



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

AGENDA

Wednesday

Regular

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

December 19, 2012

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

(760) 499-5000

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

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LAST ORDINANCE NO. 12-92
LAST RESOLUTION CITY COUNCIL NO. 12-47
LAST RESOLUTION FINANCING AUTHORITY NO. 12-xx
LAST RESOLUTION OF THE HOUSING AUTHORITY NO. 12-xx
LAST RESOLUTION OF THE SUCCESSOR REDEVELOPMENT AGENCY NO. 12-xx

CITY OF RIDGECREST

CITY COUNCIL REDEVELOPMENT SUCCESSOR AGENCY HOUSING AUTHORITY FINANCING AUTHORITY

AGENDA

Regular Council
Wednesday December 19, 2012

CITY COUNCIL CHAMBERS CITY HALL
100 West California Avenue
Ridgecrest, CA 93555

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

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

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

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

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENT – CLOSED SESSION

AGENDA - CITY COUNCIL - REGULAR

December 19, 2012

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CLOSED SESSION

GC54956.9 Conference with Legal Counsel – Existing Litigation – City of Ridgecrest v. William Dale Howard

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
- Other

PUBLIC COMMENT

PRESENTATIONS

CONSENT CALENDAR

1. Approve The Final Balancing Contract Change Order, Authorize The Interim City Manager, Dennis Speer, To Sign Notice Of Completion, Authorize The City Clerk To File The Notice Of Completion And Authorize The Release Of Retention On The Transportation Development Act (TDA) Article 3 Bowman Bike Rest Stations At Various Locations Speer
2. Approve A Resolution Rejecting All Bids On A Construction Contract For The Safe Routes To School Cycle 9 Project Speer
3. Approve A Resolution Of The City Council Of The City Of Ridgecrest Summarily Vacating An Easement Speer
4. Approve Draft Minutes of Council Meeting Dates December 5, 2012 Ford

DISCUSSION AND OTHER ACTION ITEMS

5. Mayoral Appointments To Council Committees, Boards, and Commissions Clark
6. Approve A Resolution Of The Ridgecrest City Council Approving Budget Amendment #2013-03 Decreasing Appropriations And Estimated Revenues In The Annual Budget Speer

AGENDA - CITY COUNCIL - REGULAR

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COMMITTEE REPORTS

City Organization

Members: To Be Appointed

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

Next Meeting: January 8, 2013

Community Development Committee

Members: To Be Appointed

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

Next Meeting: January 3, 2013

Infrastructure Committee

Members: To Be Appointed

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

Next Meeting: January 9, 2013

Quality Of Life

Members: To Be Appointed

Meeting: 2nd Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center

Next Meeting: February 14, 2013 (Dark in June, July, December, and January)

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

Members: To Be Appointed

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

Next Meeting: January 14, 2013

Veterans Advisory Committee

Members: To Be Appointed

Meetings: To Be Announced

Next Meeting: To Be Announced

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: To Be Appointed

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

Next Meeting: January 2, 2013 at location to be announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

CITY MANAGER REPORT

MAYOR AND COUNCIL COMMENTS

ADJOURNMENT

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

SUBJECT: Approve the final balancing contract change order, authorize the Interim City Manager, Dennis Speer to sign Notice of Completion, authorize the City Clerk to file the Notice of Completion and authorize the release of retention on the TDA Article 3 Bowman Bike Rest Stations at Various Locations

PRESENTED BY:

Dennis Speer, Public Work Director

SUMMARY:

The project consisted of installing Bike Rest Stations along the Bowman Bike path and also a drinking fountain. Council awarded a contract to Hi Desert Construction on May 16, 2012, in the amount of \$80,534.00. Work has been completed and, with the exception of retention in the amount of \$8,070.60 (10%), the contractor, Hi Desert Construction, has been paid. During the course of construction some additions and deletions were necessary. The final contract amount including all change orders is \$88,298.42. The resulting balancing change order is for a final contract cost increase of \$7,764.42. See Attachment "A", Final Balancing Contract Change Order. The City of Ridgecrest will need to issue a purchase order in the amount of \$7,764.42 for the final balancing change order.

The funds for the change order are in the contingency and are one hundred percent reimbursable through TDA Article 3.

FISCAL IMPACT: \$7,764.42

Reviewed by Finance Director

ACTION REQUESTED:

- 1.) Approve the balancing change order cost increase in the amount of \$7,764.42 for a revised final contract amount of \$88,298.42.
- 2.) Authorize the Interim City Manager, Dennis Speer to sign the Notice of Completion,
- 3.) Authorize the City Clerk to file the Notice of Completion,
- 4.) Authorize release of retained funds in the amount of \$8,070.60 thirty (30) days after recordation of the Notice of Completion.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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

Action Date: December 19, 2012

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RESOLUTION NO. 12-

APPROVE THE FINAL BALANCING CONTRACT CHANGE ORDER, AUTHORIZE THE INTERIM CITY MANAGER, DENNIS SPEER, TO SIGN NOTICE OF COMPLETION, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION AND AUTHORIZE THE RELEASE OF RETENTION ON THE TDA ARTICLE 3 BOWMAN BIKE REST STATIONS AT VARIOUS LOCATIONS

WHEREAS, Hi Desert Construction, has completed installing Bike Rest Stations and a drinking fountain along the Bowman Bike Path at various locations, and

WHEREAS, during the course of construction deletions and additions to the scope of the project were made necessary due to discovery of materials changes and additional work, and

WHEREAS, the original bid contract amount was \$80,534.00 and the actual final contract amount including all change orders is \$88,298.42 and approval for a balancing change order in contract amount of \$7,764.42 is hereby requested, and

WHEREAS, authorization to have the Interim City Manager, Dennis Speer sign the Notice of Completion and the City Clerk to file the Notice of Completion is hereby requested, and

WHEREAS, retained funds to date in the amount of \$8,070.60, (10%), of the final construction cost will be withheld until 30 days after recordation of the notice of completion, and

WHEREAS, Staff is requesting authorization to release the retained funds in the amount of \$8,070.60 thirty (30) days after the recordation of the notice of completion providing no claims have been filed against said retained funds.

NOW THEREFORE, be it resolved, that the City Council of the City of Ridgecrest hereby

- 1) Approves the balancing change order in contract amount of \$88,298.42
- 2) Authorizes the Interim City Manager, Dennis Speer to sign the Notice of Completion
- 3) Authorizes the City Clerk to file the Notice of Completion for recordation for the project
- 4) Authorizes City Staff to release the retained funds in the amount of \$8,070.60 thirty (30) days after recordation of the notice of completion providing no claims have been filed against said retained funds for TDA Article 3 Bowman Bike Rest Stations at Various Locations

APPROVED AND ADOPTED this 19th day of December by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Daniel O Clark, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

Recording Requested By:

CITY OF RIDGECREST

When Recorded Mail to:

City of Ridgecrest
100 W. California Ave.
Ridgecrest, CA 93555

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

- 1. The undersigned is **OWNER** or Agent of the **OWNER** of the interest or estate stated below in the property hereinafter described.
- 2. The **FULL NAME** of the **OWNER** is City of Ridgecrest
- 3. The **FULL ADDRESS** of the **OWNER** is 100 W. California Ave. Ridgecrest, CA 93555
- 4. The **NATURE OF THE INTEREST** or **ESTATE** of the undersigned is: In Fee.

(if other than fee, Strike "In Fee" and insert, for example, "Purchaser under contract of purchase," or "Lessee.")

- 5. The **FULL NAMES** and **FULL ADDRESSES** of **ALL PERSONS**, if any, **WHO HOLD SUCH INTEREST** or **ESTATE** with the undersigned as **JOINT TENANTS IN COMMON** are:

Names

Addresses

- 6. The full names and full addresses of the predecessors in interest of the undersigned if the property was transferred subsequent to the commencement of the work of improvement herein referred to:

Names

Addresses

- 7. A work of improvement on the property hereinafter described was **COMPLETED** December 3, 2012

- 8. The work of improvement completed is described as follows: Install rest stations along Bowman Rd. Bike Path

- 9. The **NAME OF THE ORIGINAL CONTRACTOR**, if any, for such work of improvement is: Hi Desert Construction

- 10. The street address of said property is: Bowman Bike Path near Downs St., China Lake Blvd. and Gateway Bl.

- 11. The property on which said work of improvement was completed is in the City of Ridgecrest, County of Kern, State of California, and is described as follows:

Three locations along the Bowman Rd. Bike Path just east of the intersections of Downs St., China Lake Blvd. and Gateway Blvd.

Date

Signature of Owner or Agent of Owner

Verification for **INDIVIDUAL** owner

I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the owner of the aforesaid interest or estate in the property described in the above notice; that I have said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

Date and Place

Signature of Owner named in paragraph 2

Verification for **NON-INDIVIDUAL** owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the **City Manager** of the aforesaid interest or estate in the property described in the above notice; that I have read the said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

- City of Ridgecrest

Date and Place

(Signature of person signing on behalf of owner)

SUBSCRIBED AND SWORN TO before me on _____

Rachel Ford , City Clerk
City of Ridgecrest

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CITY OF RIDGECREST

Telephone 760 499-5000

FAX 499-1500

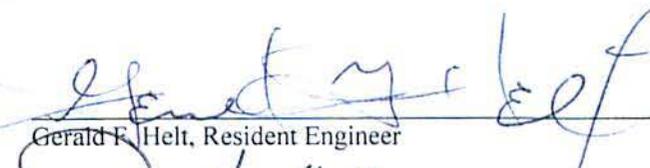
100 West California Avenue, Ridgecrest, California 93555-4054

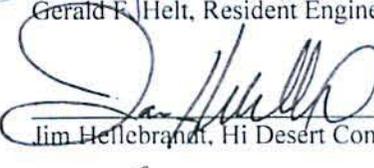
FINAL BALANCING CONTRACT CHANGE ORDER

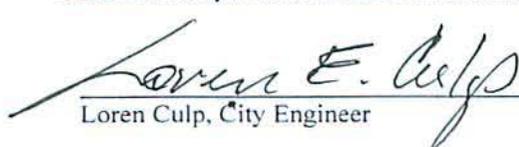
Owner: City of Ridgecrest **Date:** November 27, 2012
Project: TDA Article 3 Bowman Rd. Bike Rest Stations at Various Locations
Contractor: Hi Desert Construction **Engineer:** Helt Engineering Inc.

