



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

AGENDA

Thursday

Special

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

November 8, 2012

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

(760) 499-5000

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

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LAST ORDINANCE NO. 12-07
LAST RESOLUTION CITY COUNCIL NO. 12-80
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

Special Council
Thursday November 8, 2012

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

Closed Session – 5:30 p.m.
Special 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 - SPECIAL

November 8, 2012

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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

SPECIAL SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
- Other

PUBLIC COMMENT

PRESENTATIONS

1. Presentation Of A Proclamation For AbilityOne Week 2012 To Representatives Of D.A.R.T. Ford
2. Presentation Of A Proclamation To PACT Organization Strand

CONSENT CALENDAR

3. Quarterly Investment Report Sloan
4. Quarterly Financial Report Sloan
5. Adopt A Resolution Rescinding And Amending Resolution 12-74, A Resolution Authorizing The Examination Of Sales Or Transactions And Use Tax Records Sloan
6. Adopt A Resolution To Approve A Professional Services Agreement With, Willdan Engineering For The Preparation And Provision Of Environmental Studies, Permits, Plans, Specifications And Engineering For The Resurfacing, Rehabilitation And Reconstruction Of Downs Street From Ridgecrest Boulevard To Upjohn Avenue And Authorize The Interim City Manager To Execute This Agreement Speer
7. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving A Waiver For Americans with Disabilities Act (ADA) Non-Compliant Drive Approaches In Tract 6635 Speer

AGENDA - CITY COUNCIL - SPECIAL

November 8, 2012

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8. Adopt A Resolution Authorizing A Proclamation For Native American Heritage Month And Setting Date And Time For Presentation Ford
9. Approve Draft Minutes Of The Special City Council Meeting Of October 3, 2012 Ford

DISCUSSION AND OTHER ACTION ITEMS

10. Adopt A Resolution Authorizing The Interim City Manager To Sign An Amended Development Agreement With Wal-Mart Parsons

COMMITTEE REPORTS

City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 3rd Tuesday Of The Month At 5:00 P.M.; Council Conference Room
Next Meeting: November 20, 2012

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders
Meetings: 1st Thursday Of The Month At 5:00 P.M.; Council Conference Room
Next Meeting: December 6, 2012

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders
Meeting: 2nd Wednesday Of The Month At 5:00 P.M., Council Conference Room
Next Meeting: November 14, 2012

Quality Of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meeting: 2nd Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center
Next Meeting: November 15, 2012 (Dark in June, July, December, and January)

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

Members: Ron Carter, Chip Holloway, Ron Strand
Meetings: 2nd Monday Of Odd Numbered Months At 4:00 P.M., Kerr-McGee Center
Next Meeting: November 12, 2012

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: December 5, 2012 at location to be announced

AGENDA - CITY COUNCIL - SPECIAL

November 8, 2012

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OTHER COMMITTEES, BOARDS, OR COMMISSIONS

CITY MANAGER REPORT

MAYOR AND COUNCIL COMMENTS

ADJOURNMENT

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

SUBJECT: Presentation of a proclamation to representatives of D.A.R.T. AbilityOne Program

PRESENTED BY:
Rachel J. Ford, City Clerk

SUMMARY:

The Ridgecrest City Council receives requests for presentation of ceremonial proclamations for various events and observations. The following proclamation has been processed and will be presented by members of Council.

1. AbilityOne Week 2012

To Be Presented At City Hall Council Chambers On Thursday, November 8, 2012 At 6:00pm

FISCAL IMPACT: None
None

Reviewed by Finance Director

ACTION REQUESTED:
Adopt resolution

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Present proclamation to representatives of D.A.R.T. AbilityOne Program

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

Action Date: November 8, 2012

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*A Proclamation of
The City Of Ridgecrest, California*

**Celebrating The AbilityOne Program (Formerly JWOD)
During National Disability Employments Awareness Month**

WHEREAS, the AbilityOne Program provides over 40,000 people who are blind or have other severe disabilities with rehabilitation, training and job coaching necessary to receive good wages and benefits and gain greater independence and quality of life; and

WHEREAS, the AbilityOne Program empowers people who are blind or have other severe disabilities, over 60% of whom do not have jobs and rely heavily on social support programs; and

WHEREAS, through the AbilityOne Program, community-based nonprofit organizations such as Desert Area Resources and Training provide employment opportunities to people who are blind or have other severe disabilities while providing a wide array of quality, goods and services to the federal government at a fair price; and

WHEREAS, by employing people who are blind or have other severe disabilities, the AbilityOne Program is able to help these individuals enjoy more fully participation in their communities, market their AbilityOne skills into other public and private sector jobs, and create and sustain employment opportunities; and

WHEREAS, in Ridgecrest, California, Desert Area Resources and Training provides employment to 68 people who are blind or have other severe disabilities, enabling them to lead more productive and meaningful lives, provide support for their families and develop skills necessary for long-term employment; and

WHEREAS, Ridgecrest, California recognizes the important contributions of Desert Area Resources and Training to Ridgecrest, California and its citizens;

Now, therefore, be it proclaimed:

The City Council of the City of Ridgecrest does hereby proclaim October 21- October 27 as AbilityOne Week and hereby commend all persons who are committed to and work toward enhancing employment opportunities for people with visual and other severe disabilities.

Proclaimed November 8, 2012


Ronald H. Carter, Mayor


**Marshall Chip Holloway
Mayor Pro Tem**


**Jerry D. Taylor
Vice Mayor**


**Steven P. Morgan
Council Member**


**Jason Patin
Council Member**

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

SUBJECT: Presentation of a proclamation to representatives of the Police And Community Together (PACT) Organization

PRESENTED BY:
Rachel J. Ford, City Clerk

SUMMARY:

The Ridgecrest City Council receives requests for presentation of ceremonial proclamations for various events and observations. The following proclamation has been processed and will be presented by members of Council.

1. *PACT Appreciation Week*

To Be Presented At City Hall Council Chambers On Thursday, November 8, 2012 At 6:00pm

FISCAL IMPACT: None
None

Reviewed by Finance Director

ACTION REQUESTED:

Present Proclamation to representatives of the PACT Organization

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Present proclamation to representatives of the Police And Community Together (PACT) Organization

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

Action Date: November 8, 2012

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A Proclamation of The City Of Ridgecrest, California

PACT APPRECIATION WEEK - NOVEMBER 1-5, 2012

WHEREAS, The organization "Police and Community Together"(PACT) was founded and formed in 1991, and is a non-profit organization that provides volunteer services to the Ridgecrest Police Department, community crime prevention, and health/safety services.

WHEREAS, PACT has a total of 70 volunteers (51 PACT and 19 Animal Welfare) that provided 13,000 volunteer hours in 2011, equivalent to roughly \$283,000, to include an approximate savings of \$3,181,340 over the past 21 years.

WHEREAS, PACT benefits the community and police department in such areas as, but not limited to:

- Administrative Support
- Child I.D.
- Graffiti Task Force
- Assists with crime scenes, transports, traffic control, security, surveillance, subpoena service
- Emergency Operations Center
- Nuisance Abatement
- Neighborhood Watch
- Animal Welfare
- Police car maintenance
- Chaplain Program

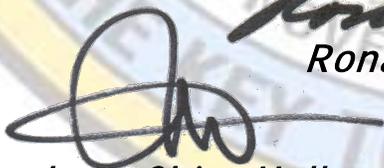
WHEREAS, The dedicated men and women of PACT unceasingly provide vital public services twenty-four hours a day to the community of Ridgecrest.

Now, therefore, be it proclaimed:

The City Council of the City of Ridgecrest does hereby proclaim November 1st through November 5th, 2012, as "PACT Appreciation Week" in the City of Ridgecrest in honor of the PACT volunteers, past and present, who have rendered a dedicated service to the community.

Proclaimed November 8, 2012


Ronald H. Carter, Mayor


Marshall "Chip" Holloway
Mayor Pro Tem


Jerry D. Taylor
Vice Mayor


Steven P. Morgan
Council Member


Jason Patin
Council Member

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CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM

SUBJECT:

Investment Reports for quarter ending September 30, 2012.

PRESENTED BY:

Tess Sloan, Assistant Finance Director

SUMMARY:

Government Code Section 53646 and the City's Investment Policy require that Treasurer of the City of Ridgecrest submit a quarterly investment report to the City Council on a quarterly basis. The attached reports show the summary of investments for quarters ending September 30, 2012. The reports show where the City's money is invested, value, yield and interest accrued.

Majority of the City's cash is invested in the Local Agency Investment Fund (LAIF) which is a money market fund that is administered by the State Treasurer. LAIF is a high quality investment in terms of safety, liquidity and yield which are the primary objectives of the City's investment policy.

The investments in the reports meet the requirements of the City of Ridgecrest's adopted investment policy.

FISCAL IMPACT:

None

ACTION REQUESTED:

Receive and file the attached investment report.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

(Rev. 2-14-07)

Action Date: Nov. 8, 2012

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City of Ridgecrest
QUARTERLY INVESMENT REPORT
For the Quarter Ending September 30, 2012

Investments	Balance 6/30/2012	Deposit	Withdrawals	Balance 9/30/2012	Current Yield	Accrued Qtrly Interest
Union Bank of California-Checking	1,923,127.07	5,569,351.39	(4,649,371.50)	2,843,106.96		-
LAIF Accounts-City	11,503,837.96	10,217.95	(2,355,000.00)	9,159,055.91	0.35%	9,184.17
LAIF Accounts-Assessment Dist	548,622.16	487.30	-	549,109.46	0.35%	490.25
LAIF Accounts-RDA	40,186,774.17	36,823.86	-	40,223,598.03	0.35%	35,912.09
Total Cash Balances	54,162,361.36	5,616,880.50	(7,004,371.50)	52,774,870.36		45,586.51

To the best of my knowledge, there are no misstatements of material amounts within this Treasurer's Cash Summary Report; or omissions of material amounts to cause the Treasurer's Cash Summary Report to be misleading.

I certify that this report accurately reflects all City of Ridgecrest investments and complies with the investment policy of the City as approved by the governing board.

Reviewed by
Finance Director

Prepared by Tess Sloan
Assistant Finance Director

City of Ridgecrest
TREASURER'S CASH SUMMARY
As of September 30, 2012

Fund No.	Fund Name	Cash Balances September 2012	Cash Balances September 2011	Cash Balances September 2010
1	General Fund	(1,259,611.34)	(1,540,306.60)	(472,283.35)
2	Gas Tax Fund	(98,227.41)	(145,533.12)	(31,179.38)
3	Transit Fund	618,574.49	562,136.90	286,775.45
5	Waste Water Fund	7,600,449.68	7,111,270.48	10,717,782.93
6	Park Development Fee	16,407.21	16,365.18	16,304.31
7	TDA Streets Fund	-	-	-
9	Redevelopment Agency	(26.22)	4,060,644.44	2,955,984.53
12	Business Park	37,596.69	37,500.37	37,360.86
15	Solid Waste Collection	557,912.11	(4,338.21)	80,061.27
17	Substandard Streets Improvement	507,580.68	493,757.85	441,642.10
18	Capital Improvement	268,868.37	(398,350.61)	(136,551.72)
19	RRA Housing Set Aside	(1,112.89)	6,850,448.33	5,945,561.15
31	86-1 Prospect Park Reserve Trust	236,665.00	236,665.00	236,665.00
32	86-1 Prospect Park Bond Trust	183,170.03	181,117.56	178,457.16
45	AD 5 Bond Trust	2,929.31	2,929.31	2,929.31
46	AD 87-1 R/C Towne Center Res	24,659.25	125,700.00	125,700.00
63	Supp Law Enforcement	244.47	25,000.00	25,000.00
66	Parks & Rec Donation	0.34	0.34	-
67	Senior Donation Fund	97.83	97.60	97.26
110	Internal Service Fund - Risk Management	1,016,639.79	1,700,812.51	1,480,879.07
111	Internal Service Fund - Technology	61,041.82	180,324.64	92,039.86
112	Internal Service Fund - Copier	21,784.28	128,751.64	96,832.80
113	Internal Service Fund - Admin/Finance	-	-	(21,163.49)
130	Internal Service Fund - Building Maintenance	25,279.36	123,807.33	118,033.63
140	Internal Service Fund - Fleet Maintenance	82,177.97	69,967.89	4,866.74
210	Grant Operations Fund	20,633.01	12,946.86	(40,491.72)
221	Traffic Congestion Relief	441,033.79	457,613.99	499,920.50
231	Special Projects	14,837.50	14,055.84	14,003.56
261	Fire Facilities Improvement Impact	159,868.33	146,458.19	131,809.19
262	Traffic Impact Fees	762,628.46	709,251.91	697,233.34
263	Park Development Impact Fees	225,260.44	181,724.34	196,290.28
264	Law Enforcement Impact Fees	90,018.64	237,614.92	213,218.10
265	Storm Drainage Facilities	977,676.87	875,493.21	864,497.20
271	Community Partnership Grant	137.67	137.34	136.85
929	RRA Debt Service Fund	-	33,740,818.15	35,105,376.38
939	RDA Obligation Retirement Fund	40,179,674.83		
Total		\$ 52,774,870.36	\$ 56,194,883.58	\$ 59,863,789.17

WHERE INVESTED:

Union Bank of California-Checking	\$ 2,843,106.96
LAIF Accounts-City	\$ 9,159,055.91
LAIF Accounts-Assessment Dist	\$ 549,109.46
LAIF Accounts-RDA	\$ 40,223,598.03
Total Cash Balances	\$ 52,774,870.36

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CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM

SUBJECT:

Presentation of the quarterly financial report for the quarter ending September 30, 2012.

PRESENTED BY:

Tess Sloan, Assistant Finance Director

SUMMARY:

Attached is the quarterly financial report for the quarter ending September 30, 2012. This report will include a financial overview. The overview contains comparison of actual year to date amounts to budget as well as previous fiscal year's year to date of the same time period. For ease and consistency of comparison and reporting the first quarter of the fiscal year, we are using the benchmark of 25%.

FISCAL IMPACT:

None

ACTION REQUESTED:

Receive and file the attached investment report.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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CITY OF RIDGECREST QUARTERLY FINANCIAL REPORT

As of September 30, 2012

This report summarizes the activities of the operating funds, but is not meant to be inclusive of all finance and accounting transactions. It is intended on to provide the City Council and the public with an overview of the state of the City's fiscal condition.

