



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

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

**September 15, 2004  
6:00 p.m.**

Tape Recorded  
Tape 04-20

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 – 6:03 p.m.**

**ROLL CALL**

**PRESENT:** Mayor Pro Tem Marshall Holloway, Vice Mayor Richard Martin, and Council Member Steven Morgan

**ABSENT:** Mayor Carter and Council Member Clark

**STAFF:** Harvey Rose, City Manager; Rita Gable, City Clerk; Jim Winegardner, Deputy City Manager, Administrative Services/City Treasurer; James McRea, Deputy City Manager, Public Services; Jim Ponek, Parks and Recreation Director; Joe Pollock, Assistant Public Works Director; Michael Avery, Chief of Police; and other personnel

**CLOSED SESSION – 6:00 p.m.**

GC54956.8 Real Property Negotiations, Parcel Map 10819 Lots 21 RHDA, Medical Facility – Negotiators Harvey Rose, Gary Parsons, and James McRea

GC54957.6 Labor Negotiations – Mid Management Employees - Negotiator Harvey M. Rose

GC54957.6 Labor Negotiations – Confidential Employees - Negotiator Harvey M. Rose

Mayor Carter arrived at 6:26 p.m.

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**REGULAR SESSION – 6:30 p.m.**

**PLEDGE OF ALLEGIANCE led by Mayor Carter**

**INVOCATION by Reverend Doug Hearn, Union Baptist Church**

**CITY ATTORNEY REPORT OUT OF CLOSED SESSION**

City Manager Rose reported that In Closed Session Council was updated on real property negotiation; informed that employment agreements had been reached with the Confidential Employees Group and the Mid-management Group and that resolutions approving the agreements were a part of the Consent Calendar of this Agenda.

**APPROVAL OF AGENDA**

City Manager Rose stated that the presentations for Habitat for Humanity and for the West Nile Virus were requested to be removed by the respective groups. To be reschedule at a later date.

Moved by Council Member Morgan, seconded by Council Member Martin TO APPROVE AGENDA WITH THE AFOREMENTIONED 2 ITEMS REMOVED. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent. Council Member Clark absent.

**PROCLAMATIONS AND PRESENTATIONS**

**1. Proclamation - Kiwanis Community Walk-A-Thon**

Council Member Morgan, on behalf of the Council, presented a proclamation to Betty Summers, Walk-A-Thon Chair and Marlene Altieri, Secretary of Kiwanis in recognition of the 17th Annual Kiwanis Community Walk-A-Thon on Saturday, September 25, 2004, Kiwanis International Kids Day.

**2. Proclamation - Constitution Week**

Vice Mayor Martin, on behalf of the Council, presented a proclamation to Linda Archibald, Regent of Panamint Springs Chapter, National Society Daughters of the American Revolution, in recognition of Constitution Week, September 17-23, 2004, the two hundred seventeenth anniversary of the drafting of the Constitution of the United States of America. Ms. Archibald announced that Bells Across America would take place at Maturango Museum on September 17 at 12:45 p.m. with 300 school children ringing the bells 13 times to recognize the 13 Original States.

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**3. Proclamations – Recognizing Ridgecrest Citizens**

Mayor Carter and the entire City Council presented proclamations to two very special citizens of our community – Stuart Witt, Manager, Mojave Airport and Dr. Sharon Dyer, President, Cerro Coso Community College

**Items 4 and 5 removed – will be rescheduled**

**4. Presentation - Habitat For Humanity**

Habitat for Humanity of Indian Wells Valley Board Members Barbara Manning, and John Anderson will make a presentation to update the Council on the status of current houses under construction, activities related to September's "Building on Faith" week, and the October "Women Build project.

**5. Presentation - West Nile Virus**

Representative of the Kern County Environmental Health Department will give a presentation on the West Nile Virus.

