



**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**

**March 19, 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 Marshall Holloway, Mayor Pro Tem Steven Morgan, Vice Mayor Thomas Wiknich, and Council Members Ronald Carter and Daniel Clark

**STAFF:** Harvey Rose, City Manager; Keith Lemieux, City Attorney; Rita Gable, City Clerk; Jim McRea, Public Services Department Director, Dennis Speer, Public Works 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.**

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

GC54956.9 Conference With Legal Counsel - Liability Claim of Sara Foster, Claim # 08-02

GC54956.8 RRA Real Property Negotiations – Ridgecrest Business Park - Potential Purchase Of Lot 32 Within Parcel Tract No. 10819, Mr. Bernard Rizzardini - Agency Negotiators Harvey Rose, Michael Avery, and James McRea

GC54956.8 RRA Real Property Negotiations – Ridgecrest Business Park - Potential Purchase Of Lot 36 Within Parcel Tract No. 10819 - Agency Negotiators Harvey Rose, Michael Avery, and James McRea

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GC54957 Personnel Matters - Public Employee Performance Evaluation -  
City Manager and City Attorney

**REGULAR SESSION – 7:70 p.m.**

**PLEDGE OF ALLEGIANCE led by Bob Beecroft, DART**

**INVOCATION – Reverend Ralph Mueller, Ridgecrest Presbyterian Church**

**CITY ATTORNEY REPORT OUT OF CLOSED SESSION**

Council was briefed on Matrix litigation, no action taken. Council reviewed the Liability Claim of Sara Foster, #08-02 and rejected the claim on a motion by Council Member Morgan, second Council Member Clark - City Clerk to prepare rejection letter. Council received information on the potential purchases in Tract 10819 - no action taken. Mayor Holloway read a statement regarding the Public Employee Performance Evaluation - no other action taken.

**APPROVAL OF AGENDA**

Moved by Council Member Clark second Council Member Carter TO APPROVE THE AGENDA. No public comment. Carried with a voice vote of 5 ayes.

**PROCLAMATIONS AND PRESENTATIONS**

**1. Youth Advisory Council**

No report

**2. Proclamation - Respect For Law Week**

Council presented a proclamation to Optimist Club President Howard Auld, Exchange Club President Jim Altwell, Kiwanis Club President Wayne Silva, Foot Printers Vince Avolos, and Elks Lodge Exalted Ruler Willie Edwards, in recognition of Respect For Law Week, March 24 through March 30, 2008. Banquet at Elks Lodge Saturday March 29.

**PUBLIC COMMENT 7:06**

John Torgenson

- Addressed issue of In Shape Fitness coming to Ridgecrest
- What happens when a big box comes into
- He is located off of Drummond and Heritage
- Proposed placement and planning for In Shape looking to go into old Vons building

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- Thinks the city would be inclined not to want two businesses of the same type in such close proximity
- 3 have come in to community and failed due lack of membership
- He is doing presale and found out some of these things
- It is a state of the art fitness –
- Needs 2-3000 members to stay in business - has almost 1000 now
- Noted the base gym and that takes away a lot of the people base for new enterprises
- Knocks it down to about 18K
- Has almost 1K now

Mr. Rose stated he appreciates his comment and have heard similar things from others over the years. The City does not regulate the kinds or types of businesses as long as they are legitimate and have the permits or licensing. Little we can do in the competition between businesses. Says he and Jim McRea are available to talk anytime.

Dave Matthews

- Distributed a would-be letter to the editor that he had worked on all weekend re the ballot measure SNAFU
- Was disturbed by the local media's willingness to point fingers
- Cautioned everyone to remember if anything like this every happens again be careful what you say and who you point the finger at
- Try to remember what you have done

Mike Neel

- Read some historical statements/comments attributed to Thomas Jefferson
- He did not provide a copy for the record
- Ended with a blessing - May God have mercy on our fair City

Closed at 7:22 p.m.

