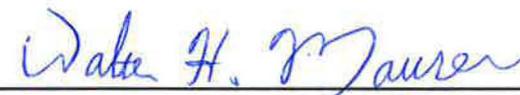
Initiative to Repeal and Amend Certain Portions of the Ridgecrest Municipal Code Related to Recycling and Sanitation Services

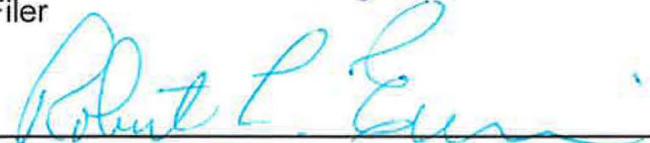
The filer(s) was (were) given a copy of Government Code Section 84305.

  
RACHEL J. FORD, CITY CLERK



Acknowledged:

  
Filer

  
Filer

\_\_\_\_\_  
Filer

City Clerk\Election\Petition Receipt.doc

**RECEIVED**

NOV 04 2009

**City Clerks Office**

**DATE:** November 4, 2009

**FROM:** Robert Eierman  
504 West Las Posas  
Ridgecrest, CA. 93555

Michael Neel  
736 Randall St.  
Ridgecrest, CA. 93555

Walter H. Maurer  
209 W. Mariposa Ave.  
Ridgecrest, CA. 93555

**TO:** City of Ridgecrest  
Attn: Elections Official  
100 West California Avenue  
Ridgecrest CA. 93555

**SUBJECTS:** (1) NOTICE OF INTENTION TO CIRCULATE AN INITIATIVE PETITION  
(2) REQUEST THAT A BALLOT TITLE AND SUMMARY BE PREPARED

**ATTACHMENT:** (A) COPY OF INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS, TO AMEND THE CITY OF RIDGECREST MUNICIPAL CODE, CHAPTER XIII, WITH PURPOSE STATEMENT AND IDENTIFICATION OF PROPOSED LAW.

**Notice of Intent to Circulate Petition**

To enact new law to amend Ridgecrest Municipal Code, Chapter XIII, to eliminate any requirement for mandatory solid waste and recycling collection service for residential and commercial properties.

To require that any future changes to the City of Ridgecrest Municipal Code, Chapter XIII, or any other city legislative action that would require that any residential and/or commercial property owners and/or occupants to pay for either solid waste and/or recycling collection service, or any fee or penalty for not having said service, can only be adopted by a ballot measure receiving a two-thirds vote of the electors at a general election.

To require that the City take the following actions related to solid waste and/or recycling: attempt to recover the cost of unfunded mandates; conduct open and competitive bidding on collection contracts; and stop the granting of exclusive franchise agreements.

Persons with Intention to Circulate the Petition:

Robert Eierman  
504 N. Las Posas St.  
Ridgecrest, CA. 93555

Michael Neel  
736 Randall St.  
Ridgecrest, CA. 93555

Walter H. Maurer  
209 W. Mariposa Ave.  
Ridgecrest, CA. 93555

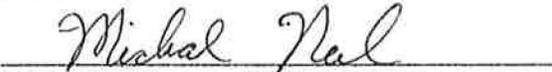
**Request That a Ballot Title and Summary Be Prepared**

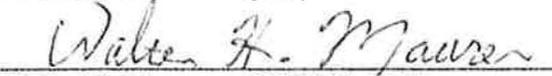
It is hereby requested that a Ballot Title and Summary Be Prepared. A full and complete copy of the initiative including purpose, proposed title, outline of amendments and the identification of actual proposed law made to Ridgecrest Municipal Code, see Attachment A.

If the City Election Official identifies any deficiencies in this document that do not meet the California or City statutory requirements for filling a Notice of Intent to Circulate Petition or Request That a Ballot Title and Summary Be Prepared, it is requested that at least one of the undersigned be notified in writing of the deficiencies, the pertinent statutes that were not met, and the required corrections necessary to bring this document into full compliance.

