



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

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

**July 15, 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 – 6:30 p.m.

ROLL CALL

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

ABSENT: Council Member Marshall Holloway

STAFF: Michael Avery, City Manager; Keith Lemieux, City Attorney; Rita Gable, City Clerk; Tyrell Staheli, Finance Department Director; Jim McRea, Public Services Department Director, Dennis Speer, Public Works Department Director; Jim Ponek, Parks, Recreation And Cultural Affairs Department Director; Jon Wheeler, Police Captain; and other personnel

APPROVAL OF AGENDA

Moved by Council Member Taylor, Second by Vice Mayor Wiknich TO APPROVE THE AGENDA. No public comment. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent

REGULAR SESSION – 6:30 p.m.

PLEDGE OF ALLEGIANCE led by Mayor Morgan

INVOCATION – Silent Moment

CITY ATTORNEY REPORTS

- ❖ **Written dissertation from July 1, 2009 Public Protest Hearing - in conjunction with items 2-4 on the agenda**

DEPARTMENT AND COMMITTEE REPORTS

Second Council Meeting (3rd Wednesday of the month)

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Public Works Department Director's Report – copy in Clerk's packet

Infrastructure Committee

Members: Tom Wiknich, Jerry Taylor, Lois Beres, Craig Porter

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

Met July 8

- Discussed the street sweeping schedule
 - Discussed Universal Trash Pickup and Recycling
 - Received update on street maintenance
 - Noted letters to editor regarding how City chooses what streets to repair – there is engineering behind the selections
- Next meeting to be announced

Finance Department Director's Report – copy in Clerk's packet

City Organization and Services Committee

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

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

Met July 9

- Discussion of the proposed rent control ordinance
 - City solar project discussed
 - The solar display was suggested to be put in Hellmers and Freedom Parks in lieu of original locations
 - Making good progress on the project
 - Will bring to the full Council for review
- Next meeting to be announced

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

Members: Co-Chairs Ron Carter, Chip Holloway, Ron Strand

Meetings: 2nd Monday of odd numbered months at 6:00 p.m., Kerr-McGee Center

Next meeting to be announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- ✓ League of California Cities Desert Mountain Division is July 24 – Mayor Morgan and Council Member Taylor attending
- ✓ Council Member Holloway is in Sacramento to discuss with other cities and school districts re current situation in the Legislature
- ✓ KernCOG will discuss the road projects in “outlying” areas of the County
- ✓ Had meeting with the base and city regarding bike paths

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

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Reminder that Voting Delegate and Alternate need to be selected for League of California Cities Annual Conference at San Jose, September 16-18, 2009

Mayor Morgan is voting delegate Council Member Holloway alternate if he is attending

Town Hall meeting next Wednesday July 22 – Council Member Taylor possibly Mayor Morgan

City Hall is closed on all Fridays now so proclamations will be given out on Thursdays

ORDINANCES AND RESOLUTIONS

1. **Introduction and First Reading Of An Ordinance Of The City Council Of The City Of Ridgecrest Creating Chapter IV Article 25 Of The Ridgecrest Municipal Code Relating To Residential Eviction Control For Properties In Foreclosure** Avery

City Manager Avery, Public Services Director McRea, and City Attorney Lemieux briefly explained California law and gave reports and information,

California law permits owners of property acquired through foreclosure to evict tenants on 60 days notice, even though the tenants have performed as required under the lease. The rising number of foreclosures on residential buildings has led to an increased number of proposed tenant evictions. A local eviction control ordinance can protect tenants from these evictions.

City Attorney Lemieux cautioned the Council that we need to be very clear what our legal justifications are to do this

Mayor Morgan concerned with the City's liability

City Attorney Lemieux stated the City should have no liability as we are not involved with the financial institutions or with the civil/judicial process

City Manager Avery had a correction referring to our code

Moved by Vice Mayor Wiknich, second Council Member Taylor TO WAIVE READING IN FULL ON INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST CREATING CHAPTER IV ARTICLE 25 OF THE RIDGECREST MUNICIPAL CODE RELATING TO RESIDENTIAL EVICTION CONTROL FOR PROPERTIES IN FORECLOSURE

Council Member Taylor moved, second Mayor Morgan TO ADD A SUNSET CLAUSE OF ONE (1) YEAR THAT IT RUNS THROUGH SEPTEMBER 1, 2010.

