



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

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

**January 21, 2004
6:00 p.m.**

Tape Recorded
Tape 04-01

This meeting was tape 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 at 6:03 p.m.

ROLL CALL

PRESENT: Mayor Ronald Carter, Mayor Pro Tem Marshall Holloway, Vice Mayor Richard Martin, Council Members Steven Morgan and Daniel Clark

STAFF Harvey Rose, City Manager; Seven O'Neill, Deputy City Attorney; Rita Gable, Chief Deputy City Clerk; Jim Ponek, Parks and Recreation Director; Joe Pollock, Assistant Public Works Director; James McRea, Community Development Director; Michael Avery, Chief of Police; and other personnel

CLOSED SESSION – 6:00 p.m.

GC54956.8 Real Property Negotiations, Lot 25, APN 033-070-24; Ridgecrest Business Park, North China Lake Boulevard – Agency Negotiators Harvey Rose, Gary Parsons, and James McRea

GC54957.6 Labor Relations – Harvey Rose

REGULAR SESSION – 6:34 p.m.

PLEDGE OF ALLEGIANCE led by Holloway

INVOCATION by Reverend Doug Hearn, Union Baptist Church

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

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Council received and discussed information regarding the Ridgecrest Business Park and gave direction to Staff. Labor Relations item will be discussed in a continued Closed Session after the regular meeting.

APPROVAL OF AGENDA

Mayor Carter asked that item 24 be brought to front of Agenda as representative of the Owen Valley Career Development TANF were in attendance.

Moved by Council Member Martin, seconded by Council Member Holloway TO APPROVE THE AGENDA WITH ITEM 24 MOVED FORWARD. No public comment. Motion carried with a voice vote of 5 ayes.

PROCLAMATIONS AND PRESENTATIONS

1. Presentation – Martin Luther King, Jr. "I Have a Dream" Speech

In honor of Dr. King's Birthday, January 19, James Rajaratnam, an 8th grader from Immanuel Christian School, presented Dr. King's "I Have a Dream" speech.

2. Presentation – Bicycle Safety Rewards Program

Mayor Pro Tem Holloway, assisted by Chief Avery, presented his idea of a rewards program, using certificates redeemable at The Weinerschnitzel (his personal business) presented to citizens, young and old, for observing the bicycle traffic safety laws and rules. The back of the coupons have safety tips. Identify persons doing things correctly and reward them with a coupon – this is positive reinforcement.

PUBLIC COMMENT

Lois Beres, 637 N. Sunland Street

- Proud of City Administration and Finance Department
- Kern County Grand Jury report on the City was great

Item 24 –moved forward on Agenda

24. Resolution No. 04-01, A Resolution Of The Ridgecrest City Council Accepting Funding From Owens Valley Career Development Center Tribal TANF Program In The Amount Of \$8,944.28 For Athletic Field Improvements And Amending The Adopted 2003-2004 Budget Ponak

Parks and Recreation Director Ponak gave the staff report

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- This is a request to accept funding from Owens Valley Career Development Center Tribal TANF Program for Athletic Field Improvements.
- introduced Frank Fabunan, Site Manager and Melissa Stone, Site Project Coordinator who presented checks to the City for Athletic Field Improvements

Moved by Council Member Morgan, seconded by Council Member Martin TO ADOPT RESOLUTION NO. 04-01, A RESOLUTION OF THE RIDGECREST CITY COUNCIL ACCEPTING FUNDING FROM OWENS VALLEY CAREER DEVELOPMENT CENTER TRIBAL TANF PROGRAM IN THE AMOUNT OF \$8,944.28 FOR ATHLETIC FIELD IMPROVEMENTS AND AMENDING THE ADOPTED 2003-2004 BUDGET. No public comment. Motion carried with a voice vote of 5 ayes.