It is intended that this initiative be brought to the voters in the most timely manner under the laws of the State of California.

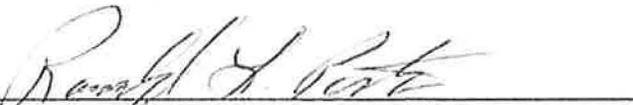
  
Robert Eierman (760)375-5537

  
Michael Neel (760)375-2016

  
Walter H. Maurer (760)371-1547

**Certificate of Service**

I, Ronald L. Porter, hereby certify under penalty of perjury that a true and complete Notice of Intent to Circulate Petition and Request That a Ballot Title and Summary Be Prepared with Attachment A was delivered to the City of Ridgecrest Clerks Office, 100 West California Avenue, Ridgecrest, CA. 93555 on November 4, 2009.

 , Date: 11-4-09  
Ronald L. Porter

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

This initiative proposes new law expressly amending the statutes of the City of Ridgecrest Municipal Code, Chapter XIII, "Sanitation Solid Waste, Yard Waste and Household Hazardous Waste Management"

**TITLE: The repeal of Mandatory Trash and Recycling Collection Service**

**Purpose**

To enact new law to amend Ridgecrest Municipal Code, Chapter XIII, to eliminate any requirement for mandatory solid waste and recycling collection service for residential and commercial properties.

To require that any future changes to the City of Ridgecrest Municipal Code, Chapter XIII, or any other city legislative action that would require that any residential and/or commercial property owners and/or occupants to pay for either solid waste and/or recycling collection service, or any fee or penalty for not having said service, can only be adopted by a ballot measure receiving a two-thirds vote of the electors at a general election.

To require that the City take the following actions related to solid waste and/or recycling: attempt to recover the cost of unfunded mandates; conduct open and competitive bidding on collection contracts; and stop the granting of exclusive franchise agreements.

**Initiative to Amend Ridgecrest Municipal Code, Chapter XIII**

1. This Ballot Initiative proposes new law, amending Ridgecrest Municipal Code, Chapter XIII, to achieve the following:
  - (a) Remove any requirement that any residential or commercial properties be required to have either mandatory garbage-rubbish-refuse (solid waste) and/or recycling collection service for which a fee is charged.
  - (b) The City cannot require mandatory solid waste and/or recycling collection service for residential or commercial property for which a fee is going to be charged or charge a fee for not having said service without first obtaining approval by ballot measure at a general election that receives approval by a two-thirds vote of the electors.
  - (c) The term "fee" as used in this initiative includes, but is not limited to, any monetary or service charge, individual and/or property related tax or assessment, that is related in anyway to solid waste and/or recycling collection service.
  - (d) The City cannot use the authority under California Constitution Article XIII D, to levy any assessment or property related fee to pay for solid waste and/or recycling collection service, or for any related costs.
  - (e) The City shall not pay any civil or administrative fine or penalty related to solid waste or recycling until such time that it has been ordered to do so by a judicial branch court having jurisdiction.
  - (f) The City shall take the following actions related to solid waste and/or recycling: attempt to recover

**Attachment A, Notice of Intent to Circulate Petition/Request That a Ballot Title and Summary Be Prepared**

**5**

**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:**

A Discussion and Action item of the Ridgecrest City Council regarding an initiative Ordinance to Repeal and Amend Certain Portions of the Ridgecrest Municipal Code Related to Recycling and Sanitation Services.

**PRESENTED BY:**

Harvey M. Rose, Interim City Manager

**SUMMARY:**

As Reported by the Elections Official, Proponents have qualified A Petition for an initiative Ordinance to Repeal and Amend Certain Portions of the Ridgecrest Municipal Code Related to Recycling and Sanitation Services.

Per Election Code section 9215, the Council has the following options:

1. Adopt the ordinance at the regular meeting at which the certification of the petition is presented or within ten days after it is presented.
2. Immediately order an election where the ordinance is submitted to a vote of the people.
3. Order a report at the regular meeting at which the certification of the petition is presented.