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Public Comment

Bob Norstram

- Agrees with the sunset clause to a point
- Asked if we will be notified when this sunset clause comes to an end
- We will want to have input when that time comes
- Those here with yellow badges are residents of La Mirage
- We want to see a ye or a nay here tonight from the Council
- Here to support the tenant protection law

Michael Gilmanton

- Everyone around him is gone – one house vacant for 4 months
- Called the bank rep and asked if he could stay longer – she didn't care if he did or not
- Looks like a lot of buildings are sitting there empty
- The vacant building will soon be a problem - squatters, drug houses, safety and fire hazards, etc.

Milton Owen

- Thanked Council for supporting this as it is more than just protecting them - It keeps other investors from doing this again
- One month before this broke we were lucky enough to get new leases
- Kids grew up here, daughter goes to Cerro Coso Community College
- There is little rental units in Ridgecrest and next community is 90 miles away
- They (La Mirage office) collected rents for 3-4 months during the foreclosure - they took the rent and pocketed it
- No one seems to be being prosecuted for this fraud
- You (Council) are suppose to protect us - you are the law here
- The people here tonight all live close to each other - the others tenants are long gone

Delores Spader

- There is no way she can move out of her unit
- She cannot even pack up her belongings, she can't do anything
- She fell in a hole, injured her back and spent most of last year in the hospital or in bed
- Has a 27 year old Down's syndrome and Hep C daughter and a 6 month old baby living with her
- Also has an 18 year old granddaughter trying to go to school
- Signed lease on April 20th for 16 months
- Told her carpets would be cleaned but they never came to do it
- Exterminator came and said put bleach down the sink

Robert Kirk

- Has made each of these meetings and first to say they needed an ordinance to help them

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- Believes the sunset clause is a good thing
- Can you put in a grandfather clause to take it back to when this all started
- He is a medium income person but staying there because he has a small dog and most rentals do not allow pets
- Mentioned the federal law signed off in May
- Water was cut off to the lawns in October 2008
- We should have been told earlier that there was defaulting so we could have been prepared
- Please vote for this

Diane Moon

- Does not live in La Mirage
- Asked - how did this happen in this City
- Houses in La Mirage and in that area were build by the government for their military and their employees
- Houses are now 70 years old (*not so - approximately 59 years old*)
- Were the roads build better years ago than now - seems they deteriorate quickly
- La Mirage should have a Hot August Night party with hot dogs and ice cream and fun to build morale

Trian Morris

- Lives in La Mirage
- What is going on over there is tragic and have never seen this go on in any city
- The man who did this has done it all over California with 30M taken from La Mirage alone
- Disabled and goes to school full time
- He has been threatened by phone last night - knows who it is
- Does not know who to pay the rent to but has saved it and will pay when he finds to who
- Please vote for this

Dorothy Brown

- Does not live in La Mirage but they are her neighbors
- It was fraud that brought this about
- If we cannot control fraud what good are we
- Made a bet this would go right back under the same group under a different umbrella
- Had an attorney for their organization (Willows Homeowners Association) and asked him to find some answers
- Found out It would have cost way to much to dig through all the layers of the organization
- Recalled when they wanted to make it a gated community and she warned the Council about it then
- So be very careful what you do with La Mirage

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- Heard the properties are going for a dime on a dollar
- There have been maintenance people in there already
- For the ordinance but need to do something to keep this from happening again

Mayor Morgan re-visited the request for notification when the sunset clause expires

