



**MINUTES OF THE REGULAR MEETING OF THE
RIDGECREST CITY COUNCIL / RIDGECREST REDEVELOPMENT AGENCY
AND SPECIAL JOINT MEETING OF THE RIDGECREST CITY COUNCIL
AND THE RIDGECREST PLANNING COMMISSION**

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

**April 2, 2008
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 – 6:00 p.m.

ROLL CALL

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

ABSENT: Mayor Marshall Holloway,

STAFF: Harvey Rose, City Manager; Keith Lemieux, City Attorney; Rita Gable, City Clerk; 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 – 6:04 p.m.

GC54956.9 Conference With Legal Counsel - Existing Litigation - Matrix Motor Company v. City of Ridgecrest

GC54956.9 Conference With Legal Counsel - Liability Claim of Mark Stein, Claim # 08-03

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City Manager Rose requested addition to Closed Session of Conference with Legal Counsel regarding Existing Litigation of Special Services Contractors as the need to take action arose subsequent to posting of the Agenda and is time sensitive.

Moved by Council Member Clark Wiknich TO ADD SPECIAL SERVICES CONTRACTORS LITIGATION TO THE CLOSED SESSION. No public comment. Carried with a voice vote of 3 ayes, 2 absent; Mayor Holloway and Council Member Carter absent.

Added item

GC54956.9 Conference With Legal Counsel - Existing Litigation - Special Services Contractors v. City of Ridgecrest

Council Member Carter joined Closed Session at 6:10 p.m.

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

Council received information regarding the Special Service Contractors and authorized the City Manager to work out a settlement; Council received a status report on Matrix Motor Company - no action taken; Council discussed Liability Claim 08-02 and rejected the claim.

Mr. Rose noted that a settlement agreement between the City and Special Services Contractors will need an action from the Council.

ADJOURN TO SPECIAL SESSION – 6:43:

CITY COUNCIL / PLANNING COMMISSION

CALL TO ORDER – 6:45 p.m.

ROLL CALL OF PLANNING COMMISSIONERS

PRESENT: Chair Michael Biddlingmeier, Vice Chair Jerry Taylor, Commissioners Howard Laire and Lois Beres

ABSENT: Commissioner Nellavan Jeglum

PLEDGE OF ALLEGIANCE led by Mayor Pro Tem Steven Morgan

INVOCATION

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PRESENTATION AND DISCUSSION

1. **Special Session Of The Ridgecrest City Council And Planning Commission For The Purpose Of Review Of The General Plan Update And General Plan Advisory Committee Recommendations** **McRea**

The Rick Russ of Matrix Design Group, the General Plan Consultant, gave a presentation on the Policy Directions/Choices as developed and recommended.

Mr. Russ noted that the first meeting was a year ago - an open public meeting on March 28-29, 2007. This is a check-in of what has taken place with the general public meetings of GPAC. Copies of presentation are in Clerk's Agenda packet.

ADJOURNMENT OF SPECIAL SESSION – 8:59

Recess at 9:00 p.m. to reconvene at 9:05 p.m.

RECONVENE TO REGULAR SESSION – 9:08 p.m.

CITY COUNCIL / REDEVELOPMENT AGENCY -

APPROVAL OF AGENDA

City Manager Rose requested the addition of a Proclamation for Blues And Jazz Appreciation Month to the Agenda as the request for the proclamation arose subsequent to posting of the Agenda.

Moved by Council Member Carter, second Council Member Wiknich TO ADD THE PROCLAMATION AS ITEM 3. a. AND TO APPROVE THE AGENDA WITH ITEM 3. a. ADDED. No public comment. Carried with a voice vote of 4 ayes, 1 absent; Mayor Holloway absent.

PROCLAMATIONS AND PRESENTATIONS

2. **Youth Advisory Council**

None

3. **Proclamation - Public Health Week**

Council Member Clark presented a proclamation to Margaret Martin and Amy Goriesky, Public Health Nurses from the Kern County Health Clinic in Ridgecrest, recognizing Public Health Week, April 7 - 13, 2008.

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Added item

3. a. Proclamation - Blues And Jazz Appreciation Month

Council presented a proclamation to Bob Peoples, in recognition of Blues and Jazz Appreciation Month, April 2008.

PUBLIC COMMENT – 9:15 p.m.

