



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

City Council Chambers
100 West California Avenue
Ridgecrest, California 93555

May 19, 2010
6:30 p.m.

This meeting was recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council/Redevelopment Agency. Meetings are recorded solely for the purpose of preparation of minutes.

CALL TO ORDER

ROLL CALL

Council Present: Mayor Morgan, Council Members Council Member Carter, Council Member Wiknich, Council Member Holloway, and Council Member Taylor

Council Absent: None

Staff Present: Interim City Manager Harvey M. Harvey Rose, City Clerk Rachel J. Ford, Chief of Police Ronald Strand, Director of Public Services Jim McRea, Director of Public Works Dennis Speer, Director of Parks, Recreation, & Cultural Affairs Jim Ponek, Director of Finance Tyrell Staheli, and other staff

APPROVAL OF AGENDA

- Add claim of Steven Towel to closed session
- Add Leventis Lawsuit
- Item No. 1 pulled for further discussion
- Add presentation of American flag to city of Ridgecrest

Motion To Approve Agenda As Amended Was Made By Council Member Council Member Wiknich, Second By Council Member Council Member Taylor. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 0 Absent.

CLOSED SESSION – 6:00 p.m.

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

GC54957 Personnel Matters - City Manager - Update Report

REGULAR SESSION – 6:30 p.m.

PLEDGE OF ALLEGIANCE – Special Presentation Of American Flag Flown Over The Nation’s Capital And China Lake In Honor Of Armed Forces Day.

INVOCATION led by local pastor

CITY ATTORNEY REPORTS

- ❖ Closed Session
 - Claim of Steven towel – claim rejected – notice to be sent.
 - Leventis – report – attorney directed to take care of matter, no other action
 - Litigation – report only, no action taken
 - Personnel matter – city manager recruitment – action to be taken in open session
- ❖ Regular
 - Eierman v. Mayor Morgan – update report – motion on Wednesday from city to quash service. Certain procedural steps in service not taken, procedures are set to give parties sufficient notice of the case. Bottom line is court granted city’s motion and quashed service.
 - Second motion – ex parte motion – limited basis undertaken on shortened time without same notice requirements. In this case petitioners filed motion to argue merits to argue their case on court order to place initiative on ballot for election. Motion never provided to us, city rejected on procedural basis. Trial court never heard because petitioners had not provided documentation, court sent everyone home.
 - Council has discussed and authorized attorney to try to recover costs.
 - Trash ordinance, originally on for second reading, pulled by attorney because currently involved in 4 party negotiations to ensure ordinance passed is satisfactory to state and to get county and Benz involvement. Intention is to bring back in June but give opportunity to close negotiations successfully.

COMMITTEES, BOARDS AND COMMISSIONS

Second Council Meeting (3rd Wednesday of the month)

Infrastructure Committee

Members: Council Member Wiknich, Council Member Taylor, Lois Beres, Craig Porter

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

Next meeting June 16, 2010

- Council Member Wiknich – have regular meeting June 16 but also looking at an overview from consultant for west Ridgecrest blvd. on June 14 at 6pm. Public forum to review plan and comment. Stand by for possible date change.

City Organization and Services Committee

Members: Council Member Taylor, Council Member Wiknich, Nellavan Jeglum, Lois Beres

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

Next meeting June 14, 2010

- Council Member Taylor – listened to city finance director report on budget process. City budget coming in near future.

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

Members: Co-Chairs Council Member Carter, Council Member Holloway, Ron Strand

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

Next meeting July 12, 2010

- Council Member Carter - No quorum, next meeting July 12

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- Council Member Holloway – league task force. Draft resolution and letter of support. Another resolution and vote of no-confidence now from other cities.
- Mayor Morgan – kern cog tomorrow evening.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

- None

ORDINANCES AND RESOLUTIONS

- **Item No. 1 pulled pending negotiations with Kern County**

1. **Ordinance No. 10-04, 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 introduced for first reading, by title only, at the regular council meeting of May 5, 2010. It is brought to the Council at this time for second reading and adoption