City Manager Avery said the issue can be brought up and reviewed in July 2010

Asked about the idea of a grandfather clause

City Attorney Lemieux said the answer is no as it would be unconstitutional

Mayor stated it is his understanding is that is next to impossible for the City to hire a private investigator to dig into a private property negotiation or transaction

Council comment

Vice Mayor Wiknich asked audience how many are in units in foreclosure

Approximately 5 with 3 who think they will be

He is worried that some feel that the City is not doing enough to help them

Motion on the floor:

Moved by Council Member Taylor, second Mayor Morgan TO WAIVE READING IN FULL ON INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST CREATING CHAPTER IV ARTICLE 25 OF THE RIDGECREST MUNICIPAL CODE RELATING TO RESIDENTIAL EVICTION CONTROL FOR PROPERTIES IN FORECLOSURE AND TO ADD A SUNSET CLAUSE OF ONE (1) YEAR THAT IT RUNS THROUGH SEPTEMBER 1, 2010. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent.

Moved by Mayor Pro Tem Carter, second Council Member Taylor TO INTRODUCE, BY TITLE ONLY, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST CREATING CHAPTER IV ARTICLE 25 OF THE RIDGECREST MUNICIPAL CODE RELATING TO RESIDENTIAL EVICTION CONTROL FOR PROPERTIES IN FORECLOSURE AND TO ADD A SUNSET CLAUSE OF ONE (1) YEAR THAT IT RUNS THROUGH SEPTEMBER 1, 2010. Public comment heard. Carried with a roll call vote of 3 ayes, 1 no, 1 absent; Vice Mayor Wiknich voted no, Council Member Holloway absent.

Mayor Morgan recessed at 8:20 p.m. to reconvene at 8:30 p.m.

DISCUSSION AND OTHER ACTION ITEMS

2. Solid Waste Generation Study For 2006 As Required By The California Integrated Waste Management Board (CIWMB) Local Assistance Plan Task 1a McRea

Pursuant to the requirements of the revised Local Assistance Plan and the Compliance Order IWMA BR07-07 of the California Integrated Waste Management Board (CIWMB) staff is requesting City Council approval for submission of the Solid Waste Generation Study for 2006 as prepared by California Waste Associates Mr. Jim Greco. The review draft has been presented to the California Integrated Waste Management Board staff and the study is ready for submission. The study resulted in a 59% diversion rate without biomass – 60% with biomass – these figures are subject to approval by the California Integrated Waste Management Board.

The revised Local Assistance Plan required that the study be completed by July 01, 2009. The City is required to submit a complete request for a new base year by August 01, and to submit all finalized documentation necessary to establish a new base year of 2006 and update its existing Source Reduction and Recycling Element (SRRE) through its annual report in accordance with Task 1.

Moved by Mayor Pro Tem Carter, second Council Member Taylor To Request Approval By Minuet Order To Authorize City Manager To File The Required Documentation And Requests.

Public comment

Walt Maurer

- Glad you showed that we told them so
- Maybe we will be able to get back what we have already spent

Ronald Porter

- Thanks for completing this report
- Saw areas that this did not cover such as washers, refrigerators, stoves, etc.
- Also things from contractors
- Also did not note Edison coming in to take away your older appliances when replace with energy saving ones

Lewis Renner

- Retired engineer off the base
- Many years ago on base they ground old tires and put it with the asphalt to put on the streets and it lasted twice as long as just asphalt
- Could mention this to Sacramento
- We could also do this on our City streets so we might want to consider this here
- Maybe we could kill 2 birds with 1 stone
- A lot of people around on limited income and mandatory trash would make it very difficult for them

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- Do we have to have 100% participation of all residences

Mike Neel

- 59% diversion rate
- The Board needs to hear from the citizens again to tell you how irate we all are about mandatory curbside waste and recycling
- If you care to fight the tyrants let them know just how you feel

Motion on the floor

Moved by Mayor Pro Tem Carter, second Council Member Taylor TO REQUEST APPROVAL BY MINUET ORDER TO AUTHORIZE CITY MANAGER TO FILE THE REQUIRED DOCUMENTATION AND REQUESTS. Public comment heard. Carried with 4 ayes, 1 absent; Council Member Holloway absent.