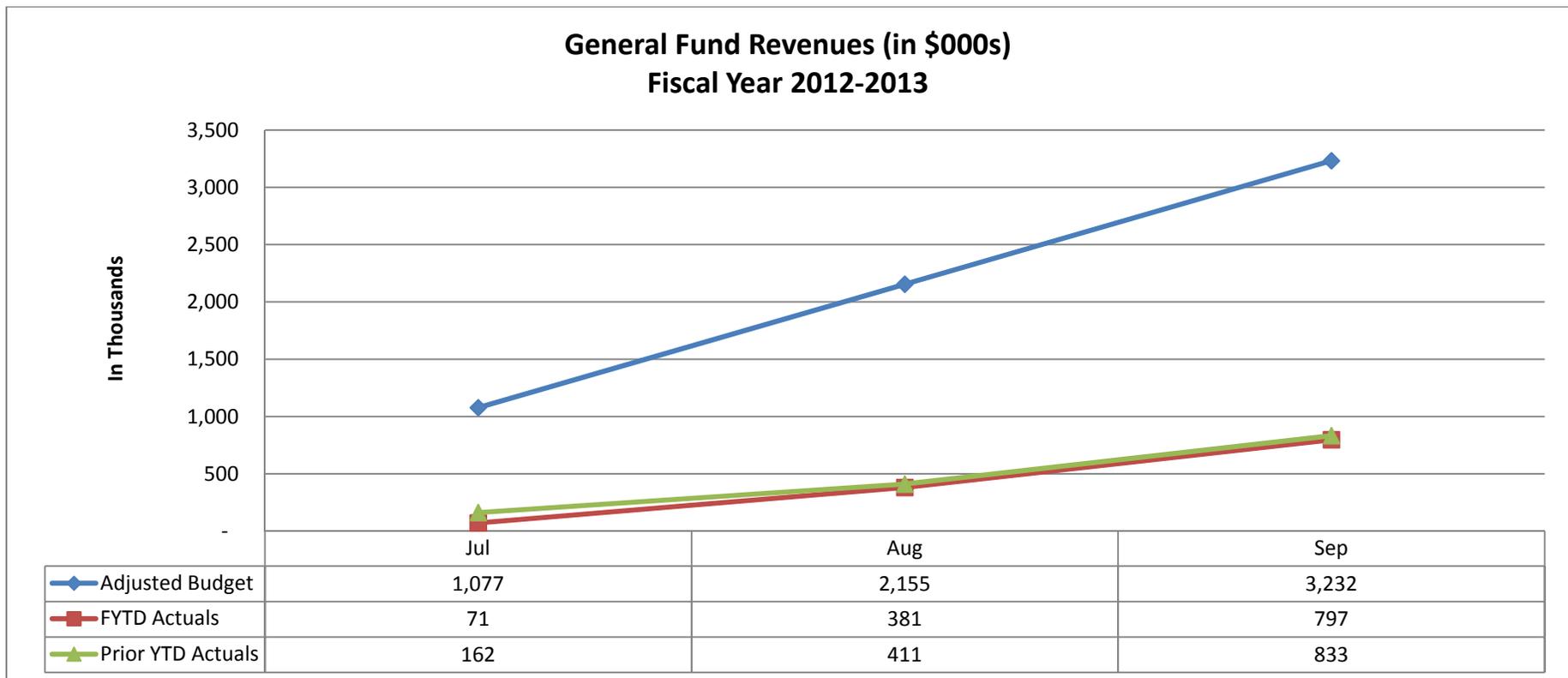
Prepared by Tess Sloan, Assistant Finance Director

GENERAL FUND FINANCIAL SUMMARY

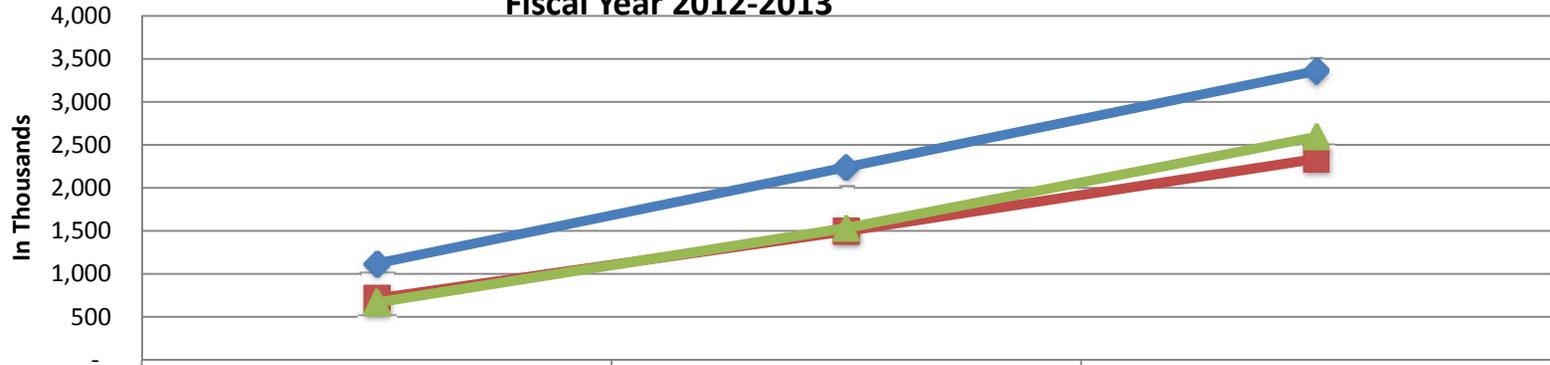
The General Fund receives its funding from general revenue sources such as taxes, fines, licenses and charges for services. The General Fund pays for services such as Public Safety, Cultural and Recreation and Parks Maintenance, Public Works, Community Development, and other general government services.

Expenditures shown in this report represent actual paid expenses and do not include encumbrances.

The City does its budget estimates on an annual basis. The monthly budget information on some of the graphs is shown on the assumption that revenues and expenditures are evenly distributed throughout the year.



**General Fund Expenditures (in \$000s)
Fiscal Year 2012-2013**

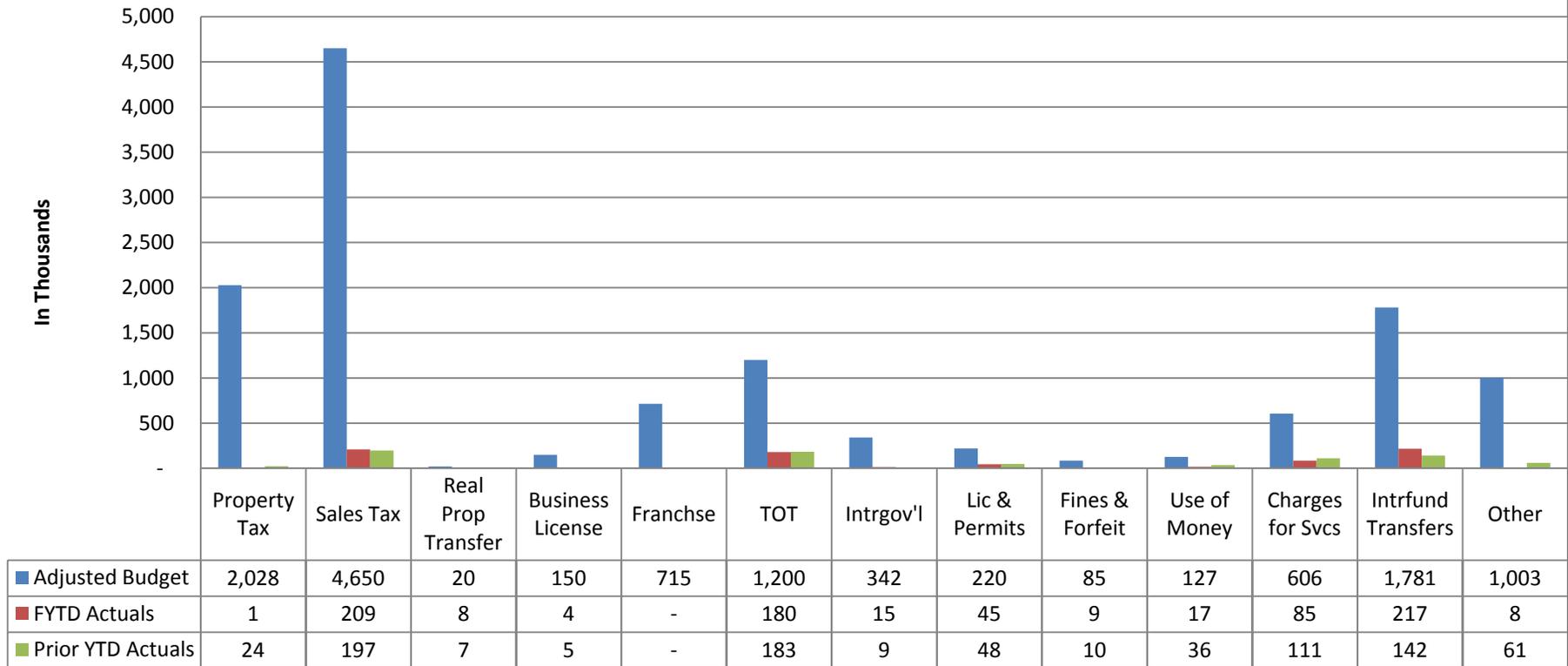


	Jul	Aug	Sep
Adjusted Budget	1,120	2,240	3,360
FYTD Actuals	714	1,497	2,336
Prior YTD Actuals	667	1,533	2,595

GENERAL FUND REVENUES

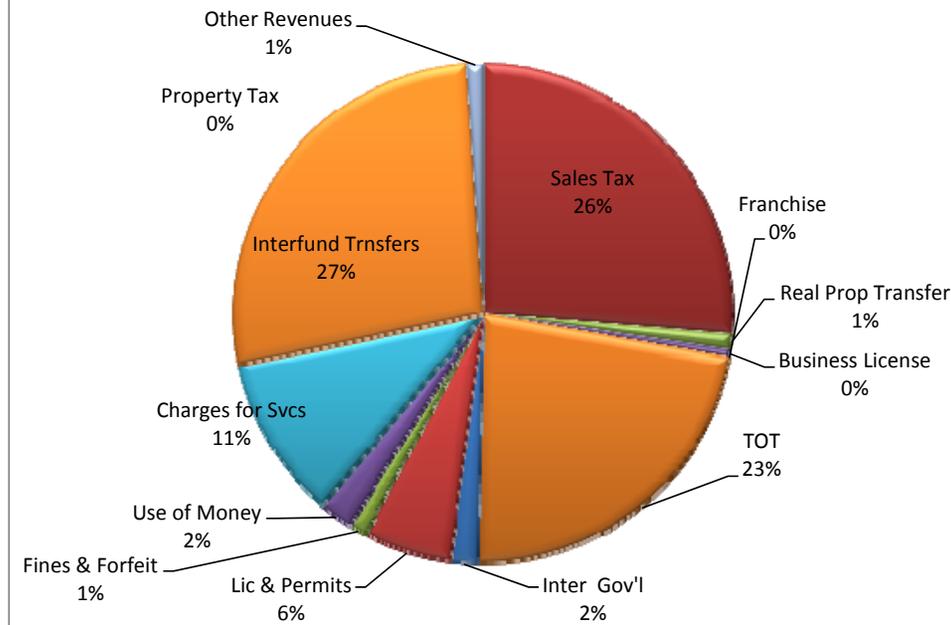
The City's General Fund received \$796,957 in revenues for the three month period ending in September 2012. Compare that from the same quarter in 2011, we received \$832,602. That means the general fund revenue is down by 4% from last year during the same time period. Sales Tax represents 26% of our total revenue for the quarter. There is a very negligible increase in sales tax this quarter as compared to last year's (about \$11k). The interfund transfers of \$216,996 were overhead allocations revenue. All in all only 6% of our total budgeted revenue has been realized for the quarter. This is typical for our agency which usually causes the cash flow issue during the first half of the fiscal year. We are expecting to receive the property tax in lieu of VLF in late December for about \$750k and about \$350k in January for the triple flip sales tax.

Revenue by Type (in \$000s)
Fiscal Year 2011-2012
Comparing FY 2013 Budget , FY13 Actuals & FY12 Actuals



The chart above shows the revenue by type, showing the annual budget, the actual to date and the prior year's year to date of the same period.

FY 2013 General Fund Revenue By Source



FY 2013 GENERAL FUND REVENUES BY SOURCE

	Adjusted Budget	FY 13 FYTD	FY 12 FYTD
Property Tax	2,028,000	614	23,865
Sales Tax	4,650,405	208,727	197,244
Real Prop Transfer	20,000	7,544	6,727
Business License	150,000	4,223	5,216
Franchise	715,200	-	-
TOT	1,200,000	179,901	182,630
Inter Gov'l	342,245	14,725	8,737
Lic & Permits	219,500	44,590	47,718
Fines & Forfeit	84,650	9,298	10,302
Use of Money	127,430	17,303	35,612
Charges for Svcs	605,850	84,864	111,370
Interfund Trnsfers	1,781,314	216,996	142,237
Other Revenues	1,002,700	8,173	60,944
	<u>12,927,294</u>	<u>796,958</u>	<u>832,602</u>

FY13 FYTD as Percentage of Budget
% of decrease from last year's actual

6%

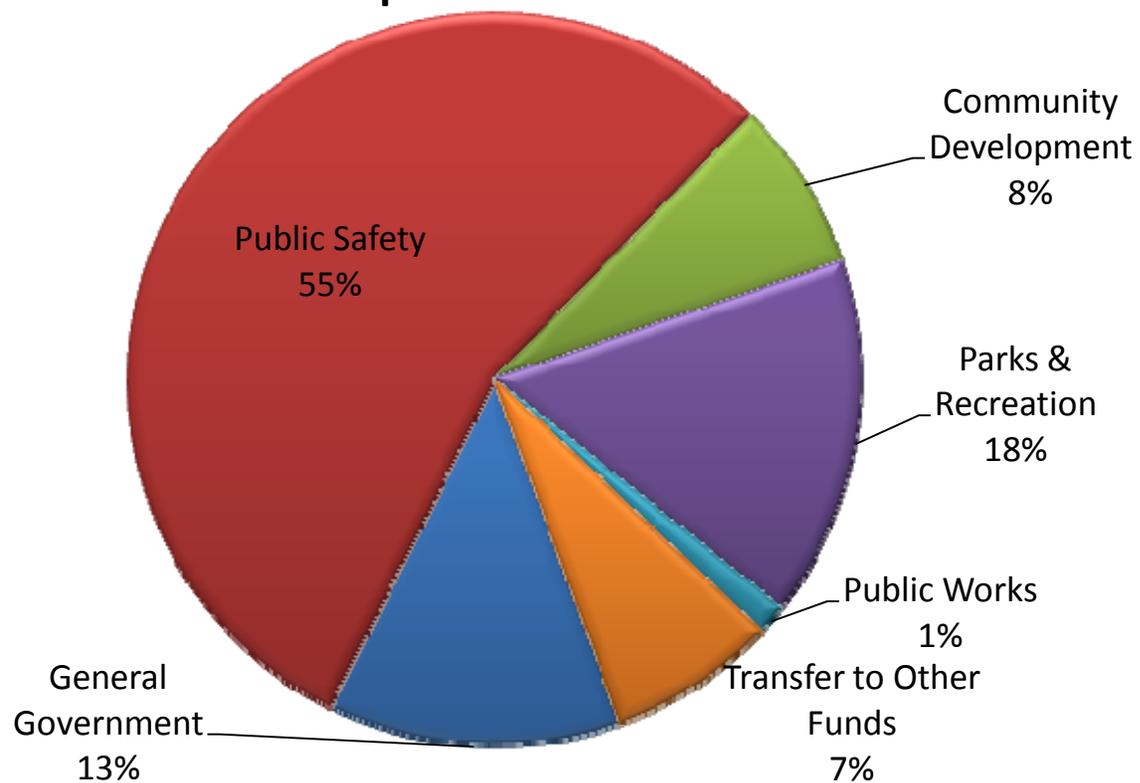
4%

GENERAL FUND EXPENDITURES

EXPENDITURES	Actual-Sep12	FYTD	Budget	FYTD %
General Government	99,169	302,384	1,745,715	17%
Public Safety	484,150	1,281,804	6,891,180	19%
Community Development	60,856	176,492	1,234,648	14%
Parks & Recreation	142,014	370,994	1,615,655	23%
Public Works	11,450	32,259	240,400	13%
Transfer to Other Funds	41,575	171,881	1,711,209	10%
Total for the year	839,214	2,335,814	13,438,807	17%
Last Fiscal Year's	1,062,129	2,595,483	13,092,580	20%
BENCHMARK				25%