Recommended Motions - 2 Motions

Motion To Waive Reading In Full And To Adopt By Title Only, Ordinance No. 10-04 An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Curbside Service

Requires A Second

Motion To Adopt, By Title Only, Ordinance No. 10-04, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Curbside Service

Requires A Second

DISCUSSION AND OTHER ACTION ITEMS

2. **Resolution No. 10-, A Resolution Of The City Council Of The City Of Ridgecrest Creating The Ridgecrest Special Police And Fire Tax Area And Indicating Its Intention To Impose The Tax On New Development** **Rose**

Normal General Fund tax revenues generated by new residential and non-residential development are insufficient for the continued delivery of high quality police and fire services in Ridgecrest. This is particularly true of new development on land recently annexed to the City since only 37.5% of property tax revenues come to the City upon annexation. Section 53978 of the California Government Code allows a method for new developments to pay their fair share of the increased demand for Police and Fire Services; thereby reducing the drain on General Fund revenues that also pay for other municipal services. Pursuant to Section 53978, the attached resolution creates the Ridgecrest Special Police and Fire Tax Area and declares your intention to tax new development to pay for its fair share of police and fire services.

- **Comments**

- Harvey Rose gave staff report of state borrowing of municipal funds. State continues to propose alternative means to target local funds. Allows state to defer choices of balancing state budget and makes more difficult for local governments to balance budgets and maintain services. Local government transportation and safety protection act to be on ballot. Initiative prevents governor from taking local tax revenues dedicated for municipal development. Covers various property tax and local taxes including transit occupancy and redevelopment. Current budget preparation to be previewed later this evening. Past ten years budgets reviewed and projections for next five years. Need provisions to increase revenues to maintain services. This item makes provision to levy a tax on new development. Current revenues are insufficient and include recent annexed land. County receives larger portion of property tax revenue. New development has increase demand for services, increasing demand with declining revenues. Development plan statistics for police and fire services were given. New developments can pay for increased demand for police and fire services. Asking council to adopt resolution to create tax area, does not impose tax on existing or new development, just sets framework to give capability for future developments. In order for new tax to be levied, must vote on 218 elections. New owners would pay additional tax. Amount is negotiable, staff recommending sum equal to that which we fail to receive on new annexed property. Discussion also should be whether to include residential and non-residential development. State has recognized that there are so many ways to avoid taxes for non-residential, they are attempting to close the loophole, if successful will help all government taxes. Tonight might want to state residential but delay non-residential. Explained attachments. Revenue source cannot be estimated, depends on number, size and timing of new developments. Ridgecrest budget in trouble and need way to fund future of city. Staff proposing every way we know to help situation today and in future. This is for the future, won't help budget next year.
- Council Member Taylor – understand annexation but having tough time passing along to voters. Can see developer 218 hearing would only be between developer and city. Can't quite buy into this but understand annexation.
- Council Member Holloway – agree with Council Member Taylor, this would be annual assessment. How did you get the number?
- Harvey Rose – can discuss the number, staff number is estimate equal to what we lose when we annex property. This code was created to allow cities to overcome the diversion. Prior to the law change cities received all revenues, new law allow counties to retain all revenue. Cities negotiate split with county but always receive smaller amount. Few years ago negotiated an increase from county but still mean approx. 2/3 of revenue received by city but are expected to provide municipal services. The six dollars and change equates to the 2/3 we lose.

