



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

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

**December 5, 2007
6:30 p.m.**

This meeting was 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, Mayor Pro Tem Steven Morgan, Vice Mayor Thomas Wiknich, and Council Members Ronald Carter and Daniel Clark

STAFF: Harvey Rose, City Manager; Scott Nave, Deputy City Attorney; Eva Peterson Executive Secretary; Jim Winegardner, Administrative Services Department Director/City Treasurer; Jim McRea, Public Services Department Director, Dennis Speer, Public Works Department Director; Joe Pollock, Assistant Public Works Director; Jim Ponek, Parks, Recreation And Cultural Affairs Department Director; Michael Avery, Chief of Police/Assistant City Manager; Ronald Strand, Deputy Chief of Police; and other personnel

CLOSED SESSION – 6:02 p.m.

GC54056.9 Conference with Legal Counsel - Existing Litigation - Matrix Motor Company v. City of Ridgecrest

REGULAR SESSION – 6:35 p.m.

PLEDGE OF ALLEGIANCE led by Daniel Peterson

INVOCATION – Reverend Ralph Mueller, Ridgecrest Presbyterian Church

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

In Closed Session Council received an update regarding the Matrix Motor litigation - no action taken - no other items discussed.

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APPROVAL OF AGENDA

Moved by Council Member Clark, second Council Member Morgan TO APPROVE THE AGENDA. Public Comment - none. Carried with a voice vote of 5 ayes.

PROCLAMATIONS AND PRESENTATIONS

1. Youth Advisory Council

None

PUBLIC COMMENT - opened at 6:42 p.m.

Dave Matthews – Infrastructure problems not limited to Ridgecrest. Other cities going through the same thing.

Closed at 6:45 p.m.

CONSENT CALENDAR

Item removed

2. Local Assistance Plan (LAP) - California Integrated Waste Management Board Compliance Order McRea

An eight section LAP which requires quarterly performance and reporting until the City is deemed compliant by the California Integrated Waste Management Board has been put into place.

3. Resolution No. 07-60, A Resolution Of The Ridgecrest City Council Authorizing Recordation Of The Final Tract Map For Tract 6674 Pollock

4. Resolution No. 07 61, A Resolution Of The Ridgecrest City Council Approving The Purchase Of A Schwarze Street Sweeper Speer

5. Resolution No. 07-62, A Resolution Of The Ridgecrest City Council Authorizing The City Manager Or Public Works Director To File And Execute Applications For Federal Funding Under FTA Section 53119 (49 U.S.C. Section 5311) With The California Department Of Transportation Taylor

6. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of November 21, 2007 Gable

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7. **Council Expenditure Approval List (DWR) Dated November 23, 2007 In The Amount Of \$246,229.74** Winegardner
8. **Agency Expenditure Approval List (DWR) Dated November 23, 2007 In The Amount Of \$150.50** Winegardner

Dorothy Brown requested item 2 be removed

Moved by Council Member Wiknich, second Council Member Carter TO APPROVE THE CONSENT CALENDAR WITH ITEM 2 REMOVED. Public Comment heard. Carried with a voice vote of 5 ayes.

2. **Local Assistance Plan (LAP) - California Integrated Waste Management Board (CIWMB) Compliance Order** McRea

An eight section LAP which requires quarterly performance and reporting until the City is deemed compliant by the California Integrated Waste Management Board has been put into place.

Dorothy Brown – wanted to know where and why we are not in compliance.

Mr. McRea explained that in September 2007 the City appeared before the CIWMB in Sacramento and informed that the programs were not adequately implemented by the City. The calculations were not accurate and the recycling programs were not met. The City failed to have reasonable goals met. LAP implementation, 8 separate sections, were not achieved, however, the Board is willing to work with the City. On December 6 and December 13 LAP will be reviewed in detail during Community Development meetings. Per Steven Morgan, AB939 is law and we have to comply, we have to have a plan.

Dave Matthews – did the board include calculations from the base and is the City adopting a plan that is due by January 1?

Mr. McRea stated yes - the City will be implementing the plan over the next 2 years. Modifications to initial request were made.

Barbara Auld stated that we have been recycling for years and Pearson takes cardboard, newspapers, junkmail, plastic, glass, tin cans, aluminum and we have very little in our trash. That has been going on for years.

Mr. McRea mentioned that the board's position is that 70% of Ridgecrest's waste stream is commercial in nature primarily because they look at the base as a commercial enterprise. There is no argument that we recycle. We will work towards getting recertified.

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Moved by Council Member Carter, second Council Member Clark TO APPROVE. LOCAL ASSISTANCE PLAN (LAP) - CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD COMPLIANCE. Public comment heard. Carried with a voice vote of 5 ayes.