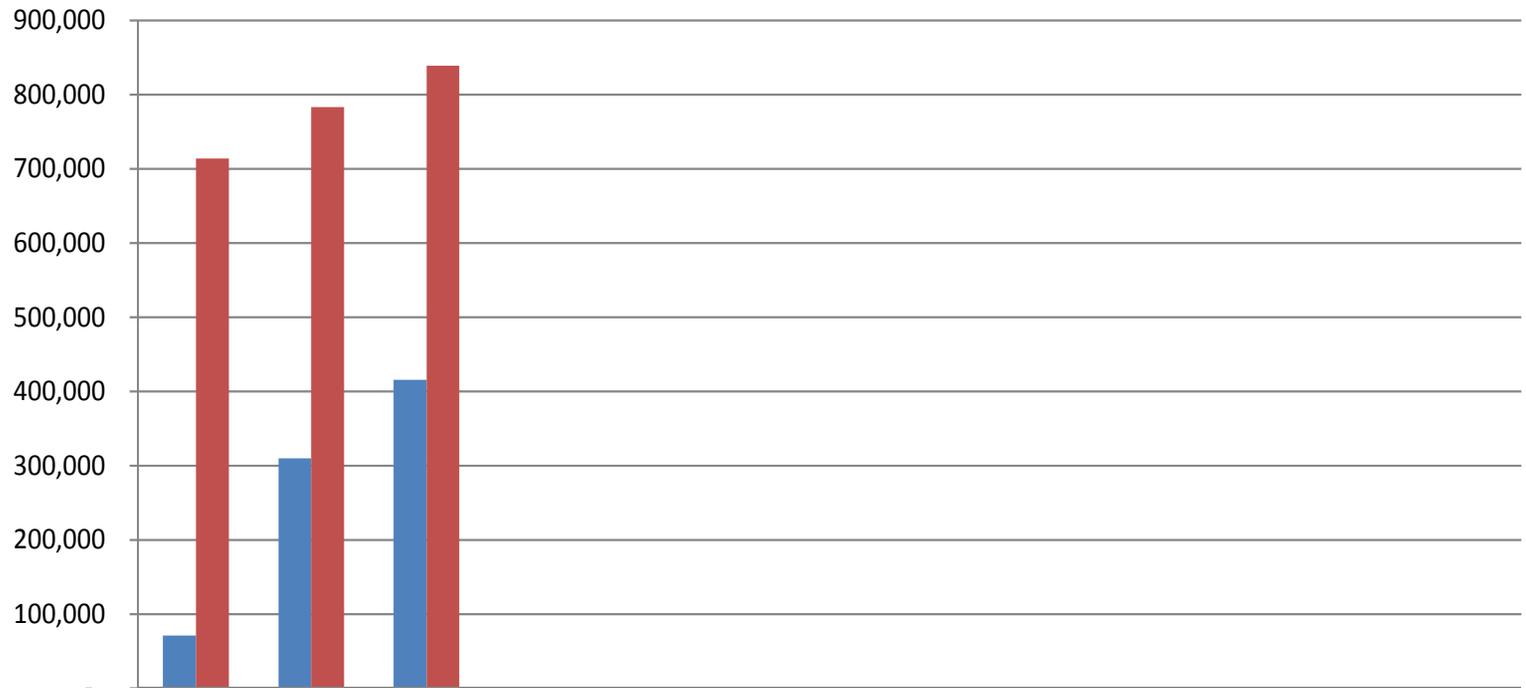
General Fund spending thru September 2012 is 20% of the \$13.01 million adjusted budget for the fiscal year. Using the benchmark of 25%, General Fund spending is \$0.68 million below projection. The General Fund spending is down by 10% as compared to last year's actual. Every department operated at below the budget benchmark of 25%. Of the total general fund actual expenditures, 55% or \$1.28 million went to Public Safety; 18% or \$370,994 went to Parks & Recreation; 8% or \$176,492 went to Community Development; 13% or \$302,384 to General Government; and 1% or \$32,259 to Public Works. Transfers to other funds were payments to Self Insurance fund of \$102k and to Debt Service Fund of \$70k to pay debt service.

Where do we spend our General Fund Dollars



The chart above shows where each General Fund dollar went by government function.

General Fund Revenues & Expenditures Comparison by Month (in 000s) FY 2013



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Monthly Revenues	71,402	309,803	415,752									
Monthly Expenditures	713,654	782,947	839,214									

The chart above shows the revenue received (in blue) and next to it the corresponding expenditures (in red) for that month.

GENERAL FUND – CASH BALANCE

On July 1st, at the start of fiscal year the General Fund has a beginning cash balance of zero. By end of September, with more expenditures than revenue received, General Fund has a negative cash balance of \$1.3 million. It is anticipated that this cash deficit will be reduced by the receipt of triple flip sales tax in January and property tax in lieu of MVLFF in December.

OTHER MAJOR FUNDS

The chart below will show the financial information for Gas Tax Fund, Transit Fund and Wastewater Fund.

GAS TAX FUND

	FYTD-2013	Adjusted Budget	% FYTD	FYTD-Sep 2012
Revenue	71,504	2,005,064	4%	110,380
Expenditures	240,221	2,154,528	11%	217,259

TDA TRANSIT

	FYTD-2013	Adjusted Budget	% FYTD	FYTD-Sep 2012
Revenue	7,367	1,086,700	1%	7,973
Expenditures	273,248	1,397,781	20%	147,335

WASTEWATER FUND

	FYTD-2013	Adjusted Budget	% FYTD	FYTD-Sep 2012
Revenue	127,591	1,910,700	7%	133,485
Expenditures	216,759	8,641,073	3%	250,570

Gas Tax Fund:

Gas tax revenue received for the three months period is only \$71,504 as compared to prior year's gas tax revenue it is down by 35%. Total gas tax revenue received from the State for FY 2012 was \$765,633 and this year's revised budget is \$747,000. Only 4% of the total annual revised budget is realized for this quarter. Total expenditure amount for the quarter is \$240,221 which accounts for 11% of the annual budget, lower than the benchmark of 25%. Compare that to last year's expenditure, it is up by 11% and this was due to higher cost of street maintenance. Streets Fund is budgeted to be funded by Gas Tax \$747,064, Measure L \$671,000, TDA \$487,000 and RDA TAB \$100,000.

Transit Fund:

Transit revenue is \$7,367 for the quarter which amounts to 1% of the annual budget being realized. Total expenditure for the quarter is \$273,248, which is higher than last fiscal year's by 85%. The drastic increase was due to the implementation cost of the deviated fixed route system that went in operation on October 22.

Wastewater Fund:

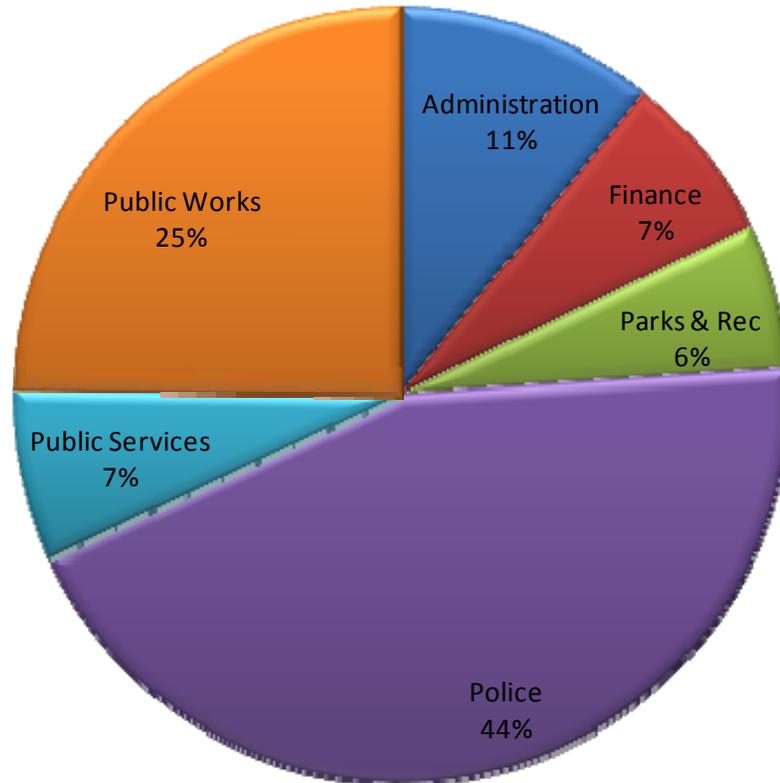
Wastewater revenue for the quarter is \$127,591 which equals to 7% of the annual budget; only slightly lower than last year's actual. Total expenditure for the quarter is \$216,759 which accounts for 3% of the revised budget. Original budget for the fund was only \$2 million. There was a total of over \$6 million budget revision on the wastewater expenditure due to capital project rolled over from previous year specifically the engineering study for the new WW treatment facility and \$2 million worth of open purchase orders rolled over from the previous fiscal year.

INTERNAL SERVICE FUNDS

The City of Ridgecrest has five internal service funds. They are Self Insurance, Information Technology, Printing and Copying, Building Maintenance and Fleet Maintenance. Each fund charges to each department or division that uses its services. Self insurance charges specific rates for workers comp, liability insurance, unemployment insurance and final pay. Information and Technology charges by the seat count and Printing and Copying charges by number of copies and printing made. Building ISF charges by the square foot occupied by each departments and Fleet maintenance charges by mileage usage. Below is a chart showing the financial data for these funds.

Fund 110 - Self Insurance	FYTD-2013	Adjusted Budget	% FYTD	FYTD-2012
Revenue	202,241	1,235,303	16%	165,298
Expenditures	495,727	1,504,202	33%	333,269
Excess Revenue Over Exp	(293,486)			(167,971)
Fund 111 - Info Technology	FYTD-2013	Adjusted Budget	% FYTD	FYTD-2012
Revenue	185,562	747,027	25%	234,660
Expenditures	175,354	777,015	23%	154,116
Excess Revenue Over Exp	10,208			80,544
Fund 112 - Print & Copy ISF	FYTD-2013	Adjusted Budget	% FYTD	FYTD-2012
Revenue	19,988	81,691	24%	18,728
Expenditures	-	88,120	0%	18,394
Excess Revenue Over Exp	19,988			334
Fund 130 - Building ISF	FYTD-2013	Adjusted Budget	% FYTD	FYTD-2012
Revenue	74,077	296,306	25%	97,011
Expenditures	56,824	364,816	16%	48,681
Excess Revenue Over Exp	17,253			48,330
Fund 140 - Fleet Maint ISF	FYTD-2013	Adjusted Budget	% FYTD	FYTD-2012
Revenue	91,273	538,324	17%	116,291
Expenditures	91,273	603,625	15%	116,291
Excess Revenue Over Exp	-			-

City Functions Paying into Internal Service Funds



Self Insurance Fund:

Revenues collected for the quarter is \$202,241 representing 16% of the annual revised budget. Compared from last year's the same period the revenue is up by 22%. Total Expenditure is \$495,727 which accounts for 33% of the total annual budget. Up by 49% from last year's actual. This increase was due to the increase in liability insurance premium by \$23k, workers comp claims pad up by \$33k, leave cashouts is up by \$46k and litigations cost by \$20k. Although these expenditures were higher than last year's actual, they were still within the budget of their respective budget line items.

Information Technology:

Revenue collected for the quarter is \$185,562 representing 25% of the budget. This revenue was lower than last year's by 21%. The decrease in revenue was due to the decrease in the rate we charge per seat. Expenditure for the quarter is \$175,354 which accounts for 23% of the annual budget; up by 14% from last year's actual. The increase was due to admin overhead allocation.

Printing & Copying ISF:

Revenue collected for the quarter is \$19,988 representing 24% of the budget, just slightly higher than last year's actual. There's no expenditure for this fund for this quarter.

Building Maintenance ISF:

Revenue collected for the quarter is \$74,077 representing 25% of the budget, down by 24% from last year's actual. The decrease was due to the decrease in rate charge for this fiscal year. Total expenditure for the quarter is \$56,824 representing 16% of the budget, up by 17% from the last year's actual. The increase was due to the repair cost of the A/C unit at the city hall building.

Fleet Maintenance ISF:

Revenue collected for the quarter is \$91,273 representing 25% of the budget, down by 22% from last year's actual. The decrease was due to the decrease in expenditures of the same percentage. This fund allocates its actual cost by mileage or hours used by each department using motorized equipment such as vehicles or heavy equipments.

CONCERNS

- General Fund cash balance at fiscal yearend 2012 is zero
- Lower General Fund revenue as compared to last year's actual
- Reliance on one time revenue
- Persistent cash flow issues in General Fund
- Possible budget shortfall

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CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM

SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS

PRESENTED BY:

Tess Sloan, Assistant Finance Director

SUMMARY:

Sales tax records are confidential and proprietary in nature. The State Board of Equalization (BOE) grants permission to City governments to examine sales tax records for the purpose of auditing and ensuring payment of all taxes due to the City. The BOE requires an adoption of this resolution before the permission can be granted. The resolution must specify which staff (positions) may examine the records and the specific purpose for which the records may be used.

With the passage of Measure L, the BOE requires a new resolution to be filed to provide access to records for the new local sales tax. The attached resolution serves this purpose and updates the information on file for the existing sales, transaction and use tax records.

The information obtained by examination of Board records shall be used only for purposes related to the collection of City's sales and transactions and use taxes by the Board pursuant to the contracts between the City and the Board of Equalization.

Resolution 12-74 approved last September granted this authority only to the Administrative Services Director. In the spirit of flexibility and with the current personnel turnover, this resolution needs to be rescinded and amended. Therefore, resolution No. 12-74 is to be rescinded and an amendment to the classification will be made to add the classifications of Director of Finance and City Manager to the original authorization of Director of Administrative Services.

FISCAL IMPACT: None

ACTION REQUESTED:

Approve a resolution authorizing examination of the City's sales, transactions and use tax records.

CITY MANAGER 'S RECOMMENDATION:

Action as requested:

Submitted by: Tess Sloan

Action Date: 11/08/2012

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RESOLUTION NO. 12-XX

A RESOLUTION AUTHORIZING THE EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS

WHEREAS, pursuant to Ordinance No. 3-3.103 the City of Ridgecrest entered into a contract with the State Board of Equalization to perform all functions incident to the administration and collection of local transactions and use taxes; and

WHEREAS, the City Council of the City of Ridgecrest deems it necessary for authorized representative of the City to examine confidential sales and transactions and use tax records of the State Board of Equalization pertaining to sales and transactions and use taxes collected by the Board for the City; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board records and establishes criminal penalties for the unlawful disclosure of information contained in, or derived from sales or transactions and use tax records of the Board; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code requires that any person designated by the City shall have an existing contract to examine the City's sales and transactions and use tax records.

