



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

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

**March 1, 2006
6:00 p.m.**

**Tape Recorded
Tape 06-06**

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 – 6:05

ROLL CALL

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

ABSENT: Mayor Marshall Holloway

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 Randy Kirkendall, Claim #06-02**
- GC54956.8 RRA - Real Property Negotiations, Lots 34 and 35, of Parcel Map #10819, Ridgecrest Business Park (RBP), APN # 033-070-34 and 35 - Negotiators Harvey Rose and Gary Parsons**
- GC54956.8 RRA – Conference with Agency Members – Existing Loan Agreement with Globe Protect, Inc. – James McRea**

REGULAR SESSION – 6:38 p.m.

PLEDGE OF ALLEGIANCE led by BSA Troop 826

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INVOCATION – Silent Moment

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

In Closed Session Council denied the Liability Claim of Randy Kirkendal, No. 06-02; received update on real property negotiation for Lots 34 and 35 in the business park - no action taken; Globe Protect will be taken to committee.

APPROVAL OF AGENDA

Moved by Council Member Morgan, second Council Member Carter TO APPROVE THE AGENDA. No public comment. Motion carried with a voice vote of 4 ayes 1 absent. Mayor Holloway absent.

PUBLIC COMMENT

Dorothy Brown 221 N. Gold Canyon

- If feds have their way there will be a federal sales tax
- Will provide for an equal tax across the nation
- Kern and City considering a sales tax
- Eminent domain will be costly
- We do not have deep pockets
- Understands that the League of California Cities provides legal advice
- Has not heard that all these taxes are unconditional
- League has not been proactive
- Must start at the local level to hold government to the original letter of the law
- How will you stand up to this – how will you present your statements prior to the next election

CONSENT CALENDAR

1. Resolution No. 06-14, A Resolution Of The Ridgecrest City Council Authorizing The City Manager, Harvey Rose, To Sign A Program Supplement Agreement No. 018-M To Administering Agency – State Agreement No. 09-5385 For Preliminary Engineering For Construction Of Traffic Signals At The Intersection Of China Lake Boulevard And Church Avenue
Pollock
2. Resolution No. 06-15, A Resolution Of The Ridgecrest City Council Authorizing The Submittal Of A Kern County Air Pollution Control District (KCAPCD) Motor Vehicle Emission Reduction Project (MVERP) Application For A Compressed Natural Gas Truck
Taylor
3. Council Expenditure Approval List (DWR) Dated February 15, 2006 In The Amount Of \$49.95
Winegardner
4. Council Expenditure Approval List (DWR) Dated February 17, 2006 In The Amount Of \$110,404.26
Winegardner
5. Agency Expenditure Approval List (DWR) Dated February 17, 2006 In The Amount Of \$27,791.24
Winegardner

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Moved by Council Member Morgan, second Council Member Carter TO APPROVE THE CONSENT CALENDAR. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent. Mayor Holloway absent.

PUBLIC HEARINGS

6. **Federal Transportation Administration 5311 Grant; Public Hearing For Application As Submitted** **McRea**

The City is required to conduct a public hearing with a 30 day notice for the filing of the FTA 5311 Cycle 24 Grant. The application was approved by the City Council at the regular meeting of December 7, 2005 and filed.

Hearing opened at 6:50 p.m. and hearing no comments closed at 6:50 p.m.

Moved by Council Member Clark, second Council Member Morgan TO APPROVE AND AUTHORIZE THE AMENDMENT AND 30 DAY NOTICE. No public comment. Motion carried with a voice vote of 4 ayes, 1 absent. Mayor Holloway absent.

ORDINANCES AND RESOLUTIONS

7. **Ordinance No. 06-02, 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**

An amendment to the contract between the City Council of the City of Ridgecrest and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full. This ordinance was approved on first reading, by title only, at the Council meeting of February 15, 2006. It is brought back for second reading and approval.

Moved by Council Member Morgan, second Council Member Clark To Waive Reading In Full And To Adopt, By Title Only, 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. Mayor Holloway absent

OTHER ACTION ITEMS

8. **Resolution No. 06-16, A Resolution Of The Ridgecrest City Council Entering Into A Cooperative Groundwater Management Plan For The Indian Wells Valley** **McRea**

Mr. McRea read the staff report

- Staff is recommending authorization for the Mayor to sign the attached agreement as a participant in a Cooperative Ground Water Management Plan for the Indian Wells Valley

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- The plan was developed by the Indian Wells Valley Groundwater Management Working Group, a cooperative groundwater management group for joint planning in the production, distribution, conservation and use of water resources.

Council Member Carter wanted to know why the school district was not included

Dave Matthews, 717 Kevin Court

- Like to know what agreement says
- What is City's involvement going to be
- What is that something that the agreement addresses

Mr. McRea read preamble to the agreement

Dorothy Brown

- Asked if the private well owner part of this group
 - None were on the list

Moved by Council Member Clark, second Council Member Morgan TO ADOPT RESOLUTION NO. 06-16, A RESOLUTION OF THE RIDGECREST CITY COUNCIL ENTERING INTO A COOPERATIVE GROUNDWATER MANAGEMENT PLAN FOR THE INDIAN WELLS VALLEY. Public comment heard. Motion carried with a voice vote of 4 ayes, 1 absent. Mayor Holloway absent.

