



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

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

**January 14, 2009
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 for the purpose of preparation of minutes.

CALL TO ORDER – 6:04 p.m.

ROLL CALL

PRESENT: Mayor Steven Morgan, Mayor Pro Tem Ronald Carter, Vice Mayor Thomas Wiknich, and Council Members Marshall Holloway and Jerry Taylor

STAFF: Michael Avery, City Manager; Keith Lemieux, City Attorney; Rita Gable, City Clerk; Tess Sloan, Administrative Services Department Interim Director; Jim McRea, Public Services Department Director, Dennis Speer, Public Works Department Director; Jim Ponek, Parks, Recreation And Cultural Affairs Department Director; Ronald Strand, Chief of Police; and other personnel

CLOSED SESSION – 6:00 p.m.

GC54956.8 Redevelopment Agency Real Property Negotiations - Owner Participation Agreements (OPA) - Vimco Required Parking, Planning Commission recommendation from their December. 9, 2008 meeting. Agency Negotiators, Michael Avery, and James McRea

GC54956.8 Redevelopment Agency Real Property Negotiations - *was corrected by City Manager and City Attorney to read as follows below*

GC54956.9 Potential Litigation - Redevelopment Agency - Owner Participation Agreements (OPA) - County of Kern, Settlement Agreement Implementation - Agency Negotiators, Michael Avery, and James McRea

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GC54957.6 Labor Negotiations - Progress Report on Continuing Negotiations with United Food and Commercial Workers Local 1036, P.E.A.R. and Mid-management/Confidential - Negotiator Michael Avery.

Moved by Council Member Carter, second Council Member Holloway TO APPROVE THE CLOSED SESSION ITEMS AS CORRECTED. No public comment. Carried with a voice vote of 5 ayes.

REGULAR SESSION – 6:30 p.m.

PLEDGE OF ALLEGIANCE led by Council Member Holloway

INVOCATION – Reverend Ralph Mueller, Ridgecrest Presbyterian Church

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

In Closed Session Council received information pertaining to real property at 100 S. China Lake Boulevard, no action taken; Council received report on potential litigation, no action taken; and, Council received information regarding labor negotiation, no action taken.

APPROVAL OF AGENDA

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

PROCLAMATIONS AND PRESENTATIONS

1. Youth Advisory Council - None

PUBLIC COMMENT 6:40 p.m.

Randy Jenkins

- Commented on incident near his home responded to by officers of the Ridgecrest Police Department
- Officers responded to a fight where a shotgun was involved
- Suspect resisted the officers but he was subdued and arrested
- Police handled the situation in a very safe manner
- He feels police should be given better pay, benefits and retirement
- City departments have been asked to take a 20% cut in their next year's budgets
- And there is hints that furloughs may be suggested
- This should be placed on agenda for open public discussion
- Officers can retire at age 50 at 2.7% of their highest pay - should be more

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Mike Neel

- Has concerns about some enforcement actions
- Noted an Ad in Swap Sheet indicating that "volunteers" would be removing "yard sale signs"
- Property involved - state county or city
- Ordinances like this make ordinary citizens criminals if they do not remove their signs
- City can use PACT volunteers for better things than this
- Yard sale signs are inconsequential
- Hope we can use the volunteers for better things

Closed at 6:50 p.m.

CONSENT CALENDAR

2. Resolution No. 09-01, A Resolution Of The Ridgecrest City Council Amending The 2006-2008 Ridgecrest Energy Efficiency Partnership Program Between The City Of Ridgecrest And Southern California Edison (SCE) AVERY
3. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 17, 2008 Gable
4. Council Expenditure Approval List (DWR) Dated December 18, 2008 In The Amount Of \$420,973.42 Sloan
5. Council Expenditure Approval List (DWR) Dated December 31, 2008 In The Amount Of \$175,096.84 Sloan
6. Agency Expenditure Approval List (DWR) Dated December 18, 2008 In The Amount Of \$5,477.69 Sloan
7. Agency Expenditure Approval List (DWR) Dated December 31, 2008 In The Amount Of \$238,865.40 Sloan

Moved by Council Member Carter, second Council Member Holloway TO APPROVE THE CONSENT CALENDAR. No public comment. Carried with a voice vote of 5 ayes.

