



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

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

**March 18, 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 – 6:00 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

APPROVAL OF AGENDA

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

CLOSED SESSION – 6:00 p.m.

GC54956.8 Redevelopment Agency Real Property Negotiations – Vimco, Civic Center Alley Improvements Within the N 1/2 of NE 1/4 of Sec. 4 as shown on APN 478-01 - Agency Negotiators Michael Avery and James McRea

GC54956.8 Redevelopment Agency Real Property Negotiations – OPA for the Ridgecrest Plaza Improvements - Agency Negotiators Michael Avery and James McRea

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 2

GC54956.9 Conference with Legal Counsel - Potential Litigation - California Integrated Waste Management Board and the City of Ridgecrest - Negotiators Michael Avery and James McRea

REGULAR SESSION – 6:35 p.m.

PLEDGE OF ALLEGIANCE led by Council Member Holloway

INVOCATION - CDR Roger Vanderwerken, U.S. Navy Chaplain Corps, China Lake

CITY ATTORNEY REPORTS

❖ **Closed Session –**

- #1 Vimco, Civic Center Alley Improvements - Council received report from Negotiator McRea- no action taken
- #2 Ridgecrest Plaza improvements – Council received report from Negotiator McRea- no action taken
- #3 CIWMB – Council received info from Legal Council

❖ **Other - none**

DEPARTMENT AND COMMITTEE REPORTS

Second Council Meeting (3rd Wednesday of the month)

Public Works Department Director's Report

Infrastructure Committee

Members: Tom Wiknich, Jerry Taylor, Lois Beres, Craig Porter
Meetings: 2nd Tuesday of the month at 5:00 p.m., Council Conference Room

Met March 10

- Discussed trash universal pickup
- Reviewed street projects list using Redevelopment Agency funds
- Update on Ward Avenue signal
- W. Ridgecrest Boulevard RFP received
- Report on traffic flow in Ridgecrest
- S. Norma Street plans and specs 50% complete and is next on list of projects
Next meeting April 14

Finance Department Director Sloan's Report - (PowerPoint presentation – copy in Clerk's packet)

Public comment
Mike Neel noted

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 3

- Pie chart of general fund expenditures shows Public Works at 3% and Parks, Recreation and Cultural Affairs at 18%
- Looks like we can't take care of streets so guess we will have some great parks

Chief of Police Strand's Report – (Update on Traffic Enforcement - copy in Clerk's packet)

City Organization and Services Committee

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

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

Met March 12

- Mediacom was there to talk about video services
- Concerned with residential in-house wiring and they want to hear from citizens/subscribers
- TRANE update – looking at possible federal funds
- Discussed upcoming Census
- Discussed street vendors licensing procedures
- Discussed vacant houses

Next meeting April 9

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

No meeting due to lack of quorum

Next meeting to be announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

March 17 meeting Water District

Water ordinance and sign ordinance Mayor Morgan and Eric Kauffman

Community Development Committee meeting April 2 at 5 pm

Council Member Carter, with concurrence of Council, appointed Howard Laire to the City's Personnel Appeals Board.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

City Manager Avery will be out of office tomorrow afternoon and all day Friday

PUBLIC HEARINGS

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 4

1. **Public Hearing On The Appeal Of Tentative Tract Map No. 6691 Denial By The Planning Commission By Resolution PC No. 09-04, And The Recommendation Of Denial Of GPA/ZC-08-04, As Well As The Negative Declaration, An Application To Create A 228 Lot Subdivision Known As Wild Pointe Ranch With One Park/Sump And A Commercial Site On 161 Acres To Be Zoned E-1, E-1.5, E-2 And CG On Vacant Land Located At The NW Corner Of W. Ridgecrest Boulevard And N. Mahan Street, APN 455-100-06,08 And 09. Applicant: Pam McRea**