You are directed to make the following changes in the contract documents:

Description / Bid Items	Amount
2. Install Stamped Concrete Pad For 8x9 Sun Shelter +14 Square Feet @ \$12.30 per Sq. Ft. =	- \$172.20
Change Order #1 - Roof panel replacement for color Change Lump Sum @ \$8,012.00 =	+ \$8,012.00
Soils Compaction Retesting 5 Hours @ \$84.00 per hour =	- \$420.00
<hr/>	
Net Balance =	+ \$7,764.42
Original Contract Amount	\$80,534.50
Quantity Adjustments/Change Orders/Extra Work	+ \$7,764.42
Final Contract Cost	\$88,298.42

Recommended by:  12-6-12
Gerald R. Helt, Resident Engineer Date

Accepted by:  11/29/12
Jim Hellebrandt, Hi Desert Construction, Contractor Date

Approved by:  12/6/12
Loren Culp, City Engineer Date

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

SUBJECT: A Resolution Rejecting All Bids On A Construction Contract for the Safe Routes to School Cycle 9 Project.

PRESENTED BY:

Dennis Speer, Public Works Director

SUMMARY:

On Tuesday November 27, 2012 bids were opened for the construction of the Safe Routes to School Cycle 9 Project on the East side of Guam Avenue Upjohn Avenue to Bowman Road; North side of Las Flores Avenue Down Street to Sierra View Street; and south side of East Upjohn Avenue Appaloosa Street to Gateway Boulevard. A total of four bids were received. The bids are as follows:

<u>Bidder</u>	<u>Bid</u>
South Hill	\$118,681.00
Solid Construction Inc	\$164,660.00
Cen-cal Construction	\$117,465.60
MJS Construction Inc	\$147,700.00

The bids were reviewed by the engineering firm of Willdan Engineering for the lowest responsible and responsive bidder. Based on this review, it was found that all bids were too high. The programmed amount of funding for construction on the project was \$67,333.00. It is staff's recommendation at this time to reject the bids and to seek more funding through our local District 9 Caltrans Office. Once more funds have been secured; staff will take it out for re-bid. This project is funded through the State and is administered by Caltrans.

FISCAL IMPACT: None

Reviewed by: Finance Director

ACTION REQUESTED: Adopt a Resolution Rejecting All Bids On A Construction Contract for the Safe Routes to School Cycle 9 Project.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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

Action Date: December 19, 2012

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RESOLUTION NO. 12-

A RESOLUTION REJECTING ALL BIDS ON A CONSTRUCTION CONTRACT FOR THE SAFE ROUTES TO SCHOOL CYCLE 9 PROJECT

WHEREAS, on Tuesday November 27, 2012 bids were opened for Safe Routes to School on East side of Guam Avenue Upjohn Avenue to Bowman Road; North side of Las Flores Avenue Down Street to Sierra View Street; and south side of East Upjohn Avenue Appaloosa Street to Gateway Boulevard; and

WHEREAS, four bids were received and the results are as follows:

<u>Bidder</u>	<u>Bid</u>
South Hill	\$118,681.00
Solid Construction Inc	\$164,660.00
Cen-cal Construction	\$117,465.60
MJS Construction Inc	\$147,700.00

WHEREAS, these bids were reviewed by the engineering firm Willdan Engineering for a determination of the lowest responsible and responsive bidder; and

WHEREAS, the programmed amount of funding for construction on the project was \$67,333.00; and

WHEREAS, it was determined that the bids were too high for the project; and

WHEREAS, it is staff's recommendation that the City reject all bids and seek additional funding for the project; and

WHEREAS, when funding becomes available the City will go out to re-bid the project.

NOW THEREFORE, Be It Resolved that the City Council of the City of Ridgecrest hereby Adopts a Resolution Rejecting All Bids On A Construction Contract for the Safe Routes to School Cycle 9 Project

APPROVED AND ADOPTED this 19th day December 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Daniel O. Clark, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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

SUBJECT: A resolution to approve a summary street easement vacation and authorize the Mayor to execute this resolution and for the City Clerk to record the document.

PRESENTED BY:

Dennis Speer, Public Work Director

SUMMARY:

The City of Ridgecrest has received a request to vacate a portion of excess ingress and egress and road purposes easement. Chuck Rouland (Parcel 4, Parcel Map 1947) at 1100 W Ridgecrest Boulevard, made a formal request for the vacation of easement, paid the required fees and retained a professional Land Surveyor to prepare the legal description and exhibit. The excess easement would be vacated adjacent to Parcel 4, Parcel Map 1947.

Staff has consulted with legal counsel on the process. Staff has followed legal counsel's process for the summary vacation procedure for vacating excess easement. All utility companies and interested parties were solicited for comment. No utilities or utility easements occupy the excess easement. No public street improvements occupy the excess easement. Staff reviewed the attached legal description and exhibit and found them to be acceptable.

Staff determined that the easement is in excess, summary vacation procedures were satisfied, and documents are acceptable. Staff recommends that the easement be vacated.

FISCAL IMPACT: None

Reviewed by Finance Director

ACTION REQUESTED:

Adopt the resolution that approves the summary vacation of and authorizes the Mayor to execute this resolution and for the City Clerk to record the document.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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RESOLUTION NO. 12-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST
SUMMARILY VACATING AN EASEMENT**

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

1. Purpose and Scope.

This resolution is adopted for the purpose of summarily vacating the easement described below under the authority of Chapter 4 of Part 3 of Division 9 (commencing with Section 8330) of the Streets and Highways Code.

2. Description of Easement.

The easement which is vacated pursuant to this resolution, hereinafter "subject easement," is described on Exhibit "A", attached hereto and hereby incorporated by this reference.

3. Findings.

The City Council finds, determines and declares:

- (a) The subject easement is not required for City purposes and is excess to the City's needs;
- (b) The disposition of the subject easement is consistent with the general plan of the City; and
- (c) The disposition of the subject easement will not be accompanied by any significant adverse environmental impacts.

4. Vacation.

- (a) From and after the date this resolution is recorded, the subject easement no longer constitutes a right-of-way of the City.
- (b) The City Clerk shall cause a certified copy of this resolution attested by the City Clerk under seal to be recorded, without acknowledgment, in the office of the Kern County Recorder.
- (c) Upon recordation, the vacation is complete.

PASSED, APPROVED AND ADOPTED on 19th of December 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Daniel O. Clark, Mayor

ATTEST:

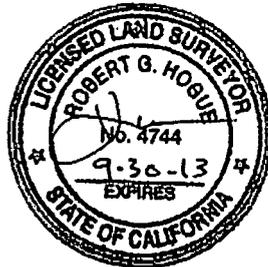
Rachel J. Ford, CMC
City Clerk

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EXHIBIT "A"
(TO BE VACATED)

ALL THAT PORTION OF THAT CERTAIN INGRESS, EGRESS AND ROAD PURPOSES EASEMENT AND IRREVOCABLE OFFER OF DEDICATION RECORDED JULY 12, 1974 IN BOOK 4850 AT PAGES 900 THROUGH 904 AND ALL THAT PORTION OF THAT CERTAIN PATENT AND SUBSEQUENT ROADWAY AND UTILITY RESERVATION RECORDED JULY 20, 1954 IN BOOK 2263 AT PAGE 378, BOTH OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF KERN, STATE OF CALIFORNIA, LYING WITHIN PARCEL 4 OF PARCEL MAP 1947 RECORDED APRIL 18, 1975 IN BOOK 13 OF PARCEL MAPS AT PAGE 101 IN THE OFFICE OF SAID RECORDER LYING WITHIN SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, T.26 S., R.40 E., M.D.M., WITHIN THE CITY OF RIDGECREST, COUNTY OF KERN, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 33.00 FEET OF SAID PARCEL 4, LYING NORTHERLY OF THE NORTHERLY RIGHT-OF-WAY LINE OF WEST RIDGECREST BOULEVARD AS PER THAT CERTAIN PUBLIC HIGHWAY EASEMENT RECORDED OCTOBER 28, 1958 IN BOOK 3027, PAGE 595 OF SAID OFFICIAL RECORDS, TOGETHER WITH A TRIANGULAR SHAPED PARCEL BOUNDED ON THE WEST BY THE EAST LINE OF THE WEST 33.00 FEET OF SAID PARCEL 4, BOUNDED ON THE SOUTH BY THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID PARCEL 4 AND BOUNDED ON THE NORTHEAST BY THE ARC OF A CIRCLE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 20.00 FEET AND TANGENT TO LAST NAMED EAST AND NORTH LINES.



3-27-12

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

SUBJECT:

Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of December 5, 2012

PRESENTED BY:

Rachel J. Ford, City Clerk

SUMMARY:

Draft minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of December 5, 2012

FISCAL IMPACT:

None

Reviewed by Finance Director:

ACTION REQUESTED:

Approve minutes

CITY MANAGER 'S RECOMMENDATION:

Action as requested: Approve Draft Minutes

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

Action Date: December 19, 2012

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**MINUTES OF THE SPECIAL MEETING OF THE
RIDGECREST CITY COUNCIL AND
RIDGECREST REDEVELOPMENT AGENCY AND**

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

**December 5, 2012
5:30 p.m.**

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

CALL TO ORDER at 5:30pm

ROLL CALL

Council Present: Mayor Ronald H. Carter; Vice-Mayor Jerry D. Taylor (via Teleconference); Council Member Chip Holloway; Council Members Steven P. Morgan and Jason Patin

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

APPROVAL OF AGENDA

Add:

GC54956.9 Conference With Legal Counsel – Potential Litigation – Public Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest.

Motion To Approve Agenda As Amended Made By Council Member Morgan, Second By Council Member Holloway, Motion Carried By Voice Vote Of 4 Ayes, 0 Nays, 1 Absent (Council Member Taylor), 0 Abstain.

PUBLIC COMMENT – CLOSED SESSION

- None presented

CLOSED SESSION – 5:30 p.m.

