



**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**

**May 21, 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 – 6:0 p.m.**

**ROLL CALL**

**PRESENT:** Mayor Pro Tem Steven Morgan, Vice Mayor Thomas Wiknich, and Council Member Daniel Clark

**ABSENT:** Mayor Marshall Holloway and Council Member Carter

**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 – 6:00 p.m.**

City Manager Rose requested addition to Closed Session of the Claim of Louise Hendrickson #08-06 as the need to take action arose subsequent to posting of the agenda.

Moved by Council Member Wiknich, second Mayor Pro Tem Morgan TO ADD CLAIM NO. 08-06 TO CLOSED SESSION. No public comment. Carried with a voice vote of 3 ayes 2 absent, Mayor Holloway and Council Member Carter absent.

GC 54956.8 Redevelopment Agency Real Property Negotiations - Globe Protect USA - Real Property Acquisition of Assets Located at 1126 W.

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Ward Avenue, Ridgecrest CA - Agency Negotiators Harvey Rose,  
Michael Avery and James McRea

### **REGULAR SESSION – 6:31 p.m.**

#### **PLEDGE OF ALLEGIANCE led by Vice Mayor Wiknich**

#### **INVOCATION – Silent Moment**

#### **CITY ATTORNEY REPORT OUT OF CLOSED SESSION**

Council received and reviewed information pertaining to Claim #08-06. The claim was rejected; City Clerk to prepare and send rejection letter to the claimant. Agency Members received information regarding the Glob Protect USA property on Ward Avenue – no action was taken.

#### **APPROVAL OF AGENDA**

City Manager Rose requested addition to the Consent Calendar of Notification And Response To A Letter Of Deficiency For The Redevelopment Agency To The California State Controller Pertaining To The Five Year Implementation Plan 2005-2006 compliance Letter; and, under Other Action Items removal of item 11. The necessity to take action on these items arose subsequent to posting of the agenda.

Moved by Council Member Clark, second Council Member Wiknich TO ADD THE REDEVELOPMENT AGENCY LETTER TO AND REMOVE ITEM 11 FROM THE AGENDA. No public comment. Carried with a voice vote of 3 ayes 2 absent; Mayor Holloway and Council Member Carter absent.

#### **PROCLAMATIONS AND PRESENTATIONS**

##### **1. Youth Advisory Council**

Outgoing President Thompson and Incoming President Whittington reported:

- Some projects undertaken
  - Trip to Fresno in October - met Hillary Rodham Clinton
  - Harvey Rose retirement dinner in April raised \$2,600 for a future Washington D.C. trip
  - Assisted in 2n Annual Open house - increase in attendance
  - Youth Advisory Council officers went to Las Flores School to interact and play games with students
  - Participated in the Adopt-a- Roadway program

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- Send letter to Supervisor McQuiston about the restrooms at LeRoy Jackson Park
- Goals for next year
  - Become volunteers at the Women's Center-High Desert
  - Plan to work on restrooms at Upjohn Park
  - Work with Arts Council
  - Pursue establishing a roller rink
  - Work with Teen Club
  - Try to establish a local band concert
  - Start a monthly newsletter
  - Design and start website
- Thanked Chief Avery, who has left the Board, for his involvement
- Welcomed Deputy Chief Strand who is now an advisor to the Board
- Also noted that Karen Harker has left the Advisory Board

**2. Proclamation - National Emergency Medical Services Week**

Council presented a proclamation to representatives of the Kern County Fire Department, and Liberty Ambulance in recognition of National Emergency Medical Services Week. May 18-24, 2008

**PUBLIC COMMENT          6:47 p.m.**

David Matthews

- Will submit address to Clerk in writing
- Addressed comment to Public Works Director regarding traffic signals
- Las Flores and Norma and Drummond and Norma
- Stated that the cameras see vehicles halfway down the street in one direction and in the other direction on same street you sit and wait a long time before the light changes
- Cameras seem to be out of sync

Closed at 6:49 p.m.

**CONSENT CALENDAR**

**Item removed for minor amendment**

3. **Resolution No. 08- , A Resolution Of The Ridgecrest City Council Approving The Adoption Of The Policy And Procedures For Travel And Expense Reimbursement For Elected And Appointed Officials And City Employees.** Avery

Government Code Section 36514.5 allows council members to be reimbursed for actual and necessary expenses incurred in the performance of their official

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duties. On January 1, 2006, California Assembly Bill 1234 became effective. This new state law targets the use of public resources, focusing on expense reimbursement practices and basically requiring local agencies (e.g. the City of Ridgecrest) to adopt a written policy which specifies the types of occurrences or activities, in the performance of official duties, which would qualify a local official to receive reimbursement of expenses relative to travel, meals, lodging and other actual and necessary expenses. AB 1234 was explicitly made applicable to charter cities and counties.

