



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

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

**April 19, 2006
6:00 p.m.**

**Tape Recorded
Tape 06-09**

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 – 6:01 p.m.

ROLL CALL

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

ABSENT: Mayor Pro Tem Richard Martin

STAFF: Harvey Rose, City Manager; Keith Lemieux City Attorney; Rita Gable, City Clerk; Jim Winegardner, Deputy City Manager Administrative Services/City Treasurer; Jim McRea, Deputy City Manager, Public Services; Gary Parsons, Community and Economic Development Department Director; Joe Pollock, Assistant Public Works Director; Jim Ponek, Parks and Recreation Department Director; Michael Avery, Chief of Police; and other personnel

CLOSED SESSION – 6:00 p.m.

GC54956.9 Conference with Legal Counsel – Liability Claim of Misty Armstrong, Claim # 06-04

GC54956.8 RRA Property Negotiations – 110 W. Ridgecrest Boulevard and Adjoining Sites – APN 067-192-24, 26, 27, 31 and 33 – Agency Negotiators Harvey Rose, James McRea and Gary Parsons

Item added to Closed Session by City Attorney

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GC54956.9 Conference with Legal Counsel – Luis Gaurano v, Michael Stickney, et al. (KCSC Case No. S-1500-CV-257485)

REGULAR SESSION – 6:3 p.m.

PLEDGE OF ALLEGIANCE led by Chief Avery

INVOCATION – Reverend Henry Wade, Immanuel Baptist Church

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

In closed Session Council received update on the Gaurano v. Stickney, et al case, no action taken; the Liability Claim of Misty Armstrong, # 06-04 was denied; received update on 110 W. Ridgecrest Boulevard and Adjoining Sites, no action taken.

APPROVAL OF AGENDA

Moved by Council Member Clark, second Council Member Carter TO APPROVE THE AGENDA. Motion carried with a voice vote of 4 ayes, 1 absent; Council Member Martin absent.

PROCLAMATIONS AND PRESENTATIONS

1. Proclamation – Respect For Law Week

Mayor Holloway and the Council presented a proclamation to representatives of the John Ward, Chair, Howard Auld, President Optimist Club, Timothy Neipp, President Exchange Club, Dean Elliot, President Kiwanis Club, Jim Bowen, President Foot Printers, and Curt Lumley, Exalted Ruler, Elks Lodge, in recognition of Respect For Law Week, April 15 to 22, 2006.

2. Proclamation – Child Abuse Prevention Awareness Month

Mayor Holloway and the Council presented a proclamation to Mary Netzer, Child Abuse Prevention Information and Referral Helpline Coordinator, Women's Center-High Desert, in recognition of Child Abuse Prevention Awareness Month, April 2006.

3. Proclamation Honoring Ridgecrest Citizen

Council Member Carter and the Council presented a proclamation to Sharon Dyer, President of Cerro Coso Community College, in recognition of her contributions to the college and the community.

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PUBLIC COMMENT 6:55

Dave Matthews, 717 Kevin Court

- Grand Jury report suggested diversify of business and not depend on the base
- Light industry is what is needed
- Organizations as well as the City and citizens can be "ambassadors" and "recruit" businesses to our City

Howard Auld, 641 Maime

- Seeing Council is "leisure clothes" (Denim Day in Ridgecrest) he though they might be adopting his dress code
- Pleased that is not the case

7:00 p.m.

CONSENT CALENDAR

4. **Resolution No. O6-23, A Resolution Of The Ridgecrest City Council Adopting A Sewer User Charge For The 2006/2007 Fiscal Year**
Pollock
5. **Resolution No. 06-24, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Sign The Master Agreement Administering Agency – State Agreement For State Funded Projects**
Pollock
6. **Resolution No. 06-25, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Sign Program Supplement Agreement No. B53 To Administering Agency-State Agreement No. 000383 For Construction Of Sidewalk On The North Side Of Las Flores Avenue From China Lake Boulevard To Norma Street**
Pollock
7. **Resolution No. 06-26, A Resolution Of The Ridgecrest City Council Authorizing Payment \$1,000.00 To The Knights Of Columbus For The Maturango Junction Event On October 21 And 22, 2006**
Ponek