3. Material Recovery Facility (MFR) Feasibility Study As Required By California Integrated Waste Management Board (CIWMB) Local Assistance Plan Task 6 McRea

Pursuant to the requirements of the revised Local Assistance Plan and the Compliance Order IWMA BR07-07 of the California Integrated Waste Management Board (CIWMB) staff is requesting City Council approval for a Professional Services Agreement for Shaw Environmental Inc. The Consultant Agreement will be reviewed by the City Attorney and the Consultant to complete the Material Recovery Facility (MFR) Feasibility Study.

The revised Local Assistance Plan required that the study be authorized by August 01, 2009. The City is required to conduct a study that evaluates the cost, feasibility and sustainability of constructing and operating a Materials Recovery Facility (MRF) within the City. The report is due November 15, 2009 with a final copy approved by CIWMB by December 01, 2009. The Solid Waste Generation Study for 2006 will be utilized in relationship to the available waste stream for the facility. The recent generation/characterization study completed by the Waste Management Department of the County of Kern, with specific analysis of the Ridgecrest Sanitary Landfill sampling will additionally be utilized. Task 6c. requires that if the study concludes that construction and operating a MRF is not feasible, the City will present alternatives that:

1. The City is capable of implementing
2. Accomplish the same goals, objectives and order of magnitude as constructing and operating a MRF within the City.

Public Comment

Ronald Porter

- Does not know how the Council can possibly get the job done when this date is December 31 and date of start of service

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Unnamed lady

- Was at meeting 2 weeks ago and said it would be simpler to have a written idea of what the people have said before you (Council) go and make decisions
- Should have paper printed out of what you want to do so people can comment

David Neipp

- Read from a transcript of the CIWMB hearing attended by Mayor, Mr. McRea and City Attorney in March
- Is it possible to accurately determine the diversion rates if some figures are unknown
- This issue has apparently been ongoing since 1990
- How can the Board claim it has an accurate diversion rate, etc.

Mike Neel

- Feels that the CIWMB should pay for the study once we prove our figures were accurate
- Hearings are supposed to be held in the area of jurisdiction – like here
- Can we force them to come down here to hold their hearings

Al Huey

- Was on the Solid waste Committee back in the 90's and there was a study done in cooperation with Kern County and the base regarding feasibility of the MRF
- Determined there was not enough of a waste stream to justify it being here
- This justifies what has been done before

Walt Maurer

- Cost is 27K
- 2 studies already now this is the third
- Talking about a refund – has the Board ever done a refund
 - Mayor Morgan - they never have been proven wrong
- Who signed the plan
 - Mayor Morgan - Council signed the local assistance plan in December 2007
- When we signed that did we believe at that time that we exceeded the requirement
 - Yes

Moved by Council Member Taylor, second Vice mayor Wiknich FOR MINUTE MOTION TO ENGAGE PROFESSION SERVICES CONSULTANT SHAW ENVIRONMENTAL INC. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member . Holloway absent

4. **Universal (Mandatory) Curbside Solid Waste And Recycling Residential Service And On Site Commercial Recycling Service** **McRea**

The City Council set a time and place for a Public Hearing to consider the placement of the property-related fee on the Kern County property tax roll for certain residential properties. The City Council also ordered a notice of Public Hearing, accompanied by a Fee Schedule, be given to the record owners of the identified parcels within the City in accordance with the provisions of Proposition 218. The City held a Public Hearing on July 1, 2009 where all interested parties and property owners were given the opportunity to hear and be heard, and protests to the placement of the fee on the tax roll. The City Council by Resolution confirms and approves the 2009/10 maximum rates as shown in the attached Resolution for residential parcels and as noticed to property owners. No fees are required for unimproved or undeveloped properties. Subsequent annual fees in amounts not to exceed the established annual maximum fees, as increased by the allowed Los Angeles-Riverside-Orange County CPI-U inflator as of February, will be levied without further protest proceedings pursuant to Proposition 218. Resolution 09- is presented for discussion and adoption.