On July 18<sup>th</sup>, 1990, the City Council adopted resolution 90-72. This set forth the standards and guidelines for reimbursement of municipal officers and employees for expenses of travel and meetings incurred by expenditures in connection with city business. On September 18<sup>th</sup>, 1991, the City council adopted resolution 91-103 amending section 2 of resolution number 90-72 and rescinding the City Council Travel policy number 85-1. These guidelines and policy have met the needs of the city; however they did not meet the requirements of AB 1234. Presented is a new policy incorporating the bill's new requirements as well as addressing other issues that were not addressed in the old policy.

4. **Resolution No. 08-37, A Resolution Of The Ridgecrest City Council Approving Expenditure Of Proposition 1b Funds In The Amount Of \$449,460.21 For Capping The Existing Pavement On Norma Street Between Ridgecrest Boulevard And Las Flores Avenue And The West Bound Lanes Of Ward Avenue Between Downs Street And Mahan Street** Pollock
5. **Resolution No. 08-38, A Resolution Of The Ridgecrest City Council Adopting And Reaffirming The City's Annual Statement Of Investments And Delegating The Authority To Make Such Investments To The City Treasurer** Winegardner
6. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of May 7, 2008** Gable
7. **Council Expenditure Approval List (DWR) Dated May 1, 2008 In The Amount Of \$75,017.14** Winegardner
8. **Council Expenditure Approval List (DWR) Dated May 2, 2008 In The Amount Of \$16,529.34** Winegardner
9. **Council Expenditure Approval List (DWR) Dated May 9, 2008 In The Amount Of \$207,960.79** Winegardner
10. **Agency Expenditure Approval List (DWR) Dated May 9, 2008 In The Amount Of \$44,302.80** Winegardner

Added item

**Notification And Response To A Letter Of Deficiency For The Redevelopment Agency To The California State Controller Pertaining To The Five Year Implementation Plan 2005-2006 compliance Letter** McRea

The Agency was in process of preparation and development of the Ridgecrest Redevelopment Agency Five Year Implementation Plan 2004-2009 as noted in the Management Letter of the Independent Audit June 30, 2007. The Five Year Implementation Plan was completed and adopted at a duly noticed Public Hearing by Resolution RRA No. 07-06 on December 5, 2007.

Council Member Wiknich commented on item 4 – this is the recapping of N. Norma Street Ridgecrest Boulevard to Las Flores and clarified that this was one step in the streets projects list that is money from a different source.

Dave Matthews requested more info about the project.

City Engineer Pollock stated this is a one-time deal of funding from Proposition 1B and will be done using rubberized asphalt made from discarded vehicle tires. It takes about 2000 tires for each road mile. The street surface will be ground down about 1 ½ inches and when completed it should be good for about 10 years.

Jerry Taylor asked if the road bed is ok without having to tear up the whole street to get this done. Mr. Pollock stated it was ok.

Assistant City Manager Avery removed item 3 for a minor amendment.

Moved by Council Member Wiknich, second Council Member Morgan TO APPROVE THE CONSENT CALENDAR WITH ADDED ITEM OF STATE CONTROLLER LETER AND REMOVAL OF ITEM 3 FOR AMENDMENT. Public comment heard. Carried with a voice vote of 3 ayes, 2 absent; Mayor Holloway and Council Member Carter absent.

3. **Resolution No. 08-39, A Resolution Of The Ridgecrest City Council Approving The Adoption Of The Policy And Procedures For Travel And Expense Reimbursement For Elected And Appointed Officials And City Employees.** Avery

Mr. Avery stated that the Financial Staff had requested the addition of a sentence on page 9, section 4. add as 4d - "Normally per diem shall be reduced accordingly for meals that are provided during the training/conference since those costs are included as part of the registration."

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Moved by Council Member Clark, second Council Member Wiknich TO ADOPT RESOLUTION NO. 08-39, A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE ADOPTION OF THE POLICY AND PROCEDURES FOR TRAVEL AND EXPENSE REIMBURSEMENT FOR ELECTED AND APPOINTED OFFICIALS AND CITY EMPLOYEES AS AMENDED. No public comment. Carried with a voice vote of 3 ayes, 2 absent; Mayor Holloway and Council Member Carter absent.

**OTHER ACTION ITEMS**

**This item was removed**

11. **Globe Protect USA, Inc. - Real Property Acquisition of Assets Located At 1126 W. Ward Avenue** **McRea**

The Ridgecrest Redevelopment Agency met in Closed Session at the regular meetings of April 16 and May 7, 2008. The City Attorney report indicated that Counsel has reviewed the item and may provide appropriate direction for the City Council and Agency.