OTHER ACTION ITEMS

8. Third Party Building Inspector Agreement; Authorization By The City Of Ridgecrest For The Potential Of Replacing The County Of Kern With Boyle Engineering For The Hampton Inn Hotel Project Inspection At The Owner's

Sole Expense And Specific Request And Request Authorization For City Manager To Execute Letter Holding Kern County Harmless McRea

Public Services Director McRea

- Public Services Department received a request from CNM Holdings (K-Partners) to utilize a private consulting firm for the Plan Checking and Building Inspection Process for construction of the Hampton Inn in the Ridgecrest Business Park
- The working drawings and site construction have already been Plan Checked and approved by Kern County.
- Initial foundation inspections have also been initiated by the Kern County Building Inspectors
- All permit fees have been paid, except for a special permit for a retaining wall under construction adjacent to Chelsea Street
- If the City executed the letter it would allow the County to re held blameless
- County has stated they would do all the work or none of it
- CNM Holdings are not saying they are unsatisfied with the County but in case of dispute they would like a third party to review it
- There was a disagreement with retaining wall at Chelsea but owner redesigned and it was ok
- There are still 2-3 changes in building design that will be submitted to Kern County
- The request is for City Manager to provide a letter regarding Kern County
- They might consider third party working as superintendent
- Requests were solicited and Boyle Engineering is being considered
- Consulting service agreement and hold blameless letter to Kern County are attached for consideration

Council comments/questions

- ❖ Carter asked if we have ever done this in past
 - Does not believe so but have discussed it in the past
- ❖ Taylor had some concern about plan check time process and are we strictly limiting it to the Hampton Inn project and has no problem with this developer
 - It would be for this project but could be used if desired on future projects
- ❖ Morgan was boiler plate agreement looked at by attorney
 - no they are satisfied with what county is doing
- ❖ Morgan noted this could be a procedure for developers in the future and would like to discuss this further
- ❖ Wiknich stated if we do this they must pay for the costs and we need to adjust our permitting fees to accommodate
- ❖ Taylor asked where is our liability in this instance
 - We would look at bonding options
- ❖ Holloway asked if there was exposure would we still have liability

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- Yes there is always a possibility of lawsuits and Kern County wants to do it all or not at all

Public comment

Mike Neel

- Have to wonder what the reasons are that developer wants to do this
- When they are willing to pay fees to a private inspector one has to wonder
- Why would we not want to have a multistory building done properly and to have it inspected properly by the County
- Would suggest not doing this

Agreement is between the City and Boyle Engineering to do the inspection and we take payment from the developer to pay Boyle

Direction was given to staff to authorize City Manager to execute letter to Kern County.

9. Consideration And Determination Of Interest And Preference In Kern Council Of Governments' Lobbyist Services Speer

Public Works Director Speer

- KernCOG is soliciting interest from member cities for the procurement of lobbyist services at both the state and federal level
- This is an effort to secure more legislative support for its regional projects and goals
- KCOG has identified three scenarios to fund the lobbyist services
- These scenarios are presented on Attachment "A".
- KCOG seeks a response from the City to two questions
- These questions are:

#1. Is the City interested in procuring lobbyist services through KernCOG?

#2. Which funding scenario does the City prefer?

Council comments/questions

- ❖ Morgan filled in what happened at the KernCOG meeting
- ❖ Lobbyist would be hired through Kern County
- ❖ Two different funds that would not come to any of the cities - Kern Motorist Aid Authority and KernCOG transit funds
- ❖ 1/3 would come for 11 incorporated cities 11K membership dues on yearly 30-34K by population Ridgecrest about 1200 (check attachment) lobbyist will go to Sacramento this is one of the things from county level that we should explore to help where measure N failed

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- ❖ Taylor – supports and suggest it comes out of the furlough money from cc paychecks
- ❖ Wiknich –how will priorities be set for projects – Morgan thinks if any funds are brought in, KernCOG Board would make determinations on any projects on the books
- ❖ Holloway - thinks it's absolutely worthwhile. Asked what is the difference between the distribution of the two funds
 - Speer stated they have stretched those KMA funds as far as they can
- ❖ Carter – supports this

Public comment

Mike Neel

- It's clear that you are all going to support this
- Asked - Do any of you think you can honestly get money from the State
- Buying in at 1% of this lobbyist service so will be on the low end
- You are saying you have to cut budget by 20% and are putting funds into this

Randy Jenkins

- Seems good to him if you had a pre-agreement at a specific percent of whatever is obtained
- If not we are going to be 100 miles away from getting any money

Mayor Morgan explained - Kern County KernCOG splits funds 60/40 – 40 goes to outlying areas and 60 stays metropolitan. Projects are submitted and then are argued at the meetings and everyone gets a fair share. Meetings are televised and also streamed to computers on the first Thursday of each month so citizens can see what is happening.

- ❖ Taylor – we are looking at table and numbers and public is not - would be nice to be able to show them
- ❖ Morgan - the Board is still collecting info on this

Consensus - Council supports this item and Mayor Morgan will take info to KernCOG meeting tomorrow. We should send official document that City is amenable

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

Next Town Hall meeting is January 26 at 6:00 p.m. in Council Chambers. Council Members Holloway and Taylor and Planning Commissioners Porter and Patin are the panel.

Council Member Wiknich suggested a topic be chosen for each Town Hall meeting and universal trash collection for the January 26 meeting.