a. **Resolution 09- ; A Resolution Of The Ridgecrest City Council Confirming And Ordering The Placement Of The Universal Solid Waste Property Related Fee For Residential Parcels On The Kern County Secured Property Tax Roll For Fiscal Year 2009/10**

Vice Mayor Wiknich read all the protest letters received by the City Clerk up to the day before the July 1 meeting. Comments were that Benz is doing a great job and let them do it and the City keeps out of it. Also accusations that we were doing this to raise money for the general fund. Concerns expressed that citizens would not be able to do their own recycling – they still can. The rate schedule is based on the maximum fee – still has not been totally settled – would like to see details before we enter into final agreement as he questions some of the estimates

Comments that follow are general to the trash issue but most pertinent to items 4.c. and 4.d.

Council Member Taylor stated he could not get answer from staff before this meeting about the rates. Paying in full for a year will give you a discount that makes it equal to the senior rate. Collecting \$8 more from each residence than before for billing charges. Is it attached to something that is not known.

Paul Benz

- Appreciates the questions and has been available all along for answers
- He is at complete disposal of City Council
- Has not been able to get a good estimate for building the transfer building without specific commitment and plans
- Everything – new trucks, bailer, new bins, etc cost money
- These figures are estimates

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- Have been working diligently to get the City into compliance and need to by mid-December
- Maybe the Board will give the City an extension
- Figures on the spreadsheet were developed in January or February and was strictly residential commercial had not entered into this
- Originally thought we could have several recycle bins at different areas around the city but Board said bin had to be at all commercial places
- Everything happens and develops during discussions with the state

Council Member Taylor stated we need to talk more about the maximum figure and wants to see spreadsheet and breakdown for the billing

Vice Mayor Wiknich only got the spreadsheet on Friday so has not had a lot of time to digest it – we don't have enough info to justify a 2.9M building
To set a final rate we need to have the details and justification to be able to do that

Public comment

Robert Eireman

- Stated he was holding a bill from IWW Water District and had asked how many that they send out each month - 36K and it takes 2 people to do it with another to help occasionally
- Benz will have to send out only 9300
- Suggests that Benz go to the water district and contract them to send out their bills
- It just cannot cost \$8 per month to mail out a bill
- Transfer facility will be shared with commercial but not reflected on fee structure
- No line item for profit
- They have not justified the fee schedule
- Should not approve this

David Dean

- Proprietor of Treasures to Cherish
- Heard fees for commercial would not be done a this time
- Feels fee \ should be related to what is picked up
- Generates more at home that at the business

Joshua Loscar

- Thanked Council for not voting the billing on the prop tax rolls
- His comment at last meeting about recall was not a threat but to let the people know they have options
- Wants to keep his property - he has paid for it
- We need to get back to laws that common people can read and understand

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- Wants his freedom rather than security

Ronald Porter

- Billing now is collected by Benz
- They will change from bi monthly to quarterly so that should reduce billing costs
- No sense in it being higher
- Franchise tax fee will be large to pay to the City
- Did not think commercial was going to be included in this at this time
- Would be cheaper to drive the truck to Tehachapi than build a recycle facility
- Found the blue carts at a cost \$65 and he found them on internet for approx \$45
- Empire Steel Building gave him an estimate of 720K top end 900K
- Equipment costs are unknown actual costs
- Thinks that this needs to be tabled until solid costs are produced
- So much of this does not make logical sense
- \$4K permitting fee – what is that for
- Requesting council not pass this at this time until reasonable answers are received
- Transfer facility – we don't have operation procedures, or size of equipment
- Need to look at labor and amount of it