Item 8 was tabled – bring back after more information

8. **Resolution No. 06- , A Resolution Of The Ridgecrest City Council Adopting By Reference The Ridgecrest City Public Art Strategic Master Plan** Rose

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9. Resolution No. 06-27, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To File And Execute Application For Federal Funding Under The FTA Section 5311(F) Intercity Bus Program Of The California Department Of Transportation Taylor
10. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of January 18, 2006 Gable
11. Council Expenditure Approval List (DWR) Dated March 31, 2006 In The Amount Of \$282,322.51 Winegardner
12. Council Expenditure Approval List (DWR) Dated April 10, 2006 In The Amount Of \$5,457.29 Winegardner
13. Agency Expenditure Approval List (DWR) Dated March 31, 2006 In The Amount Of \$2,383.20 Winegardner

Council Member Morgan requested removal of item 8

Moved by Council Member Clark, second Council Member Carter TO APPROVE THE CONSENT CALENDAR WITH ITEM 8 REMOVED. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent; Council Member Martin absent.

8. Resolution No. 06- , A Resolution Of The Ridgecrest City Council Adopting By Reference The Ridgecrest City Public Art Strategic Master Plan Rose

Council Member Morgan wants all references to funding struck from the reso

Mr. Rose gave the staff report

- National Endowment For The Arts calls for establishment of a Council For The Arts in all communities
- The plan should be clear in what they want and fund it
- Quality of Life Committee and interested citizens worked on the master plan
- The document is a good one and follows many other communities
- Rates will be discussed in future issues
- Plan of the Arts Council is to solicit funds and grants from other sources public and private
- It will also contribute to economic development in the community
- Recommends adopting a plan and this one is a good one

Mr. Carter supports as written as it shows intent to go in a direction. He worked with Arts Council since its inception and encourages adoption as written. This is not a large capitol amount.

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Mr. Holloway stated there was a need to have a formalized agreement and plan to go after grants and funding. He is concerned with what is definition of art.

Mr. Clark suggested delaying this until after the budget retreat on Saturday.

Cindy Strutz, 535 S. Erin

- Greatly in support of the Arts Council
- Art includes music as well as visual arts
- Could have a fundraiser such as the Tree Of Life at the hospital
- Patrons of the arts where citizens buy a "brick"
- Blessed with so much we have in this town

No action taken on item 8

ORDINANCES AND RESOLUTIONS

14. **Ordinance 06-01, An Ordinance Of The Ridgecrest City Council Amending Chapter III Of The Ridgecrest Municipal Code By Adding Article 11 Related To Development Impact Fees** Parsons

The purpose of these fees is to finance public facilities and improvements and/or compensation measures to reduce the impacts caused by future developments as shown in the *Development Cost and Fee Study*. This ordinance was approved on first reading at the Council meeting of February 15, 2006 and is returned here for second reading and adoption.

Mr. Rose

- Development fees can only be used for capital projects – buildings vs payroll
- 2 step process is to adopt ordinance and then a resolution setting fee schedule
- Establishes the process and it can amend in future years
- Do not expect Council to adopt resolution this evening - only the ordinance

Mr. Parson gave a PowerPoint presentation

- Fees would be for fire facilities, traffic impacts, park development, law enforcement, storm drainage facilities
- This is for future not for past construction
- Was a task force project to develop this process
- It has been a very long and involved process and very public involving developers, contractors, citizens, real estate people, staff
- Fees would be levied on new development on a one time basis
- Fees have been modified after Infrastructure and Economic Development Committee reviews and discussions (open public meetings)

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Dave Matthews

- Does not agree that industrial does not apply to the parks fees
- Amenities such as parks and recreation area keep employees happy