NOW, THEREFORE IT IS RESOLVED AND ORDERED AS FOLLOWS:

Section 1. That the City Manager, Finance Director, Administrative Service Director or other officer(s) or employee(s) of the City designated in writing by the City Manager, Finance Director, Administrative Services Director to the State Board of Equalization (hereafter referred to as Board) is hereby appointed to represent the City with authority to examine all of the sales or transactions and use tax records of the Board pertaining to sales or transactions and use taxes collected for the City by the Board of Equalization pursuant to the contract between the City and the Board under the Bradley-Burns Uniform Local Sales and Use Tax Law or the Transactions and Use Tax Law. The information obtained by examination of Board records shall be used only for purposes related to the collection of City sales or transactions and use taxes by the Board pursuant to the contract.

Section 2. That the City Manager, Finance Director, Administrative Service Director or other officer(s) or employee(s) of the City designated in writing by the City Manager, Finance Director, Administrative Services Director to the Board is hereby appointed to represent the City with authority to examine those sales and transactions and use tax records of the Board for purposes related to the following governmental functions of the City:

- a) for administration, collection and registration
- b) for budgeting and sales tax forecasting
- c) for auditing and examination to ensure accurate allocation

Section 3. That MuniServices LLC is hereby designated to examine the sales and transactions and use tax records of the Board pertaining to sales and transactions and use taxes collected for the City by the Board. The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract with the City to examine sales and transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from those sales and transactions and use tax records only to the officer or employee authorized under Section 1 (or Section 2) of this resolution to examine the information;
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in, or derived from those sales and transactions and use tax records after that contract has expired.

Section 3. That this resolution supersedes all prior sales and transactions and use tax resolutions of the City of Ridgecrest adopted pursuant to subdivision (b) of Revenue and Taxation Section 7056.

BE IT FURTHER RESOLVED that the information obtained by examination of Board records shall be used only for purposes related to the collection of City's sales and transactions and use taxes by the Board pursuant to the contracts between the City and the Board of Equalization.

Introduced, approved and adopted this 8th day of October, 2012.

ATTEST: (s) _____ (s) _____
City Clerk Mayor

I, Rachel Ford, City Clerk of the City of Ridgecrest, California, DO HEREBY CERTIFY that the foregoing resolution was duly introduced, approved and adopted by the City Council of the City of Ridgecrest, at a regular meeting of said Council held on the 8th day of October, 2012, by the following roll call vote:

Ayes: (Names of Councilmembers)

Noes: (Names of Councilmembers)

Absent: (Names of Councilmembers)

(s) _____
City Clerk

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

SUBJECT: A Resolution to Approve a Professional Services Agreement with, Willdan Engineering for the preparation and provision of environmental studies, permits, plans, specifications and engineering for the resurfacing, rehabilitation and reconstruction of Downs Street from Ridgecrest Boulevard to Upjohn Avenue and Authorize the Interim City Manager to execute this agreement.

PRESENTED BY:

Dennis Speer

SUMMARY:

The City of Ridgecrest is proposing to resurface, rehabilitate, and reconstruct Downs Avenue from Ridgecrest Boulevard to Upjohn Avenue. This is a full widening project of both north and south bound lanes with the relocation or removal of Southern California Edison power lines. Funding for this first phase of the project will come from Traffic Impact fees. This professional services agreement is for the preparation and provision of environmental studies, permits, plans, specifications and engineering that comply with City, State, and Federal requirements. The work provided under this agreement will enable this project to advance to the construction phase.

The City solicited proposals from qualified consulting firms to perform the subject professional services. A selection committee reviewed the proposals, interviewed the top firms, and ranked them. Willdan Engineering was among the top ranked firms. The proposed fee to complete the scope of work is \$124,740.00.

Staff recommends that the City enter into a professional services agreement with Willdan Engineering for the preparation and provision of environmental studies, permits, plans, specifications and engineering for this arterial street project.

FISCAL IMPACT:

\$124,740.00. The fee for this service will be transferred from Traffic Impact Fees.

Reviewed by Finance Director

ACTION REQUESTED:

Adopt a Resolution which approves a Professional Services Agreement with Willdan Engineering for the preparation and provision of environmental studies, permits, plans, specifications and engineering for the resurfacing, rehabilitation and reconstruction of Downs Street from Ridgecrest Boulevard to Upjohn Avenue and Authorize the Interim City Manager to execute this agreement.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve resolution as requested.

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RESOLUTION NO. 12-

A RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH, WILLDAN ENGINEERING FOR THE PREPARATION AND PROVISION OF ENVIRONMENTAL STUDIES, PERMITS, PLANS, SPECIFICATIONS AND ENGINEERING FOR THE RESURFACING, REHABILITATION AND RECONSTRUCTION OF DOWNS STREET FROM RIDGECREST BOULEVARD TO UPJOHN AVENUE AND AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE THIS AGREEMENT.

WHEREAS, The City of Ridgecrest is proposing to resurface, rehabilitate, and reconstruct Downs Avenue from Ridgecrest Boulevard to Upjohn Avenue, and

WHEREAS This is a full widening project of both north and south bound lanes with the relocation or removal of Southern California Edison power lines; and

WHEREAS, the City of Ridgecrest is required to complete the design phase of the project prior to advancing a project to the construction phase; and

WHEREAS, the City of Ridgecrest authorized the issuance of a request for proposal for professional civil engineering services; and

WHEREAS, proposals were received and officially opened for examination and review; and

WHEREAS, the selection committee reviewed and analyzed the proposals; and

WHEREAS, the selection committee interviewed and ranked the top firms; and

WHEREAS, Willdan Engineering was among the top ranked firms; and

WHEREAS, staff recommends Willdan Engineering as the consultant best qualified to provide this service; and

WHEREAS, the proposed fee of \$124,740.00 is being transferred from the Traffic Impact Fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ridgecrest hereby approves a professional services agreement with, Willdan Engineering for the preparation and provision of environmental studies, permits, plans, specifications and engineering for the resurfacing, rehabilitation and reconstruction of Downs Street from Ridgecrest Boulevard to Upjohn Avenue and authorize the Interim City Manager to execute this agreement.

APPROVED AND ADOPTED THIS 8th day of November 2012 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

CONSULTANT AGREEMENT

As of _____, 20____, the **City of Ridgecrest**, hereinafter "City," and **Willdan Engineering** hereinafter "Consultant," agree as follows:

1. Purpose.

WHEREAS, CITY desires assistance for the preparation and provision of environmental studies, permits, plans, specifications and engineering for the **Downs Street Widening Design Project** wherein the CITY will retain and employ the services of CONSULTANT to provide those services; and

WHEREAS, CONSULTANT is uniquely trained, experienced, competent, and qualified to perform such professional services required by this AGREEMENT.

NOW, THEREFORE, in consideration of the mutual promises, covenants, terms, and conditions hereinafter contained, the parties hereto agree as follows:

2. Services.

(a) The work to be performed by CONSULTANT is specified in Exhibit "A," "Scope of Services," attached hereto and incorporated by reference.

(b) Services and work provided by the CONSULTANT at CITY's request under this AGREEMENT shall be performed in a timely manner and shall be consistent with all requirements and standards established by applicable Federal, State, and local laws, ordinances, regulations, and resolutions.

(c) CONSULTANT must be expressly authorized to perform any of the required services under this AGREEMENT by the Public Works Director of the CITY or a designated representative, who shall administer this AGREEMENT. CONSULTANT shall report progress of work on a monthly basis, or as determined by the Public Works Director or a designated representative.

3. Consideration.

(a) Subject only to duly executed change orders, it is expressly understood and agreed that the fee shall be based upon a time and materials and in no event will the total compensation to be paid CONSULTANT under this Agreement exceed the sum of **One Hundred Twenty-Four Thousand, Seven Hundred Forty** (\$124,740.00).

(b) The Consultant shall complete and submit an invoice showing date of work, description of work performed, amount of invoice and supporting documentation. The City shall pay the Consultant within thirty (30) days of invoice being submitted. The invoice shall be made in writing and delivered to the CITY as follows:

Dennis Speer
Public Works Director
City of Ridgecrest
100 West California Avenue
Ridgecrest, CA 93555

4. Term.

This Agreement shall commence upon CITY's written authorization to proceed and shall continue until completion of the services described above and within Exhibit "A." Either party may terminate this agreement on thirty (30) days' written notice. If this contract is terminated by City without cause, City shall pay Consultant for work performed prior to the date the notice of termination is received by contractor. If the contract is terminated by Consultant without cause, Consultant shall reimburse City for additional costs to be incurred by City in obtaining the work from another consultant.

5. Ownership of Data, Reports, and Documents.

The Consultant shall deliver to the City on demand or completion of the project, notes of surveys made, reports of tests made, studies, reports, plans, and other materials and documents in hard copy and digital & CAD file formats which shall be the property of the City. If the City uses any of the data, reports, and documents furnished or prepared by the Consultant for projects other than the project shown on Exhibit "A," the Consultant shall be released from responsibility to third parties concerning the use of the data, reports, and documents. The Consultant may retain copies of the materials. The City may use or reuse the materials prepared by Consultant without additional compensation to Consultant.

6. Subcontracts.

The Consultant shall not subcontract or assign responsibility for performance of any portion of this Agreement without the prior written consent of the City. Except as otherwise specifically approved by the City, the Consultant shall include appropriate provisions of this Agreement in subcontracts so rights conferred to the City by this Agreement shall not be affected or diminished by subcontract. There shall be no contractual relationship intended, implied or created between the City and any subcontractor with respect to services under this Agreement.

7. Independent Contractor.

The Consultant is an independent contractor, and not an employee of the City.

8. Indemnification.

Consultant shall defend, indemnify, and hold harmless the City, its officers, employees and agents, from and against loss, injury, liability, or damages arising from or other wrongful conduct negligent act or omission to act by Consultant or Consultant's officers, employees, or agents. Consultant's duty to indemnify and defend does not extend to the damages or liability caused by the agency's sole negligence, active

negligence, or willful misconduct.

9. Insurance.

(a) The Consultant shall procure and maintain, for the duration of this Agreement, insurance against claims for injuries to persons or damages to property arising from or in connection with the performance of the work hereunder by the Consultant, officers, agents, employees, or volunteers.

(b) The Consultant shall provide the following coverages:

(1) Commercial general liability insurance written on an occurrence basis in the amount of \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. The insurance policy shall be amended to provide the general aggregate limit shall apply separately to the work under this Agreement or the general aggregate shall be twice the required per occurrence limit.

(2) Business automobile liability insurance insuring all owned, non-owned and hired automobiles, in the amount of \$1,000,000 combined single limit per accident for bodily injury and property damage.

(3) Workers' Compensation insurance as required by the Labor Code of the State of California with the statutory limits required by the Labor Code and Employers Liability for \$1,000,000 per accident for bodily injury or disease. The Consultant and subcontractors shall cover or insure their employees working on or about the site, regardless of whether such coverage or insurance is mandatory or merely elective under the law.

(4) Professional liability insurance covering loss resulting from errors or omissions of Consultant with a liability limit of at least \$1,000,000 claim and \$2,000,000 annual aggregate.

(c) The insurance policies required above shall contain or be endorsed to contain the following specific provisions:

(1) Commercial general liability and automobile liability:

(i) The City and its Board Members, officers, employees, agents and volunteers are added as insured;

(ii) The Consultant's insurance shall be primary insurance as respects the City, its Board Members, officers, employees, agents and volunteers and any insurance or self-insurance maintained by the City shall be in excess of the Consultant's insurance and shall not contribute to it.

(iii) Any failure to comply with the claim reporting provisions of the policies or any breach of a policy warranty shall not affect coverage under the policy provided to the City, its Board Members, officers, employees, agents and volunteers.

(iv) The policies shall contain a waiver of transfer rights of recovery ("waiver of subrogation") against the City, its Board Members, officers, employees, agents and volunteers for any claims arising out of the work of the Consultant.

(v) The policies may provide coverage which contains deductible or self-insured retentions. Such deductible and/or self-insured retentions shall not be applicable with respect to the coverage provided to the City under such policies. The

Consultant shall be solely responsible for deductible and/or self-insured retention and the City, at its option, may require the Consultant to secure the payment of such deductible or self-insured retentions by a surety bond or an irrevocable and unconditional letter of credit. The insurance policies that contain deductibles or self-insured retentions in excess of \$25,000 per occurrence shall not be acceptable without the prior approval of the City.

(vi) Prior to start of work under this Agreement, the Consultant shall file with the City evidence of insurance as required above from an insurer or insurers certifying to the required coverage. The coverage shall be evidenced on an ACCORD Certificate of Insurance form (latest version) and be signed by an authorized representative of the insurer(s). A copy of form ISO 2009 required above shall be attached to the Certificate of Insurance at the time it is filed with the City. Should the required coverage be furnished under more than one policy of insurance, the Consultant may submit as many certificates of insurance as needed to provide the required amounts. In the event the Certificate furnished by the Consultant does not adequately verify the required coverage, the City has the right to require the Consultant to provide copies of the specific endorsements or policy provisions actually providing the required coverage. The City reserves the right to require certified complete copies of any insurance coverage required by this Agreement, but the receipt of such policy or policies shall not confer responsibility upon the City as to sufficiency of coverage.

(2) All Coverages: Each policy required in this section shall contain a policy cancellation clause that provides the policy shall not be canceled by the insurer or the Consultant except after thirty (30) days' prior written notice by first class mail, return receipt requested, postage prepaid has been given to the City, Attention: Office Manager.

(d) All insurance required by this Agreement shall be placed with insurers licensed by the State of California to transact insurance business of the types required herein. Each insurer shall have a current Best Insurance Guide rating of not less than A: VII unless prior approval is secured from the City as to the use of such insurer.

(e) The Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein. The Consultant shall maintain evidence of compliance with the insurance requirements by the subcontractors at the job site and make them available for review by the City.

10. Miscellaneous.

(a) Copies of documents such as tracings, plans, specifications, and maps prepared or obtained under the terms of this agreement shall be delivered to and become the property of the City. These documents are instruments of service for this project only and are not intended or authorized for other use by City or third parties. Said documents shall be delivered in hard copy and digital and CAD file formats in which they were created.

Basic survey notes, sketches, charts, and computations shall be made

available upon request to the owner without restrictions or limitations to their use. If the above-mentioned documents are reused by the City, revisions will be indicated and the Consultant will be released and held harmless of liabilities by City.

(b) For a period of three years following receipt of final payment, Consultant will retain and make readily available to representatives of the EDA and the comptroller General of the United States monthly progress reports, invoices, and sponsor payments for the purposes of determining the grant funds available to the City were used to defray grant costs.