Dave Matthews

- Some may be confused what it means to recycle on your own
- CRV – allowed to take back or turn in and get your money back
- Plastic sacks, milk cartons, cans, paper, small boxes, etc. are other issues
- This needs to be refined as to what goes into those bins
- You will still have to have this bin whether you self recycle or not
- Billing fee – years ago the water bill came out bi-monthly and it was the lowest of all bills we received
- Now it come once a month and it is twice as much as it once was
- He has always considered trash collection as a service line gas, electric, water, etc.
- Trash collection is still the lowest bill he gets
- Heard Mr. McRea mention a non-refundable fee
 - It is the yearly bill payment

Penelope LePome

- Recycling and trash pickup - CIWMB stated that it be mandatory
- She wants to know the definition of mandatory
- Heard that some folks share a bin because they have little trash
- Hope that some arrangements for billing can be arranged for them

Walt Maurer

- Appreciated Mr. Morgan for clarifying what the situation is
- If we had 100% diversion we would still have to have the mandatory program

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- That is totally outrageous
- Heard Council just got the spreadsheet with the agenda
- This is like shooting in the bush - you don't know what you are shooting at
- Why not table this until we have firm figures
- Questions about the building, the billing, etc.
- Council should go to the Board and ask for an extension
- We are moving very quickly without apparent checking on the figures
- Appears it hasn't been done
- Why only 9400 households – thought we sent out over 11K mailers
- Has anyone looked at costs of the other transfer facilities in Kern County to stand them up
- Look at the cost of the building
- This is maximum cost and does the COLA enter into this
- Table and ask the state for an extension

Mayor Morgan stated that no contract is going to be signed without thorough checking

Mary Mancini

- Quarterly billing is a concern and amounts to about \$120 per resident
- Owns a double lot with 2 tiny houses on it – one cannot even be lived in – will she pay \$240 per quarter

Mike Neel

- We need to have accurate figures
- Appreciates Taylor pointing out the discrepancies
- Questioned Paul Benz on some of the figures on the spread sheet
 - Figures were for over a ten year spread
- Citizens need to have accurate figures and information
- Maybe we will be able to recoup some costs after a while

Ronald Porter

- Commercial business such as the markets and WalMart already have compacting and bailing machines for their cardboard and ship it out already
- They shouldn't have to have a bin

Mr. McRea noted deadline of September first for residential and August first for commercial. Resolution for residential could be delayed for a month but commercial needs action.

Resolution 09- ; A Resolution Of The Ridgecrest City Council Confirming And Ordering The Placement Of The Universal Solid Waste Property Related Fee For Residential Parcels On The Kern County Secured Property Tax Roll For Fiscal Year 2009/10

Moved by Council Member Taylor, no second

With no second on item 4. a. (above) the motion fails without action.

- b. Program Of Services: Implementation Of Ordinance No. 09-01, And A Universal (Mandatory) Curbside Solid Waste And Recycling Residential Service And On Site Commercial Recycling Service For All Improved Or Developed Parcels Benz Sanitation And Tehachapi Recycling, Inc.

Moved by Council Member Wiknich, second Council Member Taylor FOR A MINUTE MOTION TO IMPLEMENTATION OF ORDINANCE NO. 09-01, AND A UNIVERSAL (MANDATORY) CURBSIDE SOLID WASTE AND RECYCLING RESIDENTIAL SERVICE AND ON SITE COMMERCIAL RECYCLING SERVICE FOR ALL IMPROVED OR DEVELOPED PARCELS BENZ SANITATION AND TEHACHAPI RECYCLING, INC. Public comment heard. Carried with a roll call vote of 3 ayes, 1 no, 1 absent; Mayor Pro Tem Carter voted no, Council Member Holloway absent.

- c. Resolution 09- ; A Resolution Of The Ridgecrest City Council Establishing A Fee Schedule For Universal Solid Waste And Recycling Residential Service As A Property Related Fee For Service For Residential Parcels.

Item 4. c. (above) was tabled with no action taken.

- d. Resolution 09-43; A Resolution Of The Ridgecrest City Council Establishing And Amending A Fee Schedule For Universal Solid Waste And Onsite Recycling And Cardboard For Commercial, Multi-Family, And Institutional Fee For Service For All Parcels.