- Council Member Holloway – makes sense but have another measure in place. If put this in place, ruin value of raw land. Puts disproportionate burden on public. Entire community should support fire and police, not just one developer. Recurring tax, appalled that every city solution to problem is to tax and charge for every service. Burden the people. No different than AB32. Cannot support.
- Council Member Taylor – support police and staff but not willing to take to people unless broad based and affects everyone.
- Council Member Carter – open to the idea, need to find way to generate more revenue. If we don't employees and services will be hurt more. Employees have been keeping services alive for citizens. More cuts mean personnel.
- Mayor Morgan – difficult subject, appreciate staff bringing as alternative solution. People have been asking for way to protect police services in community. This measure is due to fact less revenues being received on new development because of changes made at state level. Older homes are paying more for services. This adjustment makes more level field to city for police and fire services for newer development. Can pass and not act upon. If you pass resolution and do not act on it and wish to take another beating by putting forward another tax for police and fire services which would probably be voted down, we have mechanism in place for future. Believe this is the path we need to take, gives opportunity if another measure fails. Don't forget that fire contract will begin increasing. Having trouble today, 100% assured to have more trouble in future. This is measure we can pass but do not have to act.
- Council Member Taylor – clarify statement, different distribution on property tax of existing homes.
 - Harvey Rose – not referring to distribution, next year budget shortfall, every new development pressure on to provide new services.

Public Comment

- Carol Vaughn – 100% of 0. Can't tell from this conversation whether talking about tax on new annexed property or every developed.
 - Harvey Rose - New subdivisions
 - Carol – new subdivisions already annexed get same funds. Only talking about shortfall in newly developed part but will tax everyone who develops new property. Currently have people coming in asking why cost of homes is so expensive here. Perceived by public that construction cost is higher. Pulled permit and costs past, present. Permits costs given. Increase of 137% in 10 years. Causing cost of construction to go up. Base recruitments rely in past on living cost, schools, base jobs. School layoffs, water service fees increased, building permits up. Won't do good to put tax on non-existent item, if can't recruit people for homes, won't

matter. Agree with Council Member Holloway and Council Member Taylor. If going to tax for police and fire services, entire community should pay for it. Fire safety in new homes vs. older homes ratio would be higher in older homes. If not careful where and how you get more revenue, will discourage new development. Increase tax bill also discourages purchases in new development. Reason don't have enough in this town is do not have enough large businesses that pay tax. Base, school and hospital don't pay tax. Practical way to raise money is to get businesses that pay tax, or get base to pay impound fees to keep town small. Need to find a way to get more tax from everyone, hard to get people to pass new tax. New business or not? Need to pay the bills and community needs to make that decision. Can't keep taxing the homeowners. Base is largest employer, if keep putting burden on housing community people won't come here cause can't afford it.

- Stan Retoraj – what city committee is sponsoring resolution?
 - Mayor Morgan – staff not committee
 - Stan – if didn't get vetted by committee, have a lot of questions. Don't understand it. Something like this should be vetted thru committees. Current fee we get from annexation isn't enough to support general fund. What is percentage property tax revenue from rest of city overall, what is percentage
 - Harvey Rose – city receives six cents on the dollar from all property tax dollars.
 - Stan – when we annex city gets 37%
 - Harvey Rose – speaking of tax that would normally come to city, getting 2.2% of the dollar
 - Stan – if we annex land get 37% of total property tax of that land. If look at vacant land within city that is not developed, what is percentage of vacant land in the city.
 - Harvey Rose – same as developed land.
 - Stan – same revenue off vacant land as off all existing land, don't understand the discrepancy.
 - Harvey Rose – old proposition 13 froze property tax if voted in. if property in city is developed, doesn't pay the increase in demand for services, only existing services. Value of property increase, additional tax revenue but not enough to pay for increased demand for services.
 - Stan – scenario of increase house value.
 - Harvey Rose – old prop 13 freezes tax structure unless property is sold and reevaluated.
 - Stan – don't understand, person who know ahead of time they will be taxed when annexed, would rather live in old house and be taxed at old rate than new house with new rates. Take thru committee would be appropriate. Also, just annexed acres in town knowing would only get 37% that was a mistake.