(c) Consultant shall not be responsible for the acts of omissions of any Contractor, any sub-contractor, or any of the Contractor's or sub-contractor's agents or employees or any other persons (except his own employees and agents) at the project site or otherwise performing any of the work of the project, except insofar as such acts or omissions were or should have been observed and reported by an experienced and qualified design professional or by the full-time Resident Project Representation. The Contractor is solely responsible for constructions, means, methods, materials, techniques, sequences, and safety at the site.

(d) Neither party hereto shall assign, sublet or transfer interests hereunder without first obtaining written consent from the other party.

(e) The waiver by either party of any breach of this agreement shall not bar the other party from enforcing any subsequent breach thereof.

(f) Notices shall be deemed received when deposited in the U. S. Mail with postage prepaid and registered or certified addressed as follows unless advising in writing to the contrary:

Dennis Speer
Public Works Director
City of Ridgecrest
100 W. California Avenue
Ridgecrest, CA 93555-4054

William C. Pagett, PE
Senior Vice President
Willdan Engineerin
374 Poli Street, Suite 101
Ventura, CA 93001-2605

(g) If an action at law or in equity is brought to enforce this agreement, the prevailing party shall be entitled to reasonable attorney fees and costs.

11. Integration.

This Agreement represents the entire understanding of City and Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing, signed by both parties.

12. Governing Law.

This Agreement shall be interpreted and construed under, and the rights of the parties will be governed by the laws of the State of California.

IN WITNESS WHEREOF, the parties hereby have caused this Agreement to be

executed the date first above written.

APPROVED:
City of Ridgecrest

APPROVED:
Contractor

By: _____
Dennis Speer, Interim City Manager

By: _____
William C. Pagett, Senior Vice President

APPROVED AS TO FORM
City Attorney

Attorney

EXHIBIT A

SCOPE OF WORK

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October 17, 2012

Dennis Speer
Director of Public Works
City of Ridgecrest
100 W. California Avenue
Ridgecrest, CA 93555

Subject: Proposal for Downs Street Widening Design

Dear Mr. Speer:

Willdan Engineering is pleased to submit this proposal to the City of Ridgecrest to provide environmental compliance, right of way research, and civil engineering services relating to the City's proposed street widening project on Downs Street, between Upjohn Avenue and Ridgecrest Boulevard. This contract provides the City with "shovel-ready" bid package ready to receive funding allocations as may arise for the proposed street widening work as identified in the Ridgecrest Redevelopment Agency's Capital Improvements Projects list.

We are prepared and dedicated to provide the City with the extension of staff necessary to execute the street widening project desired by the City.

Willdan is the ideal consultant to provide the desired services because of our extensive knowledge of the City's streets. The team members represented in this proposal are those noted in our previously submitted statement of qualifications. They are also the same team members that have recently completed the City's Pavement Management System update and provided design services for street improvements, similar to these requested in the City's RFP, on Drummond Avenue, between Norma Street and China Lake Boulevard, and on Sunland Street, between Church Avenue and Wilson Avenue. Willdan's team brings critical knowledge of the City's street system, an understanding of the City's design expectations, and proven performance for the City of Ridgecrest on similar projects.

Willdan has an outstanding team of experts ready to serve the City of Ridgecrest. We have gathered a team who has previously worked together to successfully complete similar projects working together, developed a typical scope of work and schedule to successfully complete the environmental compliance, design, and construction management requested by the City.

Ms. Roxanne Hughes, PE, will be the project manager for Downs Street widening project. She was responsible for project management and preparation of the City's Pavement Management Report Update and the Sunland Street and Drummond Avenue street improvement plans. Ms. Hughes has extensive experience in street design and pavement management systems, including

completing street rehabilitation and construction projects similar to the Downs Street widening project.

We have teamed with specialty subconsultants who we have worked with on other successful projects and provide specialized services, with particular familiarity with the Ridgecrest area.

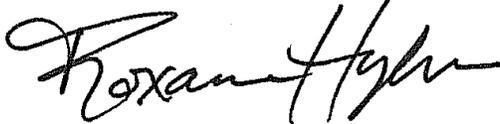
- Kleinfelder will be added to the team to provide geotechnical and material testing services. Kleinfelder has completed several geotechnical projects in the Ridgecrest area.
- Espinosa Surveying is a certified UDBE providing surveying services primarily to governmental agencies and has been added to provide surveying services.

The enclosed proposal includes Willdan's proposed project team members, scope of work, schedule and fee as we see is necessary to provide the City of Ridgecrest with the requested services, based on our vast experience completing similar services to numerous agencies throughout California.

We appreciate this opportunity to submit our proposal for your consideration and look forward to discussing your needs and our qualifications. If you have any questions, please contact Ms. Roxanne Hughes at (805) 653-6597 or rhughes@willdan.com.

Respectfully submitted,

WILLDAN ENGINEERING



Roxanne Hughes, PE
Principal Project Manager



William C. Pagett, PE
Senior Vice President





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Section 1 – Project Team

Program Manager

Mr. Douglas Wilson, PE, will serve as Program Manager. He has been designated as the primary contact between the City of Ridgecrest’s Public Works Department and Willdan. Mr. Wilson will also serve as overall Program Manager for this contract. He is a principal project manager in the City Engineering Group. Willdan is committed to opening a satellite office in Ridgecrest for Mr. Wilson to use, as the project requirements justify. Mr. Wilson has established excellent working relationships with various Public Works team members at the City and will continue to provide ongoing project and staff support for work assignments pursuant to this contract.

Project Manager

Project management that emphasizes steady coordination and open and frequent communication with all parties involved is critical to the success of any project. Willdan takes pride in the high level of service we provide to our clients throughout the project.

Ms. Roxanne Hughes, PE, will be the project manager for the street improvement design project. She was responsible for project management and preparation of the City’s Pavement Management Report Update and the Sunland Street and Drummond Avenue Street improvement plans. Ms. Hughes has extensive experience in street design and pavement management systems, including completing street rehabilitation and construction projects similar to those identified by the City.

Ms. Hughes has provided pavement management services, including PMS implementation and updates, maintenance and rehabilitation programming, street improvement design and construction management, for several public agencies, including the City of Ridgecrest. Her depth of understanding of the fundamentals of pavement design, the necessity of economical rehabilitation strategy and pavement management system expertise provide the exact skill set required to deliver a successful street improvement program, on time and within budget. Her recent involvement in preparation of the City's Pavement Management System Update and street improvements design for Drummond Avenue and Sunland Street provides her with the background knowledge of City's street system, construction history, design requirements, staff, procedures, and goals, necessary to complete the desired services within the City's proposed schedule.

As Project Manager, Ms. Hughes will:

- Establish appropriate organizational structures to best provide the services needed.
- Monitor, review and report on the project’s status to the City at regular intervals.
- Participate in presentations to the City.
- Solicit information from and coordinate reviews by the City.
- Be the primary contact and focus of project correspondence in order to maximize communications between the City, other agencies, and the Willdan team.
- Monitor the general progress of the project, and will thoroughly review all major documents prior to submittal to the City.



Project Team

Key members of this team include the following Willdan staff. They will be supported by other Willdan staff as needed to meet project milestones.

Mr. Michael Bustos, PE will be the lead design engineer for the proposed street improvement plans, specifications, and estimate. Mr. Bustos is a CA Registered Engineer working in Willdan's Ventura office along with Ms. Hughes. With Ms. Hughes's project management and oversight, he prepared PS&E for the City of Ridgecrest's recently prepared Sunland Street and Drummond Avenue street improvement plans.

Mr. Eric Wiebke, PE and **Mr. Tyrone Peter, EIT** will support Mr. Bustos in preparation of the bid packages required for construction of the proposed street improvements. The support of Mr. Wiebke, a CA Registered Engineer, and Mr. Peter, an Engineer-in-Training, will ensure that project deadlines are met for the multiple bid packages required under the proposed project.

Mr. Dean Sherer, AICP will review environmental compliance requirements for each project and file associated environmental documents as required.

Mr. David Knell, PLS will conduct the necessary right of way research to determine the legal disposition the City has with respect to the SCE pole line that needs relocation. Mr. Knell has worked extensively with major utilities and title companies in determining easements and correcting defective legal descriptions. He has expertise with particularly this line of research, as he often lectures on the Laws of Easements and how to best write effective legal descriptions.

Mr. Christopher Baca, RCI is the Deputy Director of Willdan's Construction Management Group and will be responsible for construction management and coordination of inspection services. Mr. Baca has primary responsibility for scheduling the construction management and inspection team at Willdan. He will dedicate the necessary resources to ensure that each construction contract is fully staffed and coordinated for successful execution. He is supported by a dedicated administrative staff to ensure timely processing of the often heavy paperwork load involved in effectively managing construction projects.

Mr. Jason Brown, RCI is an Assistant Construction Manager for Willdan and will be responsible for supporting Mr. Baca in providing construction management and coordination of inspection services. Mr. Brown will be responsible for the day to day construction management services required for each improvement project, with support from Mike Bustos and Chris Baca.

Mr. Scott Gibson is a Senior Public Works Observer for Willdan and will be the Primary Construction Inspector. Mr. Gibson will be responsible for the day to day inspection services required for each street improvements construction project. He will monitor the Contractor's daily activities and verify compliance with the project plans and specifications. He will report construction progress, conflicts, and nonconformance issues to Willdan's Construction Manager.

Mr. Larry Brown, RCI is a Supervising Public Works Observer for Willdan and will be the Alternate Construction Inspector. Mr. Brown will support Mr. Gibson's inspection efforts and will be available on those days in which Mr. Gibson is not available or on days when multiple inspectors are required. It is anticipated that the proposed street improvement construction projects will overlap in order to ensure that the requested street segments are completed within



the time frames specified. Therefore, providing an alternate construction inspector will be crucial to meeting the inspection needs.

Mr. Edward Cox will be the Utility Coordinator and will be responsible for coordination with utility agencies whose facilities may be affected by the proposed construction projects. Utility coordination will play a critical role in minimizing change orders and preventing damage to existing utilities within the project area. Therefore, Willdan has assigned Mr. Cox to focus solely on utility research and coordination.

Our subconsultants, Espinosa Surveying for surveying services and Kleinfelder for geotechnical and material testing services, are under the direction of Ms. Hughes and her project team.

Section 2 – Scope of Work

The following section describes Willdan’s understanding, approach and scope of work for this project.

Project Understanding

The City of Ridgecrest has recently updated their Pavement Management System (PMS) and is seeking to overlay numerous street segments identified in the PMS update. The segment on Downs Street is specifically identified in the Ridgecrest Redevelopment Agency’s (RRA) current list of approved CIP projects. It is the intent of the City to proceed with PS&E to attain a “shovel ready” project for use in leveraging construction funds for this important street improvement. This proposal includes a scope of work for environmental compliance, right of way research and civil engineering services required for the Downs Street project, between Upjohn Avenue and Ridgecrest Boulevard, which will include street widening, new curb, gutter, curb ramps, and sidewalk.

Project Approach

This project is scoped based on conditions as described herein:

Downs Street, from Ridgecrest Boulevard south approximately 1/2-mile to Upjohn Avenue is a two-lane arterial with a 30' paved width. There is significant block cracking, alligator cracking, and rutting throughout this street segment. This segment has dirt shoulders, with no existing curb, gutter, or sidewalk on either side. The sections north and south of this section are 4 lanes and include a median.

We have included in our proposal construction to build a full 110 foot arterial section with a median. We have assumed the right of way is adequate for this widening and have not included cost for the environmental clearance for obtaining right of way, preparing right of way acquisition documents and descriptions. However, we have included scope to support City staff in coordinating with affected property owners to cooperatively mitigate the impacts of the street widening, especially at the existing Dairy building. It is understood that, although the Dairy structures are not in the right-of-way, they are accustomed to using the existing shoulder area between edge of pavement and their facility for parking and circulation. Willdan will prepare property specific exhibits for use in communicating project details to the property owner, and thereby minimizing project impacts to the maximum extent. If the determination is made that



additional right of way is required or that the full section will not be constructed, we will adjust our scope and fee accordingly.

The preliminary engineering services will include utility research, right of way research, field investigations, soils testing, and ground survey. Upon receipt of Notice to Proceed from the City, Willdan will schedule our surveyor to perform the ground survey of the proposed street segment. A detailed scope of work for the ground survey is provided in the section of this proposal titled Survey and Base Plan Preparation.

Upon completion of the survey base plan, right of way research will be conducted by Mr. Dave Knell,

Willdan and Kleinfelder will coordinate with City staff to identify appropriate locations for soils sampling as required to conduct the soils testing needed to support our pavement engineering design. This proposal assumes that the City will collect the soil samples required. The samples will be then be picked up by Willdan and delivered to Kleinfelder's testing laboratory.

A Preliminary Design Report (PDR) will be prepared that will identify and evaluate various factors that affect project delivery. The submittal of the PDR for review and approval is considered a 10 percent design submittal. Once the design strategy is confirmed and approved by City staff, detailed design will commence.

We propose to provide design submittals at 30 percent, 60 percent, 95 percent, and 100 percent milestones for City review and comment. The 95 percent design milestone will serve as the design completion point for hand-off of the construction drawings to SCE for coordination of the utility relocation and underground work that they need to complete. The 100 percent bid ready set will then incorporate revisions needed for full coordination with the completed SCE work.

Upon completion of the engineered design drawings and bid package, Willdan will provide public bidding services as scoped in the following sections.

Willdan's Construction Management Division will provide the construction management and inspection services required for each construction project. Willdan's Project Manager will remain involved in both design and construction efforts to provide the overall project coordination, management, and continuity required to make implementation of the City's proposed street widening project a success.

The following scope of services will be completed for the Downs Street bid package assumed by this proposal.

Project Management

Ms. Hughes will maintain contact with the City Engineer primarily through weekly email updates on project status. It is our experience that maintaining frequent communication results in early identification and resolution of potential problems that could otherwise cause the project to get off track.

Upon receipt of Notice to Proceed, a project kick-off meeting will be conducted to meet with City Staff and review the project goals, timeline, and scope of work. Each aspect of the project will be discussed, including the design criteria, utility coordination, right-of-way acquisition, plan preparation and specifications, cost estimates, submittal reviews, and anticipated



construction issues. Items covered will also include, but not be limited to, pavement engineering, utility relocation, traffic control, ADA compliance, environmental clearance, parameters for curb, gutter and sidewalk construction, and any other special concerns of the City.

Willdan will obtain supporting documentation such as GIS and aerial photo files, utility contacts, record drawings, existing drainage reports, and current boilerplate specification documents from the City at this time.

Throughout the duration of the project, Willdan will coordinate the work of our staff and subconsultants and monitor progress against the schedule and implement corrective actions if there are signs of the schedule slipping or the budget being overrun.

One additional meeting will follow submittal of the Preliminary Design Report. At that time, the project team will receive direction from the City for implementation of the final design.

Project Management Deliverables

- Meeting Attendance Rosters and Minutes.
- Detailed Project Schedule.
- Phone Logs.
- Weekly Status Emails.

Survey and Base Plan Preparation

The City of Ridgecrest will furnish to Willdan copies of any available public works improvement plans within the project limits, including street, storm drain, culvert, sewer, signing and striping, traffic signal, landscape, any existing survey and aerials and other data necessary to complete the base mapping within the limits of the project.