**PUBLIC COMMENT**

Mary Ash, 624 S. Gold Canyon Drive

- Thanked Chip Holloway for allowing candidates to place their campaign signs on the lawn at his restaurant
- Grand opening for Republican Women's Center was last weekend at 130B S China Lake Boulevard

Dave Matthews, 717 Kevin Court

- Said "you guys are good, really good" in reference to their "pulling off" the special proclamation presentations for Stu Witt and Sharon Dyer – each thought the other was going to be the "surprise guest recipient"
- See a resolution on the agenda opposing a couple of propositions that will be on the November 2 ballot
- Have noticed that Proposition 66 is not getting much attention – appears to be an attempt to weaken the three strikes law to get "some ones" son out of prison
- For more info go to maryKFI.com

Diana Piagentini, 842 Bennett street

- Student at Cerro Coso Community College
- Has 6 minor children who were harassed by skinheads at the Fair
- Need to resolve these issues

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Mayor Carter stated we are working on this and suggested she talk to Chief Avery

Michelle Graham, 3212 W. Howell

- Came to see if anything was going to be done about this incident
- Has talked to authorities throughout the community, will talk to the Sheriff
- Saw profiling of Blacks, Hispanic, and skinheads
- Applauded the Ridgecrest Police for the way they work with the youth
- 12 boy and 11 girl witnessed saw this atrocity
- Saw business people, youths, officials being shoved out the gates
- Wants to see what the police department has done to implement more throughout the community

**CONSENT CALENDAR**

6. Resolution No. 04-55, A Resolution Of The Ridgecrest City Council Approving By Reference A Compensation Plan For Confidential Employee Positions In The City Of Ridgecrest Rose
7. Resolution No. 04-56, A Resolution Of The Ridgecrest City Council Approving By Reference A Compensation Plan For Mid-Management Employee Positions In The City Of Ridgecrest Rose
8. Resolution No. 04-57, A Resolution Of The Ridgecrest City Council Authorizing Out-Of-State Travel To Attend The Annual National Recreation And Parks Association Congress To Be Held In Reno Nevada Ponak
9. Council Expenditure Approval List (DWR) Dated 08-27-04 In The Amount Of \$40,592.38 Winegardner
10. Council Expenditure Approval List (DWR) Dated 09-03-04 In The Amount Of \$131,365.82 Winegardner
11. Agency Expenditure Approval List (DWR) Dated 09-03-04 In The Amount Of \$714.01 Winegardner

Moved by Council Member Morgan, seconded by Council Member Martin TO APPROVE THE CONSENT CALENDAR. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent. Council Member Clark absent

**PUBLIC HEARINGS**

12. Public Hearing To Consider Comments And Recommendations For Projects To Be Included In The Local Law Enforcement Block Grant Program Year 2004/05 Avery

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Chief Avery gave the staff report

- Under the requirements of the Local Law Enforcement Block Grant, a public hearing must be held to solicit recommendations from the public for law enforcement expenditures before any funds can be obligated
- Met with the Chief's Advisory Board on September 9
- Board endorsed the recommendation to fund the PACT Coordinators position

Opened at 7:23 p.m.

Diane Graham

- Suggested that crime prevention programs would be of benefit to the community

Closed 7:24 p.m.

**13. Public Hearing to Consider Comments and Recommendations for Expenditures for Funds Received under the Supplemental Law Enforcement Services Fund Avery**

Chief Avery gave report

- Assembly Bill 1913 requires a public hearing to solicit recommendations from the public and review recommendations from the Chief, for law enforcement expenditures under the Supplemental Law Enforcement Services Fund
- This hearing must be held each September that funds are appropriated by the state
- Met with the Chief's Advisory Board on September 9
- Board endorsed funding of police officer positions

Opened at 7:25 p.m. and hearing no public comment closed at 7:26 p.m.

Council Member Holloway asked if the Chief was aware of Council recommendation and approval the increase to the Police Department budget by \$250K to fund two officers. Chief Avery replied that he was aware of the budget increase.

**ORDINANCES AND RESOLUTIONS**

**14. Ordinance No. 04-06, An Ordinance Of The Ridgecrest City Council Amending The Ridgecrest Municipal Code Chapter XX Section 11 As Adopted By Ordinance 04-03 McRea**

McRea gave report

- This ordinance was introduced for first reading, by title only, at the regular council meeting of September 1, 2004

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- It is an Amendment to Section 11 of Ordinance 04-03 as published and adopted on May 5, 2004
- It is brought to the Council at this time for second reading and adoption.