**CONSENT CALENDAR**

3. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of February 20, 2007 Gable
4. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of March 5, 2007 Gable
5. Council Expenditure Approval List (DWR) Dated February 29, 2008 In The Amount Of \$265,558.04 Winegardner

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6. **Agency Expenditure Approval List (DWR) Dated February 29, 2008 In The Amount Of \$27,889.09** Winegardner

Mike Neel requested removal of items 5 and 6

Moved by Council Member Morgan. Second Council Member Carter TO APPROVE THE CONSENT CALENDAR WITH ITEMS 5 AND 6 REMOVED. No public comment. Carried with a voice vote of 5 ayes.

**Items removed from Consent Calendar**

5. **Council Expenditure Approval List (DWR) Dated February 29, 2008 In The Amount Of \$265,558.04** Winegardner

6. **Agency Expenditure Approval List (DWR) Dated February 29, 2008 In The Amount Of \$27,889.09** Winegardner

Item 5 - National Neighborhood Watch - almost \$1,000 - what was it for?

Chief Avery - Sign Kits were purchase on recommendation of the Neighborhood Watch Sub-group of the Action Committee - this is 10 kits at approximately \$100 per kit - funds will be reimbursed once program gets off the ground and signs are sold

Item 6 - almost \$18,000 for bond issue

Mr. Rose - this is payment to our Bond Counsel for preparation of Redevelopment Agency refunding bonds

Moved by Council Member Carter, second Council Member Wiknich TO APPROVE ITEMS 5 AND 6 FROM THE CONSENT CALENDAR. Public comment heard. Carried with a voice vote of 5 ayes.

**PUBLIC HEARINGS**

7. **Public Hearing To Receive Comments Related To Unmet And Reasonable Transit Needs In The City Of Ridgecrest And The Surrounding County Areas Serviced By The Ridgecrest Transit System** Speer

Public Works Director Speer gave the report

- The Transportation Development Act of 1971 (TDA), as amended provides for the disbursement of funds from the Local Transportation Fund for various eligible transportation uses

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- The funds are distributed by the Kern Council of Governments (KCOG), in its capacity as the Regional Transportation Planning Agency
- An eligible claimant wishing to receive TDA funding through KCOG must conduct an annual review of the transit needs of the individuals and groups in the community
- The hearing was duly noticed 30 days prior to this evening
- It would be appropriate to open the Public Hearing and receive written and oral comments regarding any “unmet transit needs” and determine whether these are “reasonable to meet”
- The documentation of the Public Hearing will be forwarded to KernCOG

Hearing opened at 7:30 p.m.

Jerry Taylor

- Asked if we really that low in the fare box ratio of 10%
  - Last 2-3 years KernCOG indicated we were that low and an independent audit indicates we are above that like at 11%
  - In progress of having KernCOG rectifying these two audits
- If we do not meet this do we risk losing the funds
  - Yes

Debra Arnst

- She is a Disabled Student at Cerro Coso Community College and appreciates the transit service
- Has several petitions to present regarding various transit related items
- Has some deficiencies noted
- Would like to see more evening service
- They have a group that raise funds for free passes and gives them to disabled students
- Riding the bus depends on when classes occur
- Consider advertising new transit schedule during the priority registration period
- If only doing a trial evening run do it for a whole semester not just a month
- Mr. Speer accepted the petitions and will review them

Dave Matthews

- Does not have a vehicle that a wheelchair can get into
- Once his wife gets in her chair she does not want to get out and back into it
- Transit system has busses that accommodate wheelchairs
- He has used the system for medical appointments recently
- They do pickup as close to appointment times as possible
- But, recently it didn't happen and they had to reschedule his wife's appointment to the next week

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- Can see with price of gasoline that ridership will increase and a lot of that will be disabled or low income persons
- Believe there is a whole new ridership coming along

Hearing closed 7:40 p.m.

### **Council comments**

Mr. Carter – would like to get clarification of that 10% fare box ratio and does it include the County portion.