Willdan will prepare a base plan with the existing improvements for the project area. The proposed Downs Street project will require complete right-of-way survey, due to the road widening. Willdan will prepare a base plan with the existing right-of-way and proposed improvements for the project. From the base plan, we will prepare construction plans. A ground survey will be conducted to establish horizontal control (CCS83), vertical control (NAVD 88), centerline control, identification of survey monuments, visible surface utilities, edge of pavements, and grade breaks, and to provide supplemental shots in identified areas of concern based on preliminary engineering.

The design survey will extend a minimum of 100 feet beyond the existing curb returns at all intersections and will include topography, including driveways, utilities, existing manhole rims, elevations and recovering/restoring street monumentation. We will provide cross-sections at 100-foot intervals. A record of survey will be developed for any identified material monument discrepancy or a corner record for any restored monument.

Willdan has staff capable of performing the ground surveys, but have opted to utilize the services of Espinosa Surveying, a certified UDBE, for this purpose. Through Espinosa, Willdan will perform ground surveys necessary to design the intended street construction. Our surveyor will set a recoverable benchmark and horizontal control on site.

Survey and Base Plan Preparation Deliverables

- Base Plan



Right of Way Research

Willdan will perform an extensive title search of Downs Street between Ridgecrest Boulevard and Uptown Avenue to determine underlying fee ownership of the right of way. The purpose of this search is to clearly establish who has prior rights in the area in order to determine the available course of action with respect to relocation of the SCE poles. Our survey manager, David Knell, has over 35 years in the survey field and specializes in title and boundary issues.

The approach to this work would be as follows:

Obtain an electronic file of the topographic survey so as to see where the SCE transmission towers/poles are located in respect to the current Downs Street right of way.

Pull all recorded maps and documents abutting Downs Street for the entire length of the project. We can get these documents at no charge from our contacts at various title companies.

Using all available research (Subdivision Maps, Records of Survey, deeds, improvement plans) verify the width of the right of way. Since this research is about "Prior Rights" issues, we will then make a determination what areas of Downs Street will need a "street search" to confirm underlying fee ownership. We will most likely need the services of a Kern County title company. Willdan will order the necessary reports. For the purposes of budgeting, we will assume that two parcels will require a street search. Therefore, the expenses for two title reports are included in our budget. Willdan will review any available reports and documentation for geotechnical conditions in the vicinity of the project, as provided by the City.

Field Investigations/Geotechnical/Research

Utilizing the services of Kleinfelder, Willdan will complete laboratory testing to support the preparation of a preliminary design report (PDR).

The planned field exploration will include two (2) test borings. The borings are anticipated to range from 5 to 10 feet deep for roadway design. In order to minimize consultant costs, it is assumed that the City will collect the samples and provide them to Willdan as required for testing. The City will document and relay the observed structural sections at the test boring locations. Laboratory testing will be performed to determine the R-value of the subgrade soils.

Utility Notice and Coordination

Willdan does not take utility coordination lightly. Willdan employs specialists who work with the utilities on a regular basis. This improves the communications and decreases the time that may be required to obtain information from the utilities. Identifying and avoiding utilities during our design will minimize the potential for costly delays during construction. During the initial information gathering task of this project, Willdan will mail utility notices using project location maps as a basis for information requests. Willdan has an updated list of utility companies to use for this purpose. Follow-up correspondence and coordination with utilities will be ongoing and will be incorporated into our design at all stages. A second utility notice will be sent out at the 60 percent design milestone with an 11-inch by 17-inch set of the plan sheet layouts showing the utility base plan to ensure confidence in the location of all utilities.



Willdan will be responsible for the following:

- Notify and coordinate with the utility agencies regarding the project-related modification of their facilities. Determine special requirements for utility facilities, including protection, right-of-way, and construction methods within the vicinity of the utility.
- Provide a second utility notification letter (prepare to relocate) and a third utility notification letter (notice to relocate), along with the 95 percent submittal PS&E.
- Submit a preliminary and final set of plans to each utility company that provides the location, elevation of the utility, and the conflict area clouded to show the utility companies the areas that conflict.
- Verify that the project's final design is compatible with known utilities in the project area to be installed, relocated, adjusted, or otherwise modified, including adding utility relocation windows into the construction schedule as necessary.

Utility Notice and Coordination Deliverables

- Copies of transmittals, submittals, and letters sent to utilities and agencies regarding the project.
- A summary of utility coordination status upon delivery of final construction contract documents to the City.

Preliminary Design Report

Willdan will compile a preliminary design report (PDR) as the 10 percent design submittal for review and approval by the City. The report will provide all the information necessary for the City to make reliable, cost effective decisions with regard to the proposed street widening. The PDR will summarize the field and testing programs and provide comments and recommendations to support the final design of the roadway. As a part of the preparation of the PDR, Willdan will review existing information, such as the pavement management report and field review the street to make recommendations regarding the construction needs.

The PDR will describe the project, and include and address the following:

- **Laboratory Testing Results**
 - ◆ A description of the proposed project, including a vicinity map showing the location of the site and a site plan showing the locations of the exploration points for this study
 - ◆ Tabulation of the existing pavement sections encountered at the boring locations
 - ◆ Description of the laboratory testing programs
 - ◆ Recommendations for subgrade preparation, including a discussion concerning the use of on-site soils for engineered fill, recommended import fill specifications
 - ◆ Recommended new asphalt pavement sections, based on traffic index provided by the City
 - ◆ Discussion and tabulation of the visual pavement evaluation



- Environmental Compliance
 - ◆ Review any existing environmental documentation that might apply to the project, including any previously prepared CEQA documents (such as the General Plan EIR) that identify impacts and which may include any required mitigation measures or requirements.
 - ◆ Review of project to determine the appropriate level of environmental review.
- Street Widening Design
 - ◆ Develop layout sheets as indicated in Survey and Base Plan Preparation
 - ◆ Identify areas where initial investigation indicates reconstruction is required.
 - ◆ Identify areas where geometrics require construction (As an example, adding a median on Downs Street between Upjohn Avenue and Ridgecrest Boulevard may be appropriate).
 - ◆ Identify preliminary geometrics and structural section.
 - ◆ Identify areas appropriate for rehabilitation
- Drainage Analysis
 - ◆ Review the City's Drainage Master Plan
 - ◆ Analyze the flow characteristics of the existing curbs, gutters, and drainage system
 - ◆ Identify cost effective upgrades to the drainage system for incorporated into the construction/reconstruction design to accommodate required drainage or implement a stage of the Drainage Master Plan while considering the goal of retaining existing curbs gutters and sidewalks where feasible.
- Traffic Handling
- Preliminary Construction Cost Estimate

Preliminary Design Report Deliverables

- Three (3) hard copies of the Preliminary Design Report (10% design submittal)

Environmental Clearance

Willdan will conduct site reviews and will prepare the environmental documentation required to complete the environmental processes identified in the PDRs. Based on the scope of the requested improvements, it is assumed that environmental permits will not be required by regulatory agencies and that there is adequate right-of-way for the projects as scoped. Processing of right-of-way deeds or easements is not included in the proposed scope of work. However, in order to support City staff in coordinating with affected property owners to cooperatively mitigate the impacts of the street widening, up to three exhibits will be prepared for use in communicating project details to the property owner.

Because Downs Street is proposed to be widened to its ultimate width (110-feet) as part of the this Project, and thus will increase the capacity of the roadway, an Environmental Initial Study Checklist will be prepared for the project in accordance with CEQA requirements. The Initial Study (IS) will culminate in either a Negative Declaration or a Mitigated Negative Declaration. The following tasks will be completed as required:



- Conduct Background Research and Environmental Analysis: Willdan will analyze any currently available baseline environmental information available for the project's CEQA document. When necessary, Willdan will conduct additional background research and review other sources of available information.
- Prepare a Screencheck Draft Initial Study: Using the latest CEQA Environmental Checklist Form, Willdan will prepare a Screencheck Draft IS for review by City staff. The evaluation of environmental impacts will include explanations of impacts, which may be termed potentially significant, potentially significant unless mitigated, less than significant, or which have no impact.
- Prepare the Initial Study: After receiving the City's comments on the Screencheck Draft IS and making the appropriate changes, Willdan will prepare a final version of the Initial Study.
- Prepare a Negative/Mitigated Negative Declaration: If the Initial Study reveals a Negative/Mitigated Negative Declaration (ND/MND) is the appropriate CEQA document for the project, Willdan will prepare the ND/MND to attach to the Initial Study. Willdan will submit a screencheck version of the ND/MND to the City for review and comment. After receiving the City's comments and making the appropriate changes, Willdan will combine the final ND/MND with the Initial Study, which will constitute the project's CEQA document.
- Circulation of the Initial Study and ND/MND and Public Notification: Willdan will assist the City in circulating the environmental document for public review. For this task, Willdan will submit fifteen (15) paper copies and one (1) electronic copy of the document to the State Clearinghouse along with a Notice of Completion (State Clearinghouse Transmittal Form). Willdan will also prepare a Notice of Intent to Adopt an ND/MND for the City to publish, distribute, and post with the County Clerk.
- Prepare a Mitigation Monitoring Program: If mitigation measures are required, a Mitigation Monitoring Program must be completed prior to certification of the MND. It may be included in the MND or take the form of a separate document, which need not be circulated to the public. The Mitigation Monitoring Program will identify all required mitigation measures, the party responsible for implementing the mitigation, and the timing and method of monitoring compliance. Methods of providing a public record of compliance will also be addressed. Willdan will submit a screencheck version of the Mitigation Monitoring Program to the City for review and comment. After receiving the City's comments and making the appropriate changes, Willdan will submit the final Mitigation Monitoring Program to the City.
- Notice of Determination: Willdan will prepare a Notice of Determination in accordance with Section 15094 of the State CEQA Guidelines for the City to file with the County Clerk. Willdan recommends the City file the Notice of Determination within five (5) days of adopting the ND/MND to establish a 30-day Statute of Limitations.

In addition to the tasks identified above, the project may require the preparation of supplemental technical studies to support the conclusions of the ND/MND. At this time, the only likely



technical study that would be required for the project would be a Noise Study. If not previously analyzed in the City's General Plan EIR, noise impacts on sensitive receptors will need to be evaluated. Sensitive receptors along Downs Street right-of-way include the Ridgecrest Charter School on the west side of the street, south of West Church Avenue, and a multifamily housing complex on the east side of the street. Willdan environmental planners will review the General Plan EIR as well as any existing noise studies and determine if they are adequate to proceed with the design and construction of the roadway widening. If required, supplemental noise measurements will be taken and additional noise analyses prepared to address the construction and operations of the widened roadway.

Environmental Clearance Deliverables

- Initial Study Checklist, Negative/Mitigated Negative Declaration
- Noise Study, if required

Plans, Specifications and Engineer's Cost Estimate (PS&E)

Upon approval of the PDR and agreement on the final design approach, Willdan will prepare engineering drawings for the street widening. Plans will be prepared on 24-inch by 36-inch layout. Plans will be submitted half size on bond at 30-, and both half-size and full size on bond at 60-, 95- and 100-percent design for City review and comment. Final approved drawings will be submitted on Mylar, wet stamped and signed by the engineer of record.

1. Plans Preparation

Street Construction Plans

The Downs Street widening plans will include 40 scale plan and profile view of the street segments with typical cross-sections, notes, and details sufficient to support bid and construction. Locations requiring isolated removals and reconstruction will be identified by station and dimensions. Existing and new surface profiles will be included for street centerline and top of curbs. Street grades, grade breaks, and vertical curve data will be shown on the profiles. Plan layout will include horizontal control and station callouts for BC/EC and PRCs. Quantity sheets will include tabulated quantities based on centerline stationing.

Pavement Delineation and Signing

Pavement delineation and signing plans will be prepared based on the new street design layout, coordinating ties into the existing striping at the joins to existing streets. Pavement delineation and signing plans will be included in the 60-, 95- and 100-percent design submittals.

Traffic Control Plans

Street construction and resurfacing projects typically require traffic control plans (TCP) to be furnished by the contractor as part of the construction contract. The City maintains control over the traffic handling through appropriate specifications in the contract documents and requiring TCP approval by the City Engineer. This approach provides the most economical and also allows the traffic handling to be adapted with specificity for the final order of work that the contractor will implement. However, if the City would like to include engineered TCP in the bid set for particular areas of concern, Willdan will prepare them for additional compensation.



2. Specifications

Utilizing the City-provided boilerplate Willdan will prepare the project's Specifications, complete and ready for bidding purposes using the latest edition the State of California Department of Transportation Standard Plans and Specifications. Willdan's specifications will support the selected overlay and construction strategies. A full set of specifications will be provided at 60, 95 and 100 percent design levels. Willdan will address traffic control requirements in the contract documents and specifications to construct the improvements.

3. Engineer's Cost Estimate

Willdan Engineering will prepare a detailed engineer's estimate of probable costs in Microsoft Excel spreadsheet format. The items will be arranged in chronological order of construction and will identify the bid items to be included in the contractors' bid forms. The estimate will be based upon recent bid prices for similar street construction projects in Ridgecrest and vicinity. Backup quantity calculations will be provided showing detailed computations for accuracy of the quantities upon request. The engineer's construction cost estimate will be based on plan sheet quantities and will be furnished at 30-percent, 60-percent, 95-percent, and final 100-percent design milestones.

4. Constructability Review

Between the 60% and 95% design submittals, Willdan will provide a constructability review of this project as part of the design process. This review is a standard quality control measure used by Willdan to help limit contract change orders and potential claims against this project.

This review will include, but not be limited to, the following tasks:

- Perform a job walk reviewing the existing improvements and identifying potential conflicts, including traffic control, pedestrian, access, utilities, and right-of-way issues
- Review the design and specifications to identify potential construction issues
- Prepare a detailed report to be submitted to the design team for review
- Provide a thorough review of the construction sequence necessary to complete the improvements included in the construction contract.
- Conduct thorough review of the construction plans and specifications.
- Prepare a list of the following, including potential recommended corrections:
 - ♦ Difficulties of completing any element of construction;
 - ♦ Conflicts between elements or the environment;
 - ♦ Elements of construction that could be substituted with more efficient materials and associated methods;
 - ♦ Elements of the construction that are not appropriately compensated by the bid schedule.
- Verify through design support consultation that each identified item of concern is being interpreted properly.
- Once a set of recommended corrections is developed, verify that time constraints do not impact their implementation.



- Prepare a report of findings, and outline recommendations to reconcile issues discovered and generally to expedite the project.