- Dave Matthews – hope you reflect on what Ms Vaughn stated. Was aired at city org committee but did not have quorum so no action taken. I am envisioning a mechanism whereby in underhanded way can get tax increase on property about to be built, with only one or two voters in special election. Common sense, taxpayer has right to vote on whether to be taxed, should be his vote and not somebody else (developer). Understand don't have to act on but implementation in place for this to proceed. Going to put impediments in new development. Encouraging people to come visit, most hotels full by contractors visiting base, but other people do come. Why stay here is can get cheaper room outside city? Would be in support of tax locally. If I pay money here in taxes for services rather than send to Washington to siphon off before sending it back, would support that if there is statement that we will fight back and prevent state from taking our funds.
- Robert Eierman – take opportunity to say may agree with Council Member Carter need additional revenue. Agree with Council Member Taylor and Council Member Holloway that worst approach is to go into unfair tax base situation where I am taxed differently than neighbor. By doing this kind of tax would encourage developers to go outside city limits. Undeveloped land within city that is developed increases revenue to city. Don't want to have to say am a member of community that taxes citizen based on age of house. Will drive away businesses and new development. Won't accomplish goal of increasing revenue. If we need revenue, then tax all of us or put in front of voters. Not be unfair.
 - Mayor Morgan – when prop 13 passed, different properties began being taxed differently
 - Eierman – of course, but when I sell my house they will be taxed differently. This is for new development. Tax structure should be same for same valued house.
- Ron Porter – agree with Council Member Taylor and Council Member Holloway, not good idea to move in this direction at this time. Question of vote?
 - Harvey Rose – vote of developer, not entire city.
 - Porter – agree with Mr. Eierman, when you balance tax differently on different people. Really need to address the state taking money from local government. Just shows need to address in different fashion, no matter what we do won't change anything until things changes with the state. Taking more to the point we cannot survive. If can help as citizen to see this changes, more than willing.
- Harvey Rose – asked Ms Vaughn if real estate sales have declined in last four years. Raw number of houses sold.
 - Vaughn – significantly less than a few years ago however is up and down. at this time only seeing slight moderate growth.
 - Harvey Rose – some growth

- Vaughn – number of houses for sale in 93555 has stayed same for past six months, risen over last year. Is not necessarily due to new construction, but people marketing property that was previously rentals. Want to reiterate cost to build subdivision; people buying in new subdivision are already paying higher tax than those who have been here a long time. Sounds like luxury tax. Might be good for resale business but not good for new development. Already getting increase in tax revenue because new and cost more. Been my experience \$780 makes a difference in people's lives.
- Jim Rachels – authority of government to tax requires legal and moral authority. City manager says budget is in tank, so few ways city is looking to fill the tank, furlough of city employees, introducing future taxes. Local trash hauler paid thousands and no attempt to stop the hemorrhaging. Riding on the backs of employees and citizens to fund that hemorrhage.
- Stan Retoraj – when water board wanted to raise fees went thru scenarios of different usage and meter sizes. Could compare before and after. Would ask City to put together different scenarios of housing costs in different areas showing different tax rates. Need real numbers. No idea where these numbers are coming from. Would like to see the math and show people there really is a difference. Admit if an annexation issue it should also be included.
- Howard Auld – thought is really not addressing real problem. This in some aspect talking about pennies when should be talking about millions. Small activities won't do it, presentation at 1:30am council meeting, premise is that we depend on the base for livelihood, they depend on us. If we are not healthy station will have problems bringing people in. need to be politically astute, get to upper level of organization. News reports of small state and small town governor receiving 9 million dollars for athletic pavilion and 400 million to build bridge city should authorize small team to seek out funding opportunities. Can be done on your own but better to have city authorization. Congressman McCarthy comments was grants to cities disproportionate, back east gets more should work on government support. Need to get upper level political people on our side. Money is at federal level. Ask for appropriations and funding. Dealing with peanuts but need to go for big money. City has lost millions, go where the money is.
- Neal Chrisman – concerned with any increase to construction, price of housing has gone down, if increase fees will be less money to pay those who do the work or manage the project. Slow down of construction. Poor place to get money right now, housing costs continuing to go lower. Will be taking money from the workers who are constructing the houses.
- Betty Bassinger – in favor of spreading cost for fire and police to all citizens. Concerned with new construction in college heights.

MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

May 19, 2010

Page 10

- Council Member Wiknich – do not support new taxes, but would like to make sure everyone understands there is no city tax. Shocked at how good we have it in Ridgecrest, in Ohio there was state, county, city, fire, transit, police taxes. My comment is we have it good here as far as tax base and need to protect that. Built house in mammoth and fees where almost 300% more than building in Ridgecrest. Only way could afford to do it was to build with own two hands, over \$40,000 in permits before evening beginning to build. Gave tax rates for new construction but don't like idea of new taxes.
- Council Member Taylor – earlier comments, have tried other forms of revenue. Did try to get payment in lieu of tax. Do not get tax from major business in town, low tax value of property. Sales tax down when people shop out of town. Gave statistics of kern county revenue from federal government. Need to look at other revenue streams. Needs to be done city wide. Arizona passed a new sales tax. Not in support of this one. Do support annexations only.
- Council Member Holloway – heard nothing to change mind, appreciate Harvey bringing forward. Need more ideas and revenue sharing is supported. mentioned national consumption tax book and asked people to read. Fairtax.org
- Council Member Carter – getting more people elected nationally that feels that way, open to this, have to work with what tools we have and need to add revenue. Concerned with budget for next year. More concerned with following years. California property taxes are not equal, if can capture some of the revenues we should be getting then feel we need to do so. If we don't do now, feel will still have to do in future.
- Mayor Morgan – thanked staff for bringing forward, few plan B's over years, heard from development community they don't like this. Encouraging that the voice said that if we really want to do this should do across the board. Show of hands for support for police and fire, about half raised hands. That type of tax would require larger percentage. This is dilemma faced. A reality if don't do something, police will be layed-off and fire contract will go up. Take to committee and change language for annexations. Try to get numbers.
 - Harvey Rose – would also suggest excluding non-residential development.

Direction only, no motion.

3. **Resolution No. 10-, A Resolution Of The Ridgcrest City Council Approving By Reference And Authorizing The Mayor To Execute An At-Will Agreement For City Manager Services** **Rose**

The position of City Manager was vacated November 17, 2009 as a result of the retirement of Michael D. Avery and has been operating under the direction of Interim City Manager Harvey M. Harvey Rose while staff has conducted a recruitment to fill the vacancy. After extensive advertisement, interviews and background, and negotiations with one candidate, an at-will employment agreement has been accepted by the candidate. The agreement needs to be accepted by the City Council.

- Harvey Rose – gave report of recruitment process. Position offer extended to candidate and contract negotiations.
- Mayor Morgan – read bio of Kurt Wilson to audience. Mr. Wilson is candidate select and has accepted terms of the contract. Position to be filled beginning August 1, 2010. Prior to that date will be meeting with staff and Mr. Harvey Rose to get up to speed on current issues. Believe new and different views of council's ability to work with state and federal government. Outstanding reviews and exceptional background.
- Harvey Rose – gave outline of resolution and contract provisions. Asking for approval of resolution
- Mayor Morgan – in addition to meetings with staff, hope to set up meeting with public

Public Comment

- Ron Porter – believe council violated brown act by not putting contract before public prior to voting.
- Howard Auld – go for it.

Motion To Approve Resolution Made By Council Member Council Member Holloway, Second By Council Member Council Member Holloway. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 0 Absent.

4. **Fiscal Year 2010-11 Budget Presentation To Council** **Staheli**

The Director of Finance and Staff has prepared a draft Budget for Fiscal Year 2010-11 to be presented to Council for preliminary review. Budget Hearings will be set at a later date for in-depth discussions and revisions.