No – according to Transportation Development

Mr. Clark – we get funding from TDA and does that all go into transit and not spent elsewhere

Yes

Mr. Morgan – we have tried the college run three time and it has failed miserably – asked college to help fund and they refused – asked if classes could be arranged during the day but it could not – you do not have several hundred riders in the petitions or on the route – if we do this it will drag down the fare box percentage

Mr. Holloway – isn't it against the law to provide a service just for a school?

Yes service has to be available to all citizens

Mr. Wiknich – subject has been discussed in City Organization Committee and still trying to work through the audit differences – issue of transit is on future meeting agendas

Moved by Council Member Morgan, second Council Member Wiknich TO ADOPT RESOLUTION NO. 08-17, A RESOLUTION OF THE RIDGECREST CITY COUNCIL ESTABLISHING UNMET AND REASONABLE TO MEET TRANSIT NEEDS FINDINGS. Public comment heard. Carried with a voice vote of 5 ayes.

### **CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**

City Manager apologized for the error made in the ballot measure snafu and things are on tract preparing for the November ballot

### **CITY ATTORNEY REPORTS**

None

### **COMMITTEES, BOARDS AND COMMISSIONS**

#### **Community Development Committee**

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

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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

Met March March13

- Big rig signs are done and will be put up
- Need to get permission to CalTRANS to cite on state highway in residential areas
- Big rigs are off the streets but on vacant lots – they are still taking them home
- Looking at an amendment to limit how close to residences they can park
- Discussion limited on budget to get more detail

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

Next meeting March 20

### **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

Met March 11

Neither the Chair nor Vice Chair had brought their notes

Next meeting April 8

### **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

### **RACVB**

Council Member Holloway

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

Met March 19

- Director attended inaugural "California Only" locations trade show in Los Angeles in February

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- While there attended a California Film Commission Board Meeting and a Film Liaisons in California Statewide Board Meeting
  - Has been in contact with Merrilee Ray and Wanda Hewett of California Garden Club Ridgecrest Region who will be hosting their Winter Board Meeting for 3 days in January 2009 anticipating 150 attendees
  - And in March 2009 they will be hosing the California Garden Club Wild Flower Conference anticipating 100 attendees
  - BLM has authorized Mr. Lueck and Ms. Sander to conduct required BLM Land Use Stipulation pre-film conferences in the absence at filming locations
  - Firs pre-film conference was Marc 3 for a Anheuser Busch commercial at Trona Pinnacles
  - RACVB Visitor's Guide will be printed on glossy paper with no increase in price printing by the Daily Independent
  - Remodeling of the offices should start next week with Mr. Podell proving new walls, floor covering and painting.
  - Next Exit sign has been added to the south end RACVB billboard on Highway 395
  - Mr. Lueck attended the Downtown Merchants meeting on march 12 and discussed the Walking Petroglyph Tour
  - Several businesses are interested in participating
  - Petroglyph Committee meeting March 19 at 5 p.m. at RACVB office
  - The Walking Petroglyph Tour grant application was denied by Kern County
  - Mr. Gary Parson and Mr. Lueck met with John Krisek March 18 to discuss his documentary production "Escape From Death Valley"
  - Kern County and City of Ridgecrest are supporting the production - will enable both the future use of the high quality local aerial photography for promoting our area
  - "Ballarat Bandit" filmed in our area was on TruTV's The Investigator's Lone Fugitive on march 17 - will air again March 22
  - Mr. Lueck tanked Heritage Inn, Carriage Inn, SpringHill Suites, Comfort Inn, Best Western and the City of Ridgecrest for their full page ad which will fun bi-monthly for one year in the Sun Runner Magazine
  - February had 1 day of filming generating \$30,000 in film revenue
  - March filming - Anheuser Busch 1 day commercial at Trona Pinnacles; UCLA Student Film 3 days on BLM road R43 - Redrock Randsburg Road; Nissan Stills 1 day at Charlie's Place
- Next meeting April 16

