



**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**

**June 16, 2010
6:00 p.m.**

CALL TO ORDER 6:03 p.m.

ROLL CALL

PRESENT Mayor Steven Morgan, Mayor Pro Tem Ron Carter, Vice Mayor Thomas Wiknich, and Council Members Jerry Taylor.

ABSENT Councilmember Holloway is traveling to Sacramento for a League of California Cities meeting.

APPROVAL OF AGENDA: Approved by Mayor Pro Tem Carter and second by Council member Jerry Taylor. All approved.

CLOSED SESSION – 6:00 p.m.

Closed session 6:05 p.m.

REGULAR SESSION – 6:30 p.m.

Regular session 6:41p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

CITY ATTORNEY REPORTS

- GC54956.9(B)Conference With Legal Counsel – Potential Litigation – Public Disclosure of Potential Litigant Would Prejudice the City of Ridgecrest

No Action Taken

- GC54956.9(A) Conference With Legal Counsel –Litigation – Will C. Robertson v. Steven P. Morgan et. Al

Lemieux's Office will represent in the above case. No further action taken.

- Added: Ridgecrest vs. Matrix Motors

No Action Taken

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COMMITTEES, BOARDS AND COMMISSIONS

Second Council Meeting (3rd Wednesday of the month)

Infrastructure Committee

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

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

Next meeting July 14, 2009

- Vice Mayor Wiknich stated this committee met on June 9th. They discussed traffic control on LaMirage and French also on Peg/Argus/Coso and information was provided.
- New engineering firm hired. Helt Engineering (current engineering firm) will finish their project. Discussed water district cutting city streets. Touched on budget discussions. By-pass projects are going ahead, extension has been given. Monday, June 14, 2010 there was an open house on Ridgecrest Blvd. Good discussion/input over at the USO Building; information was passed on to Mr. Speer, Public Works Director. Currently we are at 60% design. Vice Mayor Wiknich encouraged the public to go on-line and review the plan and make comments now so that the committee can possibly incorporate suggestions provided.

City Organization and Services Committee

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

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

No meeting to report; next meeting July 12, 2010

Activate Community Talents sand 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-McGeeCenter

Next meeting July 12, 2010

No meeting to report; next meeting July 12, 2010

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- Mayor Pro Tem Carter stated that the Community Development Committee met and discussed the sign ordinance; they will take the topic to City Council. There is a discrepancy between the Indian Wells Valley water ordinance and the City of Ridgecrest's water ordinance. The committee would like to form a water sub-committee to include Councilmember Taylor, Planning Commissioners Patin and Kauffman to work on having just one ordinance. Next meeting at the water district's office will take place on July 15, 2010. Mayor Morgan – will ask Councilmember Holloway if he would like to participate.
- Vice Mayor Wiknich will be participating in Kern Cog's meeting tomorrow night.

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CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

- City Manager Rose stated that the "Tax Allocation Bond" team and staff participated in a conference call with Moody and Standard and Poor's. Moody agreed to keep us at our current A- rating while Standard and Poor has raised our rating to Baa1.

ORDINANCES AND RESOLUTIONS

1. Ordinance No. 10- An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Curbside Service Rose

This ordinance was heard for first reading and introductions by title only at the regular council meeting of April 21, 2010. The Ordinance has been amended and is brought back to council at this time for first reading.