- Harvey Rose – gave past budget report of one-time funds used to balance the budget for previous years. Each year managed to put together additional revenues to cover the downfall. Common practice for a year or two but eventually run out of one-time revenue. Current budget in operation used 1.5 million in one-time revenues. To duplicate the current budget were already in whole 1.5 million dollars then state shorted transit

funds \$700k. currently underfunded by 2.2 million dollars. First look at budget took radical position suggesting a lot of cuts and not giving consideration to politics. List what cuts would have to be to balance budget. Total 7 positions with other cuts especially in police, encouraged employees to take golden handshakes, recreation is subsidized by general fund and activities generally paid by fees but still subsidized. Gave figures of certain recreation areas that are subsidized. Suggested closing the pool, giving senior center to county, concreting medians. Also looked at not sending funds to outside organizations such as RACVB, chamber, youth advisory committee, quality of life committee, sister city committee. All organizations are important. Also eliminated travel and training for staff. All training except what was required by law. Having said that also made commitment to continue to look for alternative revenues to supplement general fund. Also conducting labor negotiations with city labor groups. UFCW already agreed to concession to continue furlough. All labor groups have indicated willingness to cooperate with reductions. Trying to help us avoid laying off as many positions in city. Moving money, proposed two things. First a development impact fee funds that council implemented 4 years ago and funds have been accumulating for capital purchases and non-personnel items. Requested Tyrell to move some of these in, public works street pothole maintenance were able to cover \$500k with these funds leaving that amount in general fund. Purchasing equipment from this fund has also left \$630k in general fund. In police department, squad cars can be purchased with grant funds and the development impact fund. Other area looked at, redevelopment agencies avoid using funds for programs but law say can use for programs if connected to redevelopment area, which is all of Ridgecrest. Typical use is to pay for police and is proposing to pay for 2 officers which saves general fund \$240k and other funds also moved from impact fund for other equipment. Other things is one vacant officer position has been un-funded. Using \$160k impact funds for parks equipment purchases. Taking all into consideration, met with all department heads and made cuts. Still proposing two layoffs rather than 7. Currently shortfall is less than \$400k. believe by next council will have a balanced budget proposed and will schedule special meeting to review department budgets. Today, may want to discuss use of development impact funds and redevelopment fund.

- Mayor Morgan – document coming which will become public information, will be available online or paper copies available at approximately \$10. I am concerned with redevelopment funds. Understand reasoning and if Mr. McEwen isn't giving personal report, would like to get documentation from him as to legality. Primary point is only have so many dollars left after what state took this year and in future. Need to keep that opportunity viable, concerned taking money will impact viability. Will also get argument about redevelopment bond. Don't think appropriate to spend redevelopment dollars on programs. Will discuss other programs and

projects and cuts at meetings. That's what the entire process will assist with.

- Harvey Rose – by doing what just described, all payments to outside organizations are still in budget. Radical approach to recreation cuts there are none at this moment. Would still have to find \$400k somewhere but at moment cuts have not been made?
- Council Member Wiknich – regardless of final budget, don't want to see any layoffs or cuts to police department. That is my first priority. Would need Chief to assure these cuts will have no impact. If there is an impact will need to know what kind. First priority is to have good police department. Laying off employees, want to know the impact. Do we have people to pick up work load? Will work productivity take longer? Going to have to make hard decisions. With sacrifices employees already making, need to know the impacts. Strongest critics left as soon as discussion began. Amazing that going into this hard budget cycle, they are not here to begin. They will be here at the end and won't have history of the process.
- Council Member Carter – thank Ty and Mr. Harvey Rose, come a long way since last report, must have a balanced budget, difficult choices, don't want to lose employees or make cuts in police but that is not reality. Continue making cuts necessary and services will be affected. State, county, city, and school district employees are subsidizing state of California and that is wrong.
- Council Member Holloway – agree with Tom, police department is overworked at this point. Hard to recover once taken away. Redevelopment issue, agree with Mayor Morgan. Reserve money for potential capital projects. Want to put every dollar of redevelopment money we have into projects. Golden handshakes, take a look at other approaches. This is better than we've been the last couple of years.
- Council Member Taylor – appreciate what has been passed on. Agree with police comments, not the time with what state is doing. Did get two police officers thanks to grants. Thank staff for contributions. Concerned with agreement relative to impact fees. Want to see details of impact fees, were to be used to improve streets. Understand Mayor Morgan's concerns with redevelopment, not well for long-term, this is a one-time version just different pot of money. Have to be creative in this hard time. Looking forward to details. Expecting park and recreation fees to go up. Will help offset costs in other areas. frustrating for the transportation losses. Little freedom for what we do.
 - Harvey Rose – don't mean disrespect when say you have to get real. For years been eliminating jobs and laying off departments, many that once were multi-person are now single departments. Police have been protected as sacred cow. Unless you are willing to eliminate services, then have to continue to find one-time funds or look at cutting police and wherever else can make cuts within the city. Nibbled away at parks and recreation. Police department