Public Services Director McRea

- The Planning Commission at the conclusion of a duly noticed continued Public Hearing adopted Resolution 09-04, denying the application, the Tentative Tract Map, the General Plan Amendment and zoning reclassification
- The application was heard before the Planning Commission at three (3) meetings; January 27, 2009, January 13, 2009, and November 18, 2008
- A copy of the Planning Commission report was provided by separate cover
- The denial was appealed by the attached letters, dated February 5, 2009 and February 9, 2009

Darrel Whitten, Cornerstone Engineering gave a PowerPoint presentation of their revised proposal (some documents in Clerk's agenda packet)

- 208 residential lots now N – S street on west side
- 87 10K SF lots - 60 20K lots - 61 40K lots
- Most of area is estate density requested zone change for the commercial to estate density and move commercial
- 2 park sites
- Proposing E2 on southern end to E1
- Want reduced width streets in large lot areas 32 FT
- Perimeter wants county standards
- Asking for approval of mitigated negative declaration
- Approve general plan amendment
- Approve the Zone Change (conditionally)
- Approve the Tentative Tract Map 6691 with conditions
- Planning Commission wanted annexation of the property in Kern County that is owned by the applicant
- 30 FT wide park easement alongside of Brady Avenue

City Attorney Lemieux asked if the Planning Commission has had a chance to review this revised proposal

Mr. Whitten said no he did not take to Planning Commission but would have if he thought it had a chance for approval

City Attorney Lemieux stated the Municipal Code has procedure that Council can only hear what was brought to the Planning Commission in the appeal material

Public Comment

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 5

Nellavan Jeglum

- She is the Planning Commission Chairman
- Was upset when she found out this was different than what the Planning Commission had before
- Zone Change is a privilege not a right
- This project is in the military influence area
- This is not what the Planning Commission saw and voted on
- Wanted them to show the design for the annexation
- Thanked City Attorney for bringing up the discrepancy

Andy Kilikauskas

- Urged Council to uphold and support the Planning Commission and deny this appeal
- The Navy determination is based on hindering the base mission
- Noise complaints have increased due to a foreign contingent who did not know the area
- Navy is opposed to this development

Denny Roberts

- Appears similar to the Vaughn situation a while back
- Several concerns - if we do this we set a precedent
- Been living here long enough to see lots of choppers swarming around this area
- Noted he Faller crash near this area many years ago
- The Navy base does experimental work and flights are not like a scheduled airline
- Small lots, high density - all things the base does not want
- Encourages rejection

Bob Wagner

- Owns 5 acres directly across from this project
- Move in about 10 years and bought because the density was 1 acre lots
- Urged the Council to turn this down

John O'Gara NAWS

- Did review of this project urging density of 1 acre lots
- Base has not changed their opinion and urged Council to reject

Melody Neel

- Considering the base - they have millions of acres to fly around
- They do not use this property directly
- Consider what will be best for the city

Council

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 6

Morgan

- ❖ It is not true that because we are hearing this appeal that Council is not supporting the Planning Commission
- ❖ Planning Commission has no authority to use the base as a denial of the appeal
- ❖ A reason for denial was project does not meet the zoning

Carter

- ❖ Have heard no one say that they do not support the project
- ❖ Addressing Mr. Whitten - do not like what you are doing here as this is not what was brought to us before

Wiknich

- ❖ One thing he said he would not do is infringe on the mission of the base
- ❖ Supports sending this back to the Planning Commission

Holloway

- ❖ Also said we did not go against the Planning Commission
- ❖ What came before us before was the map
- ❖ Does any revised map have the potential of being passed
- ❖ Saw several maps of various acreage
- ❖ Concerned about E1 coming and we need to consider
- ❖ Concerned about Zone Change and do not want to consider unless tract map final
- ❖ Kern County does not approve Zone Changes until recording of final tract map
- ❖ The revised map looks better as a compromise
- ❖ Would never support the map they took to the Planning Commission

Taylor

- ❖ Applicant can build the east side of the project today
- ❖ Seconded a lot of what Council Member Holloway stated
- ❖ Concern he has is with all the inconsistencies presented
- ❖ This map is what he personally has been looking for
- ❖ Would not have supported the original map
- ❖ Should go back to the Planning Commission

City Manager Avery suggested we waive fees for re-submission

Moved by Mayor Morgan, second Taylor TO UPHOLD THE PLANNING COMMISSION AND REFER BACK TO THEM. Public comment heard. Carried with a voice vote of 5 ayes.