Should Council elect option one (1) to adopt the ordinance, a final draft of the Ordinance will be prepared and a special meeting of the Council will be scheduled no later than ten days from today's date

Should Council elect option two (2) to order an election where the ordinance is submitted to a vote of the people, Resolutions for the order of an election and for consolidation with Kern County Elections Office have been attached for motions at this regular meeting of the Council.

Option three (3) is at the discretion of the Council to order a report pursuant to Elections Code 9111 pertaining to fiscal impact; consistency with local, State, and Federal law; and whether or not the initiative is conducive to City action. Although the State Election Code allows staff response up to 30 days after the elections official certifies to the sufficiency of the petition, in this instance, the report should be presented to the City Council no later than the March 3, 2010, Regular City Council Meeting so that a Resolution for order of an election and for consolidation with the Kern County Elections Office may be submitted in time for placement of the initiative on the June 8, 2010, Election Ballot.

**It is recommended that the City Council select Option three (3) and order a report to be submitted to Council no later than the March 3, 2010, Regular City Council Meeting. Thus, the impacts of the Initiative will be fully known.**

**FISCAL IMPACT:**

Reviewed by Finance Director

**ACTION REQUESTED:**

Authorize Staff to prepare a report regarding the impacts of the Initiative. Said report must be presented to the City Council no later than the March 3, 2010 City Council Meeting.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested:

Submitted by: Harvey M. Rose, Interim City Manager

Action Date: February 17, 2010

(Rev. 6/12/09)

**RESOLUTION NO. 10-**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL AND SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 8, 2010, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AN INITIATIVE ORDINANCE TO AMEND CERTAIN PORTIONS OF THE RIDGECREST MUNICIPAL CODE RELATED TO RECYCLING AND SANITATION SERVICES AS REQUIRED BY THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES**

**BE IT RESOLVED BY THE RIDGECREST CITY COUNCIL** as follows:

- Section 1.** There is called and ordered to be held in the city of Ridgecrest, on Tuesday, June 8, 2010 a General and Special Municipal Election for the purpose of submitting to the voters an initiative Ordinance to amend certain portions of the Ridgecrest Municipal Code related to Recycling and Sanitation Services;
- Section 2.** The City Clerk shall procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment necessary to properly and lawfully conduct the elections;
- Section 3.** The polls for the elections shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in the Elections Code;
- Section 4.** The ballots to be used at the election shall be in form and content as required by law. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections;
- Section 5.** Notice of the time and place of holding the election is given and the City Clerk shall give further or additional notice of the election, in time, form and manner as required by law.

**APPROVED AND ADOPTED THIS** 17<sup>th</sup> day of February, 2010, by the following vote:

**AYES:  
NOES:  
ABSTAIN:  
ABSENT:**

---

Steven P. Morgan, Mayor

**ATTEST:**

---

Rachel J. Ford, City Clerk



**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT**

Tentative Tract No. 6731: Utilization of Development Impact Traffic and Drainage Fees for off-site improvements for a 40.6 acres project located North of the Northwest corner of Kendall Ave and S. Norma, (Kern County).

**PRESENTED BY:**

James E. McRea

**SUMMARY:**

The City Council considered Tentative Tract Map 6731 relating to pre-zoning and annexation of the proposed project into the Corporate Limits of the City. The recommendations and conditions of approval of the Tentative Tract map made by the Planning Commission by PC Resolution 09-08 required two public access routes and a linear 30 foot parkway and park sump within the project. The Taft Corp has been working with the City Engineer in regards to these conditions of approval and have reached tentative design standards and acceptable improvements.

