



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

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

**May 5, 2004
6:00 p.m.**

Tape Recorded
Tape 04-09

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 – 6:10 pm

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; Wayne Lemieux, City Attorney; Gale Vanderpool, Deputy City Clerk; Jim Winegardner, Finance Director; Jim Ponek, Parks and Recreation Director; Jerry Helt, 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, Parcel Map 10819 Lots 23 and 24, Nickoletti's Center - Negotiators Harvey Rose and James McRea.

REGULAR SESSION – 6:30 p.m.

PLEDGE OF ALLEGIANCE led by Mayor Ronald Carter

INVOCATION by Reverend Hearn, Union Baptist Church

CITY ATTORNEY REPORT OUT OF CLOSED SESSION – Mr. Rose reported for City Attorney discussion involved Real Property Negotiations would be further discussed as Item 17 on the agenda

APPROVAL OF AGENDA

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 2

Motion made by Council Member Morgan, seconded by Mayor Carter TO APPROVE THE AGENDA. Motion carried with 5 ayes.

PROCLAMATIONS AND PRESENTATIONS

Mayor Carter extended a welcome to California City Mayor Larry Adams

1. Introduction Of New Employee

Chief Avery introduced Officer Seth Podell to the City Council and the Community as our newest officer.

2. Proclamation – Motorcycle Awareness Month

Mayor Carter and the City Council presented proclamations to David Cornelius, President, Local 58, American Brotherhood Aimed Toward Education (ABATE), "Fumes", President Vietnam Veterans Motorcycle Club (VNVMC), and Dennis Link, President, Harley Owners Group-Ridgecrest Auxiliary Group (HOG – RAG), in recognition of Motorcycle Awareness Month, May 2004.

3. Proclamation – Emergency Medical Services Week

Mayor Carter and the City Council presented proclamations to Todd Martin, Paramedic Supervisor, Liberty Ambulance Service, California City Fire Department Air 19 Supervisor Rick Scott, Battalion Chief Randy Cohl, Kern County Fire Department, Sergeant Francis Moore, Kern County Sheriff Department, Sergeant Gary Goldy, California Highway Patrol, Chief Michael Avery, Ridgecrest Police Department, Captain Shawn Compton, Bureau of Land Management Fire Department, David Mechtenberg, CEO, Ridgecrest Regional Hospital, Chief Tonny Verkurl, China Lake NAWS Fire Department, and Ross Elliot, Kern County Emergency Medical Services Department In recognition of Emergency Medical Services Week, May 16 through 22, 2004.

4. Proclamation – Armed Forces Day

Mayor Carter and the City Council presented a proclamation to Captain Randy Jackson, Public Works Officer, Naval Air Weapons Station, China Lake, in recognition of Armed Forces Day, May 15, 2004.

5. Proclamation – Honoring Howard Auld

Mayor Carter and the City Council presented a proclamation to Howard Auld honoring him for his many years of service to the City and the community.

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 3

PUBLIC COMMENT

Public Comment Opened at 7:10pm

Lois Beres Sunland Street Ridgecrest, CA

Re: Wanted council to be aware of the death of Bill Thurm and the illness of Senator Pete Knight

Jerry Taylor Mesquite Street Ridgecrest, CA

Re: Requesting the Council to look at the traffic issues turning into Mervyns. He further requested a Council update on the Red Flex system. He also stated that by the looks of the Agenda the City of Ridgecrest should not be saying they have a budget issue/

Al Huey Windy Lynn Ridgecrest, CA

Re: Wanted the Council to be aware of the congressional classes he offers and the graduation ceremony with dignitaries that is coming up

Scott Schaklett Onyx, Ca

Re: Council should be aware of traffic issues into the City of Ridgecrest, especially on 178 where there is a 18 wheeler parked which can cause a significant accident if not removed and encourages the City of Ridgecrest to work with Cal Trans

Howard and Barbara Auld Ridgecrest, CA

Re: Wanted to thank the Council for the honor

CONSENT CALENDAR

Item 6 pulled by Council Member Morgan for further discussion

6. **Resolution No. 04- . A Resolution of the Ridgecrest City Council Setting A Public Hearing To Consider Comments And Recommendations For Amendment Of Community Development Block Grant Activity 17.99.2 - Ridgecrest After School Program** Avery