Recessed at 7:55 p.m. to reconvene at 8:10 p.m.

ORDINANCES AND RESOLUTIONS

2. Ordinance No. 09-01, An Ordinance Of The City Council Of The City Of Ridgecrest Deleting Chapter XIII And Amending The Ridgecrest Municipal Code As It Relates To Chapter XIII, Sanitation, Sections 13-1 To 13-6.2; Community Wide Universal (Mandatory) Curbside Solid Waste And Recycling Residential Service McRea

Public Services Director McRea

- The provisions of this chapter are adopted to preserve, protect and promote the health, safety and welfare of the public with respect to sanitation and provide a community wide universal (mandatory) curbside solid waste and recycling residential service
- This ordinance was presented to Council for first reading and approval at the Special meeting on March 2 and is presented here for second reading and adoption
- No rate table or service schedule resolution at this time

City Attorney Lemieux answered a question asked by many - what authority does this board have to fine us

- board created in 1995 and the act says they have authority to take steps to comply with mandates of the act - Public Resources 401850
- Appears that the state is ceding their power to many of these boards
- Feel it would be unwise use of funds to try to fight in court

Holloway

- ❖ Wants to know what we are going to do for handicapped and seniors and low income folks – and will those be included in this ordinance
 - Fee schedule will be by resolution and will be adjusted throughout the life of franchise
- ❖ This will be in full force and operation 30 days after the adoption of the ordinance
 - Board says program will be in place by March 31

City Attorney says it cannot be enforced until there is a fee schedule, etc.

Wiknich

- ❖ Lot of discussion regarding the low income folks and who and how they qualify
 - Mr. McRea pointed out section 7 that shows various fees

Taylor

- ❖ This gives us the ability to waive various things from time to time

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 8

Public Comment

Debra Hickey (copy of her points in Clerk's agenda packet)

- Would like to see part of ordinance regarding exemption for those who do their own recycling
- We cannot recycle more than we do
- We take to Pearson's and they handle it
- Feel it would be a punishment if they had to do this
- We produce very little waste – use it up or wear it out is their axiom
- They could not fill half a can a week – wants to still do their own recycling and not have to pay higher fees

Walt Maurer

- Asked of the mandate is 50% - *yes currently*
- Has the City met that – *yes exceeded it*
- Feels that the Board has exceeded their authority
- Quoted State Constitution about no class will be given any consideration than is afforded any other class
- We have done no wrong as a community
- Seems we are all opposed to what the State is trying to impose upon us yet you are ready to pass this ordinance on all of us
- Suspicious of what you are doing to appease this Board
- Quoted from Alexander Hamilton and George Washington
- He is not opposed to voluntary trash pickup or recycling but opposed to mandatory trash pickup and recycling
- Has not yet written to Assembly Member Jean Fuller
- Give them an inch and they will take a mile

Ronald Porter

- Would be a major error to approve this - you should take time to review
- Quoted California Constitution - state cannot mandate a program without paying for it
- We have to stand up and fight this
- The Board burden is to prove we are not in compliance
- They had to have their hearing and meeting here for us to participate
- They have no fining authority in the state of California – only the courts can do that
- They cannot demand recycling unless we have places to take it
- Does not think appropriate that the State makes us do this
- Citizens did not get due process in this

Mike Neel

- Pointed out lien and late charges portion in ordinance

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 9

- Repeated Mr. Carter's statement from last meeting - "he does not live in a dictatorship and surprised it has not gone to court" – the Board was not elected, they were appointed
- Council should have told them we meet the requirements
- The Board is working outside its authority
- Stand up to State tyranny