James Bell, 1352 S. Richmond

- No one has objected to the idea of the fees
- Interpretation may be at fault and the formulas
- Retro fees for projects already approved
- Some have already paid the application fees
- Wants clarification that these fees will not be levied on already approved permits
- Doesn't agree that the reason no one came to the meeting was that they agreed
- New report had not been seen by most
- Not completely happy with the commercial fees
- Has concern with the interpretation of the formulas used

Ron Kiciniski, 911 S. Downs

- No doubt that most believe there should be development fees
- Feels the calculations are not accurate
- Ordinance is a necessity
- Need to have a strong discussion on the industrial fees before the fee schedule is adopted

Neil Cristman, 1157 Laura

- Still trying to understand what kind of fees he is going to pay on his project
- If in the conditions he would have to pay
- Concerned about drainage fees

George Bertrand, 1323 Autumn Way

- Own property in City of Ridgecrest but lives outside the limits
- Discussed with Matt Alexander - has 4 parcels he is working on and the calculation came out to over 400K

Pete Zimmer, 1633 Farragut

- This will benefit the outlying areas of the city and places like California City
- Did a study on the K Partners project and it came to over 1.1M
- Nickoletti's fees were about 15K and would increase to 125K if done under this
- Significant increase to commercial projects
- Look at fees before going forward

Eric Bruen, Barbara Ave

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- CEO of Searles Lake Credit Union
- Under this his project would not be done
- Has already had to put in a lot of improvements

Jerry Taylor, 315 Mesquite

- About to miss an opportunity if this is no adopted
- Move forward now – you can discuss the fees later
- Lose credibility if you don't do it now

Matt Alexander said he was off by one decimal point on Mr. Bertram's. What makes the cost so high is the drainage fee. Drainage plan was done in 1989. Cost was 49M to implement then now would be 78M. New growth over next 10 years is expected.

Tavish MacGregor, Richard Court

- Questioned wording about fees being collected at time of building permit application

Ordinance becomes law 30 days after approval

Reso becomes due immediately

Ron Kiciniski

- Largest fees was for drainage based on a 1989 plan
- Might be an in lieu of fee for drainage by containing water on property

Timothy Neipp said 1st reading stated that 2nd reading of ordinance would have a resolution

Chuck Cordell

- Doing a project
- Really putting the screws to Bertrand regarding these fees

Mr. Morgan stated the Infrastructure Committee will have to study drainage again

Mr. Clark wants to pass the ordinance tonight and fees in 2 weeks need to get our acts together and get it squared away – willing to have Economic Development Committee meeting to look at fees

Mr. Carter stated it is time to settle this and pass the ordinance

Mr. Holloway stated he is frustrated and has seen so many different proposals. Need to be careful in the fee schedule and not push our locals outside the City limits. This is not just a fee on developers it is a fee on the citizens in this City of Ridgecrest

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Moved by Council Member Carter, second Council Member Morgan TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 06-1, AN ORDINANCE OF THE RIDGECREST CITY COUNCIL AMENDING CHAPTER III OF THE RIDGECREST MUNICIPAL CODE BY ADDING ARTICLE 11 RELATED TO DEVELOPMENT IMPACT FEES. Public comment heard. Motion carried with a voice vote of 4 ayes, 1 absent; Council Member Martin absent.

15. **Ordinance No. 06-05, An Ordinance Of The Ridgecrest City Council Authorizing An Amendment To The Contract Between The City Council Of The City Of Ridgecrest And The Board Of Administration Of The California Public Employees' Retirement System** **Winegardner**

Mr. Winegardner gave the staff report

This ordinance was approved and adopted, at second reading, at the Council meeting on February 15, 2006. GC20471 mandates a 20-day waiting period between approval of a resolution of intention to amend a contract and final approval of the ordinance. Regular Council procedure was impacted by February being a short month therefore it is necessary to bring this ordinance back for second reading and approval to comply with Government Code.

Moved by Council Member Morgan, second Council Member Carter TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 06-05, AN ORDINANCE OF THE RIDGECREST CITY COUNCIL AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF RIDGECREST AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent; Council Member Martin absent.