Moved by Council Member Morgan, seconded by Council Member Holloway TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 04-06 AN ORDINANCE OF THE RIDGECREST CITY COUNCIL AMENDING THE RIDGECREST MUNICIPAL CODE CHAPTER XX SECTION 11 AS ADOPTED BY ORDINANCE 04-03. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent. Council Member Clark absent.

**15. Resolution No. 04-58 , A Resolution Of The Ridgcrest City Council Opposing Propositions 68 and 70 on the November ballot Rose**

City Manager Rose gave synopsis of the propositions

- Both have to do with gaming endeavors
- Governor S made agreement with several tribal entities for revenues that would go to CTC backfill for transport
- Up to us to see that these propositions fail and that funds are made available to the CTC through the agreement between the Governor and the tribes
- CTC has no funds so we cannot submit any projects
- Ridgcrest boulevard has been confirmed but no funds are available

Council Member Martin stated if they fail to pass Ridgcrest will see funds come through for W. Ridgcrest Boulevard in the amount of approximately 14M

Council Member Morgan stated it is unfortunate how we came to oppose these propositions only to get the funds for the W. Ridgcrest Boulevard project

Dave Matthews

- If propositions are passed what happens to agreement with the Governor and tribes
- Would like to know more about the agreements
  - Mr. Rose explained about the compacts between the State and the Tribes – it gives them specific sites, number of machines, gaming tables etc.

Lois Beres, 627 N. Sunland

- Would support this action for both propositions

Moved by Council Member Morgan, seconded by Council Member Martin TO ADOPT RESOLUTION NO. 04-58 , A RESOLUTION OF THE RIDGECREST CITY COUNCIL OPPOSING PROPOSITIONS 68 AND 70 ON THE NOVEMBER

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BALLOT. Public comment heard. Motion carried with a voice vote of 4 ayes, 1 absent. Council Member Clark absent.

**DISCUSSION ITEMS**

**16. Discussion Of Local Option Sales Tax Proposal Measure Q Rose**

- ❖ Prop 1A will protect municipal government against raids from the State in the future
- ❖ City of Ridgecrest Measure Q makes up for some funds lost to the State in the past
- ❖ If passed "Q" is estimated to give the City \$380K the 1st year and the next
- ❖ \$1,750M by the time it is over will go into ERAF
- ❖ To make sure police department is not diminished and in fact it grows and that infrastructure does not fall into dust we need Measure Q passed
- ❖ This tax is not applied to property, food, utilities, capital items
- ❖ Total sales tax will be 8% applied across the board
- ❖ Council is committed to seeing that the funds go to police and infrastructure
- ❖ Not only residents will pay the tax but visitors will contribute too

Was asked - if 1A passes will we still have to pay state \$1,750M?

- Yes and no – does not impact the ERAF we have lost over \$15M in ERAF – the shift contributions during Governor Davis' time will stop

Council Member Morgan noted the Chamber of Commerce sponsoring a "discussion/presentation" on Measure Q on Thursday September 23 at 6:30 p.m. Council Chamber. He will speak at this presentation.

Council Member Martin noted there are 17 propositions on the November 2 ballot – we control our own destiny and future with Measure Q and we can improve our living standard here by passage of this measure

Council Member Holloway noted we have had several incidents brought forth tonight that need remedies. Have seen no other remedy to alleviate our woes and to be able to control our funds ourselves. Not a tax in his mind it is an investment. Everyone has to pass the word-get the word out that Measure Q will be god for the City

Mayor Carter spent 4 days at the Fair and explained Measure Q to many people. Once explained them most said they would support the proposed tax. Also had opportunity to meet a lot of our police officers and they are concerned that they are on the edge of not having enough resources available. We must pass this and we must do more. We need all of you to go out and educate others. Believe all Council Candidates but one support Measure Q.

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Council Member Clark arrived at 7:45 p.m.