CONSENT CALENDAR

3. Resolution RRA 04-01, A Resolution Of The Ridgecrest Redevelopment Agency Approving Owner Participation Agreement (OPA); SASS, Sophie Dodge, 114 Balsam Street, Facade And Exterior Improvement Assistance In The Amount Of \$566.81 McRea
4. Resolution No. 04-02 , A Resolution Of The Ridgecrest City Council Accepting Certain Street Improvements For GF Project ST0306, Cross Gutter Repairs At Sunland Street And Wilson Avenue And At Gateway Blvd And Church Avenue, Constructed By Granite Construction Company, Approving Payment In Full Including Retention Pollock
5. Resolution No. 04-03, A Resolution Of The Ridgecrest City Council Approving The Application For Funds For The Congestion Management Air Quality (CMAQ) Program Under The Transportation Equity Act For The 21st Century (TEA-21) Of 1998 For The Following Project: Reeves Avenue Paving CML-5385 (020) Pollock
6. Resolution No. 04-04, A Resolution Of The Ridgecrest City Council Approving The Application For Funds For The Congestion Management Air Quality Program Under The Transportation Equity Act For The 21st Century (TEA-21) Of 1998 For The Following Project: Graaf Avenue Paving ST0302 Pollock
7. Resolution No. 04-05, A Resolution Of The Ridgecrest City Council Dedicating The Water Improvements Within The Ridgecrest Business Park To The Indian Wells Valley Water District Pollock
8. Resolution No. 04-06, A Resolution Of The Ridgecrest City Council Authorizing Recordation Of The Final Map For Tract 6133 Unit A, Subject To Staff Approval Pollock

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9. Resolution No. 04-07, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Sign A Program Supplement Agreement With The State Of California Department Of Transportation For The Installation Of Street Lights On The West Side Of North China Lake Boulevard From Triangle Drive To Ward Avenue Pollock
10. Resolution No. 04-08, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Sign A Program Supplement Agreement No. 013-M To Administering Agency-State Agreement No. 09-5385 For The Reconstruction Of Upjohn Avenue From China Lake Boulevard To Brady Street (STPL-5385(029)) Pollock
11. Resolution No. 04-09, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Apply For Grant Funds For The Per Capita Grant Program Under The California Clean Water, Clean Air, Safe Neighborhood Parks And Coastal Protection Act Of 2002 Ponck
12. Resolution No. 04-10, A Resolution Of The Ridgecrest City Council Approving Job Description For Senior Bus Driver/Dispatcher Rose
13. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of 12/17/03 Gable
14. Council Expenditure Approval List (DWR) Dated 12/12/03 In The Amount Of \$113,378.09 Winegardner
15. Council Expenditure Approval List (DWR) Dated 12/26/03 In The Amount Of \$164,862.09 Winegardner
16. Council Expenditure Approval List (DWR) Dated 1/9/04 In The Amount Of \$127,712.03 Winegardner
17. Agency Expenditure Approval List (DWR) Dated 12/12/03 In The Amount Of \$6,823.87 Winegardner
18. Agency Expenditure Approval List (DWR) Dated 12/26/03 In The Amount Of \$299,947.88 Winegardner
19. Agency Expenditure Approval List (DWR) Dated 1/9/04 In The Amount Of \$817.68 Winegardner

Council Member Morgan asked for more information on items 8, 9, and 10 before a vote was taken

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Assistant Public Works Director Pollock explained

- #8 is a residential subdivision that still has earth work being done - when done we will sign the tract map and send to Kern County for recordation – some papers will take a while and it's good to get them ready in advance
- #9 & 10 have no matching funds – Public Works wants to get paperwork started because it takes so long to get through Sacramento and get their commitment – have grants but need to seek matching funds – don't want to lose state commitments – this keeps these projects alive until we can secure matching funds – may eventually lose the grants if we don't get matching funds – no charges will be placed against these funds - #9 has sunset on grant money of next year

Dave Mathews, 717 Kevin Court

- Regarding #9 - asked how can we do this before we install traffic safety at Ridgecrest Boulevard and Sunland Street
 - Mr. Pollock stated the grant was applied for three years ago – City is still working with CalTrans on the E. Ridgecrest Boulevard/Sunland Street issue

Motion by Council Member Holloway, seconded by Council Member Martin TO APPROVE THE CONSENT CALENDAR. Public comment heard. Motion carried with a voice vote of 5 ayes.