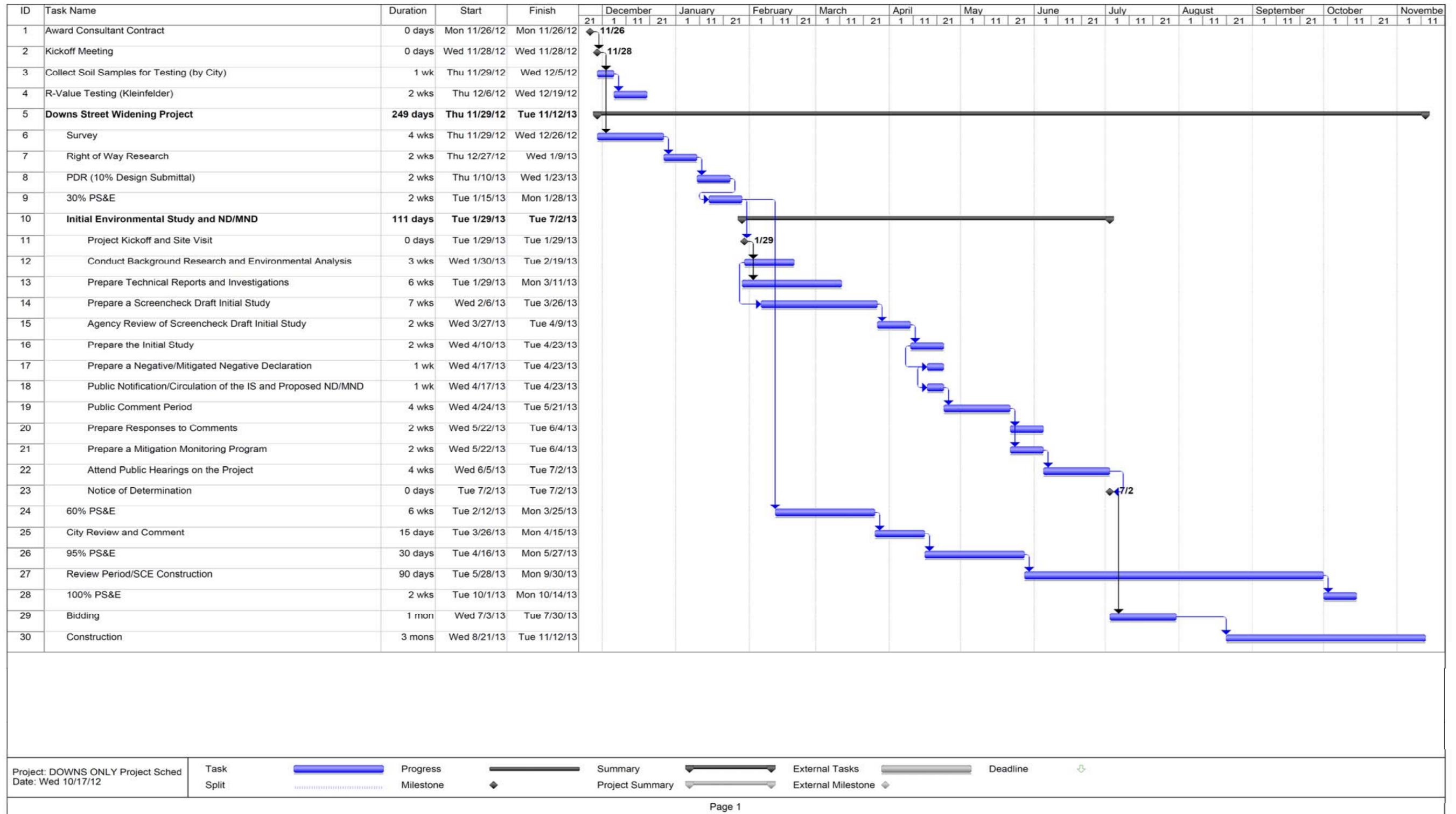
PS&E Deliverables

- A PDF set and three (3) half size sets of plans at 30 percent design completion
- A PDF set and one (1) full size and three (3) half size sets of plans at 60, 95 and 100 percent design completion
- A MSWord file and three (3) hard copies of complete Specifications at 60, 95 and 100 percent design completion
- An Excel file and three (3) hard copies of estimated quantities and Engineer's Estimate of Probable Costs at 30, 60, 95 and 100 percent design completion



Section 3 – Project Schedule

The following project schedule is provided based on expediting the design due to the aggressive street improvements program schedule. This schedule will be expanded if the PDR indicates that the project will need to include any right-of-way acquisition, special environmental permitting, or other out of the ordinary design constraints.





Section 4 – Fee Proposal

The enclosed spreadsheet shows the tasks, subtask, position, classifications for each task/subtask, hourly rates of each classification and other billable costs by task/subtask and totals by task along with a grand total to accomplish all the work. We propose to provide the requested Downs Street Widening Project for a time and materials basis, not-to-exceed fees summarized as follows:

Project	NTE Fee Estimate
Downs Street Widening (RDA Project)	
Environmental Compliance with ND/MND	\$30,720
Civil Engineering/Survey	\$94,020
TOTAL =	\$124,740



**CITY OF RIDGECREST STREET IMPROVEMENT DESIGN
PROPOSED HOURS AND FEE SCHEDULE
RDA Project on Downs Street, from Upjohn to Ridgecrest Blvd.**

WILLDAN ENGINEERING	Deputy Director	Program Mgr	Principal PM	Project Manager	Sprvsing Engineer	Sr. Const Manager	Principal Planner	Associate Engineer	Asst. CM	Designer II	Utility Coordr	Sr Public Wx Obsv	Admin Clerical	Sub-Consultants	Direct Expenses	Total Hours	Total Fee (\$)
Rate:	\$180	\$180	\$180	\$160	\$160	\$155	\$150	\$135	\$120	\$120	\$120	\$110	\$65				
SUMMARY TASK																	
ENVIRONMENTAL COMPLIANCE																	
Environmental Clearance - CEQA ND/MND			4				135						2			141	\$21,100
Noise Technical Study														\$7,500		0	\$7,500
Property Owner Exhibits			4	2				8								14	\$2,120
Environmental Compliance Subtotal	0	0	8	2	0	0	135	8	0	0	0	0	2	\$7,500	\$0	155	\$30,720
CIVIL ENGINEERING/SURVEY																	
Project Management																	
Project Coordination		4	32													36	\$6,480
Meetings (2)		6	8													14	\$2,520
30% PSE Submittal			2					2		2			2		\$150	8	\$1,150
60% PSE Submittal		1	2					2		2			2		\$150	9	\$1,330
100% PSE Submittal		2	2					2		2			4		\$350	12	\$1,840
Subtotal	0	13	46	0	0	0	0	6	0	6	0	0	8	\$0	\$650	79	\$13,320
Survey and Base Plan Preparation																	
Centerline Control/Base Plan								8		8				\$15,000		16	\$17,040
Subtotal	0	0	0	0	0	0	0	8	0	8	0	0	0	\$15,000	\$0	16	\$17,040
Field Investigations/Geotechnical/Research																	
R-Value Testing		2	2											\$1,100		4	\$1,820
Subtotal	0	2	2	0	0	0	0	0	0	0	0	0	0	\$1,100	\$0	4	\$1,820
Right of Way Research - SCE Poles																	
Records Research/Recommendations			18													18	\$3,240
Title Reports (2)													1	\$1,750		1	\$1,815
Subtotal	0	0	18	0	0	0	0	0	0	0	0	0	1	\$0	\$1,750	19	\$5,055
Utility Notice and Coordination																	
Utility Research and Coordination			2					4		2	16					24	\$3,060
Utility Notices (up to 3 notices per agency)								4		2	8		4		\$250	18	\$2,250
Subtotal	0	0	2	0	0	0	0	8	0	4	24	0	4	\$0	\$250	42	\$5,310
Preliminary Design Report																	
Field Review/Utilities			2								4					6	\$840
ADA Curb Ramp Compliance Review			2					2			2					6	\$870
Pavement Section Design			4		2			4								10	\$1,580
Drainage			2	3	2			4								11	\$1,700
Traffic Handling			4							4						8	\$1,200
Construction Cost Estimate			2	1				4								7	\$1,060
Report Preparation		2	4					2					4			12	\$1,610
Subtotal	0	2	20	4	4	0	0	16	0	4	6	0	4	\$0	\$0	60	\$8,860
Plans Preparation																	
Downs Street (3 sheets)			3	8				64		18						93	\$12,620
Typical Sections (1 sheets)			2					12		2						16	\$2,220
Details (2 sheets)			2					24		8						34	\$4,560
ADA Curb Ramp Design Details (2 Sheets)			2					24		8						34	\$4,560
Pavement Delineation Plans (2 sheets)			1					2		30						33	\$4,050
Subtotal	0	0	10	8	0	0	0	126	0	66	0	0	0	\$0	\$0	210	\$28,010
Complete Specifications																	
30% Specifications			4					4					4			12	\$1,520
60% Specifications		2	6					10					1			19	\$2,855
100% Specifications		1	6					4					2			13	\$1,930
Subtotal	0	3	16	0	0	0	0	18	0	0	0	0	7	\$0	\$0	44	\$6,305



**CITY OF RIDGECREST STREET IMPROVEMENT DESIGN
PROPOSED HOURS AND FEE SCHEDULE
RDA Project on Downs Street, from Upjohn to Ridgecrest Blvd.**

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Rate:	\$180	\$180	\$180	\$160	\$160	\$155	\$150	\$135	\$120	\$120	\$120	\$110	\$65				
SUMMARY TASK																	
Engineer's Cost Estimate																	
30% Estimate			2					8								10	\$1,440
60% Estimate			2	4				4								10	\$1,540
100% Estimate			2	6				4								12	\$1,860
Subtotal	0	0	6	10	0	0	0	16	0	0	0	0	0	\$0	\$0	32	\$4,840
Constructability Review																	
Field Review										8	4				\$100	12	\$1,540
Plan and Specifications Review		4								6	4					14	\$1,920
Subtotal	0	4	0	0	0	0	0	0	0	14	8	0	0	\$0	\$100	26	\$3,460
Civil Engineering/Survey Subtotal	0	24	120	22	4	0	0	198	0	102	38	0	24	\$16,100	\$2,750	532	\$94,020
Fee Total All Services	\$0	\$4,320	\$23,040	\$3,840	\$640	\$0	\$20,250	\$27,810	\$0	\$12,240	\$4,560	\$0	\$1,690	\$23,600	\$2,750		\$124,740



Section 5 – Contract Language

Willdan recommends utilizing the same contract language that is in the final, signed agreement for the Sunland Street and Drummond Avenue Street Design project.

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

SUBJECT:

A Resolution to Approve a Waiver for ADA Non Compliance Drive Approaches in Tract Map 6635.

PRESENTED BY:

Dennis Speer

SUMMARY:

Tract 6635 was approved on July 16, 2008. The streets were accepted into the City's street system. Recently, during a single lot inspection, it was noted that the driveway approach was not in conformance with American Disabilities Act (ADA) requirements. Upon further review it was discovered that eleven lots were not in compliance.

Based on the City's previous acceptance of the streets within Tract 6635, the developer requested that waivers be granted on any non-compliant driveway approaches in the subdivision.

It is staff's recommendation that a waiver be issued for all twenty-four lots in Tract 6635 for future certificates of occupancy.

FISCAL IMPACT:

None

Reviewed by Finance Director

ACTION REQUESTED:

A Resolution to Approve a Waiver for all twenty-four ADA non-compliant Drive Approaches in Tract Map 6635.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve A Resolution to Approve a Waiver for all twenty-four ADA non-compliant Drive Approaches in Tract Map 6635

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RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST APPROVING A WAIVER FOR ADA NON COMPLIANT DRIVE APPROACHES IN TRACT 6635

WHEREAS, Tract 6635 was approved on July 16, 2008, and

WHEREAS, The streets within the subdivision were accepted by the city, and

WHEREAS, a field survey was performed on all twenty-four drive way approaches for Tract 6635, and

WHEREAS, eleven of the twenty-four driveway approaches were found to be in non-compliance with the American Disabilities Act Standards, and

WHEREAS, it is staff's recommendation that a waiver be issued for all twenty-four lots for future certificates of occupancy.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Ridgecrest approves a waiver for ADA all non-compliant drive approaches in Tract 6635.

APPROVED AND ADOPTED this 8th day of November 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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

SUBJECT: Approve A Resolution Of The Ridgecrest City Council Announcing Proclamations Prepared For The Month Of November And Schedule Date Of Presentation

PRESENTED BY:

Rachel J. Ford, City Clerk

SUMMARY:

The Ridgecrest City Council receives requests for presentation of ceremonial proclamations for various events and observations. The resolution lists a proclamation that has been processed and will be presented by members of Council.

1. Native American Heritage Month 2012

**To Be Presented at the Cherokee Nation Pow Wow On Saturday, November 17, 2012
At 10:00am at the Desert Empire Fairgrounds**

FISCAL IMPACT: None

None

Reviewed by Finance Director

ACTION REQUESTED:

Adopt resolution

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve resolution and present proclamation to representatives of the Cherokee Nation at their annual Pow Wow to be held on November 17, 2012 at the Desert Empire Fairgrounds and attended by the Chief of the Cherokee Nation

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

Action Date: November 8, 2012

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RESOLUTION NO. 12-xx

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL
ANNOUNCING PROCLAMATIONS PREPARED FOR THE
MONTH OF NOVEMBER 2012 AND SCHEDULED DATE
OF PRESENTATION**

The Ridgecrest City Council receives requests for presentation of ceremonial proclamations for various events and observations. The following proclamations have been processed and will be presented at location, date and time shown below:

Proclamation titles with Date, Time and Location of Presentations

1. *AbilityOne Week 2012*

City Council will present the proclamation to representatives of D.A.R.T. AbilityOne Program at the Council Meeting of November 8, 2012

2. *Native American Heritage Month 2012*

Mayor and/or Council Members will present this proclamation at the annual Cherokee Nation Pow Wow on November 17, 2012 at 10:00am at the Desert Empire Fairgrounds to the Chief of the Cherokee Nation and other representatives

APPROVED AND ADOPTED this 8th day of November, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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*A Proclamation of
The City Of Ridgecrest, California*

*Native American Heritage Month
November 2012*

WHEREAS, pluralism and diversity have been hallmarks of our Nation, as expressed by our national Motto: "E Pluribus Unum", meaning "out of many, one"; and

WHEREAS, our unity is derived from a mix of many diverse cultures; and

WHEREAS, the culture of Native American peoples, with its unique spiritual and artistic contributions, together with its vibrant customs and celebrations has made remarkable contributions to our national identity; and

WHEREAS, we wish to recognize and celebrate the rich culture and traditions of Native American peoples

Now, therefore, be it proclaimed:

The City of Ridgecrest, in recognition of the many contributions that Native Americans and Native American culture have made to our society, hereby proclaims the month of November 2012 as Native American Heritage Month and encourage our community to observe this month with appropriate programs, ceremonies, and activities to increase the awareness of the unique role played by Native American culture in shaping our nation's history and heritage.

Proclaimed November 8, 2012


Ronald H. Carter, Mayor


*Marshall "Chip" Holloway
Mayor Pro Tem*


*Jerry D. Taylor
Vice Mayor*


*Steven P. Morgan
Council Member*


*Jason Patin
Council Member*

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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 October 3, 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 October 3, 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: November 8, 2012

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**MINUTES OF THE REGULAR MEETING OF THE
RIDGECREST CITY. SUCCESSOR AGENCY,
FINANCING AUTHORITY, AND HOUSING AUTHORITY**

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

**October 3, 2012
5:00 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 solely for the purpose of preparation of minutes.

CALL TO ORDER

ROLL CALL

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

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

APPROVAL OF AGENDA

- Closed session item identified as GC54956.9(B) Conference with Legal Council; Potential Litigation. Public Disclosure of Potential Litigant Would Prejudice the City of Ridgecrest was pulled and Relay for Life Proclamation added on the agenda prior to approval.