GC54957.6 Labor Negotiations – United Food and Commercial Workers Local 8 Golden State; Unrepresented Employee Groups Confidential; Mid-Management; and Management. Agency Negotiator Interim City Manager Dennis Speer

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

December 5, 2012

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GC54956.9 Conference With Legal Counsel – Potential Litigation – Public Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest.

REGULAR SESSION

- Invocation
- Pledge of Allegiance

CITY ATTORNEY REPORT

- ❖ Closed Session
 - Labor Negotiations – received report – no action taken
 - Undisclosed potential litigation – received report – no action taken

PUBLIC COMMENT

Barbara Auld

- Thanked outgoing council for their work these many years.

LEAVING OFFICE COUNCIL COMMENT

Jerry Taylor

- Appreciate opportunity, on travel with Navy. Congratulations to incoming elected official. Many challenges and wish all the best as they move forward. Wish exiting council the best as they retire. Will do best he can for this country and community.

Ron Carter

- Will miss staff, public has no idea how hard they work to meet the needs of the citizens. Doing more because of cuts but stayed and worked with citizen in positive manner. Wish all the best. Met many people and has been a great run. Appreciate colleagues from past. Worked with Mayor Auld and is great to see him in the audience. Appreciate this community, great community to live in. Have raised my sons, grandchildren and great grandchildren in this community. Appreciate new mayor and council, have every confidence in them. New people coming in are honest and positive. Enjoyed the campaigns and opportunity to get to know the new people. Have fun and run with it. Thanked colleagues, most important thing achieved are their friendship. Will be available to them to help whenever needed. Hope new members will become great friends. Hope council will continue to work together and encouraged community to come forward and help the council. Be positive, helpful, and supportive to all elected officials.

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

December 5, 2012

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Steve Morgan

- To incoming and remaining council, parting gifts of guidebook and bookmark from the Regan library. Presented wife and daughter with flowers for her many years of support. Cannot do the duties of council without the support of family because you are taking a large portion of time from them. If truly dedicated to the cause you will miss birthdays and holidays. Nicole (daughter) only knows her father as "Councilman Morgan". Presented daughter with a necklace given to him by first city clerk Pam Bartlett. Presented flowers to his wife whom he referred to as his 'Rock'. Related a story of a Christmas card received from his family, which said 'whatever you decide we'll support you.' Dorene has seen, more than anyone else, the heartaches and pain he has endured. Most of the time he let a lot of the pain go, but was never thought of in a poor light by wife Dorene. Dozen roses presented to Dorene. To the community, in 1996 Steven Morgan received 2593 votes and became council member for first time. Related the votes for successive years. Takes great pride in the accomplishment of pleasing 50.1% of the people, not going to be able to please 100%. Have given everything I could to the community for 16 years. To John McQuiston whom I have known for many years, at his retirement last week it dawned on me that not only do we share a common goal for this community, but share a common background and can listen to individuals and know if they were really dedicated or just mouth pieces. That distinction is hard to come by. Listed several community members that he has worked with closely who were dedicated to putting in hard work. Couple of terms as Mayor dealing with the trash issue and the California east kern clean air basin, which has saved us great sums of money. Battling with individuals on the west side of the Sierra Mountains that each individual council member has done is so important to the community. List of successes goes widely unnoticed. Spoke about the EDA grant and their trip to Washington D.C. for the business park, which is a success every year moving forward. Spoke on trash and measure 'L', mentioned Measure 'Q'. Incoming council has a great cushion to work with from additional funds and other issues resolved. New council needs your (community) support. Work with them. Listed past council members who are honorable and hard working individuals, thanked them for their efforts. To the staff, God love you. Even during the most difficult times, we continued to work as a team. It was difficult in times of furloughs and letting some individuals go, but staff continued to work well with me and never felt that staff did not trust the efforts being made. Level of trust and cannot thank staff enough. Meant a lot that you were able to have those conversations with me. In closing for those on incoming council, interesting book by Mary O'Hara Devereau called navigating the badlands. Changes in technology and economics and recommend council get the book. Spoke on readiness and read excerpt from the book. Read some thoughts to ponder and live by. God Bless everyone from staff to Council and community.

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

December 5, 2012

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CITY CLERK

1. **Approve A Resolution Receiving The Report Certifying The Results Of The General Municipal Election Of November 6, 2012** Ford

Motion To Approve A Resolution Receiving The Report Certifying The Results Of The General Municipal Election Of November 6, 2012 Made By Council Member Holloway, Second By Council Member Morgan. Motion Carried By Roll Call Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.

2. **Installation Of Mayor Elect And Council Members Elect; And Nomination And Selection Of Mayor Pro-Tempore And Vice Mayor For Two-Year Terms To Expire December 2014** Ford

- City Clerk Rachel J. Ford administered the Oath of Office to newly elected officials.

Nomination for Mayor Pro Tempore

- Chip Holloway nominated Jason Patin and James Sanders seconded the nomination.
- Chip Holloway moved for nominations to be closed, second by James Sanders

Motion To Approve Council Member Jason Patin For Position Of Mayor Pro-Tempore Made By Council Member Holloway, Second By Council Member Sanders. Motion Carried By Roll Call Vote Of 4 Ayes, 0 Noes, 1 Abstain (Council Member Patin), 0 Absent

Nomination for vice mayor

- Jason Patin nominated Chip Holloway and James sanders seconded the nomination.
- Jason Patin called for nominations to be closed, second by Dan Clark.

Motion To Approve Council Member Marshall 'Chip' Holloway For Position Of Vice Mayor Made By Council Member Patin, Second By Council Member Clark. Motion Carried By Roll Call Vote Of 4 Ayes, 0 Noes, 1 Abstain (Council Member Holloway), 0 Absent

PRESENTATIONS

3. **Presentations To Elected Officials Who Are Leaving Office In 2012** Ford

- Rachel Ford presented leaving officials with plaques from city employees

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- Romeo Agbalog of Senator Jean Fuller's office and on behalf of Senator Kevin McCarthy's office presented leaving officials with flags flown over the state and national capital buildings.

4. **Merit Award Presented to Ridgecrest Police Sergeant Justin Dampier for Exceptional Service** Strand

Chief Ron Strand and Council presented a meritorious Service award to Sergeant Justin Dampier.

5. **Presentation Of The Kern Council of Governments Energy Action Plan** Speer

Dennis Speer

- Gave staff report

Linda Urata & Jeff Caton

- Presented PowerPoint to Council and public. *(Copy Available In The City Clerk's Office)*

Lori Acton

- Asked if inventory was the same as an audit.
 - Same procedure but not third party audited

James Sanders

- Requested clarification of the 2020 projections.

PUBLIC COMMENTS

Tom Wiknich

- Asked if usage went down from 2010 to current and asked for clarification of carbon footprint going up while usage has decreased. Asked representatives to watch and make sure the numbers used are accurate.

CONSENT CALENDAR

7. **Approve A Resolution To Award A Construction Contract For The Safe Routes To School Cycle 8 Project To Cen-Cal And Authorize The Interim City Manager, Dennis Speer, To Execute The Contract** Speer

8. **Approve A Resolution To Approve The Agreement With The Engineering Firm Of Willdan To Provide Construction Management For The City Of Ridgecrest On The Safe Routes To School Cycle 8 Project** Speer

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- 9. Approve A Resolution To Approve The Agreement With The Engineering Firm Of Willdan Engineering To Provide Construction Management For The City Of Ridgecrest On The Safe Routes To School Cycle 9 Project — Speer**
- 10. Approve A Resolution To Award A Contract For A Professional Services Agreement With LSA & Associates, An Environmental Firm, For An Environmental Reevaluation Of The West Ridgecrest Boulevard Project From Mahan Street To China Lake Boulevard And Authorize The Interim City Manager To Enter Into A Professional Services Agreement Speer**
- 11. Accept And File A Non-Housing Due Diligence Report Prepared By Pun And McGeady LLP Parsons**
- 12. Approve Draft Minutes of Council Meeting Date October 3, 2012 Ford**

ITEMS REMOVED:

- Item 9 eliminated
- Item 10 pulled for discussion

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

Item 10 discussion:

Jason Patin

- Asked what changed and why doing this again
 - Requirements are the report must be within 3 years so need to reevaluate the report.
 - Program construction dollars has changed over the past 3 years. Looking at 8.5 million dollars. Original funding was not given to us in the program year but now have the assurance of KernCOG that the funds will be delivered in the 2013-14 year.

Chip Holloway

- Been successful in the past but this funding was originally given to those cities that had projects on the shelf that were shovel ready. We are now higher on the list. Calculated risk but without the update we will not receive the funds or authorization to construct.

James Sanders

- Asked for clarification of scope of the review.

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Lori Acton

- Will this be a mitigated negative declaration and because we have already done the report, it would behoove us to finish with the same firm.

Dave Matthews

- This is the third or maybe the fourth time to do this. Would behoove us to put pressure on the State to try and change these requirements. Asked if this funding going into construction of Ridgecrest blvd.
 - The funds encumbered will come from TAB funds.
 - There is a strong desire to do CEQUA reform, which will improve this process.

Motion To Approve Item 10 Made By Council Member Patin, Second By Council Member Sanders. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.

DISCUSSION AND OTHER ACTION ITEMS

13. A Public Hearing And Adopt A Resolution Approving The Fiscal Year 2013-14 Annual Action Plan Which Amends The Community Development Block Grant (CDBG) 5 Year Consolidated Plan (Fy10-15) Regarding The Kern County Community Development Block Grant Program Speer

Dennis Speer

- Gave staff report

PUBLIC HEARING

Dennis Young

- Understood they applied for transportation, was not notified that this was inappropriate. Asking Council to not take the \$75k and allow club to expand the building and improve horseshoe pits and basketball backboards. Great need in the community. Ask not to approve as submitted but consider alternatives for boys and girls club in the community.

Ashley Young

- Gave scenario of youth being left alone at home and what the boys and girls club offers to the youth highlighting professional staff, hours of operation, low cost dues, and programs and their focus. Listed notable citizens who belonged to boys and girls club. Gave percentages of club benefits.

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Sawyer Chrisman

- Spoke on what happens at the club including sports, discussions, homework, and community involvement. Indicated improvements members would like to make to equipment and new member drives.