9. **A Request For An Amendment To An Existing Loan Agreement With Globe Protect USA, Inc.; In An Amount Not To Exceed \$10,000** **McRea**

Mr. McRea read the staff report

- The amendment is being requested to facilitate additional laboratory testing of Macrosonic Impact Technology demonstration analysis.
- Redevelopment Agency did enter into an agreement
- Council Member Morgan asked – do we understand that this for the final testing
 - yes

Jerry Taylor, 315 Mesquite

- Asked if this is a secured loan
 - Original of 160K is secured so this may or may not be secured

Moved by Council Member Morgan, second Council Member Clark TO APPROVE THE REQUEST FOR AN AMENDMENT TO AN EXISTING LOAN AGREEMENT WITH GLOBE PROTECT USA, INC.; IN AN AMOUNT NOT TO EXCEED \$10,000. Public comment heard. Motion carried with a voice vote of 3 ayes, 1 no, 1 absent. Council Member Carter voted no. Mayor Holloway absent.

10. **Sale of City and Agency Surplus Properties** **Parsons**

Mr. Parsons gave the staff report and made a Power Point presentation

- In September 2005 Council and the Agency authorized the sale of certain surplus properties and professional agreement with Coldwell Bankers Best Realty to sell these properties

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- Staff is providing information for Council and Agency review before acceptance of the offers prior to finalizing the sale of these properties.

Council Member Carter asked if the two properties previously discussed in closed session were removed

- 1 was, the other has not – the property on Kern needs to be

Tom Martin, 228 W. Hartley

- Where is this property
 - Kern and Argus 3.79 acres

Kathy Vejtasa, 134 N Nolan

- Asked why that property is being removed
 - Community group would like it for community service – may have historical value
- Winning bid was 151,800K which is substantially above listed price
- City can use that money in matching grants for roads

William Dale Howard, 1109 Mayo

- Would recommend it be removed if there is a public use for it
- We do need more things for the community use

Jerry Taylor

- On what was property value based
- How long will this be kept open before sale
 - Waiting for an offer from the interest group
- Wait too long and you may lose a nice sale of 151,800K

Kathy Vejtasa

- Coldwell Banker Best Realty waived listing fees on these properties in order to have the sales funds be used for much needed infrastructure work
- Is upset with the decision to remove some of the properties from the list

Council Member Clark asked how long will we wait for an offer from the interested group – need to try to target for next meeting

Al Huey, 1211 Windy Lynn

- Noted that the list showed the persons making offers
- Could the group interested in the Kern property be identified
 - Rose only have name of individual not the group

Moved by Council Member Carter, second Council Member Morgan TO DIRECT STAFF TO SELL THE PROPERTIES WITHOUT THE KERN AND ARGUS PROPERTY INCLUDED. Public comment heard. Motion carried with a voice vote of 3 ayes, 1 no, 1 absent. Council Member Martin voted no, Mayor Holloway absent.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

None

CITY ATTORNEY REPORTS

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None

COMMITTEES, BOARDS AND COMMISSIONS

Economic Development Committee

Members: Chair Dan Clark, Chip Holloway, Mike Biddlingmeier, Chuck Roulund

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

Next meeting to be announced –March 2 meeting - may be April 6

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, Chuck Roulund, Jim Smith

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

Next meeting March 8

City Organization Committee

Members: Chair Ron Carter, Steve Morgan

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

Next meeting March 9

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 March 30

Redevelopment Advisory Committee

Members: Chair Mike Hogan, Bob Peoples, Gary Charlon, Ron Ketcham. Ex-officio Members Council Members Steven Morgan and Ron Carter, Planning Commissioner Mike Biddlingmeier

Meetings: as announced - 5:00 PM, Council Conference Room

Next meeting March 7

RACVB

Council Member Duke Martin

Council Member Steve Morgan- Alternate

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

Next meeting March 15

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Martin - LAFCO meeting shows all cities are growing

Appointment of Nellavan Jeglum to the Waste Management ad hoc Committee

MAYOR AND COUNCIL COMMENTS

Morgan

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- Attending KernCOG awards dinner several locals are being honored
- Toxic roundup is for household hazardous wastes this Saturday March 4 9-12 at landfill
- Next week he will be turning 45 - started serving the City in 1984 and has attended about 800 meeting
- Has meeting every day of week next week
- Being a public official is self rewarding and takes pride in it
- Excellent article in News Review by Timothy Neipp

Carter

- Was keynote speaker at NAACP banquet
- You can make a difference however you get involved
- You need to work with your elected officials
- Take advantage of these elected persons

Clark

- Called attention to table of contents of the Arts Council
- Wants comments and inputs - call Mr. Ponak or Mr. Rose
- Policies and procedures
- Excited about this
- East Kern Youth Project has been taken over by Reverend Thomas of Victory Baptist Church who is now CEO
- Thanked the Scouts for being here
- Thanked 3 students from Mesquite for attending

Martin

- Also thanked the Scouts
- March 4 City Council and Planning Commission scoping meeting
- March 10 Senator Ashburn will be in Ridgecrest discussing BRAC 10 to 12
- March 11 Indian Wells Valley Youth Baseball opening day
- At federal, state and local levels things are happening with Congressman Thomas, Senator Ashburn and Assemblyman McCarthy
- Get involved make sure you vote.

ADJOURNMENT

Mayor pro tem Martin adjourned the meeting at 7:48 p.m.



Rita Gable, City Clerk