- Mayor Morgan announced that due to the number of people in the audience, he would hold Public Comment to 3 minutes per person. He explained to the audience how the system works. He added that comments may be provided to the City Council via written documentation and e-mail.
- Attorney Keith Lemieux began by stating the he was pleased to bring forward this ordinance. It represents a lot of work by staff, along with comments by Benz and CalRecycle. Contained within the document, parties can elect to stay with Benz or self-haul. He has received comments on self-haul for consideration. Mr. Lemieux explained that the process is not meant to be ownerous – the City and Benz "need to know who you are." Benz needs the information in order to stop billing and the City needs the information for diversion purposes. This ordinance allows for dropping Benz service and to do your own self-haul. Conditions – must actually haul – hauling actually occurring. There is unspecified fee to cover the City's cost for processing the application or cost at the landfill. The fee is not punitive and not a money making venture for the City. The ordinance has been streamlined and hopefully cleared up; easier to understand. Regarding "Owner (or property manager)" – this type of change can be made before the 2nd reading. This concludes the report.
- Mayor Morgan asked if there are any questions?
- Councilmember Taylor commented that he agreed with the general change of designee. He stated he is not at the meeting to fight a battle with the public – he is not in support of a fee. He stated Council needs to get through this (ordinance) and he appreciates those that have provided an opinion.
- Mayor Morgan remarked that he would be against a fee as well but would be open to a re-opener in the future for discussion.

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7:00 p.m. Mayor Morgan Opened the Floor to the Public

- Christina Witt – Regarding Section 12.2.3 on non-refundable fee, Ms. Witt asked if this is the same fee or separate fee? Mayor Morgan answered that the City Council is not discussing fees. Ms. Witt continued by saying she is already paying a fee yet according to Kern County, residential trash is free. She stated that she did not vote for the City to contract with Benz. She has concerns with collections, where it's guaranteeing Benz a profit margin. She has researched this topic and various other cities rates did not go up. She asks City Council not to pass this ordinance.
- Councilmember Taylor commented that this is paying for a diversion program that the county does not want to take on.
- Keith Lemieux pointed out that there is a version of the ordinance (on the table) that has some slight changes; polishing type of changes.
- Rich Wagner – 408 S Lincoln – appreciates the Council for their support of no fees. Keith Lemieux's self-hauling verbiage bothers him (i.e. senior citizens). When he saw fees, collections, liens – he saw it as threats and he was angry. He agrees with mandatory trash and recycling – he does not agree with the cost. He feels we need to get out of the contract with Benz and find another franchisee; he commented we should bite the bullet and pay Benz off.
- Michael Hogan stated that he came to this valley in February 1991 and was involved with landfill management. He explained the "reverter clause" meaning that land could be given back to federal government, but Kern County kept the land. Kern County accepts garbage from Trona, (he named other places) and the diversion belongs to Kern County. He feels the state is placing responsibility on Ridgecrest for a landfill that is being managed on a regional basis. He commented that they (the state) is saying that the landfill is being filled up and Ridgecrest needs to do something about it and yet everyone should be doing something about it. He commented that it's an extraordinary measure to charge him an additional fee.
- Vice Mayor Wiknich announced that we are not going to charge a fee in this ordinance for self-hauling and Mayor Pro Tem Carter agreed.
- David Knight noted section 13.3.3 subsection C page 7. Mr. Knight asked that up until the refuse is actually collected and becomes property of franchisee that the trash is property of the resident, correct? He will assume that the City Council, City Manager and City Attorney recognize that private property is an amenable right. He discussed fundamental rights quoting the 1937 Ohio/Bell courts opposition to acquiescence of fundamental rights (adding that this is in direct violation of the constitution). Mayor Morgan asked him for a copy of his speech.