Dennis Young

- Spoke more on what happens in the club, giving youth a place to belong and encouraging them to give back to the community. Just found out about this today and apologized to council for not being better prepared. Spoke on combined social activities and invited community to come observe and participate. Announced function on December 14 and again asked council to

Dana Allaway

- Board Members are asking why they were not given a chance to present to council and stated these funds are necessary to bring the club to a higher level. Asked why the board was not given the chance to clarify their need.

Dave Matthews

- Not here to weigh the worth of the boys and girls club but did relay growing up in the depression and being left at home alone yet learned how to give back to the community. Understands these are different times so not questioning the need for the club. Will question the expansion of the horseshoe pits, which do not belong to the club but to the senior center. Feels the senior center is being pushed out so asked for definition of what belongs to the club and what belongs to the seniors.

Trish Miller

- Confirmed that the club does not want the senior center but has a good relationship between the seniors and the club. Looking to improve a city building that is leased to the club. Does not consider the city as a source of income. Asking for the opportunity to receive funds to improve a city facility and willing to collaborate with the city on the use of the grant funds.

Mike Neel

- Spoke on the proper role of government. How does your role as a legislature relate to the oath you took this evening? Government is not a babysitting service to the community and this service should be provided by the parents. Many times parents opt out of their role as parents and questioned if this was helping the parents slough off their responsibility. Asked what the best use of the funds would be and reminded that government should be limited to providing utilities and infrastructure along with legislation rather than stepping across the line of funding special interest groups. If parents want their children to be taken care of in this manner then perhaps they should be funding the effort.

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Drew Heinlein

- Knows Mr. Neel who is a wonderful person and understands Mr. Neel's statements. Requested public be provided documentation for this grant. Is not personally decided on the issue when looking at the role of government however is an employee at the club and prior to becoming an employee thought it was just a babysitter service. Experience now has changed the opinion. Support youth are getting at home and school is not at the level they need and thru the club have seen improvements. Agree with Mr. Neel but also torn between the club and understands their view. Asked council to supply more information including minutes or transcripts where this was discussed.

PUBLIC HEARING CLOSED

Dan Clark

- Spoke with Mr. Poteet and the eligibility criteria were outlined. Six categories allowed and the funds are funneled thru the county. Rejected in because the county did not deem that the request did not fall under one of those six categories. Next requests must fall within those categories.

Lori Acton

- Informed public that the club was self-supportive, not the government. We the City asked the club to submit for CDBG funds and several times, they have been rejected. The \$75k on the table for them, they are willing to meet the guidelines and rehab the building. Discussed the role of government and comparison to crime prevention. Would like the original \$75k to be given to the club if they bring a qualifying project forward. Mentioned pocket park, ADA compliance, and street lights. Suggested original \$75k goes to the club and the remaining balance to the ADA.

Dan Clark

- Communication line was broken with the elimination of RDA and City will work on reestablishing the communication.
- Outlined the areas allowed for CDBG grants.

Jim Sanders

- Asked for clarification of how the funds were supposed to be used.
 - Transportation and computers but the application was rejected.
- Asked about the Pocket Park
 - Metcalf West original project plan but the project did not develop because of the elimination of the redevelopment agency.
- Appreciate comments from boys and girls club members and hope they continue to thrive. With that being said during these tough budget times, have a problem committing \$75k to the club when there are other areas that the City is behind on with infrastructure. Asked for clarification of application process.

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- One application, which identifies many projects.
- Would like to look at other infrastructure projects for the funds.

Jason Patin

- Asked if there was a time issue preventing bringing this item back.
 - Application is supposed to be submitted by Friday and Mr. Poteet has agreed to extend a few days to reapply. Council can direct staff how to expend funds and staff would need a detailed project description and cost estimate to accompany the application. If the information could be given to the secretary in a timeframe acceptable to Mr. Poteet, we could submit an amended application.
- If funds were coming from the general fund, I would agree with Mr. Sanders but this is a community development grant and if the club can provide a proposal to improve our facility then would like to see the funds committed to that project. The club is not a babysitter but a self-sustaining organization that is leasing our building and if we can provide a better facility for them then I do not have an issue with this.
- Would like to understand how big the issue of ADA compliance is and how urgent these projects are. What is the impact of taking this amount of funding from the ADA compliance?
 - Project had to have at least one phase that was ready to construct, we have had an ADA plan for several years and each year we tell them we are moving forward but one day they will ask to audit our plan.
- Jason recommends moving forward with staff recommendation with commitment from council that we consider any plan the club brings forward.

Jim Sanders

- Has no problem with the funding if it is to improve a public facility.

Lori Acton

- Asked if Measure 'L' funds could be used for ADA compliance.
 - These funds are to be used to replace non-compliance handicap ramps.

Chip Holloway

- See the nexus with Measure 'L' but do not believe it would pass the criteria promised for Measure 'L'. this is an amended 5 year plan, which has been amended repeatedly. There is nothing that says we cannot move forward with the plan as proposed, and then submit an amended plan again.
 - Would need to wait another year and these funds were promised 3 years ago.
- Have already spent \$100k on the facility. Argument of limited government is a good argument. Thanks to the state, we are going to inherit more criminals that are being released. Number one goal of government is public safety and this is an exorbitant cost to the city. a few years back I thought teen court was a waste of government funds but in this year, alone we have had 78 youth turned around. In favor of allocating funds to support this organization and improve the facility,

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however there is a concern with both the senior building and the club's building. May need a special council meeting or give council direction to the city manager to get us by until the 19th meeting. Understand the time constraints and not convinced that the deadlines are real.

Dan Clark

- Bob Poteet stated that when the application is submitted with general outlines rather than specifics, he would accept it. Shared different approach as a senior and the dire needs of the senior center. Strongly suggest we look at the capital improvement plan for the senior center including paving, sidewalks, painting, roofing, tile, etc. suggest we look at that as a project. Additionally would like to allocate \$5k funding for the medians. Suggest \$95k to club to improve their facility. Measure 'L' can cover concerns with ADA compliance. Have been blessed with TAB allocation funding and Measure 'L' for infrastructure and need to look at community for a balance.

Lori Acton

- Likes the suggestion. Measure 'L' should be able to cover ADA. \$95k for boys and girls club; \$5k for medians, and balance to Senior Center.

Jim Sanders

- Asked for detailed plan for the \$95k proposed for the Boys and Girls Club. As long as the funds are going to the public building then in agreement.

Jason Patin

- Has a concern that none of staff suggestions are being considered. Will this put us in a bad position for ADA compliance?
 - Measure 'L' funding is there to do street work and ADA compliance qualifies for those funds.

Chip Holloway

- Asked Mr. McRea about administrative costs for each cut of the funds. Revenues were eaten up in administrative costs in the past.

Lori Acton

- One cut of 10% regardless of how we split it up in the projects. Amended plan would rehab 2 city buildings and improve medians. Using Measure 'L' for ADA compliance is a proper use of funds.

Jason Patin

- No problem with proposal if the CDBG funds are used to improve a city facility but not supportive of using Measure 'L' funding for ADA compliance. Suggest using other grants or funding mechanisms for ADA Compliance.

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Lori Acton

- Feels that is a good idea. Use CDBG for community development and seek out other funding sources for ADA compliance.

Chip Holloway

- Bad public policy to make these decisions without vetting it. Support the concept but without more in-depth information cannot support it. Think we can buy 2 weeks to vet this issue.

Dennis Speer

- Support the recommendation of submit the general categories application and then detail the specifics in the next few weeks. Can submit with categories with estimates.

Jason Patin

- Without the ability to move funding around within the categories then not in, favor of the proposal. If we give someone a budget of \$200k then they will spend it whether they needed it or not. Feels it is irresponsible to submit without firm numbers.

Dan Clark

- Explained where the numbers came from for the ballpark figures. Challenge tonight is to get something submitted by Friday.

Lori Acton

- Council agreed the original funding should go to the Boys & Girls Club for the City facility. The figures are in the capital improvement plan from 2011 for the senior center facility. While the decision is quick, it is still moving in the right direction for community development.

Motion to amend and approve \$95k to club, \$200k to senior center, and \$5k for the arts council Ridge project

Motion pulled and item adjourned to December 6 at 4pm.

14. Budget Status Presentation

Speer

Dennis Speer

- Gave PowerPoint presentation to council. (copy available in the Clerk's office)

Lori Acton

- Have to have a reserve and a combination of cuts and using some funding while leaving a reserve is preferable. Prefer scenario 1

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Chip Holloway

- Agrees with Council Member Acton. Hate making these decisions at this time of year because it usually means cutting people. Support Mr. Speer coming back with a plan that follows scenario 1.

Jason Patin

- Support scenario 1 also and need to make the tough decisions now to ensure a better future for the City. may not agree with the plan on how we are going to get there but we all agree we need to do it now and not count on one time funding. Need to get the budget in line.

Jim Sanders

- Agree we need to have a reserve so scenario 1 is preferable.

Lori Acton

- Not fair to staff when jobs are threatened and constantly waiting for the other shoe to fall. We have to have a reserve and bring the budget in line.

Dan Clark

- Concur with the need for a reserve. As scenario 1 has been presented, do you want to amend it or alter it?

Lori Acton

- Ok with scenario 1 as presented.

Jason Patin

- So long as the cuts are presented to us before being made.

Chip Holloway

- Navy travel is being cut so may need to review the TOT revenues, may not be an accurate number.

Andy Anderson

- City cannot continue to operate with a zero general fund reserve. Problem foreseen is that general fund needs to be brought to a level where we can operate for at least a year without state funding. Federal government will cut the free monies and the state will look to local governments to make cuts. Need to reevaluate services and make cuts within every department and extraneous services that city currently support. Need to do it now and cannot have staff sitting around waiting for the other shoe to fall.
- Measure 'L' funds were promised for streets, police and safety. Cautioned using it for sludge fund and asked council to leave it alone except for streets and public safety.

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Jerry Taylor

- Questioned the 1.2 million shortfalls per year given the loss in revenues.
 - Assuming kern county settlement for RDA is used against expenditures and revenues we would still have 1.2 million shortfalls for next year.
- Wastewater loan is short term and the \$575k reserve is is not really a reserve but a loan from wastewater fund. Has to be paid back.