12. **Resolution No 08- : A Resolution Of The City Council Authorizing The City Manager Approval Of Up To \$15,000 And The Appropriate Budget Amendment And Appropriation Of Funds For Phase One Of The Application Submittal For The Formation And Approval Of The Eastern Kern Enterprise Zone** **McRea**

Public Services Director McRea

- The City Council at their regular meeting of April 16, 2008 referred this item to the Community Development Committee for a review and recommendation
- Kern County is seeking the support of several communities within the Eastern Kern area for the formation of an Enterprise Zone
- These include the following; California City, Tehachapi, East Kern Airport District, Indian Wells Airport District and Rosamond Community District.
- The CDC recommends not participating in the phase one application

Nellavan Jeglum, Community Development Committee Member

- Noted that the Committee had reviewed the proposal and found that there would be minimal areas within the Project Area that would benefit from the Enterprise Zone
- The Committee's recommendation to the Council was not to participate in the phase one application

Moved by Council Member Wiknich, second Council Member Morgan TO DECLINE THE PROPOSED RESOLUTION AND TO SEND A LETTER TO

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KERN COUNTY DECLINING THE INVITATION TO PARTICIPATE. Public comment heard. Carried with a voice vote of 3 ayes, 2 absent; Mayor Holloway and Council Member Carter absent.

### DISCUSSION ITEMS

#### 13. Discussion Of Proposed Taft Corporation Development Outside Ridgecrest Rose

City Manager Rose

- Mayor Holloway asks that the City Council discuss the attached letter from the Ridgecrest Planning Commission to the Kern County Board of Supervisors regarding the proposed Taft Corporation development adjacent to the City of Ridgecrest
- He also asks that the Council discuss use of the City's wastewater treatment "will-serve" letter in controlling the project.
- Mr. Rose stated has sent a letter asking for this item to be postponed by the Board of Supervisors to take action
- The City received a letter from Mr. Erra, Kern County Administrative Officer, indicating that we were working towards an agreement on annexation policy

Jerry Taylor, Vice Chair, Planning Commission

- He sent the letter to the Kern County Board of Supervisors
- The proposed development is not within the City and City is not recouping impact fees
- The development is not addressing possible flooding problems
- The developers are not recognizing the City's General Plan
- Would impact our sewer service
- Traffic impact would be involved and would drop more vehicles into College Heights Boulevard
- Please bring this back to the Council for more discussion

### CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

None

### CITY ATTORNEY REPORTS

Filed respondents brief on Matrix case last week on an appellants brief. They now can file a reply brief and then maybe hearing in Fresno.

### COMMITTEES, BOARDS AND COMMISSIONS

**Community Development Committee**

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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 June 5

### **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 June 12

### **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 May 22

### **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 13

- Working on ordinance for trench cuts on the streets
- Nuisance water
- Briefing from Indian Wells Valley Water District on upcoming projects
- Have new pothole patcher and getting training
- Update on traffic signal on Ward and China Lake - CalTRANS District 9 Bishop and District 6 Fresno are both involved

Next meeting June 10

### **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

Met May 12

- Update on Neighborhood Watch
- Officers Miller and Franco reported on their observations in the schools
- Will go dark during the summer months

Next meeting to be announced

### **RACVB**

#### **Council Member Holloway**

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

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No written report received

Next meeting and location to be announced

Council Members Wiknich and Clark told about the "road trip" to the Pinnacle to visit the crew and actors of "Land Of The Lost" movie being filmed there. They met Will Farrell and the director and other actors and were shown the sets being used. They presented keys to the City to several of the movie folks.

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

None

### **MAYOR AND COUNCIL COMMENTS**

#### **Clark**

- Congratulations to Cerro Coso Community College graduates
- Have been interviewing for a Teen Court Coordinator - do not know the status at this time
- If you wish to try for this call Craig Peterson in Supervisor McQuiston's office
- Congratulated Mike Avery for his work as Police Chief and in the new position as City Manager
- Congratulated Ron Stand on appointment as Interim Chief of Police

#### **Wiknich**

- Had an opportunity to talk to Ron Strand on the Pinnacles trip - "he is going to change everything Mike Avery has done" (just kidding)
- Commented on the Norma Street project as it is one of the worse streets in town
- It will not be ripped out if the streets initiative is passed – the recapping should last 10 years

#### **Morgan**

- Noted Mayors meeting in Arvin and the Kern County Summit re the Kern County Blueprint
- KernCOG received funding and transit funds of 900K
- Told about an internet fraud letter received by a senior regarding a large amount of money with a cashier's check from All American Publishers Association
- He personally followed the links to the bank and the check number - the check was not good, it was a fraud
- Cautioned everyone to really look into any such mail they receive as there are so many fraud schemes happening now - it is not hard to check them out - just follow the trail

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- Chamber of Commerce Casino Night is Saturday the 24th at the Carriage Inn – lots of organizations giving their time to participate
- Navy Museum Foundation dinner on May 31
- Lions Club Community Bingo fund raiser for the 4<sup>th</sup> of July fireworks is June 28 - fireworks cost this year is \$15K

**ADJOURNMENT**

Mayor Pro Tem Morgan adjourned the meeting at 7:30 p.m.

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Rita Gable, City Clerk