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- Bud Klampt (reading note written by Penelope LaComb) asked, aren't there laws on the books with regards to sanitation? He felt this ordinance was to protect the city, not the public. He added that the trash ordinance was revenge on the public. "Issuing a permit", was this at discretion of the City Manager of his designee? He stated we do not have to apply for our rights. He asked the City Council to vote against this proposal.
- Councilmember Taylor asked for suggestions relative to the ordinance.
- Dennis Rawl asked if Council can consider people who use commercial units – (they pay for commercial and residential). Also, can Council consider him opting out of the recycling program since he takes his recyclables to Pearsons? He doesn't know if the Pearson recyclable items are counted toward the diversion. Mr. Rawls added that he pays for trash service in other municipalities and in one town it's \$39.03 for three months service and the other town it's \$55.15 for two months. Mayor Morgan asked if we could get copies of his bills.
- Robert Eierman – remarked that Council is wasting their time since they already amended the ordinance. He stated that the citizens voted on election code 92-22 and added that no code adopted by voters can be repealed. He recommended that Council strike the word mandatory and it's a done deal and by law Council cannot change it. He added, Council gave up their authority and "if our vote doesn't mean anything and you can violate election law then I don't know where we are." Mr. Eierman claimed that the City attorney is into talking technicalities and into quashing a lawsuit. He cited Supreme Court decision called "K" – where the Mayor cannot ask people not to clap.
- Gwendalyn Harris stated that the dump yard is not cleaned up and it can cause disease. She added that she has done recyclables for years and some recycling centers will not take non-CRV items. That all built up through the years and now it has to be cleaned up. She feels the initial cost is not from us or Council – the main problem is from recycling centers. She stated she has had threats against her with an iron skillet. People have been irate with her for going to the dump yet they are dumping on "God's good land".
- Carole Vaughn explained that the last time she appeared at Council she was not clear with her communications. Franchisee dealing with owner or owner's designee is still not in writing and she would like to see in writing. On page 4 – item 4D, this action shall not waive requirement..... – Ms. Vaughn commented that this statement still needs to be clear enough so it's not subject to misrepresentation. She was unclear on picking up cans off of private property - - she felt that sentence needed fixing. On page 5 regarding multi-family it reads, "4 or more dwelling units." She feels that in the residential/commercial industry this language is inconsistent with vocabulary used. Ms. Vaughn added, "there was nothing in the ordinance that discusses (addresses) vacant units".
- Jim Rachels – remarked that he didn't have a lot of positive things to say about the ordinance; he feels it's a flawed document. He stated that if there are no fees

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why is it mentioned in the document. He added that the City Manager told him that the City doesn't like citations because they do not want to be heavy handed – yet language written in the ordinance speaks of liens, etc. Also, if the property shall become the property of Benz and the City then why should he have to pay? "Cannot haul for others," is stated yet the City Council said it was OK in a prior council meeting. This appears to be a diversion (in his opinion). To divert attention that the ordinance is flawed and the City is at risk and that law has been passed by citizens. He felt what the Council was really doing was stalling.

- Timothy Jacobs – commented that he does property management and by not allowing property management to handle, it has become a nightmare. He stated the lawyer talked about changing that but it (ordinance) doesn't say anything about changing that.
- Ronald Porter – felt there were so many disappointments on this (ordinance). People are saying City Council should be run out of town and this is a socialist document. Nuisances incurred by city 13.6.2D. This violates due process and separation of powers. This body is going to be making and enforcing the law. This is a declaration of war against the citizens. This is written as you will obey me or else.
- Mayor Morgan stated that he has asked for no applause for a purpose. He is asking in order to keep Council meeting moving. He stated he is asking respectfully.
- Mary Frost – vote last Tuesday about measure A and B went down in flames. If mandatory trash has gone away I don't understand what is going on. The vote was not for approval for something else – I don't understand how we got to this point. If law says we have to have mandatory trash every week, then on holiday we don't get pick-up.
- Dave Matthews – commented he has stood at the podium many times saying that he would like Benz to take his garbage and he would like to take his recyclable material to the recycling center in town. He has been skimming through the document and he still doesn't see what he has requested. He remarked that he is losing his patience.
- Stan Rajtora – stated he has provided written comments to all Council members. He commented that he understands the fundamental issue - the need for recycling - and he understand that some mandatory recycling may be justified. One former ordinance took out mandatory trash and this document has it back. He stated, "I don't know, is someone going to be hoarding trash". He doesn't see the reason for mandatory pick-up. In his opinion the problem with this new ordinance, is that we are not looking at franchise - not looking at cost scenario. He doesn't know if this ordinance is going to cost him more money. He stated that cost is an issue. He feels it's important and we will not get around it if we don't address it. He mentioned that the last time he was at Council, he suggested good use of \$200,000; "that we hire an attorney". He pointed out that

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he sees Benz's fingerprints all over this. He added that we need to start involving the public – "we are going in circles until cost issue is solved".