PUBLIC HEARINGS

20. **Joint City Council and Redevelopment Agency Public Hearing for notice of real property sale, and Disposition Development Agreement (DDA) to construct and develop a commercial use on two vacant parcels on North China Lake Boulevard, at access "A", Lots 23 & 24, Parcel Map 10819, APN 33-070-23-24, Ridgecrest Business Park, Nickoletti Center** Mcrea

Community and Economic Director McRea gave the staff report

- The City/Redevelopment Agency is required to hold a public hearing for each and every lot proposed for sale in the business park
- Public Hearing was duly noticed and publicized
- This is a relocation of both Nickoletti's restaurants – 4,200 SF and 3,400 SF with a common patio area of 6,400 SF and required parking
- After public hearing staff recommends authorization of sale, opening of required escrow, and execution of the DDA by the Executive Director

Public Hearing opened at 7:20 p.m.

Dave Matthews, 717 Kevin Court

- Is in favor of sale of property
- Not sure where located or where access will be

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- Great idea for the business park

Matt Feemster 724 Sydnor Avenue

- He is a little confused about location of the lots too
- City selling land to local businessman – what was selling price
 - Mr. McRea gave price of \$204,474 plus or minus gross/net adjustment

Council comment

- Asked for clarification about Agency required to develop and fund frontage road
 - McRea explained the required frontage road connecting access A and B will be required to service the adjoining Business Park Properties
 - Traffic signal is proposed at intersection of Ward Avenue and N. China Lake Boulevard

Public Hearing closed at 7:42 p.m.

Council directed Community and Economic Development Director McRea to continue with development of the sale and to return to Council when all details were firm.

Proposed resolution was not voted upon.

Resolution RRA No. 04-, A Resolution Of The Ridgecrest Redevelopment Agency Approving A Disposition And Development Agreement And Authorizing The Execution And Delivery Thereof

ORDINANCES AND RESOLUTIONS

21. An Ordinance Of The Ridgecrest City Council Amending The Ridgecrest Municipal Code To Prohibit Smoking In Or Near Municipal Buildings Rose

City Manager Rose gave the staff report

- This is introduction and first reading of an ordinance amending the Ridgecrest Municipal Code to prohibit smoking in or near municipal buildings
- This brings our Municipal Code up to date to agree with State law

Dave Matthews

- He is personally tired of all governments putting their thumbs into peoples personal rights
- Would our Council be bold enough to take exception to the state on this and not amend the Municipal Code

Matt Feemster

- Asked what old ordinance said

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- Mr. Rose stated the old ordinance forbade smoking in City buildings and City vehicles
- This amendment further limits smoking outside the buildings or vehicles or outside air source to a minimum of 20 feet away

Bud Klamt, 221 N. Gold Canyon Drive

- It is one thing to have the law on the books and another to strictly enforce it

Motion by Council Member Morgan, seconded by Council Member Martin TO WAIVE READING IN FULL AND TO INTRODUCE, BY TITLE ONLY, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE TO PROHIBIT SMOKING IN MUNICIPAL BUILDINGS. Public Comment heard. Motion carried with a voice vote of 3 ayes, 1 no, and 1 abstention. Council Member Holloway voted no, Council Member Clark abstained.

OTHER ACTION ITEMS

22. **Resolution RRA No. 04-02, A Resolution Of The Ridgecrest Redevelopment Agency Approving A Disposition And Development Agreement And Authorizing The Execution And Delivery Thereof (Ridgecrest Healthcare Development Alliance)** **McRea**

Community and Economic Development Director McRea gave staff report

- Public Hearing held at the November 5, 2003 Council/Redevelopment Agency meeting
- Agency in final process of executing the DDA for lot 21
- An option exists for a portion of lot 19 at a future date
- A traffic signal is not proposed at the intersection
- Recommend approval of the DDA authorization for Executive Director to execute document and proceed with the sale and development of the site

Moved by Council Member Morgan, seconded by Council Member Clark TO ADOPT RESOLUTION RRA NO. 04-02, A RESOLUTION OF THE RIDGECREST REDEVELOPMENT AGENCY APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF (RIDGECREST HEALTHCARE DEVELOPMENT ALLIANCE. No public comment. Motion carried with a voice vote of 5 ayes.