**37. Onsite/Offsite Road Improvements.**

- g. South Sierra View Street from North boundary of TTM 6731 to Springer Ave. to be improved with 24' wide paved section to allow for two 12' travel lanes with 8' graded shoulders. Springer Ave. west from South Sierra View Street to Downs St. to be improved with 24' wide paved section to allow for two 12' travel lanes with 8' graded shoulders.
- h. Downs Street from Springer Ave. to China Lake Blvd. to be improved with 24' wide paved section to allow for two 12' travel lanes match at existing.
- i. TTM 6731 approved contingent upon receipt and verification of all offsite rights-of-way (and/or) easements for road, infrastructure (and/or) utilities.
- j. Should a right of way or easement issue occur, a reimbursement agreement between the City and the developer will be entered into according to required timelines to facilitate the City being reimbursed for any costs associated with obtaining rights-of-way" (and or) easements.

**PUBLIC WORKS – PARKS & TRAILS**

38. Developer shall improve an additional 30' west of south Norma street at the Tract boundary for public park/trail. Park/trail plans to be approved the the Planning Department prior to issuances of any permits. Park/Trail to be Offer of Dedication to the City and to be included in a Lighting/Landscape Maintenance District (LLMD).

The Developer has requested an agreement to utilize a portion of the Development Impact Traffic and Drainage Fees for these off-site improvements. It would be appropriate to receive the request and any presentation and authorize the City Engineer and Public Works Director to authorize a reimbursement credit agreement, not to exceed the Impact Fee for approved offsite improvements.

**FISCAL IMPACT:**

Utilization of Impact Development Fees for offsite improvements.

Reviewed by Finance Director

**ACTION REQUESTED:**

Motion authorizing appropriate agreement.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested : *James M. Rose*

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

Action Date: 02-17-10

APN: 510-010-02

KERN COUNTY

APN: 510-010-03

SOUTH NORMA ST.

SOUTH SIERRA VIEW ST.

KERN COUNTY

CITY OF RIDGECREST  
E-2 ZONING

E-2 ZONING  
CITY OF RIDGECREST

APN: 510-010-05

STREET "A" & "I"

STREET "B", "C", "D", "E", "F" & "G"



GENERAL NOTES:

- DOMESTIC WATER: INDIAN WELLS MUNICIPAL WATER DISTRICT
- SANITARY SEWER: CITY OF RIDGECREST SANITATION DISTRICT
- ELECTRICITY: SOUTHERN CALIFORNIA EDISON COMPANY
- NATURAL GAS: SOUTHERN CALIFORNIA GAS COMPANY

APN: 510-010-01

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF KERN, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCELS 6 AND 7 OF PARCEL MAP 528 IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, AS PER MAP RECORDED APRIL 9, 1973 IN BOOK 5, PAGE 61 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, OF RECORD.

EASEMENT OF RECORDS PER P.T.R. BY CHICAGO TITLE CO. TITLE ORDER NO. 08-54107427-JH DATED 07-02-08.

ITEM 4. AN EASEMENT GRANTED TO ADJACENT PROPERTY OWNERS AND THE PUBLIC IN GENERAL FOR INGRESS, EGRESS & PUBLIC ROAD PURPOSES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN IN A DOCUMENT RECORDED ON NOVEMBER 29, 1972 IN BOOK 4751 PAGE 100, OF OFFICIAL RECORDS. AFFECTS A PORTION OF SAID LAND.

ITEM 5. AN EASEMENT GRANTED TO ADJACENT PROPERTY OWNERS AND THE PUBLIC IN GENERAL FOR INGRESS, EGRESS & PUBLIC ROAD PURPOSES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN IN A DOCUMENT RECORDED ON DECEMBER 12, 1972 IN BOOK 4755 PAGE 789, OF OFFICIAL RECORDS. AFFECTS A PORTION OF SAID LAND.

ITEM 6. AN EASEMENT FOR THE PURPOSE OF BUILDING SETBACKS AND RIGHTS INCIDENTAL THERETO AS DELINEATED OR AS OFFERED FOR DEDICATION, ON THE MAP OF SAID TRACT. AFFECTS THOSE PORTION AS SHOWN UPON THE MAP OF SAID PARCEL MAP.

9. THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT ALL EASEMENTS OF RECORD ARE SHOWN PER THE TITLE REPORT.



KAMYAR LASHGARI  
REG. NO. L.S. 7706

10. FLOOD ZONE IS "A" DESIGNATION 500 YEAR FLOOD FREQUENCY.

11. PROJECT STATISTICS:

- DEVELOPMENT AREA: Approx. 40.628 GROSS ACRES
- TOTAL NO. OF PROPOSED LOTS: 121
- ASSESSOR'S PARCEL NUMBER: 510-010-06 & 07
- EXISTING ZONING: KERN COUNTY ZONING
- PROPOSED ZONING: E-2
- GENERAL PLAN DESIGNATION: E-2
- EXISTING LAND USE: VACANT
- PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
- AVERAGE LOT SIZE: 10,436 SF
- MINIMUM LOT SIZE: 10,000 SF

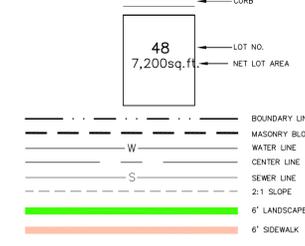
OWNER: 25 & K, LLC. AND LA & EA CO.  
27927 PACIFIC COAST HIGHWAY  
MALIBU, CA. 90265  
TEL: (213) 268-3468

DEVELOPER: TAFT CORPORATION  
27927 PACIFIC COAST HIGHWAY  
MALIBU, CA. 90265  
TEL: (310) 437-9190

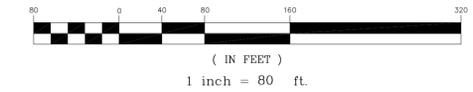
PREPARED BY: ZOKA ENTERPRISES  
27927 PACIFIC COAST HIGHWAY  
MALIBU, CA. 90265  
TEL: 310-437-9190  
FAX: 310-457-7154

TEL: (661) 878-6214

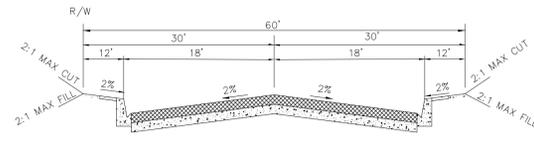
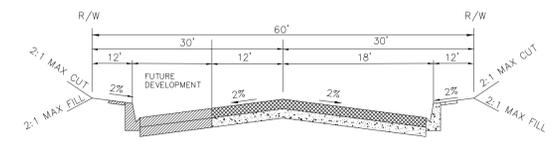
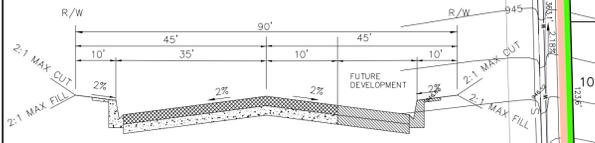
LEGEND:



GRAPHIC SCALE



NOTE:  
THIS PROJECT IS NOT SUBJECT TO ANY ALQUIST-PREOLA GEOLOGIC ZONES. NO RECORD FAULT LINES ARE SHOWN ON COUNTY OR STATE MAPS.



REV	DATE	BY	REVISION
1	2/12/07	ABP	REVISED PER CITY COMMENTS.
2	7/09/08	ABP	REVISED PER CITY COMMENTS.