PUBLIC HEARINGS

9. **Resolution RRA NO. 07-05, A Resolution Of The Ridgecrest Redevelopment Agency Adopting The Five Year Implementation Plan, 2004 To 2009**
McRea/Winegardner

The Ridgecrest Redevelopment Agency Project Area Redevelopment Plan is required to be updated in five year increments to assure conformance with the General Plan and Housing Element. A duly noticed Public Hearing is scheduled for the Implementation Plan this evening.

Mr. Jim McRea explained Redevelopment Agency housing set aside monies expenditures. 176 houses for regional area for 5 year period needed in order to be in compliance and we are meeting those goals. Economic development, elimination of blight and housing are all areas the RRA is targeting. Mr. Jim Winegardner stated that he along with RSG have prepared a document for auditing and financial purposes. The document covers the various projects such as Ridgecrest Cares, Desert Willow, Habitat for Humanity, The Woman's Center, and High Desert Haven in the report. Mayor Holloway asked if we could take all the money and place it into existing facilities for rehab. Mr. McRea answered yes; however, we do not receive enough money. Councilman Clark questioned if we would qualify with the Kern County Housing Authority for additional monies for a senior facility. Mr. McRea stated it's not that we don't qualify, it's that not all seniors are low-low/mod in the community. Mr. Jim Winegardner commented that the Ridgecrest Cares project has been very successful due to the volunteer hours of the City staff in cooperation with the YES youth. Councilman Clark asked if there is anyway we can encourage developers towards a senior project and Mr. McRea stated no however, the Larkspur project will provide some low-low/mod housing. Councilman Morgan stated overall goals of implemented plan are being met. Per Mr. Simon – plan covers a 5 years period and if a new senior project comes forward the plan can be amended per approval of the proposed project.

Public Hearing opened at 7:23 p.m. and hearing none closed at 7:32 p.m.

Moved by Council Member Morgan, second by Council Member Carter TO ADOPT RESOLUTION RRA NO. 07-05, A RESOLUTION OF THE RIDGECREST REDEVELOPMENT AGENCY ADOPTING THE FIVE YEAR

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IMPLEMENTATION PLAN, 2004 TO 2009. No public Comment. Carried with a voice vote of 5 ayes.

ORDINANCES AND RESOLUTIONS

10. **Ordinance No. 07-06, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code To Prohibit Vehicles With A Gross Vehicle Weight Rating In Excess Of 26,000 Pounds From Parking On Residential Streets** Avery

Mike Avery - This ordinance was approved on introduction and first reading, by title only, at the Council meeting of November 21, 2007. It is returned to this agenda for second reading and adoption. If passed, this ordinance will become effective in 30 days. Proper signage will take place. This ordinance does not restrict parking on commercial streets such as around restaurants or hotels.

Dorothy Brown

Is there a time limit on parking, like for lunch?

No parking in residential areas.

Jerry Taylor

What defines commercial vs. residential areas?

The definition of residential zone is any zoning district where use and occupancy of a residential dwelling is permitted.

Moved by Council Member Carter second by Council Member Tom Wiknich TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 07-06, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE TO PROHIBIT VEHICLES WITH A GROSS VEHICLE WEIGHT RATING IN EXCESS OF 26,000 POUNDS FROM PARKING ON RESIDENTIAL STREETS. Public Comment heard. Carried with a voice vote of 5 ayes.

11. **Resolution No. 07-63, A Resolution Of The Ridgecrest City Council Changing The Composition Of The Governing Board Of The Kern County Air Pollution Control District**
Rose / Avery

The Kern County Air Pollution Control District (KCAPCD) Board of Directors at their meeting on November 8, 2007 requested that KCAPCD staff develop a resolution to change the composition of the Board of Directors of the KCAPCD, and to bring that resolution to the Board of Supervisors and city councils at one of their December 2007 meetings.

The Board of Directors of the KCAPCD wishes to change the composition of the

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Board of Directors to two supervisors and three city council representative, so that each city is represented on the Board. This would also allow each city to appoint its own member, either the mayor or a city council member, rather than have the City Selection Committee make the selection.

No fiscal impacts to the City of Ridgecrest have been identified as occurring, if this change is made. The KCAPCD is a special district with its own budget and revenue sources. The staff of the KCAPCD will continue to be employees of the County, and shall act as ex officio officers and employees of the District as provided in Health and Safety Code section 40120.