Dave Matthews

- Now that BRAC has gone forward he has a couple of issues to put forth
- Public health is a big issue in medical availability in the valley
- Any of the full time practitioners in the city are booked up and very hard to get appointments
- The specialists who practice here come in only one or two days a week or month
- Medi-Cal patients have to go out of town for treatment
- Know of quite a few cases of long-time unemployment here
- One person has been on disability and is now ready to go back to work
- Thinks these things need to be looked at by the Parks, Recreation and Quality of Life Committee

Jerry Taylor

- Regarding the streets measure now with a bit more time we need to go out and check the traffic on our streets
- Feels that this data would solidify our positions on the projects lists

Mike Neel

- Does not think the Parks, Recreation and Quality of Life Committee should be looking over the medical services situation
- Quotes from Benjamin Franklin and Will Rogers
- Things donated to the arts are not just for the Parks, Recreation and Quality of Life Committee
- Noted Council expenditures such as --
 - Matching grant funds for Boys And Girls Club and "we" also fixed electrical
 - Noted expenditures for attorneys
- Over \$600K of unnecessary expenses
- If we just did our jobs there would be funds for
- Thanked Council for putting the public comment period to 5 minutes

Walt Maurer

- It is all dependent on funding
- Noted the Federal Reserve is not a government agency

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- Their sole purpose is to loan funds to the federal government
- Recession is a possibility
- Noted that Assembly Person Jean Fuller has stated that much of annual salary goes to taxes
- Noted a Bakersfield sponsored Kern County Beethoven event
- Parker Performing Arts Center - was free last year as donations were 8K
- What is the primary function of city, county and state governments
- March 7 DI stated they agree cuts should be made where possible and believe this Council had done so
- Asked where the cuts and figures were as he would like to see them
- He checked and all departments but one increased their budget
- Would like to see City department submit a plan where they can cut 10% off their budget

Closed at 9:32 p.m.

CONSENT CALENDAR

Items 4, 5, and 6 were removed for discussion

4. **Resolution No. 08- , A Resolution Of The Ridgecrest City Council Authorizing Application For And Acceptance Of The State Of California Office Of Traffic Safety Mini- Grant** Avery

The State of California, Office of Traffic Safety is offering direct award, mini-grants to fund overtime for increased enforcement in seat belt usage. These grants require no matching funds.

5. **Resolution No. 08- , A Resolution Of The City Council Of The City Of Ridgecrest Authorizing Partial Payment 1 To International Pavement Solutions For Work Completed To Date On The Downs Street Median Landscape Project (Stplhsr-5385(025))** Pollock

This project consists of installation of irrigation systems, stamped concrete and landscaping in the existing traffic islands on Downs Street from China Lake Boulevard to Inyokern Road. A portion of the trenching has been completed and all of the stamped concrete has been completed. International Pavement Solutions has submitted partial payment request number 1 in the amount of \$163,144.00 of which \$16,314.40(10%) will be retained until 35 days after recordation of the notice of completion for the project. The total payment being requested at this time is \$146,829.60. This project is funded by Transportation Act (TEA) funds and the City will be reimbursed 88.53% of the construction and administrative costs for the project. The funds programmed for construction are \$507,615 (Federal) and \$65,768 (Local).

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6. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of March 19, 2007** **Gable**
7. **Council Expenditure Approval List (DWR) Dated March 14, 2008 In The Amount Of \$319,514.03** **Winegardner**
8. **Agency Expenditure Approval List (DWR) Dated March 14, 2008 In The Amount Of \$53,349.64** **Winegardner**

Council Member Wiknich requested removal of item 5
Mr. Neel requested removal of items 4 and 6

Moved by Council Member Wiknich, second Council Member Clark TO APPROVE THE CONSENT CALENDAR WITH ITEMS 4, 5, AND 6 REMOVED. No public comment. Carried with a voice vote of 4 ayes, 1 absent; Mayor Holloway absent.

4. **Resolution No. 08-18, A Resolution Of The Ridgecrest City Council Authorizing Application For And Acceptance Of The State Of California Office Of Traffic Safety Mini- Grant** **Avery**

Mr. Neel stated he won't feel one bit safer with this kind of enforcement and citations. Officers should be out patrolling for serious crime. Asked if any effort has been made to get funding to stem gang activity.

5. **Resolution No. 08-19, A Resolution Of The City Council Of The City Of Ridgecrest Authorizing Partial Payment 1 To International Pavement Solutions For Work Completed To Date On The Downs Street Median Landscape Project (Stplhsr-5385(025))** **Pollock**

Council Member Wiknich stated there has been considerable discussion about this project from the beginning. City Org is suggesting that when these projects come forth they need to have a "life cycle tag" attached for the cost of the life of the project. This should be done before applying for and accepting the grant.

Mr. Rose added that this project started back in the 1990's with some donated funds from garden clubs, Boy Scouts and other organizations. City was asked to look for grants which it did. Designs and plans were done and public meetings held and plans amended accordingly. When grant funds appeared available we went to bid twice with no bids coming forth. Plans were amended again and rebid and a contract was let in 2007. Funds have come from federal and state. The local funds were given to us by the state for the matching funds.