Barbara Auld

- Measure 'L' talk makes me nervous. Money should go for streets and public safety.

Mike Neel

- Thanked Mr. Taylor for reminder on the wastewater loan. \$575k needs to go back to the wastewater fund where it was loan from. Keep the money where it belongs to prevent people being ripped off and having to pay higher property taxes.
 - Wastewater fund has not been increased on assessments for property tax in 20 years.

Howard Auld

- Cannot keep cutting people or will not have staff left. Have to go where the money is and need to get Kevin McCarthy on our side. Give him a plan with substance. Become pro-active, not re-active. Leave wastewater alone and go where the money is.

Doug Lueck

- Correct that approximately 30% reduction will happen with travel cuts from the Navy. Spoke on the new tourism district, which will promote the community and will do everything possible to keep travelers and revenues coming to this community.

Chip Holloway

- Initial loan from wastewater was paid back. this \$575k is a different loan that was taken to backstop bills the community refused to pay.

Motion To Support Scenario1 As Made By Council Member Patin, Second By Council Member Holloway. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent

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15. Approve A Resolution Of The Ridgecrest City Council Approving Budget Amendment #2013-02 Increasing Appropriations And Estimated Revenues In The Annual Budget **Speer**

Dennis Speer

- Gave staff report

Chip Holloway

- Asked if recommendations would be reviewed by council. moved to approve.

Jason patin

- Asked if the scenarios would be carried on in future years.

Lori Acton

- Senior center requires \$35k. do we receive monies for maintenance from the county? Is this our portion of the maintenance?
 - Yes.

PUBLIC COMMENT

Mike Neel

- Questioned Item 3 \$85k for lobbyist passed pre measure 'L' and others now being told have to be cut.
- Questioned item 4, decrease in salary planned but is now added back in with ISF fund.
- Commented on salary cuts
- In future, need to cut expenditures.
- Commented on Item 5

Dan Clark

- Went on record stating that inconsistencies with city manager and finance director can result in items being omitted.

Andy Anderson

- Questioned where the funds would be coming from and can these be reconsidered and changed.
 - This is going to come back to council for review and cuts to be approved.

CLOSED PUBLIC COMMENT

Motion To Approve Resolution Authorizing Budget Amendment Made By Council Member Holloway, Second By Council Member Acton. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.

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ADJOURNMENT to December 6, 2012 at 4:00 p.m.

RECONVENED Meeting On December 6, 2012 At 4:00 p.m.

Roll Call:

Council Present: Mayor Clark; Council Members Acton, Sanders, Holloway, and Patin Were Present

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

- 13. (Continued) A Public Hearing And Adopt A Resolution Approving The Fiscal Year 2013-14 Annual Action Plan Which Amends The Community Development Block Grant (CDBG) 5 Year Consolidated Plan (Fy10-15) Regarding The Kern County Community Development Block Grant Program**
Speer

CONTINUED DISCUSSION

Dennis Speer

- Deadline for submission of the application has been extended to January 16, 2013.

Dan Clark

- Spoke on procedures for public comment allowing an additional public comment time. All council in favor of additional public comment. Jason patin reminded the item would be opened again in January for further discussion.

PUBLIC COMMENT

Phil Salvatore

- Dismayed at an effort to use Measure 'L' for non street repair items. Mentioned the Mr. Taylor had been working with county to take on the full funding of the senior center. Feels like a betrayal of everything public tried to do regarding Measure 'L'
 - For verification, a statement was made that Measure 'L' monies could be a nexus for handicap access, not a decision of the council and was only a point of discussion.

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Lori Acton

- Was using the statement as a clarification point, not a commitment of fund. Was not intended to be considered a commitment. Only working with CDBG funds.

Tom Wiknich

- Transparency is communication with the public. The only way the public knows what council is doing is by the agenda. This particular issue is CDBG money. Most people did not pay attention until a new proposal was covered last night without giving people the opportunity to think about it and look into it and give input. Last night when new proposal was put forth, it looked like it would move quickly when public could not have input. Need to have transparency and need to remember to put it out to the public. Mentioned the process and then going in a new direction without giving public the opportunity to speak on the new proposal.
 - Dan Clark – assured this would not be standard operation but was time sensitive and all members were shocked by the time constraints.
- Believe what staff recommended was decent. There is a backlog of projects for streets including \$1 million for ADA compliance and this \$300k could move toward that compliance. Cannot go backwards on ADA compliance, should be a number one priority. Persons in wheelchair with no access from the bike paths to sidewalks and having to go back several homes on rough road to get back onto the sidewalk. Preference is to keep emphasis on ADA compliance.

Andy Anderson

- Spoke on item 13 presentation on the city budget. Referred to past budget discussions. Request council postpone approval of budget amendment until next council to give new council and public time to read the material. Spoke on Item 14 budget transfers. Cutting potential general fund reserve just to get to the end of fiscal year. City has not lived within its means for many years. Had reserve in 2006 of over \$2 million dollars. Referenced graph from 2007 to 2016 and the current trend. Reviewed various totals from reference material. Asked what will happen next year. Should not continue to live beyond our means.

Scott Garver

- Measure 'L' committee was to have individual expenditure code with quarterly reports on the revenues and expenditures. Spoke on deliberations of utilizing measure 'L' items being used to backfill items that would show on these reports. Spoke on the literature used when Measure 'L' was approved which included public safety. Voters did not vote for nuance, only for moneys to go into certain columns. Public is now paying these funds and expect them to be used in the manner promised. In 5 years will have to vote on the funds again and if public sees the usage could affect their vote. People are entitled to reflection on how this will appear and whether it is done in a legitimate way and council should consider this when deliberating the use of the funds.

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Chip Holloway

- Spoke on the 'Network of Useless Information'. Many times public gets to witness council in real time making discussions on the fly and statements made end up in the 'Network of Useless Information'. Does not mean the information is accurate. That discussion never went to the point of a motion. The item would have had to come back to the public.

Dan Clark

- Comment for the purpose of clarity. 45 minutes prior to next Measure 'L' meeting staff and Mayor will sit down with committee to discuss collaborative working process. (add to agenda for measure 'L' meeting)

Dennis Young

- Spoke on CDBG funding source and purposes. Community Development funding is the only source that non-profit organizations like the boys and girls club can come to the City and request funds that do not impact the general fund but improve the community. In spirit, block grant money is annual requests that help with exercise mats, lighting, and playground equipment. Qualifications are getting tighter and transportation was not allowed. the CDBG funds are designed to do exactly what the club is asking of the city.

Jim Rachels

- Comments of the 'Network of Useless Information' inspires statements on the CDBG funding. While most of the things prior councils have done are technically correct, does not necessarily make them right. Was an opponent of Measure 'L' because was convinced it would be diverted away from roads and cops? Was disappointed when Mr. Taylor feigned surprise when the budget swiped away a large portion of funding right away. Public is frustrated with council taking money away from roads and cops. Here to express disappointment in continuation of what appears to be deception. Do not doubt that council could justify that funds are used appropriately, but have not convinced public. Every time money is diverted to something other than roads and cops then the network of useless information is lit on fire. The appearance of inappropriate action is there. Council's job is to manage the political appearance and disappointed that council has systematically eroded their viability.

Barbara Auld

- Is the measure 'I' in a separate account in finance so when it is spent it shows? How is the bookkeeping done on Measure 'L'?

Dan Clark

- If no one else wants to speak about community development block grant then public comment will be closed.

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Mike Neel

- Read portion of the community development block grant staff report. spoke on this recommendation being within the scope of the grant because it affected all homes in the community. All people will benefit from the staff's recommendation that staff studied and worked to put together. Staff is paid to do this work.

Jim Rachels

- Choice of using the money on a legal requirement and not using for ADA compliance that could cost the city in future fines. Asked council to consider moving the senior center to county control.

CLOSED PUBLIC COMMENT

Dan Clark

- Asked council pleasure since not under the gun to develop a different plan.

Chip Holloway

- County staff recommends working with our staff to analyze the ramifications of what we are trying to pursue. Misconception this pot of money may not be as big as originally thought due to federal strings being attached. Actual outcome may not be as great as originally thought. Would like to see the net return after RFP's and EPA Impact reports and other federal requirements. Staff recommendation may make more sense once the information is seen.

Jim Sanders

- Makes sense to take time and do it right. Good perspective from council member Holloway may not get as much out of it. Would be better to take back and get information then bring back to council.

Lori Acton

- Asked Mr. Speer if staff was aware of boys and girls club interest in a different project when putting this proposal together.
 - Kern County staff placed the money after the pocket park was denied.
- County does not want and cannot afford the senior center so that discussion is not open. While county did not pay a maintenance fund, but \$44k was set aside for maintenance fund and need to research this item.
 - At this time, maintenance is not included in the parameters of the grant.
- Would like to know what our return is on these funds. Asked if there were alternatives for ADA compliance.
 - TD Article 3 funds but competing with ourselves. We could make applications for handicap ramps at the expense of additional bicycle lanes.

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Jim Sanders

- Asked about plan for ADA compliance and if it would aid in getting other grants in future.
 - We are required to have and perform an ADA transition plan. We submit annual reports of progress. State appears to be moving toward wanting to see our document and if we are not in compliance, they can stop our funding.

Lori Acton

- Asked about qualification for burdensome requests.
 - As long as we are progressing then not penalized.

Jason Patin

- Proper way to proceed at this time is to let county and city staff to work together to develop plan numbers and bring back for public input.

Dan Clark

- City has spent years working on capital improvement plan. If you going to say the staff recommendation are more important, then I can respect that statement, but feel we have worked for several years to develop senior center proposal and willing to put a proposal from boys and girls club on the agenda as well. Feel the same about the arts council project. Feel the capital improvement plan has been revised to the point of being as accurate as possible. Support comments received but think council needs to make a decision. Excited about opportunity of doing something for the seniors.