- Alex Unknown Last Name - stated he is unclear on what's going on. It seems to him that for many years we had one trash can and took cans and bottles to the center. He doesn't understand why we have to opt-out or opt-in. He doesn't understand why we can't have one can for garbage.
- Brian Waterman – stated that there a lot of definitions at the beginning of the ordinance. If you have the word "collection...." in section 13.2-3 he asked what is your definition of subscribe? If it's mandatory, why are you telling us we have to subscribe? Section 13.2-C applicant shall only haul solid waste... Section 13.2-1C it says you can delegate; there appears to be a conflict there. "I would like to ask the public to please raise hand if you agree with the ordinance". (noted that most hands in this audience were not raised).
- Dave Hill – asked what the definition of voluntary is? He stated that he either has to do it one way or he has to do it another way. In his mind that is not voluntary. He does not believe the intent is to recycle or divert. Neither proposal will achieve success. He believes this is a way to control.
- Ronda Gilt stated that this may require an application fee and Mayor Morgan said that it may require a fee in the future. Every year she would potentially have to come down to City Hall to fill out form. She would have to prove this via receipts – this doesn't sound like voluntary to her. We are forcing people to act one way or another. Comply with Benz or the City. This is not what people voted for on June 8th – not what people have been telling you (Council) meeting after meeting. "This tells me you are not listening and I ask you vote against this ordinance".
- Walter Maurer – "how long will it take this Council to understand what this community is asking for? Why not put it on the ballot and then fight to represent our point of view? Gentlemen – do the right thing".
- Ron Buyer – if we the residents can comprise only 7% of the landfill required than why do we have such mandates? If it's business and commercial that commits - how do we citizens know that commercial is being complied with. We know that we are being threatened. It seems so unfair. We want to do recycling and trash – we have not gotten level of service. This is not right – it's not fair. He understands Benz wanting their money, but he feels Benz needs to be bought out.
- Unknown Speaker – when you go to county dump, they will not give you a weight certificate. This is almost impossible. For those not complying, write a ticket and leave the rest of us alone.
- Benny Aman – (Florence St.) – received two trash buckets. The City has an ordinance, that's good – stay with ordinance. Those that want apply and those

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that don't want don't apply. He liked it before ordinance came up – should go back to old ordinance and every one will be happy.

- Unknown Speaker (women speaker would not provide name) “I feel like I'm in the Roman Empire, where you pay taxes and someone demands that you pay it or you get thrown into the arena to the lions.” She felt good with measure when they came back and thought we were through with these things. She hopes no ones signs this – it doesn't say anything. Looks like we are being spanked. She has been here (Ridgecrest) since 1965 and for the first time feels like the people we elected – feels like you have been threaten. She added, since when can't we use the freedom of speech – can't clap. You don't demand something from someone, you ask. I will put the rest in a letter.
- Timothy Byer – stated he received a notice from County of Kern notifying him of a fee increase from county as well. He thinks this whole thing should be re-thought. There is no freedom in mandatory.

8:13 p.m. Mayor Morgan Closed Public Comment. He thanked everyone for their comments.

- City Attorney Keith Lemieux wants to get opinion from City Council regarding owner/designee. Noted to strike fees. Commercial subscription using for residential trash.
- Councilmember Taylor added that under section 13.2.3, he believes that exemption (commercial subscription) is covered.
- Keith Lemieux asks, that would be you methodology. Multi-family dwelling units 4 or more or 5 or more – all members agreed 5 or more OK.
- Vacant units – Mayor Morgan stated that per discussion in past, that if property is vacant, there should be no charge. Councilmember Taylor stated that is not obvious enough (in section 13.2.3D). City Attorney Keith Lemieux stated we could add language. Councilmember Taylor added that his personal biggest annoyance if property is vacant, there is nothing to divert. He would personally like to see a sub-section. Billing would get ugly – this is not clear enough.
- City Attorney Keith Lemieux asked how vacant is vacant, (section 13.2.3D). We need to have people opt out if people are out or on vacation. Mayor Morgan asked does Council want to say at least a month? We need to have you understand that you know it is more than CRV.
- City Attorney Keith Lemieux asks any points raised by Section 13.2.3B? Councilmember Taylor suggests two paragraphs – one for solid waste and one for recyclables. City Attorney Keith Lemieux stated requirements are set by the state on refuse. Point is a sanitary requirement which is set by state unless act of god, union strikes, etc.