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Walt Maurer asked what is the maintenance costs? Figures from Mr. Ponek indicate 33K and Mr. Speer checking on private labor came up with 28K. We are paying the contractor now for work done. Mr. Maurer asked when we will be reimbursed – Mr. Speer replied in about 3 months.

Council Member Wiknich asked Mr. Speer if the pavement cuts will be repaired "to City standards"? Mr. Speer replied that they would be repaired by City standards. City goes by CalTRANS standards.

Council Member Morgan asked if there is a process in place to have groups volunteer to do the maintenance that will also lower the cost The answer was yes. He further stated that we need to be careful how items are worded on the agenda when we are accepting grants and funding making the process clear and understandable.

6. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of March 19, 2007 Gable

Mr. Neel wants his Public Comment statements on page 3 corrected to "historical" rather than "humorous". (City Clerk will make "correction")

Moved by Council Member Wiknich, second Council Member Clark TO APPROVE CONSENT CALENDAR ITEMS 4, 5, AND 6. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Mayor Holloway absent.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

Added item payment to Special Services Contractors

This item was added to and discussed in Closed Session this evening. It was a 1.5M project at the Wastewater Treatment Facility using funds from the Wastewater Utility Reserve. Project was necessary to serve needs of community and for future expansion. Corolla Engineering was the designer and Special Services Contractors was the contractor. Change orders from the contractor were not processed correctly by the contractor but work was completed and should be paid for. Mr. Rose requested motion from Council to transfer up to 130K from Wastewater Utility Reserve into the construction fund to pay for this work.

Moved by Council Member Clark, second Council Member Wiknich TO AUTHORIZE TRANSFER OF UP TO 135k FROM THE WASTEWATER UTILITY RESERVE FUND TO THE CONSTRUCTION FUN TO PAY FOR WORK ACCOMPLISHED BY SPECIAL SERVICES CONTRACTORS.

CITY ATTORNEY REPORTS

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None

COMMITTEES, BOARDS AND COMMISSIONS

Community Development Committee

Members: Chair Steve Morgan, Chip Holloway, Jerry Taylor, Nellavan Jeglum

Meetings: 1st Thursday of the month at 5:30 p.m.; Council Conference Room

Next meeting April 3

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 April 10

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

Met March 20

- Presentation from Arts Council of proposals they have received
- DART came about medical concerns in the City - no new patients or Medi-Cal being accepted at Drummond Medical Group
- Committee reps will meet with state reps seeking remedies but not a great deal we can do as a City
- Eric Kaufman came about the property next to the radio station that goes through to City Hall
- Asked staff to take that issue to the appropriate committee
- Discussion about sidewalk at Denny's park – was told the City owns the park property
- It is possible that this may be in next CDBG handicapped ramp project

Next meeting April 24

Infrastructure Committee

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

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

Next meeting April 8

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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 May 12 (dark in April - they are trying every other month)

RACVB

Council Member Holloway

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

Next meeting April 16

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Council Member Clark - Arts Council April 23 - 5:30 - Kerr-McGee Center

Council Member Morgan - KernCOG tomorrow evening - recent workshop agenda item was county projects prioritization on a regional basis – we don't fit into a region

Council Member Morgan Quad State – climate and desert workshop – next week

MAYOR AND COUNCIL COMMENTS

Wiknich

- Challenged the community for those who agree with Mr. Maurer and Mr. Neel regarding city government to come forth and express themselves
- Commended the Committee for Better Streets in Ridgecrest for the work they are doing
- The infrastructure terminology used in the ordinance refers to the streets in the priority list attached to the ordinance
- The road repairs done under the initiative will be up to CalTRANS standards

Clark

- Teen Court – thanked Kern County and Supervisor McQuiston and Craig Peterson for all their help
- We are up and running
- Neighborhood Watch update – he is organizing his and an adjacent block
- Call Nancy Young and organize a watch in your neighborhood
- June 7 2-7 p.m. DART golf tournament to benefit autistic kids summer camp experiences
- Consider participating in it and let the community get to know you

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Carter

- Thanked Matrix Design Group for the presentation on the general plan updating process
- Excellent recommendations given
- Lot of hard work has been done by the GPAC

Morgan

- Distributed a small packet to council regarding a bill on The Second Amendment
- Bakersfield Council Member Zack Scrivner gave him the reso – several cities in county have already passed resos like this
- Noted the Burroughs High School Tech Center prop 1B funds
- Great thing to get the funds into the community
- Addressed Mr. Neel and Mr. Maurer to take a look at the end of the year of every budget since 1997 and see if the City is in the black or in the deficit
- Thinks it has a lot to do with the City Councils in office during those times
- We live in a community where we try to take everyone's issue seriously
- What is a cynic – he knows the price of everything and the value of nothing (Frank and Ernest)

ADJOURNMENT

Mayor Pro Tem Morgan adjourned the meeting at 10:15 p.m.

Rita Gable, City Clerk