COMMITTEE REPORTS

City Organization

Members: To Be Appointed December 19, 2012

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

Next Meeting: December 18, 2012

- None

Community Development Committee

Members: To Be Appointed December 19, 2012

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

Next Meeting: December 6, 2012

- None

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Infrastructure Committee

Members: To Be Appointed December 19, 2012

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

Next Meeting: December 12, 2012

- None

Quality Of Life

Members: To Be Appointed December 19, 2012

Meeting: 2nd Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center

Next Meeting: February 14, 2013 (Dark in June, July, December, and January)

- None

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

Members: To Be Appointed December 19, 2012

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

Next Meeting: January 14, 2013

- None

Veterans Advisory Committee

Members: To Be Appointed December 19, 2012

Meetings: To Be Announced

Next Meeting: To Be Announced

- None

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: To Be Appointed December 19, 2012

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

Next Meeting: at location to be announced

Chip Holloway

- Reviewed the RACVB directors report (*Copy Available In The City Clerk's Office*)

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- None

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

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CITY MANAGER REPORT

Dennis Speer

- Finance director recruitment – 5 qualified applicants and will begin interviews next week.
 - Council directed city manager to move forward with interview process.
- Executive search forms responding to the RFP for city manager – listed responders who are interested in conducting the recruitment for a new city manager. Asking for direction from council for proceeding on recruitment.
 - Council agreed to proceed with in-house recruitment and not expend the funds for an outside recruitment firm

MAYOR AND COUNCIL COMMENTS

Chip Holloway

- Last night was supposed to be a ceremonial meeting. Will personally miss Mr. Carter, Morgan, and Taylor who represented more than 50 years of experience. There will be times when we will want that experience and corporate knowledge back. after 7 first council meetings, this is the first one with such a volatile issue and I commend new council members for the way they handled the situations. Right now, the people love you and as time goes on less people like you. Quoted statement from friend who was former council member. If we as council can have a professional discussion and disagree with each other without disrespecting each other and leave as friends, then we will be successful. Looking forward to the new team. Wish everyone happy holidays.

Jason Patin

- Welcome to new council members and Mayor. Excited and optimistic of the direction we are headed. From last night's passionate discussion, we should take away that everyone cares. Passion never changes, those who left have the same passion as the day they were sworn into office. Steve Morgan and Mr. Carter helped me tremendously and we are here to help each other. Spoke on a trip with Steve Morgan and Chip Holloway to Sacramento and the relationships they have developed over the years and how they are respected. One comment about public comment, council always want public comment but tonight we were on a specific topic and it is respectful to focus on that topic. When the time comes to discuss Measure 'L' then I want 100% of the people to participate, same as this topic. Be respectful of the people who are here to speak on a particular topic.

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

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James Sanders

- Agree it has been a fun 24 hours. Tremendous honor to serve the city and grateful for the opportunity. Look forward to working with fellow council and the public. Encouraged public to bring concerns or comments to him. All members have the best of intentions, will make mistakes but asked public to be patient. Look forward to direction council will go and expect great improvements.

Lori Acton

- Interesting first 24 hours. Clarified that measure '1' funding was not on the table but only used as an illustrative purpose. Thank you to those who voted to give the opportunity to serve the public.

Dan Clark

- Humbled and honored to be elected as the first elected Mayor. Goals for the future include November 2013 50th anniversary of City of Ridgecrest incorporation. Invite entire public to get involved in the celebration organization and participation, including members of the base as they are a big part of the community. Ran my election on truth and transparency and will not Welch on that. Public will be kept in the loop on decisions of spending money. Asked public to give new council members the chance. This council has not done anything to lose your trust, give them a chance. We are here to serve you. I am not a confrontational person and will treat you with respect and ask the same of the public. Door is always open. Have a relationship with Council that is positive, and let us move forward.

ADJOURNMENT on December 6, 2012 at 5:21 p.m.

Rachel J. Ford, CMC
City Clerk

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CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM/FINANCING AUTHORITY

SUBJECT:

Mayor Clark, with concurrence of the Council, will appoint members to the Planning Commission and Council Committees

PRESENTED BY:

Rachel J. Ford – City Clerk

SUMMARY:

On November 6, 2012 a general municipal election was held and City of Ridgecrest where one Mayor and two Council Members were elected. The results were certified and declared at the regular council meeting of December 5, 2012.

Pursuant to Municipal Code § 2-3.101-109 The Mayor is required to seat a new planning commission no later than December 31 following the election. In addition, there are standing council committees that require appointments, these are:

- City Organization Committee
- Infrastructure Committee
- Community and Economic Development Committee
- Quality of Life Committee
- Personnel Commission
- Kern Council of Governments
- Activate Community Talents and Interventions For Optimal Neighborhoods Task Force (ACTION)

FISCAL IMPACT:

No fiscal impact.

Reviewed by Finance Director

ACTION REQUESTED:

Appoint members to Planning Commission and standing council committees

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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

Action Date: December 19, 2012

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Article 3. - Agencies, Commissions, Boards and Committees

[2-3.101. - General.](#)

[2-3.102. - Redevelopment Agency.](#)

[2-3.103. - Planning Commission.](#)

[2-3.104. - Personnel Commission.](#)

[2-3.105. - Construction Appeals Board.](#)

[2-3.106. - Handicap Access Appeals Board.](#)

[2-3.107. - Council Committees.](#)

[2-3.108. - Additional Council Appointments.](#)

[2-3.109. - Disaster Council.](#)

2-3.101. - General.

- (a) This Article sets forth provisions which are common to all agencies, commissions, boards and committees.
- (b) Commissions and boards shall consist of five (5) members who shall be registered voters within the City and who shall be appointed on the basis of their qualifications for their duties. Each member of the Council shall nominate one (1) Commissioner or board member. The Council shall confirm or reject the nomination.
- (c) Commission and board members shall serve for two-year terms which expire on the last day of November of even-numbered years. Each Councilmember shall nominate a commissioner who shall be confirmed by a majority of the City Council. Should a vacancy occur, either by resignation or by Council action, the vacancy shall be filled by a nomination from the Councilmember whose Commissioner position is vacant and confirmed by a majority of the City Council. Commissioners may be removed at any time, without cause, by a four-fifths (4/5) vote of the Council.
- (d) The City Administrator shall appoint a secretary for each commission who shall maintain the records of the commission and the minutes of the meetings. The secretary shall receive such compensation as may be fixed from time to time by the Council by resolution.
- (e) At its first meeting in the month of December of each even-numbered year, each commission shall elect one (1) of its members as chair and one (1) of its members as vice-chair. If the chair is absent or unable to act, the vice-chair shall conduct the meeting of the commission and exercise the powers of the chair.
- (f) Each commission shall provide for the time and place of its regular meetings.
- (g) Each commission shall act only by resolution or motion. A majority of the Commissioners shall constitute a quorum for the transaction of the Commission's business; however, no motion or resolution shall be passed and become effective without the affirmative vote of at least a majority of the Commissioners.
- (h) Each commission shall keep written records of its proceedings which shall be open at all times for public inspection. Each commission shall also file its recommendations with the Council.
- (i) The Council shall approve the budget for the work of each commission.
- (j) Upon request by the Commission, the City Administrator shall furnish to each commission within a reasonable time, such information as may be required for the work of the Commission. Each commission shall cooperate with commissions of other agencies charged with similar responsibilities in the formulation of its plans and recommendations to the Council.
- (k) On or before December 31 of each year, the Council shall prepare an appointments list of all regular and ongoing boards, commissions and committees which are appointed by the Council. The list shall identify all appointed terms which will expire during the next calendar year with the name of the incumbent, the date of the appointment, the date the term expires and the necessary qualifications for the position. The list shall also include all boards, commissions and committees whose members serve at the will of the Council.
- (l) Whenever an unscheduled vacancy occurs in any board, commission or committee for which the Council has the appointing power, whether due to resignation, death, termination or other causes, a special vacancy notice shall be posted in the office of the City Clerk not earlier than twenty (20) days before nor later than twenty (20) days after the vacancy occurs. Final appointment to the Board, Commission, or Committee shall not be made by the Council for at least ten (10) working days

after the posting of the notice unless the Council finds that an emergency exists. A person appointed to fill a vacancy in an emergency shall serve only on an acting basis until the final appointment is made pursuant to this section.

(Ord. No. 96-03)

2-3.102. - Redevelopment Agency.

The Redevelopment Agency of the City of Ridgecrest is hereby established. The Council shall act as the governing body of the Redevelopment Agency as defined in the Health and Safety Code section 33200.

(Ord. No. 96-03)

2-3.103. - Planning Commission.

- (a) Pursuant to the provisions of Chapter 3 of Title 7 (commencing with Section 65100) of the Government Code, there is hereby established a planning agency for the City. The planning agency shall be the Planning Commission composed and organized as set forth in this Article.
- (b) Planning Commission Salary. Commissioners shall receive monthly compensation in an amount established by resolution of the City Council. Commissioners may also receive traveling and other expenses incurred on City planning business.
- (c) The Planning Commission shall:
 - (1) Develop and maintain a general plan, zoning and subdivision ordinances;
 - (2) Develop such specific plans as may be necessary or desirable;
 - (3) Periodically review the capital improvement program of the City;
 - (4) Prepare, review and recommend to the Council plans and drafts of such regulations, programs and legislation as may, in its judgment, be required for the systematic execution of the general plan;
 - (5) Act as the agency for the Council in connection with Subdivision Map Act;
 - (6) Investigate and recommend plans to the Council for the improvements and/or beautification of the City, including matters such as the opening, straightening, widening, closing of or parking on streets, improvement and development of public streets, improvement and development of public buildings and works the subdivision of lands and the supplementation or the change of zoning regulations and districts;
 - (7) Act as the zoning board of adjustment;
 - (8) Perform such other functions and duties as may be imposed by law or as the City Council may provide.
- (d) The Planning Commission shall have the powers necessary to enable it to fulfill and carry out its planning functions as provided by law and as set forth herein. In the performance of its functions, Planning Commission personnel may enter upon any land to make examination and surveys provided such entries, examination and surveys do not interfere with the use of land by those persons lawfully entitled to the provisions thereof.
- (e) The Director of Community Development shall assist the Commission with the performance of its duties.

(Ord. No. 96-03; Ord. No. 99-01, § 2)

2-3.104. - Personnel Commission.