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- City Attorney Keith Lemieux – let's talk about effect of initiative. The initiative did not propose an ordinance, it was just a question. It was advisory – the correct interpretation was the effect; it was not legally binding – not an ordinance. Some people believe that by not passing the ordinance tonight that the clock will turn back. If this does not pass, the mandatory system stays in place and there will be no self-haul provision.
- Mayor Morgan added if someone cannot haul their own trash.....no one is suppose to haul trash except owner; self-haul if done on voluntary basis. This ordinance is not intended for not starting service (business). If you elect to drive your trash to dump, it gives you the right to do that.
- Mayor Morgan added that putting this on the property tax roll (which is what Bakersfield does) they can provide that function at a loss; but they don't care since they have universal collection in Bakersfield. CalCity is currently under advisement from CalRecycle that they need to go to a two can system. Why do we have you come in and have you fill out paperwork – it is for state of California. There is a percentage of folks who will have service and percentage of self-haulers and hopefully we can coordinate those numbers. We have to try for all of our benefit. We have to try and see who is doing what at all levels so we can protect you on what state wants us to do. The intent is not to punish you. We want to give you the best opportunity to present to the state yet there are a few individuals here that want you to believe otherwise. We are trying to take your comments as well and make it work.
- Vice Mayor Wiknich commented that he does respect the vote of the people. He understands that we have to account for numbers for the state and 13.2.3 was our intent to make it voluntary for residents. If we do nothing it is mandatory for residents. He agrees with a lot of comments from the people; a) why don't we have it that any one can self haul – just do it once. Don't need paragraph B-E. We just need to be notified that person is going to self-haul and make it simple, but we (the city) do need to know. (noted that many people in this audience favored the Vice Mayor's recommendation)
- Mayor Pro Tem Carter is fine with that recommendation. He stated that some of the wording is based on negotiations with the state and some with negotiations with Benz. "However, to still come up (to the podium) and call us names is ridiculous. You can threaten me and recall me – that is part of our process." I do not want to bankrupt this city. We are forced to follow state guidelines. I'm proud with our elected officials, staff, and we have gotten movement from state. With complex issues everybody has to compromise." He wants to find a way the public can self-haul. Need to find something Benz and state will agree to. It takes comprise by everyone.
- City Attorney Keith Lemieux asked if everyone is in favor of Vice Mayor Wiknich's approach?

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- Councilmember Taylor commented if approved, owner occupied until changes. Not all about receipts, but simply making a phone call (not part of education process). How do we make sure residents opting out – how do we educate?
- City Attorney Keith Lemieux – the owner/designee may apply for exemption. Mr. Lemieux asks the City Council what are the ramifications if they are not self-hauling? Councilmember Taylor answered that can be dealt with that through nuisance. He added that his previous earlier impressions were that we had not much flexibility with CalRecycle.
- Vice Mayor Wiknich reiterated that any owner may notify the city (one time) that they want to opt out. City Attorney Keith Lemieux stated that there has to be some kind of written notification in order to inform Benz so they can pick up the can. Mayor Pro Tem Carter added that there has to be a paper trail. Mayor Morgan agreed that we need to provide education information. Councilmember Taylor added that he would ask that we can reference an external document as an education on what can be put in the blue can. Under section 13-2-4A – collection of fees, for occupied properties.
- Robert Eierman stated he thinks Council could take the sting out if they could call it a self-haul notification form vs. an application form.
- Audience question, “can the form be rejected”? Vice Mayor Wiknich answered, no.
- City Attorney Keith Lemieux asked, if you catch a self-hauler, not self-hauling, what happens? What are the ramifications? Councilmember Taylor commented that with that scenario (stock pile on property), it’s a nuisance. City Attorney Keith Lemieux then asked, should they (homeowner) then be required to subscribe to the service? Councilmember Taylor answered that in the spirit of what we got, “this Councilmember vows to bring the ordinance back.”