OTHER ACTION ITEMS None

DISCUSSION ITEMS - None

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS - None

CITY ATTORNEY REPORTS - None

COMMITTEES, BOARDS AND COMMISSIONS

Economic Development Committee

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

Meetings: 1st Thursday of the month at 5:00 PM; Council Conference Room

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Next meeting–special with Infrastructure committee 24 & 26 6 p.m.

Legislative Committee

Members: Chair Duke Martin, Chip Holloway

Meetings: probably quarterly - at 8:00 AM; Council Conference Room

Next meeting to be announced

Infrastructure Committee

Members: Chair Steve Morgan, Duke Martin, Jim Smith, Lois Beres

Meetings: 2nd Tuesday of the month at 5:00 p.m., Council Conference Room

Met April 11

- And thought the development fees were resolved
- Discussed sewer lateral]
- Solid Waste Committee and landfill
- Corp yard

Next meeting-see above

Planning and Zoning Ad Hoc

Members: Chip Holloway, Steven Morgan, Jim Smith and Matt Feemster

Meetings: *Day, time and place to be decided*

Next meeting to be announced

City Organization Committee

Members: Chair Ron Carter, Steve Morgan

Meetings: 2nd Thursday of the month at 5:00 PM; Council Conference Room

Next meeting May 11

Quality of Life Committee

Members: Chair Dan Clark, Ron Carter, Howard Laire, Matt Feemster

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

Next meeting May 18

Redevelopment Advisory Committee

Members: Chair Mike Hogan, Vice Chair *vacant*, Bob Peoples, Gary Charlon, Ron Ketcham and Nicole Guerrero. Ex-officio Members Council Members Steven Morgan and Ron Carter, Planning Commissioner Lois Beres

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

Met Apr 12

- Business park update
- Proposal by National Health Services – Lot 15
- Proposal by PAM Corp – multiple lots

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- Proposal for small industrial development utilizing IBD's
- Wants to meet with the Agency Saturday May 20th
- Next meeting to be announced

RACVB

Council Member Duke Martin

Council Member Steve Morgan- Alternate

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

Met April 19 – no one attended

Next meeting to be announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Suggested cancellation of the Arts Council meeting

League of California Cities Mountain-Desert Division meeting on Friday the 21

MAYOR AND COUNCIL COMMENTS

Morgan

- Budget Retreat on Saturday April 22 in Kerr-McGee Center and possibly Sunday the 23rd
- Each department will give presentations on their budgets
- Citizens have an opportunity to get intimately involved
- Funding will be limited
- Developer fees are going to impact on everyone
- County will probably bring theirs out after we do ours

Carter

- Agreed with about 90% of what Morgan said
- Agrees the citizens have an opportunity to have input into the budget
- Appreciates staffs input and listening to local developers regarding development fees
- But we need to get busy and take action on this

Clark

- Christine Destry transcribed the meeting of 100 Voices Youth Conference
- Youth had lots of great ideas
- One is a 24 hour hot line
- Another a drug rehab center
- Also free after school programs
- And a teen club for older teens
- Copies of transcript available at the info desk in the lobby
- Call him at 793-6681
- At Council meeting May 17 will have Motorcycle Awareness proclamation

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- Endorsed Kevin McCarthy for Congressional race
- Encouraged everyone to come and get involved in the process of representing you

Holloway

- Congratulations to Mick Gleason for taking over NAWS and thanked Mark Storch
- Budget meeting coming up and encouraged citizen participation
- Expecting a very open dialog and hopes the frustrations of last year are over
- His theme - asphalt first, amphitheaters last
- No win situation with the development fee
- Commented on former Mayor Bryans letter in the media that Council didn't do anything so has no room to criticize
- Will not be here for meetings on May 3 and May 17 nor May 20

ADJOURNMENT

Mayor Holloway adjourned the meeting at 9:11 .m.

Rita Gable, City Clerk