people say important, say can't cut parks and recreation. People want to get rid of regulatory functions. Get real and I know there are no other sources of funds to go to, have look for them. If don't use them then be ready to tell us what services you are willing to eliminate in next go around.

Public Comment

- Dave Matthews – two facilities mentioned tonight concerned me. Senior center don't frequent as often as other but wanting to give to county, they have to be willing to accept it. Facility is one of a kind for seniors.
 - Harvey Rose – don't want to shut it down, was built by county and county is running facility but city is still paying for maintenance of building. Someone suggested deeding swimming pool for school district. Everyone has own problems and won't take it.
 - Matthews – mainly frequent senior center to attend meetings, however this particular chapter does not pay rent. Suggest they and other organizations pay a nominal fee for rent of the building. Other facility was pool, is a unique facility for this valley. Perhaps use fees could be increased.
- Stan Retoraj – apologize if missed, didn't hear anything about road maintenance. Would like to remind that has been mentioned over past few years that if spend dime this year can avoid spending dollar next year. Need to spend certain amount on roads. Let's make sure cost doesn't get worse.
- Richard Wagner – can we redirect juvenile delinquents to maintenance and welfare recipients, can we utilize them to perform some of the tasks. Last time used swimming pool contracted chicken pox, but son loves the pool.
 - Council Member Taylor – preschool program is the program that is self-funded
 - Harvey Rose – school is unable to pay for CHAMPS officer
- Mike Neel – when we have something to see with figures, people will not get up and leave. Last year number of us here at budget hearings and had to wait to end of long meetings to have public comment. In general, can see in a position with everybody in country to protect their piece of turf. Only way to get around that is take bottom up approach and start with most essential things till out of money. Not easy but simple. If have to lay off people, then so be it. Agree with Mr. Harvey Rose, got to get real. Not going to get better if can't trim spending to compensate for reduced revenue stream, will hit that rock where there will be nothing left.
- Howard Auld – really saddened by what I've heard this evening. Have a city in 'code blue'. If don't bring in money then next year will be worse. Must take positive action. Get people willing to go after this money? I've become a professional beggar; have to beg for money to fund organizations. Have a city that is dying. If only takes one person willing to

go out and beg, happy to volunteer. Payment in lieu of taxes. Contiguous with base, can't get money from them. Don't know the method, go up the chain and say Ridgecrest is asset to whole nation because we are the bedroom community for that station and if it is going to grow we have to have a healthy city. Cuts heard this evening are destructive. Find a way to make the payment in lieu of taxes formula work for us. County kept the money didn't come to us. Save our city.

- Mayor Morgan – city has tried various methodologies on payment in lieu of taxes. Have tried many avenues. Just haven't hit the right key yet but have been trying.
- Howard Auld – don't take 'no' for an answer.
- Mayor Morgan – thanked staff for report. preliminary documents available online, if want a copy inform finance department and price will be determined. Copy in library and city hall counter.

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.

Motion To Approve Consent Calendar Made By Council Member Council Member Taylor, Second By Council Member Council Member Carter. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 0 Absent.

5. **Resolution No. 10-, A Resolution Of The Ridgecrest City Council Approving A Community Development Activity Agreement (CD#17.09.3) With The County Of Kern For CDBG Grant Funding For The Reconstruction And Widening Of South Norma Street From Church Avenue To Upjohn Avenue, Authorizing The City Manager To Execute This Agreement, And Accepting The Terms Of The Receipt Of CDBG Funds** Speer

A Resolution Of The Ridgecrest City Council Approving A Community Development Activity Agreement (CD# 17.09.3) With The County Of Kern For CDBG Grant Funding For The Reconstruction And Widening Of South Norma Street From Church Avenue To Upjohn Avenue, Authorizing The City Manager To Execute This Agreement, And Accepting The Terms Of The Receipt Of CDBG Funds.