### **OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

Arts council April 23 at Kerr-McGee

8 artists and 23 submissions – went through submission

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Morgan – KernCOG tomorrow – item for discussion set of recommendations for Delano rapid transit prepared by KernCOG because they could not meet deadline – sat in on PAC streets initiative group and they are gearing up to make a good run

### **MAYOR AND COUNCIL COMMENTS**

#### **Clark**

- Commented on the signing of BRAC and what it means to the community
- How are we going to grow – students coming – housing - etc - need to get plans in place
- If concerned come to the GPAC meetings where we are putting up a master plan for the community
- Congratulations to the community and what it means to us
- Good night and god bless

#### **Carter**

- Gets phone calls all the time from Nathaniel of the DI
- Never know what questions you are going to get
- Had good conversations this past week
- Noted the community was populated by many courteous people who exhibit much kindness
- Attended a meeting with Sierra Sands Unified School District with many different persons in attendance
- Was pleased to note a middle school student opened the doors for us as we were leaving the meeting
- It is a great community full of caring people
- Thanked Council Members Morgan and Wiknich for taking the lead on the streets measure
- BRAC is a great thing for us and thanked Mayor Holloway and Congressman McCarthy for all the work they have done in DC
- And thanked the folks of the Indian Wells Valley BRAC group for their constant effort in the state and In DC
- Thank you all so very much

#### **Wiknich**

- Share the same thoughts as Council Member Clark re BRAC and the community growth - we must plan for it
- So very excited when it was announced about BRAC
- Have done 14 speeches on the streets initiative
- At one was give a time limit of 10 minutes to do it and was there an hour and a half later answering questions
- They want to know everything about how tax was collected and if a separate account will be set just for the money, how it would be expended and when, etc.

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- Before the meeting one man told him he was wasting his time and regardless of what he said he would not vote for it
- Continued his speech as planned and it went for an hour and a half
- After the speech the man came to him and said he would vote for it - he now knew what it was and how it was going to be handled
- It has been very enlightening experience throughout

### **Morgan**

- He has been around from the beginning of BRAC starting many years ago
- Gave accolades to Phil Arnold and Bill Porter and Congressman Kevin McCarthy and to Jon McQuiston with the Southwest Defense Alliance
- All former Council Members from the "git-go" knew we had to be completely engaged and involved in the process
- Thanked Mayor Holloway for being the point man for this cycle giving up his time and managing his businesses to get this across to the folks in DC
- It should have been more for China Lake but we worked them until we got this
- If we have to go back to DC we will go back to remind them of what they signed
- We anticipated a good outcome and have been upgrading the wastewater treatment plant
- Thank you all so much for getting involved

### **Holloway**

- Went to the 2007 Bluejacket awards dinner last Saturday – HM3 Philip Fabunan was selected as the Junior Bluejacket and A<1 (AW) Bridgette Austin was selected as Senior Bluejacket
- Great group of nominees for these honors and their commitment to their country and the community is exceptional
- Feels very humble when with the "brass" and all those heroes
- People who deserve the most praise for the BRAC is Bill Porter for educating him in the process
- Stay vigilant on this BRAC signing
- Construction was ready to go on the base as soon as the business plan was signed
- Shelby in Congressman McCarthy's office was always on top of this - she is remarkable asset in that office
- The Congressman was truly amazing for having been in congress for only 2 years
- Credit goes to all the employees at China Lake who have set a legacy of work, production and cost savings - they do more with less than any other installation
- We are the Center For Excellence and that cannot be taken away from China Lake

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- We - all of the community and the base - came together to support this cause
- There may be a next BRAC in 2015 – need to keep a full court press on Congress to keep this an ongoing effort
- Immediately got questioned of when is he going to resign even before the official release was made
- He serves at the will of the community and as Mayor at the will of the Council
- Will not be at the April 16 or May 7 Council meetings
- Will resign Mayor if Council desires him to
- Be very positive about the community when the strangers come around to investigate us
- We have it all here so encourage them

**ADJOURNMENT**

Mayor Holloway adjourned the meeting at 8:25

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Rita Gable, City Clerk