Moved by Mayor Holloway, second by Council Member Steven Morgan TO ADOPT RESOLUTION NO. 07-63, A RESOLUTION OF THE RIDGECREST CITY COUNCIL CHANGING THE COMPOSITION OF THE GOVERNING BOARD OF THE KERN COUNTY AIR POLLUTION CONTROL DISTRICT No public Comment. Carried with a voice vote of 5 ayes.

DISCUSSION / ACTION ITEMS

12. Continued Discussion Of A Proposed Ballot Measure To Fund Infrastructure Improvements Wiknich

The Infrastructure Committee has proposed a ballot measure to fund certain infrastructure improvements. A discussion with public input and comment was held at the November 7, 2007 Council meeting. Vice Mayor Wiknich wishes to provide answers to some questions he has received and continue public discussion, inputs and comments. He also requests Council to set a date for finalizing the projects list and terms on the ballot measure.

Council Member Wiknich

Public input to put on the ballot infrastructure improvements in 2008. This initiative is an attempt to raise \$20M to start. A total of \$80M is needed. Vice Mayor Wiknich explained the need for the Ridgecrest Boulevard, College Heights, Norma to College projects.

Dave Matthews

Perhaps we need a survey, however then additional cost is involved. The City needs to enlighten public why we need this tax and how city uses dollars for other projects vs. roads.

Council Member Wiknich

Stated that there is a misconception by one person mentioned that the City has \$1.2M that can be saved. However, without the parks program there would be no incoming monies. In addition part of that funding provides for maintenance of City Hall buildings and various parks.

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Janice Bottorft

Speaking on behalf of the Chamber, pledged support of this initiative for dissemination of accurate facts to the public.

Dorothy Brown

Supports 10 year sunset clause and a defined project list.

Jerry Taylor

Supports 10 year sunset clause and maintaining current roads.

Council Member Wiknich

Explained the project list priority and how it was determined.

Frank Nicholson

Supports maintaining current roads.

Howard Auld, IWV2000 President

Although he has not asked his board, he believes they would be supportive of this action

Council Member Wiknich

Will continue to receive comments regarding the project list and will discuss in committee. Needs to address ballot initiative and whether or not a consultant should be hired. Infrastructure Committee has met and prefers not to have a consultant.

Council Member Carter

A consultant will not be used to convince voters, to sell this concept. Rather to determine what the voters want. This community has made it very clear that they do not want new taxes. If you want a different result, you need a different process. Will not support this effort unless he knows what the citizens want and strongly feels that we need to use professional consultants to see what the community will support and not support.

Council Member Morgan

Believes that with the proper education that the measure would pass without a survey however he stated he has been wrong before. He does not believe a poll is necessary. Believes help in educational process is going to be necessary. Whatever the decision, I will pledge my support.

Council Member Wiknich

Agreed with Council Member Morgan that no matter what we decide, we need to be unanimous.

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Council Member Carter

I will not support this initiative unless I know the citizens will support it. I will not support a tax increase unless we have a professional consultant. I will not support a tax increase unless I know what this community support and I will not know this information unless a professional consultant is used.

Council Member Clark

A month ago, I heard bring back the figures and we will consider the consultant. I expected tonight to hear that information. We have not brought a solid figure from a consultation yet in our discussion. This bond measure – what has changed? Absolutely nothing I have heard has changed from what I have heard in the past except a few vocal community members that are willing to change their vote, if we do it their way. I thought we did everything possible. The League of California Cities is telling us to do it right this time around. We failed twice. I can't conceptualize why we would walk down the road and expect a different result.

Mayor Holloway

I have been preaching consultant, consultant since day one, mainly since I've been baptized by the League of California Cities. However, even within my own core group I have not sold the consultant concept. They don't want a sale job. The perception of the community is different than our perception. We don't need a survey we need to get the message out to the voter. We're not comparing apples to apples. The school district paid \$18,000 up front for the survey. The school district was a bond issue and we are talking about a sales tax. RFP for consultants and most did not respond. I would like to move forward without a consultant but with a marketing firm and with a grassroots effort such as the Chamber, and realty company to assist.

Council Member Carter

I thought we had a great campaign last time; we worked hard last time and I was shocked at how bad we lost. Last time we had groups working with us – we went to service clubs. We had a good PR, we had a good program explaining why the increase was needed. If you want a different result – you cannot use the same process. Steven and I have been fighting for this for 12 years. I want a consultant that's going to make a phone call and find out what the people want. Superintendants, principals and teachers have a pretty good idea of what the needs are at each school and through the phone survey it came back that the community will support this item, it won't support that item, were lukewarm on that. If we did not have that information I'm not sure we would have been successful.

Mike Avery

City Infrastructure Committee did receive information from one consultant for \$18,000. Most consultants will not travel during holidays and very few are

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interested in a municipal government measure. We are looking for at least 3 consultants and after the holidays we will bring in a consultant to talk to Council.