Item 7 pulled by Citizen Lois Beres for further discussion

7. **Resolution No. 04- , A Resolution Of The Ridgecrest City Council Approving Out Of State Travel To The International Council of Shopping Centers Spring 2004 Convention, May 17-19, 2004, In Las Vegas Nevada** Mcrea

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 4

Item 8 pulled by Council Member Morgan for further discussion

8. **Resolution No. 04- , A Resolution Of The Ridgecrest City Council Supporting Passage Of Assembly Bill 2006; The Reliable Electric Service Act Of 2004** Rose
9. **Request for Approval of voting representative and voting alternate to League of California Cities Meeting** Rose
10. **Resolution 04-24, A Resolution Of The Ridgecrest City Council Adopting And Reaffirming The City's Annual Statement Of Investments And Delegating The Authority To Make Such Investments To The City Treasurer** Winegardner
11. **Investment Report Through March 2004** Winegardner
12. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of April 21, 2004** Gable
13. **Council Expenditure Approval List (DWR) Dated April 16, 2004 In The Amount Of \$222,547.03** Winegardner
14. **Agency Expenditure Approval List (DWR) Dated April 16, 2004 In The Amount Of \$3,064.81** Winegardner

Motion made by Council Member Clark seconded by Council Member Martin TO APPROVE THE CONSENT CALENDAR. Motion carried with a voice vote of 5 ayes

Items Pulled for discussion

6. **Resolution No. 04-25. A Resolution of the Ridgecrest City Council Setting A Public Hearing To Consider Comments And Recommendations For Amendment Of Community Development Block Grant Activity 17.99.2 - Ridgecrest After School Program** Avery

The City of Ridgecrest participates in the Kern County Community Development Block Grant program and has a number of projects that have been authorized by the City Council and approved by Kern County. One of these projects is activity # 17.99.9 – Ridgecrest After School Program. This project needs to be amended. A public Hearing must be held before the amendments can be authorized.

Council Member Morgan just wanted the public to understand these were monies already received and held for use.

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 5

7. **Resolution No. 04-26, A Resolution Of The Ridgecrest City Council Approving Out Of State Travel To The International Council of Shopping Centers Spring 2004 Convention, May 17-19, 2004, In Las Vegas Nevada**

McRea

Staff has requested authorization for Economic Development Manager Gary Parsons, Community and Economic Development Director Jim McRea, City Manager Harvey Rose and/or Mayor Pro Tem “Chip” Holloway and Vice Mayor Duke Martin to attend the conference in Las Vegas. Conference presents what’s new, what’s different, and what’s still driving the industry. Estimated travel is with budget amounts.

Mrs. Beres just wanted to know and understand what the benefit is to the City of Ridgecrest. Mr. Parson explained about the networking of vendors and business coming to the City and it’s a place for the City to discuss current issue of attraction for the city. This year Ridgecrest will be sharing a booth and costs with the Cities of Tehachapi and California City

8. **Resolution No. 04-27, A Resolution Of The Ridgecrest City Council Supporting Passage Of Assembly Bill 2006; The Reliable Electric Service Act Of 2004**

Rose

This is a resolution supporting passage of AB 2006; the reliable Electric Service Act of 2004

Council Member Morgan pulled this item for discussion of what the Legislative Committee discussed. Mr. Martin explained there was limited discussion and that the presentation given by SCE rep Deborah Hess at last meeting was about all the information they had. Mr. Holloway said that the league is involved in this and as the bill is amended there would be further discussion. He recommends voting yes and addressing the issues as they come up.

Motion made to accept these items as Consent Calendar after discussion by Council Member Clark, seconded by Council Member Martin. Motion carried with 5 ayes to Items 6 and 7. Item 8 carried with a voice vote of 4 ayes 1 no by Council Member Morgan.

ORDINANCES AND RESOLUTIONS

15. **Ordinance No. 04-03, An Ordinance Of The Ridgecrest City Council Adopting Zone Change No. 04-01 And Amending The Ridgecrest Municipal Code Chapter XX, Zoning**

McRea

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 6

This ordinance adopts Zone Change No. 04-01 and amends the Ridgecrest Municipal Code Chapter XX, Zoning, accordingly. First reading took place at the Council meeting of April 7, 2004. It is returned for second reading and adoption.