CITY ATTORNEY REPORTS

Made contact with the Contract Administrator for TRANE – still working on it

COMMITTEES, BOARDS AND COMMISSIONS

Community Development Committee

Members: Steve Morgan, Ron Carter, Eric Kauffman, Jason Patin

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

Next meeting February 5

City Organization and Services Committee

Members: Tom Wiknich, Jerry Taylor, Nellavan Jeglum, Lois Beres

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

Met January 8

- Code Enforcement is giving much more detail in the monthly report
 - TRANE discussion and detailed schedule
 - May have to City Org meeting in February to handle this
 - May have full presentation to Council March 4
- Next meeting February 12

Parks, Recreation and Quality of Life Committee

Members: Ron Carter, Chip Holloway, Craig Porter, Jason Patin

Meetings: 4th Thursday of the month at 5:00 p.m.; Kerr-McGee Center

Next meeting January 22

Infrastructure Committee

Members: Tom Wiknich, Jerry Taylor, Lois Beres, Nellavan Jeglum

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

Met January 13

- Discussed Universal Trash Pickup
 - Could also come to Council in March
 - Traffic signal at Ward Avenue on China Lake Boulevard is still being worked upon
 - Shortage in State funding have seen a great spike in costs
- Next meeting February 10

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

Members: Chair Ron Carter, Chip Holloway

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

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Met January 12

Standing room only

- Family Resource Center report
- MLK celebration Monday 19th
- Burroughs having smoking problem on campus
- Nancy Young PACT have 8 Neighborhood Watch groups in place
- Graffiti cleanup working but still some more to do
- Boys and Girls Club still trying to get Teen Club in place
- Teen court is activated – on Tuesday nights
- Unfortunately have a backlog
- Ralph Mueller reported mentoring program in place
- Starla Shaver report on YES – youth can piggyback with someone in program for training but YES will not fund a job

Next meeting February 9

Mayor Morgan reported on Saturday January 10th Special meeting

- Council meetings will be run differently
- No proclamations will be given out at meeting – separate date and time will be arranged
- Staff reports and Committee reports will be given at same time
- Our hope is that there will not be as many committee meetings in the month
- Public comment will be moved to end of agenda – as it was years ago
- Tutorials will be given at Council meetings
- Town Hall meeting will still be held as long as there is community interest
- Still looking into how to better publicize draft minutes, meetings, televise committee meetings, etc.
- Things still need to be worked out

RACVB

Council Members Chip Holloway, Jerry Taylor

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

Next meeting January 21

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- Mayor Morgan going to KernCOG tomorrow January 15 – nothing of great import to city on the agenda
- City Manager Avery noted he also gets the complete agenda and has started putting it out for public viewing
- Desert Mountain Division meeting January 21 and 22
- Mayor Morgan will be attending environmental meeting on January 22; Council Member Holloway will attend revenue meeting on the 22nd and Council Member Taylor will be attending policy meeting but has conflict with another session

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- Desert Wilderness meeting was held in Trona last evening and Council Member Holloway stated over 300 persons were present. Asked them to put it on in Ridgecrest but they declined. He asked Mayor to push this if he could.
- Mayor and city managers meeting in Maricopa on the 29th
- Climate change summit February 5 at Petroleum Club in Bakersfield
- State of the County on January 21 - asked if either Council Members Wiknich or Carter could attend

There are two (2) appointments still to be made to the City Personnel Appeals Board

Mayor Pro Tem Carter and Council Member Taylor need to make appointments to this Board.

Council Member Taylor appointed Craig Porter to the Personnel Appeals Board

MAYOR AND COUNCIL COMMENTS

Morgan

- ❖ KernCOG will discuss the presidential stimulus and the lobbyist issue
- ❖ Mr. IWV contest January 24th at Kerr-McGee Center - it is a Women's Center event and fund raiser
- ❖ Desert Mountain meeting in Adelanto
- ❖ Council Members try to make it to the Senior Center and interface with the seniors
- ❖ Council hours was also discussed at Saturday's meeting – will try to set up some times he can be available
- ❖ Council Members are available to go to clubs, scouts, etc,

Carter

- ❖ P.A.C.T. needs more volunteers to combat graffiti
- ❖ ACTION discussed how the economy was affecting our youth
- ❖ Talked about a community fund raiser for youth
- ❖ Excitement in his house last week when he received an invitation for President Elect Obama's inauguration

Wiknich

- ❖ Happy to see Nathan and John from media (DI)
- ❖ Topic oriented Town Hall meetings - we need to get the word out
- ❖ Topic is universal trash collection and recycling in the future

Holloway

- ❖ Complemented Mayor on quick meeting

Taylor

- ❖ He is not emailing while he is up here
- ❖ Hope everyone had great holidays
- ❖ Trying times with the economy
- ❖ Need to be in line for any funds that might come from federal or state
- ❖ Hope Mr. Speer can renegotiate the traffic signal costs at Ward and China Lake
- ❖ We will get to Norma before too long - unfortunately the Drummond funds came in first
- ❖ Will personally help pay for the lobbyist

ADJOURNMENT

Mayor Morgan adjourned the meeting at 8:00 p.m.


Rita Gable, City Clerk