David Knight

- I doubt there is anyone here who does not appreciate a clean house, yard, street, city and recycling
- No one is, however, forced to clean up their own yard
- Board is forcing the service (on him) whether he wants it or not
- This is not like other utility services – if you don't want the service, you don't pay
- This is not like that – even if you don't want the service you still have to pay
- Recyclables are stockpiling so what is the push to recycling
- Urgent plea for restoration of consensual government

Al Huey

- Has sent email out to Council and City Manager
- Have been on two solid waste committees over the years
- Spoken to a couple of Council Members about mandating with this ordinance
- Saw that the City exceeded with the requirements set by county and state
- State left it with the cities as to how they were going to meet the 50% reductions
- If you move forward with this ordinance you are complacent
- Have taught a class on The Constitution and the most impact you can have is with your local government
- Said he would challenge them and take them to court – if we lose we lose

Paul Neipp

- Question – what are the boundaries of this ordinance – *not outside the city limits*
- Is not speaking as a member of this community but for them
- American government was built upon the premise that government was a service of the people not the master of the people
- If Ridgecrest has a waste management problem then it should be solved by Ridgecrest
- Not up to the State to mandate to its cities
- Do we want to be free or puppets to the State
- Does Ridgecrest have the guts to tell the State to mind their own business

Brian Waterman

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 10

- Thanked each of those who came up here and expressed their outrage
- This ordinance is basically to have mandatory trash pickup not recycling
- How would we determine that the property is occupied and affix the fee
- Appreciated everyone's comments

Melody Neel

- Wrote letter to Waste Management Board about this and their having no right to do this
- Asked them to show that we had not met requirements and asked for them to cite their authority to do these things
- They responded by sending the attachments to agenda item 4
- If you vote on this you will be traitors and liars and violate The Constitution
- You can tell them we have done nothing wrong

Lilly Loscar

- Has one comment – Give Me Liberty Or Give Me Death
- Has nine persons in her household
- Over the limit

Nora Rogers

- Is opposed to this ordinance and hope you will think it out before voting
- She is one of the low income persons - is a senior
- Wanted you to see the human element - has osteoporosis and is diabetic
- Would have problem sorting out all this recycling stuff
- Think about the humans involved

Josh Loscar

- Asked - If this was a business without a rate schedule, etc., would you do this tonight – *Mayor replied no*

Mike Neel

- Has spoken to others around the area but won't tell you what has been said about you (Council)
- Thinking about going to the Kern County Grand Jury about what the State is putting upon us
- City could be included if this goes through

Unidentified lady

- Asked - could we band with other small cities to sue

Walt Maurer

- We are not against you we are against the Waste Management Board
- Contacted three of the Council via email and had responses within 24 hours
- Encouraged them to stand up to the Board

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 11

- Page 5 of Ord section B – public v public

Unidentified gentleman

- Asked - does State have to come back to City as to how it is measured
- If we go to mandatory it will stifle the recycling
- Requested City write the Board to restart the whole process so we can participate
- In order for them to assess the fine they must show that we are not trying

Melody Neel

- Coordination act is where any city government can ask any agency to coordinate with them

Paul Neipp

- Made observation that with citizens heard here tonight that there is hope

Council comment

Carter

- ❖ Would like copies made of this discussion with a cover letter sent to Senator Ashburn, Assembly Member Fuller and all news media of this country
- ❖ Need to open it up for discussion and get media involved in what is going on in our communities
- ❖ In education and the schools it is dictated by State mandates
- ❖ Wants the tape of this meeting to be taken up to the Board to hear
- ❖ See new faces and appreciate all who have spoken
- ❖ Hope this Board will watch this tape and listen to what you have said