Mr. Clark apologized for being late-it was parent night at Mesquite High School. He also spent a lot of time talking to folks at the Fair about Measure Q. If you are uncertain about this please talk to the Council or Council Candidates.

### CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

#### Presentation – Park and Recreation Department Activities

Parks and Recreation Director Jim Ponek updated the Council on the activities of the department

- Distributed packet to Council that is passed out to community by C of C and RACVB
- Had great summer
- Kerr-McGee is being fully utilized – all weekends are booked for one event or another through December
- Meeting rooms are well utilized
- Gymnasium is very busy
- This year we will be responsible for the street medians maintenance
- Have had some vandalism at parks especially at the skate park – this was addressed at Youth Advisory Committee yesterday
- Mostly graffiti that will be sandblasted within a very short time or painted
- Parks look fantastic and have been well maintained by the ground crew as well as Pinney Pool, Kerr-McGee Center, City Hall, sports complex and LeRoy Jackson sport complex
- Summer programs were all filled. 24 adult softball teams this summer
- Lots of adult activities at the center
- Relay for Life (American Cancer Society) is coming up October 2 & # - he is Captain for the City sponsored team
- Invited all City employees and families to come out and walk with us
- Will have activities at the relay team tent site 7 – 10 p.m. Saturday
- Thanked all the volunteers that help his department

Council Member Clark hears complimentary comments for all department areas and for what the department does for the community

Mayor Carter appreciates all he has done even with downsizing

Dave Matthews

- Suggestions – hears about the vandalism but does not see it in papers – call them and take pictures – let the community know what is going on
- Medians – cheap form of grass cutting is a goat or burro
- Have hours been cut at Kerr-McGee

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- Yes open 8 a.m. to 9 p.m. and not open on Saturday unless function is going on.

Council Member Clark is concerned with publicizing vandalism

City Manager Rose stated the Article XX Section 3 of the California Constitution requires the swearing in of those appointed to the Office of City Clerk and called Rita Gable to the lectern to take the Oath Or Affirmation Of Allegiance. That accomplished the meeting continued.

### **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

Met at 10 today September 15

- Committee discussed the propositions already addressed on this agenda
- Next meeting to be announced

#### **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

Met September 14

- Discussed CTC Situation
- Discussed Fund 017
- Right of way abandonment – Church and Norma
- Senior/handicap/low income deferment
- Wastewater Plant upgrade
- On Sunday between 6 am. and 6 p.m. W. Ridgecrest Boulevard from Norma to Balsam will receive an overlay on travel lanes
- Suggested that that everyone take another route

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Next meeting to be announced Oct 12 5 pm

### **City Organization Committee**

Members: Chair Chip Holloway, Ron Carter

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

Met September 9

- Transit report showed a rider ship increase
- Fee increases in transit
- Transit has contract with Northrop Grumman for after work hours transportation
- Advertising on buses has come to a point for decision making
- Received graffiti report from police department
- ID theft is great threat to everyone – be aware
- City hall phone system discussed – it is old and outdated and parts are unavailable to fix it – it has been band aided for years
- System at Cerro Coso College may still be available – checking into that
- Estimated cost was \$90K – Craig Bradley has it down to about \$50K – now waiting for funds to do it
- Discussed alternate plan for hook up to sewer system

Next meeting to be announced

### **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 September 23

### **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

Next meeting September 21

### **RACVB**

Council Member Duke Martin

Council Member Dan Clark - Alternate

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

Met September 15

- CalTrans has delayed its approval of new permit for construction of new RACVB tourism billboard for two months

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- Supervisor McQuiston helped open up Brown Road for film production road closures after a 5 year ban
- 10 new international service signs will be permanently installed on RACVB billboard on Highway 395 – replaces 6 signs stolen last year
- RACVB's 178 Corridor kiosk is now fully funded at \$8K and will be constructed this fall
- Ridgecrest Regional film Commission will co-host and attend the 10th annual California On Location Awards program in Marina del Rey October 10
- The local film commission has four finalists in this year's event – City Manager Harvey Rose who is 1 of 3 nominated for City Employee of the Year  
Next meeting October 20