Recommended Motion – MOTION TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY AN ORDINANCE OF THE RIDGECREST CITY COUNCIL ADOPTING ZONE CHANGE 04-01 AND AMENDING THE RIDGECREST MUNICIPAL CODE CHAPTER XX, ZONING

Requires a second

Motion moved by Council Member Morgan seconded by Council Member Clark TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY, AN ORDINANCE OF THE RIDGECREST CITY COUNCIL ADOPTING ZONE CHANGE 04-01 AND AMENDING THE RIDGECREST MUNICIPAL CODE CHAPTER XX, ZONING. Motion carried with a voice vote of 4 ayes 1 abstain by Council Member Martin

OTHER ACTION ITEMS

16. **Acceptance Of Alta One Federal Credit Union's Donation Of A Historical Pictures Collection Of Ridgecrest For Appropriate Display – "A Photographic Retrospective Of Ridgecrest"** **McRea**

The AltaOne Federal Credit Union has extended an offer to donate a Historical Pictures Collection of Ridgecrest for appropriate public display. The collection is a photographic retrospective of Ridgecrest. The photographs document the physical changes within the community from 1939 to 1988.

Motion moved by Council Member Morgan seconded by Council Member Martin TO ACCEPT THE DONATION FROM ALTAONE CREDIT UNION OF A HISTORICAL PICTURES COLLECTION OF RIDGECREST. Motion carried with a voice vote of 5 ayes

17. **Resolution RRA No. 04-06, A Resolution Of The Ridgecrest Redevelopment Agency Approving An Amended Disposition And Development Agreement And Authorizing The Execution And Delivery Thereof (Nickoletti's Center)** **McRea**

A Resolution of the Ridgecrest Redevelopment Agency approving an Amended Disposition Development Agreement (DDA) to construct and develop a commercial use on two vacant parcels on North China Lake Blvd, Lots 23 & 24, as amended, of Parcel Map 10819, APN 33-070-23-24, Ridgecrest Business Park, Nickoletti's Center.

Motion moved by Council Member Martin seconded by Council Member Morgan TO ADOPT RESOLUTION RRA NO. 04-06, A RESOLUTION OF THE

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 7

RIDGECREST REDEVELOPMENT AGENCY APPROVING AN AMENDED DISPOSITION AND DEVELOPMENT AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF (NICKOLETTI'S CENTER). Motion carried with a voice vote of 5 ayes.

DISCUSSION ITEMS

18. Desert Planters' Request To Waive Business License Fees For Weekly Farmers Market Rose

Discussion regarding Desert Plants' request to waive business license fees for vendors at this summer's weekly Farmers Market.

Dorothy and Hal Bennett 916 Randall, Ridgecrest, CA gave Council Members a letter and spoke regarding all the good things the Farmers Market has done for the community. It would be very hurtful to the vendors to have to pay the City fees and they would not be able to keep coming.

Scott Shacklett 19101 Olive Lane Onyx, CA is a vendor and he feels the city fees would a burden. He goes to Framers Markets all over and does not have to pay the fees the City of Ridgecrest is asking for.

Al Huey who also enjoys the Framers Market says a business is a business and his concern was how we get the fees for the Fireworks Booths and other street corner vendors.

Mr. Rose explained that the Fireworks booths were exempt and the weekend vendors if they can be caught would be asked to pay but usually by the time the City is open they are gone.

Dave Mathews encourages the Council to work something out. He understands the City needs revenue and that we should treat them as vendors, but can't we work out some other type formula.

Lois Beres commented that this is not big revenue and we should be able to waive the fee.

Charles Drew, Certified Farmers Market Control Manager said he understands the fees process and what other cities do is actually charge the Manager and not each individual vendor and that may be a solution.

Much discussion by community and Council all stating the same thing that there should be away of working on a solution. The Mayor requested the issue be moved to the Economic Development Committee Meeting tomorrow for resolution and then returned to Council. Mr. Rose will address and move forward.

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 8

19. Discussion Of Local Option Sales Tax Proposal

Rose

As the City Council deals with the necessary steps to place this question on the November Ballot, there will continue to be a series of discussions/public hearings encouraging citizen participation. This agendaized discussion is one such opportunity for citizens to ask questions and make recommendations.