Taylor

- ❖ Obviously it is difficult for all of us
- ❖ He is here to represent the citizens
- ❖ How many in audience are lawyers with the state bar – *only one, Keith Lemieux*
- ❖ Council gets his advices on laws and with this issue
- ❖ Noted other mandates such as catalytic converters on cars, school tax even with home school kids
- ❖ Can see that everyone wants to be symbolic
- ❖ We should have voluntarily stated a recycling program years ago and now our back is to the wall
- ❖ If you want to change hit the judiciary system and the other areas representation elsewhere in the State
- ❖ Cerritos fine has not been overturned
- ❖ It is really hard to fight this type of issue

Holloway

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 12

- ❖ Thanked everybody for their comments and the history lessons from Mr. Huey and Mr. Maurer and how far we have strayed off the path
- ❖ He supported mandatory trash pickup long before it was "cool"
- ❖ Was looking for ways to generate revenue for the City without adding taxes
- ❖ Smart enough then to see that there wasn't much support so did not push it harder
- ❖ Totally different scenario then than we face today
- ❖ In 1999 there was a requirement because of a 1979 decision that we had to prove that our rainfall runoff did not pollute the LA aqueduct
- ❖ He is a business man and like Mr. Taylor has been calculating how to beat these guys
- ❖ Voting for the ordinance was part of the strategy
- ❖ Going to ask Council to go back 12 years
- ❖ This is one of those 10% chances that we might have to do something
- ❖ Then Mayor Kevin Corlett told him that what we do is 90% dictated from higher up, 10% local
- ❖ Wants to take this to the Board that you could not get this passed because the citizens didn't want it
- ❖ This is an unfunded mandate
- ❖ We are never going to have another chance to fight for a principle

Wiknich

- ❖ He completely agree with both sides
- ❖ Tonight he learned he was a liar and traitor – didn't know that before
- ❖ Be that as it may – he is not a liar and a traitor and will not take that from anybody
- ❖ He is ready to fight
- ❖ When Mayor Morgan goes up there he needs to have facts
- ❖ City Attorney will also go up there to give advice
- ❖ A big part or this is the cost if we have to fight this and lose
- ❖ We have been subjected to these unfunded mandates for years and years
- ❖ We will go up there and try to sell this and all the emotion that has been here tonight

Morgan

- ❖ It will be an interesting trip and meeting next Tuesday depending how it goes on this vote tonight
- ❖ If it goes against us the fine will be assessed immediately
- ❖ Board has fined well over 30 cities and won all of them
- ❖ Programs have been instituted because of those losses
- ❖ AB939 and AB1016 has not been talked about
- ❖ AB1016 wants to see recycling programs in place and they don't care about diversion rates
- ❖ This will cost - without the fines - about 200K easily and fines of 2K a day and a court case will take years

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 13

- ❖ Hear you saying you are willing to give up police protection and road repairs and a bunch of staff people - we will ruin this town and we will be flat busted

City Attorney Lemieux stated - They will institute a fine of about 2K a day starting in 2007 and probably another after. We voluntarily entered into a local assistance plan about a year and a half ago. Have the right to legally challenge them but it will be costly.

Morgan

- ❖ If he has this adopted ordinance in his pocket we would have a better chance with the Board
- ❖ Ordinance can be amended or changed in later times

McRea

- ❖ Said he feels it would be ill advised not to adopt this ordinance
- ❖ It will be impossible to implement without the program of services

Moved by Council Member Morgan, second Council Member Wiknich TO WAIVE READING IN FULL AND TO PRESENT FOR ADOPT BY TITLE ONLY, ORDINANCE NO. 09-01, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST DELETING CHAPTER XIII AND AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO CHAPTER XIII, SANITATION, SECTIONS 13-1 TO 13-6.3; COMMUNITY WIDE UNIVERSAL (MANDATORY) CURBSIDE SOLID WASTE AND RECYCLING RESIDENTIAL SERVICE Public comment heard. Carried with a roll call vote of 3 ayes, 2 noes Council Members Holloway and Carter voted no.