**ZOKA Enterprises, Inc.**  
 Planning  
 27927 Pac. Coast Highway  
 MALIBU, CA. 90265  
 TEL: (310) 437-9190

**GRADING & SITE PLAN**  
**T.M. 6731**  
**RIDGECREST, CALIFORNIA**

Title: \_\_\_\_\_  
 Project: \_\_\_\_\_  
 In The: \_\_\_\_\_

Project no.: 249-11  
 Project mgr.: K.L.  
 Designed by: A.B.P.  
 Drawn by: A.B.P.  
 Date: 09-16-05

**G-01**



**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

<b>SUBJECT:</b> Payment of Fiscal Year 2010 SERAF Contribution
<b>PRESENTED BY:</b> Tyrell Staheli, Finance Director
<b>SUMMARY:</b> <p>As part of the State of California budget package for the FY 2010, Redevelopment Agencies are required to shift \$1.7 billion in property tax revenues to Supplemental Educational Revenue Augmentation Fund (SERAF). The State's Director of Finance determines the how much each agency must contribute to SERAF. Attached to this staff report is the letter from the California State Department of Finance. Ridgecrest Redevelopment Agency's share is \$2,593,259 and is due on May 10, 2010. This amount is not included in the Agency's FY 2010 Approved Budget since this requirement was passed after the approval of the Agency's budget. As of December 31, 2009, the agency has fund balance available to pay for this contribution. We will need to increase the RDA budget line item called "Aid to State - ERAF Payments" by the amount due to the State.</p>
<b>FISCAL IMPACT:</b> Expenditure of \$2,593,259 of Redevelopment Agency Funds
Reviewed by Finance Director
<b>ACTION REQUESTED:</b> Approval of the attached resolution
<b>CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:</b> Action as requested:

Submitted by: Tyrell Staheli, Finance Director

Action Date: 02/17/2010

(Rev. 6/12/09)

**RESOLUTION NO. 10-**

**A RESOLUTION OF THE RIDGECREST REDEVELOPMENT AGENCY AUTHORIZING THE PAYMENT OF FISCAL YEAR 2010 SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) ASSESSMENTS BY THE STATE OF CALIFORNIA IN CONFORMANCE WITH HEALTH AND SAFETY CODE 33690 AND THE AMENDMENT OF THE ANNUAL RIDGECREST REDEVELOPMENT AGENCY BUDGET FOR THIS PAYMENT**

**WHEREAS**, The Health and Safety Code of the State of California 33690 requires all Redevelopment Agencies to report to the County Auditor how the Agency intends to make the SERAF payment no later than March 1, 2010; and

**WHEREAS**, the Health and Safety Code of the State of California 33690 requires all Redevelopment Agencies to pay their SERAF assessments no later than May 10, 2010; and

**WHEREAS**, the California State Department of Finance has certified the Ridgcrest Redevelopment Agency share to be \$2,593,259; and

**WHEREAS**, sufficient funds exist within the Agency's unreserved fund balance to make the payment.

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

1. The Agency Executive Director is hereby authorized to direct the Agency Treasurer to make the disbursement to the Supplemental Educational Revenue Augmentation Fund in the amount of \$2,593,259 on or before May 10, 2010 pursuant to the direction of the Kern County Auditor-Controller.;
2. The City's Finance Director is authorized to amend the Redevelopment Agency's budget from the Redevelopment Agency Unreserved Fund Balance pursuant to the City Resolution 09-41.

**APPROVED AND ADOPTED** this 17th day of February, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Steven Morgan, Agency Chair

ATTEST:

\_\_\_\_\_  
Rachel Ford, City Clerk



November 13, 2009

TO ALL COUNTY AUDITORS, REDEVELOPMENT AGENCIES, AND THEIR LEGISLATIVE BODIES:

Chapter 21, Statutes of 2009, requires redevelopment agencies to shift \$1.7 billion in property tax revenues to K-12 schools during the 2009-10 fiscal year via the Supplemental Educational Revenue Augmentation Funds (SERAF) that the Chapter created in each county. The Director of Finance is required to determine the amount each redevelopment agency shall transfer to the SERAF, and is further required to notify each redevelopment agency and legislative body of those amounts.

In accordance with the above requirements, the attached document provides the amount determined for your redevelopment agency.