8:51 p.m. Mayor Morgan Re-opened the Floor to the Public

- Jim Rachels offered suggestion that since the Council is gutting the ordinance as written - take out the punitive language. Take out language with liens, property taxes, etc. He added, “our business with Benz is private as well.”
- Vice Mayor Wiknich cited an example of what if someone has x15 pick-up trucks full of trash and they leave town. The neighbors are complaining and flies are coming in their homes. This provides us a means to clean it up. Or what if there is hazardous waste that needs to be cleaned up – we need to recover. Jim Rachels commented that Councilmember Taylor pointed out that there is a public nuisance ordinance that covers that. This ordinance covers whether someone needs to haul or not.
- Ron Porter suggested having people sign form and have a list of what the City expects people to divert. Nuisance is already covered in government code – that

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is where you can attach people's property if the city has to clean up a nuisance. The City can charge – it's already covered.

- Alex Unknown Last Name recommended that people can give their driver's license. (noted that he was booed by audience participants regarding that suggestion)
- Brian Waterman brought up that the city attorney mentioned section 13.2.3D – Mayor Morgan commented, "that clause has been eliminated."
- Bud Clampt requested that when Council places their notice of what can be placed in recycle bin, that they be very specific.
- Von Myer – section 13.3.B reads collect once a week. He asked City Attorney Keith Lemieux that the state requires you remove trash once a week, however, if no trash exists then what? Councilmember Taylor answered that if you don't generate trash, you don't need to remove anything. For clarification, the service needs to be provided once a week. He added that for folks that want to pause their service; we need to work on that one. Mr. Von Myer stated that if he were to have a vacancy for 21 days that would be appropriate for me. He wouldn't want to go over a month and he would submit a paper.
- City Attorney Keith Lemieux recommends that 13.2.3 – the owner (designee) may submit an application for self-haul. Sections CDEFG are gone. Section H becomes Section C. He added that is a substantive change that he would like that change voted on. The commercial subs that use the dumpster – the vacant unit issue – the multi-family – comments from public will be incorporated in; that are appropriate.
- Ron Porter brought up unauthorized container. He requested that any container can be used as long as you close it. Mayor Morgan responded that, "we'll look at that."
- Vice Mayor Wiknich announced that he volunteered to drive the city – every city street, and he would like to submit that report to the Finance department. He added that we now have a completed list. He wanted to thank the P.A.C.T. volunteers.

Recommended Motions – 2 Motions

Motion to Waive Reading in Full Of An Ordinance Of The City Council Of The City of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Curbside Service

- Motion to waive this reading in full. Motion made by Jerry Taylor, second by Ron Carter. All approved.

Requires A Second

Motion to Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates to Curbside Service

- Motion to pass the ordinance as amended. Motion made by Ron Carter, second by Tom Wiknich. All approved.

Requires A Second

2. Joint Resolution of So. California/TRANE on Photovoltaic Field

Staheli and Bradley

- 5/3/2010 special meeting for resolution of photo-voltaic field. Approved. Staff report detailed funding and further resolutions. Security systems and project development fees previously allocated on RDA funds. Commercial construction 10% contingency. \$112,000 for partial payment on security system. Staff options recommends: RDA funding thru utility funds at \$3M at \$1.5M and then reimburse funds the development cost with interest. Not to exceed 5 year term.

9:29 p.m. Mayor Morgan Opened the Floor to the Public

9:29 p.m. Mayor Morgan Closed the Floor to the Public

- Mayor Morgan asked for a vote of approval for Resolution. Mayor Pro Tem Carter made a motion and Councilmember Taylor second the motion. All approved.