Moved by Council Member Morgan, second Council Member Taylor TO ADOPT, BY TITLE ONLY, ORDINANCE NO.09-01, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST DELETING CHAPTER XIII AND AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO CHAPTER XIII, SANITATION, SECTIONS 13-1 TO 13-6.3; COMMUNITY WIDE UNIVERSAL (MANDATORY) CURBSIDE SOLID WASTE AND RECYCLING RESIDENTIAL SERVICE/ Public comment heard. Carried with a roll call vote of 3 ayes, 2 noes; Council Members Holloway and Carter voted no.

3. Ordinance No. 09-02, An Ordinance Of The City Council Of The City Of Ridgecrest Amending Chapter III, Section 5-703, Of The Ridgecrest Municipal Code ("Code") As It Relates To The Exclusive Right Of Trash Collection McRea

Public Services Director McRea

- This ordinance amends Chapter III, Section 5-703 of the Municipal Code by continuing the City's right to award exclusive franchise for the purpose of trash collection

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 14

- This ordinance was introduced for first reading at the Special Council meeting of March 2, 2009 and was read in full into the record. It is brought to the Council at this time for second reading and adoption.

Moved by Council Member Wiknich, second Council Member Holloway TO ADOPT, BY TITLE ONLY, ORDINANCE NO.09-02, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING CHAPTER III, SECTION 5-703, OF THE RIDGECREST MUNICIPAL CODE ("CODE") AS IT RELATES TO THE EXCLUSIVE RIGHT OF TRASH COLLECTION. No public comment. Carried with a voice vote of 5 ayes.

Recessed at 10:15 p.m. to reconvene at 10:25 p.m.

DISCUSSION AND OTHER ACTION ITEMS

4. **Status Report on the Compliance Order IWMA BR07-07 and the Local Assistance Plan (LAP) required by the California Integrated Waste Management Board (CIWMB) and consideration of an Administrative Civil Penalty** **McRea**

Public Services Director McRea stated that the status of the compliance order had been discussed during the preceding agenda items.

5. **City Council Pay** **Wiknich**

Vice Mayor Wiknich was concerned that we are asking all departments to cut back by 20% and feels Council should also cut back. Suggested Council Members take \$100 less each per month which would be a total of \$500 per month and 6K per year

City Manager Avery stated that no layoffs have taken place but as an option has been discussed. Further stated that the Council pay raise that was passed last year was not implemented so you did not get your raise in February 2009.

Council comment

Morgan - has no problem with a reduction

Taylor - already have the 10% cut due in February

Holloway - anyone can do whatever they want with their pay – talk about it in budget time

Carter - this is about the third time Tom has brought this up and discussed at Council and you can chose not to accept your pay – he uses his Council pay to defray what he does for the City

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 15

Walt Maurer

- As a former candidate for council he was not going to accept the stipend
- Does not have an issue with what Mr. Wiknich is saying
- Have never looked at any of you as being in it for the money
- Money cannot compensate you for what you do for the City and community

Mayor Morgan thanked Vice Mayor Wiknich for bringing this up and will leave it up to the Council individually as to what each wants to do.

6. Sister City Budget

Avery

City Manager Avery stated some Council Members have expressed wanting this amount to be frozen in the budget (approx 3K) used for luncheon, transportation, plaques, etc., when Sister City contingent visits us.
Council

Taylor feels it is something to look at for next fiscal year

Holloway stated it is a shame it is not a larger group in the City – the biggest expense for us here is the transportation – would like to work through Parks, Recreation and Quality of Life Committee to pare it down some

Carter would like to see keeping this in budget – would like to see things like an international pot luck festival and get the community involved – maybe fund raisers through Parks, Recreation and Quality of Life Committee – do not want to see this program go away

Wiknich has no problem with continuing with plaques and such – would like to see it more self sufficient

Morgan always maintained that it should be privately funded – many organizations in City do great things without City help – would like to see this program become self sufficient

Joe Grossardt

- Lived here since 1942 and over the years have done many things for the city
- Patrolled the streets, held dances for kids, had roller rink behind El Charro
- Had Mobil station in the triangle and have been a permanent resident
- Entertainers Network of the Desert (END)
- Is president of local Sister City organization
- It is your organization that he is representing
- Would like to have the Mayor read a paper for him – letter from White House dated June 13 1991, the 35 anniversary of the Sister Cities program
- Letter was signed by President George Herbert Walker Bush