Al Huey Windy Lynn Ridgecrest, CA requested from Council is there was a way to guarantee the monies would be used as they are so intended. Mr. Rose explained there is no guarantee however it is in an ordinance.

Jerry Taylor Mesquite Street Ridgecrest, CA requested review of an “sunset” to the monies. This should be reflective for a 10 year period. Council Member Holloway expressed agreement with this time frame idea.

Dave Matthews 717 Kevin Court Ridgecrest, CA asked if this tax would affect TOT. Mr. Rose said it would not.

Further discussion to come forward by setting up City Meetings not necessarily at City Hall for more idea exchange was promised by Mr. Morgan.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS- Mr. Rose brought to the Councils attention news from the Air Pollution control board on retrofitting vehicles and new law passed that says Cities must assist trash companies with their retrofit projects. He further advised Council on new legislation that says volunteers working on Public Works Projects are to be paid at prevailing wage. This is major area of concern also with the State mandating payments to be made from Cities who are already struggling.

CITY ATTORNEY REPORTS - given in closed session

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

May 6, 2004 5:00pm

Legislative Committee

Members: Chair Duke Martin, Chip Holloway

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

May 19, 2004 10:00am

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 9

Infrastructure Committee

Members: Chair Steve Morgan, Duke Martin, Chuck Roulund, Jim Smith
Meetings: 2nd Tuesday of the month at 5:00 p.m., Council Conference Room
May 11, 2004 5:00pm

City Organization Committee

Members: Chair Chip Holloway, Ron Carter
Meetings: 2nd Thursday of the month at 4:00 PM; Council Conference Room
Not Meeting in May

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
May 24, 2004 5:00pm

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
May 18, 2004 5:00pm

RACVB

Council Member Duke Martin
Council Member Dan Clark - Alternate
Meetings: 3rd Wednesday of the month, 8:00 a.m., RACVB Office
May 19, 2004 8:00am

Other Committees, Boards, or Commissions

Senior Ad Hoc May 24, 2004 5:00pm
California League Desert Mountain Division May 30, 2004
Kern Air Pollution Control Board May 6, 2004 2:00pm
KCAC May 27, 2004 6:30 Bakersfield, CA
Kern Cog May 20, 2004 6:00
League Legislation Action Days May 11 – 13, 2004

MINUTES – CITY COUNCIL/REDEVELOPMENT AGENCY - REGULAR

May 5, 2004

Page 10

COUNCIL COMMENTS

Council Member Clark wanted to remind all the women that the 100 Voices for woman identified issues and now started committees. Next meeting will be June 7, 2004 6pm Kerr McGee Center. High Desert Hockey Board Forum is looking at a partnership with the Boys & Girls Club for a summer program. Habitat for Humanity is implementing a program for youth. There will be an Executive Board made up of youth students from all groups. Attended Bill Thurm Memorial, it was very emotional. Mr. Thurm left a legacy that epitomized service and vision. Happy Cinco de Mayo to our Mexican community!

Council Member Morgan wanted to say Happy Cinco de Mayo. Condolences sent to the Thurm family. WWII veterans and all military in our thoughts May 8 V day. Happy Mothers Day! Will be at the fair if anyone has issues or concerns they can just stop and talk. Concerns of Brown Act violations with the many Transit discussions. Transit issues should be discussed at City Organization Committee. There appears to be a need for reorganization and review of the many committees. Mayor Carter strongly disagrees, Transit covers many areas and all different committees have transit issues.

Council Member Martin will also be missing Bill Thurm. RACVB has done wonderful work promoting The City of Ridgecrest. Citizens please stay on top of the issues and stay informed all these things the State is trying to do, they are costly to the cities and must be stopped.

Council Member Holloway extends condolences to Bill Thurm Family. Thank you to Alta One for the donation of the pictures. Citizens stay informed on your local tax issues. The WW II Memorial dedication will be held on May 29, it is an extraordinary event.

Mayor Carter wished to express how proud he was at the Council for the honoring of Howard Auld who has done so much for the City. Bill Thurm also did a lot for City of Ridgecrest and it was an honor to know him. His sense of community and his dedication his life. He was one of the founding fathers of the City of Ridgecrest.

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ADJOURNMENT

Mayor Carter adjourned the meeting at 10:20 pm

Gale Vanderpool, Deputy City Clerk