Each redevelopment agency must allocate the specified amount to the county auditor-controller for deposit into the SERAF on or before May 10, 2010. By March 1, 2010 the legislative body shall either report to the county auditor-controller how the redevelopment agency intends to fund its SERAF obligation, or report that the legislative body intends to fund the SERAF obligation on behalf of the redevelopment agency pursuant to Section 33692 of the Health and Safety Code (HSC).

If a redevelopment agency determines that it will not be able to allocate to the SERAF the full amount required, it may enter into an agreement with its legislative body by February 15, 2010, for the legislative body to fund either the full SERAF obligation, or a portion thereof. Alternatively, pursuant to HSC Section 33690 (c), a redevelopment agency that makes a finding that insufficient monies are available to fund its SERAF obligation may borrow from monies contained in its Low and Moderate Income Housing Fund. Redevelopment agencies also may borrow from the amount otherwise required to be remitted in 2009-10 to its Low and Moderate Income Housing Fund. All borrowed funds must be fully repaid by June 30, 2015.

If you have any questions regarding this matter, please contact Chris Hill, Principal Program Budget Analyst, at (916) 322-2263.

MICHAEL C. GENEST  
Director  
By:

ANA MATOSANTOS  
Chief Deputy Director

Attachment

2009-10 Redevelopment Agency SERAF Shift Health and Safety Code Section 33690					
Redevelopment Agency Name	2006-07 Tax Increment Net of Pass- Throughs	2006-07 Gross Tax Increment	850,000,000 on Net Tax Increment Based on Net Factor (0.2261168310)	850,000,000 on Net Tax Increment Based on Gross Factor (0.1793855082)	Total SERAF
Ridgecrest Redevelopment Agency	6,395,176	6,395,176	1,446,057	1,147,202	2,593,259



**CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM**

**SUBJECT:** Resolution No. 10- , A resolution of the Ridgecrest City Council authorizing retainer services in connection with the City of Ridgecrest's interests before the California Integrated Waste Management Board or it's successor state agency or department.

**PRESENTED BY:**  
Interim City Manager Harvey M. Rose

**SUMMARY:**

City Council previously authorized the City Manager to secure the services of Flanigan Law Firm to represent the City's interest before the California Integrated Waste Management Board recently reorganized as CalRecycles.

Services to be performed as needed include lobbying efforts, legal representation at CalRecycles meetings, and research.

The City has a purchasing policy and procedure which requires a resolution of Council to authorize purchase orders above a designated dollar amount. The agreement with Flanigan Law Firm will exceed the current designated amount of \$30,000, therefore this resolution is brought to Council to authorize the establishment of a purchase order for payment to Flanigan Law Firm in the amount of \$82,500 for a term of one (1) year to be paid in increments of \$7,500 per month.

**FISCAL IMPACT:**  
\$52,500 for FY10 and /\$30,000 for FY11  
Reviewed by City Manager

**ACTION REQUESTED:**  
  
Approve resolution

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

Submitted by: Harvey M. Rose

Action Date: 02-17-2010

**RESOLUTION NO. 10 –**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING  
PAYMENT FOR LEGAL SERVICES TO THE FLANIGAN LAW FIRM.**

**WHEREAS**, the City intends to utilize the legal services of the Flanigan Law Firm in connection with the City of Ridgecrest's interests before the Department of Resources, Recycling and Recovery, CalRecycle, (a.k.a. California Integrated Waste Management Board, C.I.W.M.B), and;

**WHEREAS**, this is a one year service agreement, payable in \$7,500 monthly increments, and;

**WHEREAS**, the City has a defined purchasing policy and procedure which requires certain purchase orders above a designated amount to be approved by a Resolution of the Council.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ridgecrest does hereby approve the retainer services agreement, with The Flanigan Law Firm and authorizes the Mayor to sign said agreement.

**APPROVED AND ADOPTED**, this 17<sup>th</sup> day of February 2010 by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

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Steven P. Morgan, Mayor

ATTEST:

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Rachel J. Ford  
City Clerk