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 16

- END ran a lot of fund raiser over the years
- Willing to work with City to do this again if you are willing
- Would like to see if we could use City Transit instead of renting vehicles
- Invited them to a fund raiser at his house April 2

Rene Roter

- Is a rookie having been here only since 2005
- Wanted to get involved in the community
- Fund raisers tamales were made by members
- Most of the folks from Tepa are professionals – lawyers, teachers, etc.
- Ridgecrest is limited in attractions and transportation is costly
- Major expense is when these folks come

Debra Hickey

- Came here from Pennsylvania a few years ago
- Last time the Tepa group came one lady spent 3K alone shopping and there were 11 others

Nora Roter

- She and her husband got involved in the community through Sister City
- Any money City can put into the budget will be wisely spent
- Think you need to support it

Jason Patin

- Was invited to their installation dinner and got to meet all these wonderful folks

Walt Maurer

- Tough thing to talk to but really simple
- "It's not mine to give" – said by Davy Crockett
- What's said about the value of an organization
- We as citizens of the USA need to get back to the fundamentals
- Government does not generate money
- It is the function of government to provide for the safety and protection of its citizens
- State Constitution says you are not allowed to give to one class of citizens that you do not give to all

CONSENT CALENDAR

7. Resolution No. 09-09, A Resolution Of The Ridgecrest City Council Announcing Proclamations Prepared And Scheduled Date Of Presentation

Avery

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 17

Respect for Law Week and Honoring Five Local Law Enforcement Officer's of the Year

8. Authorization For Mayor To Send Letter To Assembly Member Tony Mendoza Opposing AB 155 Municipal Bankruptcy Avery

Item 9 removed for discussion

9. Resolution No. 09-10 , A Resolution Of The Ridgecrest City Council Approving Agreement Between The City Of Ridgecrest And The Social Security Administration Ponak

10. Resolution No. 09- , A Resolution Of The Ridgecrest City Council Setting The Public Hearing For Unmet Transit Needs Findings Speer

Item removed for discussion

11. Resolution No. 09- , A Resolution Of The Ridgecrest City Council Approving Expenditure Of Proposition 1B Funds In The Amount Of \$415,000 For Constructing A New Street: Bowman Avenue Between Mahan Street And Downs Street Speer

12. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of February 18, 2009 Gable

13. Minutes Of The Special City Council/Redevelopment Agency Meeting Of March 2, 2009 Gable

14. Council Expenditure Approval List (DWR) Dated February 27, 2009 In The Amount Of \$244,370.19 Sloan

15. Council Expenditure Approval List (DWR) Dated March 5, 2009 In The Amount Of \$69,469.90 Sloan

16. Council Expenditure Approval List (DWR) Dated March 13, 200k In The Amount Of \$161,540.22 Sloan

17. Agency Expenditure Approval List (DWR) Dated February 27, 2009 In The Amount Of \$10,211.34 Sloan

18. Agency Expenditure Approval List (DWR) Dated March 13, 2009 In The Amount Of \$4,117.23 Sloan

Council Member Taylor asked for removal of items 9 and 11

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 18

Moved by Council Member Carter, seconded Council Member Holloway TO APPROVE THE CONSENT CALENDAR WITH ITEMS 9 AND 11 REMOVED. No public comment. Carried with a voice vote of 5 ayes.

9. Resolution No. 09-10 , A Resolution Of The Ridgecrest City Council Approving Agreement Between The City Of Ridgecrest And The Social Security Administration Ponek

Council Member Taylor said he talked to Social Security Representative in Lancaster who stated they are willing to be to Ridgecrest four (4) times a month – urgency is not high on this.