DISCUSSION AND OTHER ACTION ITEMS

3. America Recovery and Reinvestment Act Repayment Risks

Speer

- Dennis Speer discussed the advertising of the ARRA road rehabilitation projects and repayment risks. He stated that authorization to proceed has been received and the next step is to advertise. However, he brought up an example of how another city complied and oversights done properly and how negative impact findings (per audit) and audit team asked how was management prepared that they did not do engineering in-house. How did you bring on consultant engineering firm and they replied RFP process. They were asked for documentation and audit team said because the original design team not brought in and RFP process not done correctly - \$2M dollars was requested back.
- Upon hearing this story, Dennis Speer called Cal-Trans and they concluded that the City of Ridgecrest is not in same position; however they would stand behind the city. Mr. Speer asked District 9 for letter of support and they stated they

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would need to check and get back to Mr. Speer. The ARRA oversight team and Sacramento stated that they would not give a letter of assurance but calls and e-mails to Cal-Trans were assured and confirmed that the City of Ridgecrest would have to make repayment of ARRA funds. There could be a re-payment of \$5,200. Staff felt compelled to advise the Council and consider if these projects should go forward.

- Councilmember Taylor stated he is confident in moving forward. He added that he contacted Congressman Kevin McCarthy's staff and tried to engage the congressman on this issue.
- Mayor Morgan stated he has no concern but thanked Mr. Speer for bringing the issue forward.

9:38 p.m. Mayor Morgan Opened the Floor to the Public

- Joe Conway asked if we are on the hook for \$4M for street repairs on Norma and Mr. Speer answered that Norma was CDBG money, not ARRA.

9:38 p.m. Mayor Morgan Closed the Floor to the Public

- Mayor Morgan made a motion that the resolution attached be voted on and Mayor Morgan voted aye, Councilmember Taylor second the motion. All approved.

CONSENT CALENDAR

All items on the Consent Calendar are considered to be routine by City staff and will be approved in one motion if no member of the Council or the public wishes to comment or ask questions. If comment or discussion is desired by anyone, that item may be removed from the Consent Calendar and be considered separately, with public comment, before action is taken

4. Resolution No. 10-, A Resolution Of The Ridgecrest City Council To Grant A Designated Period For Two Years Additional Service Credit (Golden Handshake) For The Eligible Local Miscellaneous Members A. Taylor
5. Resolution No. 10-, A Resolution Of The Ridgecrest City Council Approving A Budget Amendment To Provide Funds For Construction Management Services For The South Norma Street (Upjohn to Church) CDBG Reconstruction Project From The Traffic Impact Fee Account Speer
6. Resolution No. 10-, A Resolution Of The Ridgecrest City Council Calling And Giving Notice Of The Holding Of A General Municipal Election To Be Held On Tuesday November 2, 2010 For The Election Of Certain Officers As Required By The Laws Of The State Of California Relating To General Law Cities Ford

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7. Resolution No. 10-, A Resolution Of The Ridgecrest City Council Requesting Consolidation With Kern County board Of Supervisors For Election Services For The General Municipal Election To Be Held On November 2, 2010 Ford
8. Council Expenditure Approval List (DWR) Dated June 4, 2010 In The Amount Of \$646,476.20 Staheli
9. Council Expenditure Approval List (DWR) Dated June 4, 2010 In The Amount of \$ 8,335.12

Motion to pass consent calendar in full. Motion made by Jerry Taylor, second by Vice Mayor Wiknich. All approved.

PUBLIC COMMENT

Persons wishing to address the Council on matters that are within the Council's jurisdiction and do not already appear on the agenda, may do so at this time. Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on this Agenda. Speakers are limited to five (5) minutes. The PUBLIC COMMENT section of the Agenda is limited to a total of sixty (60) minutes. Speakers are asked to provide their name and address for the record.