- (a) The Personnel Commission is hereby established.
- (b) Commissioners shall receive no compensation, but shall receive reimbursement for expenses incurred while on City business, provided such expenses are authorized by the Council.
- (c) The Personnel Commission shall hear appeals by employees in the competitive service concerning appointments,

promotions, demotions, suspensions and discharge; and make recommendations to the Council.

(d)

The Personnel Officer shall assist the Personnel Commission in the performance of its duties.

(Ord. No. 96-03)

2-3.105. - Construction Appeals Board.

(a)

The Construction Appeals Board is hereby established. The Board shall be constituted as set forth in the Uniform Building Code as it pertains to the Contractors Appeals Board.

(b)

Boardmembers shall receive no compensation but shall receive reimbursement for expenses incurred while on City business, provided such expenses are authorized by the Council.

(c)

The Board shall undertake the tasks specified in the Uniform Building Code for the Board of Appeals, in the Uniform Housing Code for the Housing Advisory and Appeals Board and in the Uniform Code for the Abatement of Dangerous Buildings for the Board of Appeals.

(d)

The Building Official shall assist the Board in performance of its duties.

(Ord. No. 96-03)

2-3.106. - Handicap Access Appeals Board.

(a)

The Handicap Access Appeals Board is hereby established. The Board shall be appointed and constituted as follows: Two (2) members of the Board shall be physically handicapped persons, two (2) members shall be persons experienced in construction and one (1) member shall be a public member.

(b)

Boardmembers shall receive no compensation but shall receive reimbursement for expenses incurred on City business, provided such expenses are authorized by the Council.

(c)

The Board shall conduct hearings on written appeals made under the State Handicapped Access Standards and may approve or disapprove interpretations of these Standards and enforcement actions taken by the Building Official. The Board shall adopt regulations establishing procedural rules and criteria for carrying out its duties.

(d)

The Building Official shall assist the Board in the performance of its duties.

(Ord. No. 96-03)

2-3.107. - Council Committees.

The Council shall establish committees by resolution. Committee members shall be appointed by the Mayor with the advice and consent of the Council. The Committee shall select a chair. If the Committee cannot select a chair within sixty (60) days from the date of appointment, the Mayor shall nominate a chair who shall be confirmed by a majority of the Council. Meetings of standing committees are open to the public. Committees shall make their recommendations to the Council.

(Ord. No. 96-03; Ord. No. 99-01, § 3)

2-3.108. - Additional Council Appointments.

The following additional appointments shall be made by the Council to conduct the business of the City. These are listed below with the appropriate assignments.

(a)

Kern Council of Governments (KernCOG). One (1) representative and one (1) alternate from the City Council appointed by a majority of the Council in December of even-numbered years for a two-year appointment.

(b)

Navy Community Council. The City has two (2) representatives. The Mayor serves as a permanent member. Additionally, one (1) representative from the City Council, approved by a majority of the Council for a six-month term appointed in December and May.

(c)

Kern County Air Pollution Control District (KCAPCD). One (1) representative from the City Council, appointed by a majority of the Council in December for a two-year term.

- (d) Ridgecrest Area Convention and Visitors Bureau (RACVB). One (1) representative from the City Council appointed by a majority vote of the Council for a two-year term starting in December of even-numbered years.
- (e) IWW Groundwater Management Committee. One (1) representative from the City Council, appointed by a majority of the Council for a two-year term commencing in December of even-numbered years.
- (f) League of California Cities-Desert Mountain Division. One (1) representative from the City Council, appointed by the majority of the Council for a one-year term starting in December.
- (g) Any Ad Hoc Committee that the City Council may deem necessary. Procedures for appointment and length of term to be determined by the Council at the time of inception.

(Ord. No. 96-03)

2-3.109. - Disaster Council.

- (a) The Disaster Council is hereby established.
- (b) The Disaster Council shall provide for the preparation and carrying out of plans for the protection of persons and property within this City in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations, and affected private persons.
As used herein "emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are, or likely to be, beyond the control of the services, personnel, equipment and facilities of this City, requiring the combined forces of other political subdivisions to combat.
- (c) The Disaster Council shall consist of the following: The Mayor, who is the Chair; the Director of Emergency Services, who is the City Administrator and who shall be Vice-Chair; the Assistant Director of Emergency Services who is the Chief of Police or the person appointed by the Director in the Assistant Director's absence; such chiefs of emergency services as are provided for in a current emergency plan of the City adopted pursuant to this section; and such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility as may be appointed by the Director to fulfill the requirements of the Emergency Operations Plan.
- (d) The Disaster Council shall develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet upon the call of the Chair, or in the Chair's absence from the City or inability to call such meeting, upon the call of the Vice Chair.
- (e) The Disaster Council shall be responsible for the development of the City Emergency Operations Plan, which plan shall provide for the effective mobilization of all of the resources of this City, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the City.
- (f) As required by the Emergency Operations Plan and State statute, the Chairman shall:
 - (1) Request the City Council to proclaim the existence or threatened existence of a "local emergency" if the Council is in session, or to issue such proclamation if the City Council is not in session. The Council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect.
 - (2) Request the Governor to proclaim a "state of emergency" when, in the opinion of the Chair, the locally available resources are inadequate to cope with the emergency.
- (g) As required by the Emergency Operations Plan and State statute the Director shall:
 - (1) Declare a local emergency, provided, whenever a local emergency is proclaimed, the Council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect.
 - (2) Control and direct the effort of the emergency organization of this City for the accomplishment of the purposes of this

section.

(3)

Direct cooperation between and coordination of services and staff of the emergency organization of this City; and resolve questions of authority and responsibility that may arise between them.

(4)

Represent this City in all dealings with public and private agencies on matters pertaining to emergencies as defined herein.

(h)

In the event of the proclamation of a "local emergency" as herein provided, the proclamation of a "state emergency" by the Governor or the Director of the State Office of Emergency Services, or the existence of a "state of war emergency" the Director shall:

(1)

Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;

(2)

Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the City for the fair value thereof and, if required immediately, to commandeer the same for public use;

(3)

Require emergency services of any City officer or employee and, in the event of the proclamation of a "state of emergency" in Kern County or the existence of a "state of war emergency," to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

(4)

Requisition necessary personnel or material of any City department or agency; and

(5)

Execute all ordinary power as City Administrator, all of the special powers conferred by this section or by resolution of emergency plan pursuant hereto adopted by the City Council, all powers conferred by any statute, by any agreement approved by the City Council, and by any other lawful authority.

(i)

The Director of Emergency Services shall designate the order of succession to that office to take effect in the event the Director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the City Council.

(j)

The Assistant Director shall, under the supervision of the Director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this City; and shall have such other powers and duties as may be assigned by the Director.

(k)

All officers and employees of this City, together with those volunteer forces enrolled to aid them by agreement or operation of law, including persons impressed into service under the provisions of this Code, shall be charged with duties incident to the protection of life and property in this City during such emergency, and shall constitute the emergency organization of the City.

(l)

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City.

(m)

It shall be a misdemeanor promulgated in the California Emergency Act and the California Penal Code for any person during an emergency to:

(1)

Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this section, or in the performance of any duty imposed upon him by virtue of this section;

(2)

Do any act forbidden by any lawful rule or regulation issued pursuant to this section, if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of his City, or to prevent, hinder, or delay the defense or protection thereof;

(3)

Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State.

(Ord. No. 96-03)

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

SUBJECT:

Discussion And Approval Of Adjustments To The FY 2012-13 Budget

PRESENTED BY:

Dennis Speer, Interim City Manager

SUMMARY:

Following a presentation on the status of the Fiscal Year 2012-13 Budget at the December 5, 2012 City Council meeting, staff was directed to return to Council with proposed budget reductions in the amount of \$658,000. This amount was based on applying the remainder of the \$620,000 Kern County RDA Settlement payment to the budget revenue shortfall. The proposed reduction amounts from each department correspond to their respective proportional revenue allocations from the General Fund. Each Department Head prepared budget reduction proposals for their department. The department proposals are attached. The proposal summaries are as follows:

	Target	Proposal
1. Police Department -	\$361,900	\$361,900
2. Parks & Recreation -	\$118,440	\$118,440
3. Public Services -	\$52,640	\$52,640
4. Public Works -	\$6,580	\$6,580
5. General Government -	\$85,540	\$85,915
6. Transfers -	\$32,900	\$32,900

TOTAL BUDGET AMENDMENT \$658,375

FISCAL IMPACT:

This will decrease the General Fund expenditures by \$658,375.

ACTION REQUESTED:

1. Authorize the remainder of the funds from the onetime Kern County RDA settlement payment to be applied to the budget deficit.
2. Approve the adjustments as identified in Attachment "A".

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Approve actions as requested

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RESOLUTION NO. 12-

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING
BUDGET AMENDMENT #2013-03 DECREASING APPROPRIATIONS
AND ESTIMATED REVENUES IN THE ANNUAL BUDGET**

WHEREAS, the City Council of the City of Ridgecrest has duly adopted its annual budget per resolution; and

WHEREAS, certain decreases in annual appropriations and estimated revenues to the budget require a City Council Resolution prior to implementation; and

WHEREAS, in the course of reviewing revenue assumptions and projections it was determined that the budgeted revenues will not be realized and that a budget reduction is necessary; and

WHEREAS, the City has received a onetime RDA settlement payment from the County which can cover a portion of the budget shortfall; and

WHEREAS, certain decreases in annual appropriations and estimated revenues are necessary.

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

1. Authorizes the remainder of the funds from the onetime RDA settlement payment from the County to be applied to the budget deficit.
2. Approves the adjustments as identified in Attachment "A".