Moved by Council Member Taylor, second Vice Mayor Wiknich TO ADOPT RESOLUTION 09-43; A RESOLUTION OF THE RIDGECREST CITY COUNCIL ESTABLISHING AND AMENDING A FEE SCHEDULE FOR UNIVERSAL SOLID WASTE AND ONSITE RECYCLING AND CARDBOARD FOR COMMERCIAL, MUTI-FAMILY, AND INSTITUTIONAL FEE FOR SERVICE FOR ALL PARCELS. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent.

CONSENT CALENDAR

5. Resolution No. 09- 44 A Resolution Of The Ridgecrest City Council Announcing Proclamations Prepared For The Month Of July 2009 And Scheduled Date Of Presentation Avery

The Ridgecrest City Council receives requests for presentation of ceremonial proclamations for various events and observations. The following proclamations

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have been processed and will be presented at location, date and time shown below:

Proclamation Title

Honoring James Delgado - 11 Years Coaching Indian Wells Valley Youth Sports

This proclamation will be presented on Thursday, July 16, 2009 at 12:00 NOON at City Hall

Council was informed that Mr. Delgado could not be available at the time noted. Presentation will be rescheduled.

6. **Sale Of Real Property By The Ridgecrest Redevelopment Agency Of Lot 25 Of The Ridgecrest Business Park** **McRea**
7. **Resolution No. 09-45, A Resolution Of The Ridgecrest City Council To Award A Contract To The Lowest Responsible Bidder In The Amount Of \$321,882.00 To Burtch Construction For The Road North And South Bound Lanes On North Norma Avenue From Las Flores Avenue To West Ridgecrest Boulevard And Westbound Ward Avenue From Mahan Street To Downs Street** **Speer**
8. **Minutes Of The Special City Council/Redevelopment Agency Meeting Of June 11, 2009** **Gable**
9. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of June 17, 2009** **Gable**
10. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of July 1, 2009** **Gable**
11. **Council Expenditure Approval List (DWR) Dated July 3, 2009 In The Amount Of \$168,811.64** **Staheli**
12. **Council Expenditure Approval List (DWR) Dated July 3, 2009 In The Amount Of \$7,193.71** **Staheli**
13. **Agency Expenditure Approval List (DWR) Dated July 3, 2009 In The Amount Of \$518.40** **Staheli**

Walt Maurer requested removal of items 7, 11 and 12

Moved by Council Member Taylor, second Vice Mayor Wiknich TO APPROVE THE CONSENT CALENDAR WITH ITEMS 7, 11 AND 12 REMOVED. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent.

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7. Resolution No. 09-45, A Resolution Of The Ridgecrest City Council To Award A Contract To The Lowest Responsible Bidder In The Amount Of \$321,882.00 To Burtch Construction For The Road North And South Bound Lanes On North Norma Avenue From Las Flores Avenue To West Ridgecrest Boulevard And Westbound Ward Avenue From Mahan Street To Downs Street

Mr. Maurer stated the online agenda said 8 bids received and his agenda 5 bids - which is right?

The agenda on the website and the one at the door of the Chambers are one and the same - 5 bids were received.

Moved by Council Member Taylor, second Vice Mayor Wiknich TO ADOPT RESOLUTION NO. 09-45, A RESOLUTION OF THE RIDGECREST CITY COUNCIL TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER IN THE AMOUNT OF \$321,882.00 TO BURTCH CONSTRUCTION FOR THE ROAD NORTH AND SOUTH BOUND LANES ON NORTH NORMA AVENUE FROM LAS FLORES AVENUE TO WEST RIDGECREST BOULEVARD AND WESTBOUND WARD AVENUE FROM MAHAN STREET TO DOWNS STREET. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent

11. Council Expenditure Approval List (DWR) Dated July 3, 2009 In The Amount Of \$168,811.64

Mr. Maurer questioned the Sparkletts entry for \$870.92 on Pay 11 of the DWR.