9:41 p.m. Mayor Morgan Opened the Floor to the Public for Public Comment

- Bud Klampt – if driven south on China Lake, the left turn on new light signal is behind the light pole. Councilmember Taylor stated it is being taken care of.
- Dennis Wiley – Leroy Jackson Park complex, new addition of over \$500,000. Mr. Wiley stated he has run 22 softball tournaments – 2 day tournaments. People rent motels, buy gas and groceries. About 8-10 years ago, the county had funds for another two fields. Now we have a bad complex and other teams do not want to come here. Money on the vacant land south of office should have been put towards fields. If there is a way to come up with funds to put in more fields and bathrooms to complete that project, he feels it would be beneficial to the city. Mayor Morgan stated that budget discussions are coming up July 28, 29 and 30th.
- Dave Matthews apologized for losing his temper earlier but he stated he got a little frustrated. Budget suggestion to reduce street lighting but friend suggested new LED lighting be used and some are solar operated. Look at these as an option.

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- Bill Conway asked when is the meeting with CalRecycle? Councilmember Taylor stated he is driving to Sacramento tonight for Policy Committee meeting. Mr. Conway asked if his suggestion of what was done in Berkley been looked into and Councilmember Taylor stated he will bring it up.
- Stan Rajtora commented that there was a lot of progress tonight but are missing levels of service and trying to get cost down and a lot of people would like to get the cost down and maybe have pick-up twice a month vs. once a week. Movement in that area would be appreciated.
- Gwendalyn Harris stated that by the courthouse and post office there needs to be a crosswalk there. She added that regarding the transportation system – she never had driver's license and neither do her children. There are no buses running to Bakersfield from Ridgecrest. Since there is no greyhound bus service into this city, there is no way for daughter to get to Lancaster to court and to see her children. Councilmember Taylor stated that there is there is a bus system. Dennis Speer added that those buses run on Monday, Wednesday and Friday. Mayor Morgan commented that "this is all we have. Greyhound left us".
- Howard Auld complimented Council members on conduct this evening. Summation on Armed Forces Day, read note from Assistant Secretary of the Navy Juan Garcia. Barbara Auld was pleased with way things went tonight. Howard Auld thinking of ways to help city get funds. He stated we can't go on losing services in the city. We welcome people to come and thinking of future generations. We want to maintain quality of life and thanked the Council for what they do. Howard Auld is working on what he has termed the "Ridgecrest Financial Recovery Program".
- Mr. Wiley stated that he ad his wife support the Council 100% and appreciate how hard they work and the hours they put in.

MAYOR AND COUNCIL COMMENTS

- Councilmember Taylor – Ms. Harris, ask city staff for a simple letter to the courts to educate them on our transportation system. He thanked everyone tonight.
- Vice Mayor Wiknich noted that while verifying addresses, he found a lot of things out there (in the community). He encouraged people to place addresses on their home. He stated it's important for emergency services such as police or ambulance. Vice Mayor Wiknich stated that one gentleman tonight stated he didn't think there was a lot of problem with trash, but he saw plenty of places with pick-up trucks filled with trash, and front yards with old refrigerators and side yards with trash piling up. It was amazing what he saw. He hopes his list helps our Finance dept. He added that he is giving away free 3x5 flags at Guns4Us.

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- Mayor ProTem Carter thanked citizens for the comments they made. He is proud of the Council and proud of resolution passed. Way to slow but getting there. He added that this was for you (the community) to opt out and it amazed him how many people didn't want Council to move forward. "Let's start working together – solve problems together – let's continue".
- Mayor Morgan hopes that Councilmember Holloway and are considering going to upcoming July League meeting. Voting delegates for Annual League Conference, please let Interim City Manager know. Once again you will be hearing the words – RECALL. The message from this Council is that we are trying desperately to do what you want us to do, but to hear accusations is getting real old – it's not true. Certain comments about my behavior and yet those folks, how do they address me and this Council? I have made a promise to myself to use the rules that I am allowed to use in order to take care of business – not to be disrespectful to anyone.

ADJOURNMENT

10:52 p.m. Mayor Morgan Adjourned the City Council Meeting

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.



Eva Peterson, Recording Secretary