Motion to add relay for life proclamation motion by Patin, second by Holloway, voice vote 3 ayes 2 absent

Motion To Approve Agenda (As Amended) Made By Council Member Holloway, Second By Council Member Patin. Motion Carried By Voice Vote Of 3 Ayes; 0 Nays; 0 Abstain; 2 Absent.

Council Member Morgan joined the meeting at 5:12pm

PUBLIC COMMENT – CLOSED SESSION

No member of the public presented comment for closed session items.

MINUTES – RIDGECREST CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

October 3, 2012

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CLOSED SESSION – 5:00 p.m.

- | | |
|--------------|---|
| GC54956.9(A) | Conference With Legal Counsel, Existing Litigation. City Of Ridgecrest v. Benz Sanitation, Inc. |
| GC54956.9(A) | Conference With Legal Counsel, Existing Litigation. City Of Ridgecrest V. William Dale Howard |
| GC54956.9(B) | Conference With Legal Counsel, Potential Litigation. Public Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest |
| 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 |

Council Member Jason Patin left the meeting at 6:00pm

Council Member Jerry Taylor arrived at the meeting at 5:30pm

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session

Michael Silander

- City of Ridgecrest v. Benz
- City of Ridgecrest v. William Dale Howard – no action taken
- Undisclosed Potential Litigation – pulled from agenda prior to approval.
- Labor Negotiations – no action taken

- Other

a. Receive Report and Discuss Settlement Agreement in the case of City of Ridgecrest v. Benz

Michael Silander of Lemieux & O'Neill Attorney Firm

- ❖ Read statement from City Attorney Keith Lemieux.
- ❖ Brown act provisions reviewed.
- ❖ Outlined civil cases heard in Kern County Superior Court and actions taken.
- ❖ Outlined criminal case from State of California and actions taken.
- ❖ Payment from Benz has been received.
- ❖ All cases will be dismissed once proper signatures have been obtained.

PUBLIC COMMENT

Col. Aaron Akemie

- Army National Guard and Reserve representative presented a special award to Council Member Steve Morgan from the Office of the Secretary of Defense.
- Spoke on employer support for the Army National Guard and Reserve
- Recognition of Business and Community Leaders

Randy Jenkins

- Read a written statement about truth.
- Spoke on being an advocate for the community.
- Spoke about the dream of America
- Proposed cessation from Kern County to Inyo County
- Outlined campaign issues the he will support such as funding for streets, police, children safety, parks.

Paul Vanderwerf

- Spoke on personal service with the national guard deployments and the seamless reentry to employment
- Spoke on Benz Sanitation settlement and concerns about internal controls and missed opportunities to find the problems earlier and correct them.
- Stressed the importance of internal audit and controls in place.
- Highlighted adjustments made for last year's budget and noted concerns for the coming year.
- Mentioned a mentally ill individual staying at his residence and expressed concerns of lack of services for the mentally ill persons in our community.
- Reviewed actions taken recently by hospital and police.
- Requested City provides services to the community and adequate training to police officers.
- Available for further discussions pertaining to mental health issues.

George 'Andy' Anderson

- Exchange Club fund drive to restore the star on 'B' mountain
- Current star condition is non-functional, no light bulbs, worn insulation on the wiring.
- Planning to invite local electric and electronic firms to contact the base at 939-6501, to arrange a tour and discussion of repair needs.
- Appealing to businesses, service organizations to match the Exchange Club
- Checks can be dropped off at various locations and made out to the B Mountain Star Fund
- Donations are tax deductible.
- Asked about funds received from Benz for legal fees and if this covered all legal fees.
- Asked where the funds would be allocated.

Manuel Farmer

- Benz Sanitation is still in business and services the County residences.
- Paul Benz accepted the felony, not Benz Sanitation which is still working in the community.

MINUTES – RIDGECREST CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

October 3, 2012

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Flo Bonbella and Jeanie Dunn

- 2012 representative for Relay for Life
- Invited community to participate
- Close family members are cancer survivors.

William Dale Howard

- Presented booklets to Council members.
- Candidate for Council Member and presented his reasons for candidacy and support of the Constitution.
- Spoke on the Constitution lasting 200 years and guiding local politics.
- Encouraged Council members and community to review the Constitution each time a decision is made.

Dave Matthews

- 21 year cancer survivor.
- Citizens already losing some of the constitutional rights such as the right to choose a light bulb and which road to take.
- Two candidate forums in October and a hosting of Kevin McCarthy.
- Encouraged citizens to attend as many forums and meetings as possible and support the candidates.
- With respect to BLM and City of Ridgecrest, upcoming meetings on the CAPA road network in the El Paso mountain range.
- Meetings currently on the BLM desert district website, encouraged citizens and Council to attend.

Mike Neel

- Heartening to hear people mention constitutional government
- Online actions pertaining to the settlement, citizens were diverting trash as required and encouraged City Manager and Council to look at that issue again.
- With respect to current direction with Mr. Howard and court, disappointed in the court takeover of his property. Every man deserves his day in court. If laws are violated, then let him have his trial.
- Identified himself as abject coward but not in the sense that was implied. Fears no man. Will miss the sparring with Mr. Morgan.

CONSENT CALENDAR

1. Approve A Resolution Requesting Authorization To Enter Into A Program Supplement Agreement No. 028-N To The Administering Agency-State (State California Department Of Transportation) Agreement No 09-5385r And To Authorize The Interim City Manager, Dennis Speer To Sign The Agreement Speer
2. Approve A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Destruction Of Certain Accounting Records Sloan
3. Approve A Resolution Authorizing Proclamations For The Month Of October 2012 Ford

4. **Approve Draft Minutes of City Council Meeting Dated September 19, 2012** Ford

Items Pulled from Consent Calendar for Discussion:

- Item 2 pulled.

Motion To Approve Consent Calendar (As Amended) Made By Council Member Morgan, Second By Council Member Holloway. Motion Carried By Voice Vote Of 4 Ayes; 0 Noes; 0 Abstain; 1 Absent.

Item 2 discussion

Mike Neel

- Referred to comments made prior to meeting and asked if this would be a yearly records destruction.

Tess Sloan – legal requirement depends on the type of record. These records are eligible based on the secretary of state guidelines, which allows destruction of items older than eight years. Payroll records and cash receipts from 2004 back can be destroyed but need the room for the current records. No electronic documents, only paper documents. Electronic records at this time are sporadic.

Motion To Approve Item 2, A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Destruction Of Certain Accounting Records Was Made By Council Member Taylor, Second By Holloway, 4 Ayes, 1 Absent (Patin)

PUBLIC HEARING AND ORDINANCES

5. **Second Reading And Adoption Of Ordinance No. 12-07, An Ordinance Of The City Council Of The City Of Ridgecrest Granting A Non-Exclusive Taxi Franchise To Antonio Rubio** Speer

Dennis Speer

- Presented staff report.

Public Hearing

Dave Matthews

- Questioned how the rates would be determined and whether they were in the franchise agreement.
- Requested more information on the rates and a competitive rate for seniors and persons on limited income.

Dennis Speer – proposed by the franchisee

Ron Carter – reviewed the rates as outlined.

Motion To Waive Reading In Full And To Adopt By Title Only, Ordinance No. 12-07, An Ordinance Of The City Council Of The City Of Ridgecrest Granting A Non-Exclusive Taxi Franchise To Antonio Rubio Was Made By Council Member Taylor , Second By Council Member . Morgan Motion Carried By Voice Vote Of 4 Ayes; 0 Noes; 0 Abstain; 1 Absent (Council Member Patin).

MINUTES – RIDGECREST CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

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Motion To Adopt, By Title Only, Ordinance No. 12-07, An Ordinance Of The City Council Of The City Of Ridgecrest Granting A Non-Exclusive Taxi Franchise To Antonio Rubio Was Made By Council Member Taylor , Second By Council Member Morgan . Motion Carried By Voice Vote Of 4 Ayes; 0 Noes; 0 Abstain; 1 Absent (Council Member Patin).

COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders
Meeting: 2nd Wednesday Of The Month At 5:00 P.M., Council Conference Room
Next Meeting: moved to October 9, 2012

Jerry Taylor

- Reviewed next meeting discussions including the bike path extension
- Substandard street map
- Impact fees use and balance
- Update on navy agreement for wastewater plant upgrades
- Ridgecrest blvd. project
- Visual impaired signage
- French street crossing light
- AMG project powerline update
- KernCOG agenda
- Special time at 4:00pm

Quality Of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meeting: 2nd Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center
Next Meeting: October 11, 2012 (Dark in June, July, December, and January)

Chip Holloway

- Has not met
- Announced next meeting

City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 3rd Tuesday Of The Month At 5:00 P.M.; Council Conference Room
Next Meeting: October 16, 2012

Jerry Taylor

- Has not met
- Date may change
- Concern of financial status of current budget and want to discuss process for quarterly adjustments.

Community Development Committee

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

Steve Morgan

- Will not meet in October

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

Members: Ron Carter, Chip Holloway, Ron Strand
Meetings: 2nd Monday Of Odd Numbered Months At 4:00 P.M., Kerr-McGee Center
Next Meeting: November 12, 2012

Ron Carter

- Announced next meeting
- Requested report of illegal drugs in the community from the Police Chief

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: November 7, 2012 at location to be announced

Chip Holloway

- Reviewed RACVB minutes and discussion items from the October 3 meeting.
- Copy available in the Clerk's office.

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Steve Morgan

- Attended Quad State Coalition of Governments
- Reports on various agencies including BLM
- Desert tortoise issues
- Mojave ground squirrel
- Endangered plants
- RS2477 routes
- Swarovski crystal baby desert tortoise received as a parting gift

CITY MANAGER REPORT

Dennis Speer

- No report

MAYOR AND COUNCIL COMMENTS

Ron Carter

- Thanked city Council for support to veteran's
- Veteran's advisory committee
- Stand-Down services including haircuts, counseling, medical, etc.
- Stand-Down is scheduled for Saturday, October 6
- Encouraged all veteran's to attend
- Thanked the committee members including Chip Holloway and Lori Acton
- Senator Jean Fuller will be attending at 4:00pm
- Encouraged public to attend.

Chip Holloway

- Thanked everyone who participated in the Stand-Down
- Will be a long-term event
- Ridgecrest fair scheduled for October
- Encouraged public to attend and support as no funding is being provided by the state
- Parade on Saturday for the Fair
- Encouraged public to participate in the parade and get applications in by the 8th.
- Nominated by desert mountain league to participate on a task force in the league to look at what the state is doing to cities. First meeting October 11.
- Appreciate Mr. Taylor's comments regarding the Governor's recent actions to veto the Redevelopment bills presented.
- RACVB discussion and positive factors coming into Ridgecrest in the next few years.
- Small segments of the community spread urban myths to the public, latest myth is a conspiracy to sabotage the Ridgecrest Community Hospital and the new facilities. Rumor is only 25 beds are being used which is incorrect. There is a disproportionate mix of insured patients v. low income. Census number of overnight patients is low but are required to maintain critical access staff. Hospital is receiving better support from State and other agencies and the myth is untrue.

Jerry Taylor

- Hospital is an important cornerstone in this community. Challenge is of outpatient surgeries going elsewhere.
- Thanked Waste Management for assisting Viewfinders
- City of Ridgecrest is a sponsor and contract with Waste Management assures assistance for sponsor functions.
- Obstruction item and concerned with weed abatement to the medians. Asked staff to keep ahead of the issue
- Response to Mr. Anderson's question of reimbursement. Funds received are taxpayers dollars that were spent to defend the case such as legal fees.
- Only mandatory trash in the state of California is commercial. Residential is entirely voluntary.
- Silly season and elections.

MINUTES – RIDGECREST CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

October 3, 2012

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Steve Morgan

- If you say you do not have anything to do this weekend you are not paying attention.
- Maturango junction, relay for life, veterans stand down, and others happening in the community this weekend.
- No greater love than to give of yourself. Did call Mr. Neel a coward because he advocates opinions but does not volunteer to be a participant on any board or committee.
- Without collaborating together, we are not creating a solution.
- Candidates are stating that long-term candidates have power, which is a bunch of bologna. I am open and honest and certainly blunt with my opinions. People know where I stand and when I have a conversation with citizens I listen and try to do the best that I can with the information received. All Council members do the same.
- Incoming Council members have a learning curve and I will support them because they will work very hard for the citizens of Ridgecrest.
- Council learned information tonight on the settlement that we did not have access to along the way.
- Believe Council has been vindicated by this settlement. A lot of effort has been expended by staff and the legal team deserves credit for creating a case that generated a reimbursement that will go to the general fund.
- For community members to believe that Benz was tricked is incredible. We (Council) was lied to and yet citizens still blame the Council.
- Council listened to a lot of information in closed session that cannot be revealed to the public by law. More to it than anyone knows. To continue to accuse the Council they did something deliberately wrong is ludicrous. Council did not plead guilty because we are not guilty. Paul Benz Sr. pled guilty because he is guilty.

ADJOURNMENT at 7:27 pm

Rachel J. Ford, CMC, City Clerk

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

SUBJECT:

Adopt A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Execute A Construction Disbursement Escrow Development Agreement For The Development Of A Wal-Mart Supercenter Within The City Of Ridgecrest

PRESENTED BY:

Gary Parsons

SUMMARY:

The Resolution authorizes the City Manager to execute a modification to the existing development agreement with Wal*Mart for the development of a supercenter within the City of Ridgecrest.

This agreement will be for placement and disbursement in the form of a construction escrow agreement for City's Tax Allocation Bond (TAB) funds previously authorized by Council for public works projects associated with the development of the project.

No additional funds request is considered in this agreement. Other minor modifications included in the agreement have been reviewed and approved by the City Engineer and relate to portions of the public works projects in which the City has been able to gain other grant funds.

This agreement represents the next and we believe final step allowing the project to begin and ground breaking to be scheduled.

FISCAL IMPACT:

No additional fiscal impact determined

Reviewed by Finance Director

ACTION REQUESTED:

Motion to approve Resolution, and authorize the City Manager to execute the modification and addition to the existing development agreement

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Approve a resolution authorizing the City Manager to execute the modification and additions to the existing development agreement.

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RESOLUTION 12-xx

A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION DISBURSEMENT DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF A WAL-MART SUPERCENTER WITHIN THE CITY OF RIDGECREST

WHEREAS, the City of Ridgecrest has previously enter into a development agreement with Wal-Mart for the development of a supercenter within the City of Ridgecrest, and;

WHEREAS, the City of Ridgecrest for the purposes of funding and disbursement of several public improvements utilizing its TAB funds wishes to enter into a construction escrow agreement with Wal-Mart

NOW, THEREFORE, BE IT RESOLVED that the Ridgecrest City Council Does hereby authorize the City Manager to execute a modification to the existing development agreement for the purpose of establishing a Construction Disbursement Escrow Agreement with Wal-Mart.

APPROVED AND ADOPTED this 8th day of November 2013, by the following vote

AYE:

NOES:

ABSENT:

ABSTAIN:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford, CMC
City Clerk

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