23. **Resolution RRA No. 04-03; A Resolution Of The Ridgecrest Redevelopment Agency Approving A Disposition And Development Agreement And Authorizing The Execution And Delivery There Of (Searles Lake Federal Credit Union)** **McRea**

Community and Economic Development Director McRea gave staff report

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- Public Hearing held at the November 5, 2003 Council/Redevelopment Agency meeting
- Agency in final process of executing the DDA for lot 27
- Improve and develop the drainage course to redirect runoff to E. Ward Avenue shall be at the developer's sole expense
- Recommend approval of the DDA authorization for Executive Director to execute document and proceed with the sale and development of the site

Moved by Council Member Morgan, seconded by Council Member Clark TO ADOPT RESOLUTION RRA NO. 04-03; A RESOLUTION OF THE RIDGECREST REDEVELOPMENT AGENCY APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THERE OF (SEARLES LAKE FEDERAL CREDIT UNION). No public comment. Motion carried with a voice vote of 4 ayes, 1 abstention. Council Member Holloway abstained.

The following item was address earlier on the Agenda

24. Resolution No. 04- , A Resolution Of The Ridgecrest City Council Accepting Funding From Owens Valley Career Development Center Tribal TANF Program In The Amount Of \$8,944.28 For Athletic Field Improvements And Amending The Adopted 2003-2004 Budget Ponak

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

None

CITY ATTORNEY REPORTS

None

COMMITTEES, BOARDS AND COMMISSIONS

Economic Development Committee

Members: Chair Chip Holloway, Dan Clark, Mike Biddlingmeier, Howard Laire

Meetings: 1st Thursday of the month at 4:30 PM; Council Conference Room

Next meeting to be announced

Legislative Committee

Members: Chair Duke Martin, Chip Holloway

Meetings: 2nd Tuesday of the month at 8:00 AM; Council Conference Room

Next meeting February 18, Texas Cattle Company

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Infrastructure Committee

Members: Chair Steve Morgan, Duke Martin, Chuck Roulund, Jim Smith

Meetings: 2nd Tuesday of the month at 5:30 p.m., Council Conference Room

Met January 13

- Discussed diesel engine retrofit program
- Discussion of proposed 1/2 cent sales tax from County was postponed to another meeting
- Joe Pollock mentioned possibility of rerouting funds for traffic signal at Church Street
- Still battling with CalTrans for E. Ridgecrest Boulevard/Sunland Street for traffic safety device
- Mentioned Senator Ashburn's letter re monitoring of that intersection
 - Think we need to write to him as he does not understand situation

Next meeting February 10

City Organization Committee

Members: Chair Chip Holloway, Ron Carter

Meetings: 2nd Thursday of the month at 4:00 PM; Council Conference Room

Met January 8

- No report on transit
- Report on VLF funding from Winegardner
- Transit personnel taking Spanish lessons and doing well
- TDA has been filed
- Finance is submitting application for some kind of award
- Sobriety check points netted 1 at Christmas and 4 on New Year's Eve
- Police Department has acquired a former Brinks armored car
- Redflex was here and working with Chief Avery
- 53 youths over last 3 years in WIA program
- Discussed Benz proposal for mandatory trash pickup
 - Rates would go down – cost would be about \$10 per household per month
 - Would increase revenue to City 39k to about 140k
 - Committee was ready to take to Council
 - Since meeting Benz has withdrawn proposal
 - City is only incorporated City in the County that does not have mandatory trash pickup
 - Holloway would like Council to put it on an agenda without Benz and get it talked about with public

Next meeting to be announced

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Quality of Life Committee

Members: Chair Dan Clark, Ron Carter, Mike Biddlingmeier, Howard Laire

Meetings: 4th Thursday of the month at 5:00 PM; Kerr-McGee Center

Next meeting January 22, 2004

Redevelopment Advisory Committee

Members: Chair Ron Ketcham, Vice Chair Lois Beres, Harley Baker, Bob Peoples, Gary Charlon. Ex-officio Members Council Members Steve Morgan and Duke Martin, Planning Commissioner Shelia Torkelson