### Other Committees, Boards, or Commissions

Clark –

- Senior ad hoc at 4:30 p.m. before Quality of Life Committee

Martin –

- California LAFCO held Tuesday to Friday in Anaheim
- Board has shifted from watchdog to problem solver
- Municipal service reviews are due shortly
- Critical situation with water in California
- Brought back desalinated drinking water sample for the Council
- September 23 Kern County Council of Cities dinner meeting will be in Delano – Dwight Steinbecker of League of California Cities is speaker
- Sister City Luncheon will be October 5 at Carriage Inn \$13.xx with presentations to the Tepatitlan contingent
- League of California Cities annual conference is September 17-19 at Long Beach

Morgan –

- September 25 Quad State will meet in El Centro

Carter

- A hero just walked in - Arnold Pasillas just back from Iraq – asked if he wished to say anything

Arnold Pasillas, retired U.S. Marine, now working for a contractor

- We (the Country) are doing the right thing over there
- It's an unknown enemy which makes it more dangerous
- Tragic events happen but we are constantly fighting a good fight
- The people want our help
- Will be here at home three weeks and then will be going back again in December

**COUNCIL COMMENTS**

**Morgan -**

- Read part of article from News Review about merging of China Lake and Edwards
- Long overdue – no better place to train our troops and test our systems than in these areas
- Suggested citizens donate to the Southwest Alliance
- 48 days left to the elections
- Seeing hateful and irrelevant comments and letters
- Deputy Archuleta tragically killed – extended condolences to the family
- Will be meeting with the AP Government class at Burroughs High School

**Martin -**

- Extended condolences to Archuleta family
- Congratulated Stu Witt and Sharon Dyer
- Worked with Stu at CTA on Y2K "bug" – they were all over the world as it was a real threat
- He's brought that foresight to the Mojave Airport
- His family goes back 4 generations in Kern County
- October 6 is Kern County Air Show at Inyokern Airport - snowbirds here again
- Will be a reception on October 5th at Tommy T's
- Congratulated Kevin McCarthy for being named Legislator of Year by League of California Cities
- Ridgecrest is only city in his District that communicates with him on weekly and daily basis
- Ballot box is the greatest weapon in the world

**Holloway -**

- Also sent condolences to Archuleta family
- 48 days to elections – is also concerned with the negative emphasis being put into the campaigning
- Is honored to sit with this Council and has no problem with doing it for another 4 years
- Article re empty buildings was in the local media
- Recruiting is a word he takes offense with – we do not recruit and certainly not a big box
- The City tries to make it easy and simple for any business who shows interest in our City
- Thanked and congratulated Kevin McCarthy
- Assemblyman McCarthy took day on Saturday to help open Republican Headquarter here
- Need to turn out the vote – just vote

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- Thanked Stu Witt and Sharon Dyer
- Thanked Democrats for the roast of the Mayor and for allowing him to be part of the program

### **Carter -**

- Opportunity to speak at the Republican Headquarters opening and saw a lot of young people there
- Kevin McCarthy is doing the Bill Of Rights and Mayor Carter wants to get it out to all our citizens
- Assemblyman McCarthy is so busy with all his leadership responsibilities at the state level yet he came here to help open the headquarters
- Have observed disrespect to persons of each party – need to come together for the common good – working together is our greatest strength
- Sad when a law enforcement officer is killed – we need to support them
- Newspapers keep saying we have not passed our budget and have a \$800K deficit – we have a budget and it is balanced

### **Clark -**

- Archuleta family and Sheriffs are in our hearts and prayers
- Youth Advisory Committee yesterday selected leadership team
- Youth can still be part of Youth Advisory Committee but need to go through their counselors and with parents permission
- Dr. Hammer mill shared her practice with the Women's Steering Group also Serendipity Women's Center
- Need to put together a brochure of doctors catering to seniors
- Extended congratulations to Stu Witt and Sharon Dyer

## **ADJOURNMENT**

Mayor Carter adjourned the meeting at 9:02 pm

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Rita Gable, City Clerk