City Manager Avery said we can accommodate 2 times a month

Public comment

Walt Maurer

- Asked is Social Security going to pay for use of the facility – *no they are paying \$25 for phone line*
- Other government comes in and uses the facility free while citizens have to pay
- Would like to see a modest hourly fee be established

Moved by Mayor Pro Tem Carter, second Mayor Morgan TO ADOPT RESOLUTION NO. 09-10 , A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING AGREEMENT BETWEEN THE CITY OF RIDGECREST AND THE SOCIAL SECURITY ADMINISTRATION,. Public comment heard. Carried with a voice vote of 5 ayes.

11. Resolution No. 09- , A Resolution Of The Ridgecrest City Council Approving Expenditure Of Proposition 1B Funds In The Amount Of \$415,000 For Constructing A New Street: Bowman Avenue Between Mahan Street And Downs Street Speer

Council Members Taylor and Holloway had concerns about the funding for this. Use 1B for other things and seek dust abatement funds like Supervisor McQuiston and Kern County did to pave county streets. CMAK funds – follow through on the agreement and direct staff to go after other funds. Understand this is to line up with a project that is about a year down the road.

Moved by Vice Mayor Wiknich, second Council Member Holloway TO ADOPT RESOLUTION NO. 09- , A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING EXPENDITURE OF PROPOSITION 1B FUNDS IN THE AMOUNT OF \$415,000 FOR CONSTRUCTING A NEW STREET: BOWMAN

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 19

AVENUE BETWEEN MAHAN STREET AND DOWNS STREET. No public comment. Carried with a voice vote of 5 ayes.

PUBLIC COMMENT 11:31 p.m.

Walt Maurer

- Was going to ask the City Attorney to bring a copy of the U.S. Constitution but see he is leaving
- Saw a guy with shovel and asphalt and asked about the pot hole patcher
- He said as soon as it (asphalt) was put down it comes right up
- DUI check point – did check it out when they had it on West Drummond Avenue
- Was against this about a year ago
- Questioned the figures that Chief Strand gave earlier
- Thought it averaged 4 with the check points and also without
- DUI check points really don't add to the arrest totals
- Appears that saturation patrols are more effective

Closed at 11:36 p.m.

MAYOR AND COUNCIL COMMENTS

Wiknich

- ❖ When is next town hall meeting and who is attending – *April 8 and he will do it*
- ❖ Topic – more discussion regarding budget
- ❖ Council Member Holloway will also do the town hall meeting
- ❖ About a year ago while at Denny's a wheelchair ramp was needed and he did get it done

Holloway

- ❖ Infrastructure Committee – striping deteriorating on some streets and height of stop signs needs to be checked

Taylor

- ❖ Stop sign pictures to share with City Manager
- ❖ Long night but appreciate the interaction and emails
- ❖ Fund raiser at McDonalds but obviously no one left to go there
- ❖ Hope it bring more people out

Morgan

- ❖ Need someone to volunteer to give out proclamations on Friday at noon - *Council Member Carter will do it*
- ❖ He and Council Member Holloway will be in Mojave on Friday
- ❖ Will not be at next council meeting – Carter has con for that
- ❖ Maturango Museum dinner March 20

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

March 18, 2009

Page 20

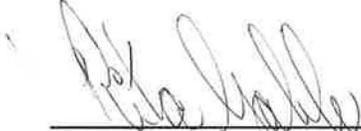
- ❖ Bluejacket of the Year dinner March 21 - he will be attending
- ❖ JULS meeting on March 25
- ❖ March 26 at Kerr McGee David Mechtenberg retirement
- ❖ March 27 Respect For Law dinner at Elks
- ❖ March 28 DART
- ❖ KernCOG 31

Carter

- ❖ Was with the President today (on TV)
- ❖ Wants to make difference in education
- ❖ Parents reading to their kids and making use homework is done
- ❖ Stimulus in education is for teachers
- ❖ Hope when it comes from the State it is to retain the teachers

ADJOURNMENT

Mayor Morgan adjourned the meeting at 11:45 p.m.



Rita Gable, City Clerk