Meetings: 3rd Tuesday of the month at 5:00 PM, Council Conference Room

Met January 20, 2004

- Excellent debate/discussion on Ridgecrest Business Park

Next meeting February 17

RACVB

Council Member Duke Martin

Council Member Dan Clark - Alternate

Meetings: 3rd Wednesday of the month, 8:00 a.m., RACVB Office

Met January 21

- Bureau has submitted two RACVB grant applications
 - Kern County air Pollution Control District for \$24,000 to purchase a Toyota Prius hybrid engine car
 - Kern County for \$5,000 to complete last year's grant project of a 178 Corridor tourist kiosk
- Received update on status of the RACVB's new tourism billboard whose construction is being delayed by CalTrans
 - The office of Assembly Minority Leader Kevin McCarthy is negotiating with CalTrans to resolve this issue
- Next Ridgecrest Area Visitors Guide will be published in March and will contain four additional pages and include more photos and more color
- Tradeshow season begins this weekend in Costa Mesa for Orange County Travel Show and the L.A. Times Travel Show follows in two weeks in Costa Mesa

Next meeting February 18

Other Committees, Boards, or Commissions

Council Member Clark - Senior Ad hoc Advisory Council will be one hour before Quality of Life Committee tomorrow at 4 p.m. January 22

Council Member Morgan will attend BLM steering committee at BLM office tomorrow evening January 22

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Council Members Holloway and Martin are going to Bakersfield for the Kern Council of Cities meeting – Assemblyman McCarthy is the speaker

Kern County Air Pollution Control District member Holloway noted District reappointed Peter Brown and Nancy Bass and new member Matt Feemster Council Member Holloway is on a League of California Cities Administrative Services and Housing and Economic Development Committees

- There will be an item on ballot about taxpayers protection – State cannot take funds from cities
- Aim of League of California Cities is to restore confidence in government
- BRAC criteria list was discussed by Housing Committee
- Will be In California City for the LCC quarterly meeting on January 30th

Council Member Morgan mentioned SB774 Senators Dun and Ducheny – regarding housing planning – each city has to have a housing element plan – will override any decision City may make

COUNCIL COMMENTS

Clark

- 7 weeks to the 100 Voices Women's Conference - March 13th 9 a.m. to 3 p.m., 8-9 a.m. breakfast, 11 a.m.-12 noon lunch with local leaders
- Telephone number for Hospice 446-4790 – is run by Optimal Health
- Has no update on Hidden Lake – the proposed senior housing development

Morgan

- Very interested in seeing large attendance at 100 Voices For Women
- January 27 is elected officials reception at Cerro Coso Community College 6:00 p.m. – 7:30 p.m. in dining area
- Received quite a few comments on my "this is my final year on the Council" statement – wife threatened to divorce him – and daughter will be going to high school
- Doreen and Nichole gave their blessing to him if he wants to run for Council again via a special Christmas card – he will be running again in 2004
- Commended Benz on mandatory trash pickup proposal – agree that It needs to get on a Council Agenda and see what the public has to say

Martin

- Congratulated Morgan for decision to run for Council again
- Thanked Holloway for the bike safety program – positive reinforcement is needed
- Mentioned Kern Council of Cities meeting in Bakersfield - Holloway going too - Kevin McCarthy speaker
- Prop 57 bond issue is for 15 billion to get the State back on it's feet financial

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- Lots of new taxes on the way – the Legislature does not want to cut any of the programs
- 4 more killed on 395 last Friday and 5 in hospital

Holloway

- Thanked Renee Ortiz and Jon Wheeler for help on bike safety coupons
- Thanked Dr. Milligan for good meeting and keeping City and School District working together
- Thrilled that Morgan will be running for Council again
- Very excited about participating in the LCC
- Would like to see Council take some stands against the State

Carter

- Props 57 and 58 will be on ballot – Legislative Committee asked to look at them - do we need reso in support or what
- We are still looking at cuts to our revenue
- Working with Superintendents Council today which includes parents – most discussion was on budget – had to explain to them the 2 million in cuts City had to make
- City working closely with School District
- Really appreciate the proposal brought to the City by Benz
- Personally went out to community and talked about mandatory trash disposal and response from citizens was not something that they want
- Need to discuss with First District Supervisor Jon McQuiston before we bring to Council

Mayor Carter recessed the meeting at 9:15 p.m. to a continued Closed Session to address the Labor Relations item and to reconvene in Open Session at 10:59 p.m.

In Closed Session Council received information from the City Manager pertaining to labor relations. No action taken by Council.

ADJOURNMENT

Mayor Carter adjourned the meeting at 11:00 p.m.

Rita Gable, Chief Deputy City Clerk