Mayor Holloway

We already missed February election – what is drop dead date?

Harvey Rose

Resolution is needed 90 days in advance of election.

Jim Winegardner

The City does have a financial advisor on retainer and bond council.

Harvey Rose

They have to get the information to the financial advisor and it would be a bond issue that would be paid back. There have been times when an initiative fails and it does pass in subsequent years. You can hire consultant to take on 2 questions. I have seen situations where people finally get fed up with the quality of roads and initiatives are passed.

Mayor Holloway

Asked for a compromise – would council members give up \$15,000 for median art in this budget cycle and use for a consultant?

Mr. Clark

What about taking \$15,000 out of the \$40,000 in signature event quality of life money and use those funds for a consultant?

Mr. Carter

Would not have a problem giving up the \$15,000 quality of life money.

Mr. Wiknich

Asked why do we have a paving management system? Projects are based on engineering data that we paid for.

Dorothy Brown

Asked what are we going to survey – what is the survey going to entail?

Mr. Clark

Stated that Steven Morgan had the same passion the last time around, with prioritized list, etc.

Mr. Morgan

Measure Q was a roads initiative that added funding for police and Kerr-Mcgee ball field upgrades and I was opposed to adding police and Kerr-Mcgee. We have groups that can do phone surveys and the Chamber to assist and if we

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can't come up with the questions to ask, w3 _____. I will not vote for a consultant.

Mayor Holloway

Stated we don't have a consensus therefore we can't move forward and we have to be totally united.

Mr. Clark

The League stated it's grassroots who should be driving this measure not the Council and Mr. Carter agreed that the citizens can place this initiative on the ballot.

Mr. Wiknich will cease working on this project.

Moved by Mayor Holloway, second Council Member Clark that they will wait until they get direction from the community.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

Happy Hanukkah

CITY ATTORNEY REPORTS

Happy Holidays

COMMITTEES, BOARDS AND COMMISSIONS

Community Development Committee

Members: Chair Steve Morgan, Chip Holloway, Jerry Taylor, Nellavan Jeglum
Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room
Next meeting December 6

City Organization and Services Committee

Members: Chair Tom Wiknich, Chip Holloway, Mike Biddlingmeier, Lois Beres
Meetings: 2nd Thursday of the month at 5:00 p.m.; Council Conference Room
Next meeting December 13

Parks, Recreation and Quality of Life Committee

Members: Chair Ron Carter, Dan Clark, Jerry Taylor, Howard Laire
Meetings: 4th Thursday of the month at 5:00 p.m.; Kerr-McGee Center
Dark in December

Infrastructure Committee

Members: Chair Tom Wiknich, Steve Morgan, Lois Beres, Nellavan Jeglum

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Meetings: 2nd Tuesday of the month at 5:00 p.m., Council Conference Room
Next meeting December 11

Activate Community Talents and Interventions For Optimal Neighborhoods Task Force (ACTION)

Members: Chair Dan Clark, Ron Carter

Meetings: 2nd Monday of the month at 6:00 p.m., Kerr-McGee Center

Next meeting December 10

RACVB

Council Member Holloway

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

Next meeting to be announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

None

MAYOR AND COUNCIL COMMENTS

Carter

Happy Hanukkah and Holidays to families

Clark

Happy Holidays to our families in our communities and thank you to Vice Mayor Wiknich

Morgan

Happy Hanukkah, Christmas and Quanza.

Pearl Harbor remembrance this weekend at Elks Lodge - call Chamber for tickets. Annual Christmas parade on December 8th and Santa riding in parade at 10:00am.

Tree lighting on Dec 15th.

Thank you last week's Santa's workshop.

Vice Mayor Wiknich has never waived.

Wiknich

I was elected to make a difference and we can't agree on something so simple.

Thank you for all who made comments.

Happy Hanukkah and Merry Christmas.

Happy Holidays is derivative of Holy Days

Mayor Holloway

Parks and Recreation budget is bundled in a way that it is misrepresented.

Parks and Recreation pays for itself

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If we lost parks and rec we would lose quality of life in this city

Parks and rec includes maintenance of these buildings.

IT – next meeting update for proposal from College on webpage.

I take responsibility for failure of streets bond issue and Mr. Wiknich has done a lot of work towards this

I hope the community takes an initiative.

Discussion of dollar shortages in the state of CA.

Happy Hanukah and Merry Christmas.

ADJOURNMENT

Mayor Holloway adjourned the meeting at 9:31 p.m.

Eva Peterson, Clerk Pro Tem