City Manager Avery stated that the water was for hydration of our employee.

Moved by Vice Mayor Wiknich, second Mayor Pro Tem Carter TO APPROVE COUNCIL EXPENDITURE APPROVAL LIST (DWR) DATED JULY 3, 2009 IN THE AMOUNT OF \$168,811.64. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent.

12. Council Expenditure Approval List (DWR) Dated July 3, 2009 In The Amount Of \$7,193.71 Staheli

Mr. Maurer asked about the third item on page 1 - American Society of Composers in the amount of \$305.00

City Manager Avery replied that this was a licensing fee to protect the City in the event that we used any way, any music that is copyrighted.

Moved by Mayor Pro Tem Carter, second Council Member Taylor TO APPROVE COUNCIL EXPENDITURE APPROVAL LIST (DWR) DATED JULY 3, 2009 IN THE AMOUNT OF \$7,193.71. Public comment heard. Carried with a voice vote of 4 ayes, 1 absent; Council Member Holloway absent.

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PUBLIC COMMENT 10:55

Dorothy Brown

- A great amount of work done today – thanked them for all they have done
- Thanked the City for showing off the new street sweeper on N. Gold Canyon and it keep it's dirt in its bin
- Hope the city has a litter law – if they don't they need to have one
- Recycling yard on corner of S. Downs Street and W. Ridgecrest Boulevard has had blowing trash
- Also on the north side of W. Ridgecrest Boulevard the business there is using the vacant property to store things
- Why are we willing to spend funds on a street with very unattractive businesses west of Norma Street on W. Ridgecrest Boulevard

Dave Matthews

- Thinks we need and EXTRA edition of the local media stating that N. Norma Street is going to be paved
- Forgot what else he wanted to say

Walt Maurer

- What are we going with on N. Norma rubberized or straight asphalt – straight asphalt
- Is it grant funds – no, Prop 1B funds
- Apologized for anything he said that appeared to infer Council was doing anything illegal or wrong
- Now understand what folks went through at the Constitutional Convention

Mike Neel

- Thanked Dave Matthews for great lead-in
- Annoying having to wait so late until 11 o'clock to make a public comment
- Still does not like it being so late in the agenda
- A Thomas Jefferson quote about It is every ones right and obligation to read the Constitution for themselves

MAYOR AND COUNCIL COMMENTS

Morgan

- ❖ Thanked everyone who spoke tonight
- ❖ It is always nice to have a dialogue on items we are dealing with
- ❖ Have been trying to keep the citizens aware of things we are working on
- ❖ Feel the reports of staff are of benefit to all
- ❖ Will be especially so if the committees are disbanded
- ❖ We are trying to incorporate information into this meeting and in doing so they sometimes become long
- ❖ Feels it is going well at this point
- ❖ Consider what you want and tell us

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- ❖ The more info presented and commented upon will inevitably extend the meetings somewhat
- ❖ Think about it and tell us how you want it

Carter

- ❖ Thankful for all the citizens that have been here the last few meetings
- ❖ This is democracy at work - this is how it should be
- ❖ Come down give your opinion and ideas
- ❖ Once again, thank you all

Wiknich

- ❖ He too thanked everyone for their comments and participation
- ❖ Out of here for two weeks – going to Alaska
- ❖ Had a note slipped under door of his business with the question - " when are we going to start spending the 1% sales tax"

Taylor

- ❖ Appreciate all the comments and those folks that come down here to our meetings
- ❖ It was a democratic event this evening
- ❖ He was listening to the Council meeting on July 1 so is aware of the things brought up
- ❖ Some will think that they are not being represented but if they do they are mistaken
- ❖ He doesn't always get what he wants nor does anyone else
- ❖ New health care facility opened recently – new hotel and motels

ADJOURNMENT

Mayor Morgan adjourned the meeting at 11:10 p.m.



Rita Gable, City Clerk