APPROVED AND ADOPTED, this 19th day of December 2012 by the following vote:

AYES: Mayor Clark, Council Members Holloway, Patin, Sanders and Acton

NOES: None

ABSTAIN: None

ABSENT: None

Daniel O. Clark, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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CITY OF RIDGECREST
Proposed Budget Amendment 2013-03
Fiscal Year 2012-2013

Fund No.	Fund Title	Account Number	Project Code	Account Description	Budget Increase (Decrease)	Purpose of the Budget Amendment
001	General Fund	001-4210-421-1101	20PTRL	Salaries & Benefit Accounts	(100,000)	Layoff 2 COPS police officer positions
001	General Fund	001-4210-421-1101	20PTRL	Salaries & Benefit Accounts	(250,000)	Layoff 5 police officer positions
001	General Fund	001-4210-421-XXXX	20PTRL	Multiple Accounts materials & services accounts	(11,900)	Additional Police Dept cuts from materials & services accounts
001	General Fund	001-4210-421-1101	20MSRL	Salaries & Benefit Accounts	100,000	Funding of Measure L of 2 COPS police officers to be laid off
001	General Fund	001-4210-421-1101	20MSRL	Salaries & Benefit Accounts	250,000	Funding of Measure L of 5 police officers to be laid off
001	General Fund	001-4210-421-XXXX	20MSRL	Multiple Accounts materials & services accounts	11,900	Fund of Measure L the cuts from materials & services accounts
TOTAL BUDGET CUTS - POLICE DEPARTMENT					\$ -	
001	General Fund	001-4630-463-XXXX	75ADMN	Salaries & Benefit Accounts	(18,000)	Lay off of one P&R employee who is covering for the returning employee who was injured
001	General Fund	001-4610-461-2401	71ADMN	Non Personal Insurance Svc	(200)	Eliminate budget for this account
001	General Fund	001-4610-461-2501	71ADMN	Training & Travel	(2,000)	Eliminate budget for this account
001	General Fund	001-4610-461-3101	71ADMN	Small Tools & Equipment	(500)	Eliminate budget for this account
001	General Fund	001-4610-461-3209	71ADMN	Repairs & Maint Supp	(100)	Eliminate budget for this account
001	General Fund	001-4610-461-3401	71ADMN	Office Supplies	(140)	Reduce budget for this account
001	General Fund	001-4620-462-2815	72ADMN	Class Instructors contract	(10,000)	Realigning the budget of this account to last year actual amount
001	General Fund	001-4630-463-2304	75ADMN	Bldg Rep & Maintenance	(13,000)	Realigning the budget of this account to last year actual amount
001	General Fund	001-4630-463-3204	75ADMN	Repairs & Maint Supp	(20,000)	Reduce budget for this account
001	General Fund	001-4630-463-4142	75ADMN	Riding Turf Care Equip	(8,000)	Balance that is not encumbered
001	General Fund	001-4630-463-4502	75ADMN	Building Improvements	(4,000)	Balance that is not encumbered
001	General Fund	001-4630-463-4601	75ADMN	Non-Bldg Improvements	(12,500)	Balance that is not encumbered
001	General Fund	001-4610-461-1101	71ADMN	Salaries & Benefit Accounts	(10,000)	Lay offs/Hours or salary reduction
001	General Fund	001-4620-462-1101	72ADMN	Salaries & Benefit Accounts	(10,000)	Lay offs/Hours or salary reduction
001	General Fund	001-4630-463-1101	75ADMN	Salaries & Benefit Accounts	(10,000)	Lay offs/Hours or salary reduction
TOTAL BUDGET CUTS - PARKS & RECREATION					\$ (118,440.00)	

CITY OF RIDGECREST
Proposed Budget Amendment 2013-03
Fiscal Year 2012-2013

Fund No.	Fund Title	Account Number	Project Code	Account Description	Budget Increase (Decrease)	Purpose of the Budget Amendment
001	General Fund	001-4720-410-2109		Professional Services	(6,580)	Public Works budget cut
TOTAL BUDGET CUTS - PUBLIC WORKS					\$ (6,580.00)	
001	General Fund	001-4120-412-1101		Salaries & Benefit Accounts	(32,000)	City Manager salary savings from his termination to last payday of CY 2012 including benefits
001	General Fund	001-4125-412-2109		Other Professional Services	(22,900)	Cancel Employee Resource contract effective 2/1/2013
001	General Fund	001-4199-419-2999		Non-Dept Contingencies	(8,000)	Cutting contingency budget
001	General Fund	001-4150-415-1101		Salaries & Benefit Accounts	(23,000)	Salaries/Benefit savings from Finance Director position from his term date to last payday of CY 2012
TOTAL BUDGET CUTS - GENERAL GOVERNMENT					\$ (85,900.00)	
001	General Fund	001-9010-9010-2301		Transfer to Special Projects	(32,900)	General Fund coverage of professional services anticipated for the SuperWalmart project
TOTAL BUDGET CUTS - TRANSFER					\$ (32,900.00)	
001	General Fund	001-4480-448-1101	CDPLPN	Salaries & Benefit Accounts	(52,640)	Reduction of City Planner position to half time
TOTAL BUDGET CUTS - PUBLIC SERVICES					\$ (52,640.00)	

EXHIBIT 1

Proposed Police Department Reductions for Remaining FY13

Proposal 1 – Layoff police officers to cover general fund budget reductions

1. Layoff (2) COPS Police Officer positions \$100k
 2. Layoff (5) Police Officers \$250k
 3. Plus misc. cuts in PD budget to cover additional \$11.9k
- Total: \$361.9k**

Police Officer staffing would be reduced from 33 to 26. Measure L funding would be reduced by \$100k.

Total Measure L obligation for FY13: \$434k

Proposal 2 - Cover mid-year FY13 general fund budget cuts with Measure L funding

Current Measure L Funding FY13

1. (3) Police Officers
 - a. (1) Fulltime position \$100k
 - b. (2) COPS positions 50% grant funded \$100k
 2. Police Clerk Position \$58k
 3. (2) CSO positions to begin March 2013 \$30k
 4. (2) Equipped patrol vehicles \$86k
 5. Nuisance abatement funds \$20k
 6. PEAR PERS benefits \$140k
- Total: \$534k**

Additional Positions to fund under Measure L to cover mid-year FY13 cuts of \$361,900

1. (7) Police Officer Positions \$350k
(Plus misc. cuts in PD budget to cover additional 11.9k)

Total Measure L obligation for FY13: \$884k

Exhibit 2

PARKS & RECREATION Proposed Budget Reductions

1. Lay off of one P&R employee who is covering for the returning employee	(\$18,000)
2. Non Personal Insurance Svc	(\$200)
3. Training & Travel	(\$2,000)
4. Small Tools & Equipment	(\$500)
5. Repairs & Maint Supp	(\$100)
6. Class Instructors contract	(\$10,000)
7. Bldg Rep & Maintenance	(\$13,000)
8. Repairs & Maint Supp	(\$20,000)
9. Riding Turf Care Equip	(\$8,000)
10. Building Improvements	(\$4,000)
11. Non-Bldg Improvements	(\$12,500)
12. Lay off/Hours or salary reduction	(\$30,000)
13. Office Supplies	(\$140)
Total	(\$118,440.00)

EXHIBIT 3

Public Services Department

The Public Services Department is dedicated to expanding community growth and resources, and improving community service. Business retention, expansion of existing businesses, new development, commercial and residential, and concurrent with increased tourism as a major focus. A five year revision of the Housing Element, new zoning ordinance, sign ordinance, and OHV access to BLM open use land are in process. The department's responsibilities include Community Development, Economic Development, Building, Planning, Housing Authority, and the Ridgecrest Redevelopment Successor Agency.

Description	Fiscal '12-13	12-13 Adjustment		Fiscal 13-14	
• Building	\$ 282,634	282,634	267,634	251,634	282,634
• Economic Devel.	0				
• Planning	207,159	142,159	203,159	142,159	142,159
• Planning Commission	13,095			13,095	13,095
• Housing Authority	0				
• Sub-total	\$ 502,888				
• Adj. Objective Option #1					
	\$ 52,640			96,000	(52,640 +43,360)
• RRSA	\$ 250,000			250,000	

EXHIBIT 3

Public Services Department

Description

• DIVISION	Building	Planning	Planning Commission	Econ. Devel.	Housing Auth.	Sub-Total
2012-13	\$ 282,634	\$ 207,159	\$ 13,095	0	0	\$ 502,888
Sal. & Benf.	93,017	142,009	12,745	0	0	
Serv. & Maint	145,4000	1,750	350	0	0	
IFS & Overhead	44,217	63,400	0	0	0	

Adj. Objective

1	Reduction of City Planner position to one-half time or outsourced to contract	65,000
2	Reduction of County of Kern Inspection services account (\$15,000)	19,000
	Manpower reallocation of Admin. Secretary (\$ 4,000)	

EXHIBIT 3

Public Services Department

- Authorized Positions

– Public Services Director	0	½ Contractor Agreement
– E.D Manager	0	1 (Not Gen. Fund)
– Admin. Secretary	1	
– City Planner	1	
– E.D. Technicians	1.3	
– Planning Commission	5	

EXHIBIT 3

Public Services Department

Description

• DIVISION	Building	Planning	Planning Commission	Econ. Devel.	Housing Auth.	Sub-Total
2013-14	\$ 282,634	\$ 207,159	\$ 13,095	0	0	\$ 502,888
Sal. & Benf.	93,017	142,009	12,745	0	0	
Serv. & Maint	145,4000	1,750	350	0	0	
IFS & Overhead	44,217	63,400	0	0	0	

Adj. Objective

1	Reduction of City Planner and ½ E.D. Technican	96,000
2	Reduction of City Planner position to one-half time or outsourced to contract	50,000

EXHIBIT 4

Public Works Department – Proposed Budget Reductions

Public Works

2109 -Other Professional services -

\$6,580

EXHIBIT 5

Proposal for the budget cuts for the General Government portion

	FY 2012-2013	General Gov't
DEPT	AMOUNT TO CUT	\$85,540
	City Manager's salary savings from his term date to last payday of CY 2012. Including benefits less salary increase given to Interim	
4120	CM	(\$32,000)
	Cancel Employee Resource contract effective Feb 1, 2013 to save 5 months worth of contract cost	
4125		(\$22,915)
4199	Non Dept Contingencies 001-4199-419-2999 Salaries/Benefit Savings for Finance Director from his term date to last payday of CY 2012	(\$8,000)
4150	This includes benefits less out of class pay	(\$23,000)
	TOTAL BUDGET CUTS	(\$85,915)

EXHIBIT 6

Transfers

Transfer to Special Projects -

\$32,900

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