6. **Resolution No 10- A Resolution To Enter Into A Professional Services Agreement With The Consulting Firm Of Provost And Pritchard As The City Advisor And Owner's Representative For The New Wastewater Treatment Facility** Speer

A Resolution To Approve a Professional Services Agreement with The Consulting Firm Of Provost And Pritchard As The City Advisor and Owner's Representative For The New Wastewater Treatment Facility.

7. **Resolution No. 10-, A Resolution To Approve The Professional Services Agreement With The Engineering Firm Of Penfield And Smith To Provide Consulting Engineering And City Engineer Services For The City Of Ridgecrest** **Speer**

The City of Ridgecrest requires the services of an engineering consulting firm to provide engineering services for the City, as well as, to act in the capacity of City Engineer. The proposed services are on an as-needed basis. If there is no demand, then the services will not be rendered. The City solicited proposals from qualified consulting firms to perform the subject professional services. A selection committee reviewed the proposals, interviewed the top ranked firms and selected Penfield and Smith as the best qualified firm for the project.

8. **Resolution No. 10-, A Resolution Of The Ridgecrest City Council Accepting Irrevocable Offers Of Dedication And/or Temporary Construction Easements From Property Owners (Grantors) Of The Following APN's: 477-060-44 (Mary E. Stokes), 477-060-16 (Donald J. And Donna Mae Hart), 478-091-18 & 478-091-19 (Jerome McMillan), 477-060-07 (KEO #7) 477-060-39 & 477-060-41 (Phoenix Assets Management), In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Certificate's Of Acceptance** **Speer**

A Resolution by the City Council Accepting the Irrevocable Offers of Dedication and/or Temporary Construction Easements and Authorizing the Mayor to sign the Certificate's of Acceptance.

9. **Minutes Of The Special City Council/Redevelopment Agency Meeting Of May 3, 2010** **Ford**
10. **Council Expenditure Approval List (DWR) Dated May 5, 2010 In The Amount Of \$14,141.31** **Staheli**
11. **Council Expenditure Approval List (DWR) Dated May 7, 2010 In The Amount Of \$169,948.31** **Staheli**
12. **Agency Expenditure Approval List (DWR) Dated April 29, 2010 In The Amount Of \$2,520.00** **Staheli**
13. **Agency Expenditure Approval List (DWR) Dated May 7, 2010 In The Amount Of \$261,668.32** **Staheli**

14. Agency Expenditure Approval List (DWR) Dated May 10, 2010 In The Amount Of \$6,480.00 Staheli

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.

Opened at 9:25pm

- Richard Wagner – can sell a tax, list current crime rates and success rates of police force. Believe can be done. Public safety, IWV Water District and city street workers. Common to place a couple of cones during work. Am concerned with how these utilities do not place proper safety or flag men in place when working on road. Closure of Lincoln without any signs, did not close street with roller, Sunland closure has improper cone placement, also china lake repair of cracks, did not merge properly with cones. Do we have ordinances that address set up and is there a department that enforces this type of issue? Told spouse this was accident waiting to happen. USDR desert race on Saturday and Sunday for children and adults. AMA race is weekend of 22 & 23. A day and night races. Tomorrow at 5:30pm at fairgrounds meeting regarding motocross track.
- Carol Vaughn – been reading trash ordinance and making comments. Couple areas of concern, ask someone to write this in a way that cannot be misinterpreted. 1. Removal of trash from construction or demolition by contractors. Substantial cost to home builders to remove rubbish, cannot tell from this paragraph what this says. Haul to dump or required to contract with hauler. Is this something that will create additional cost for contractors? 2. As real estate broker with property management, no provision to allow property managers to start/cancel/pay service with hauler. Have been told by Benz repeatedly that only owners can contract service. Some owners are in other countries and can't just pick up phone to start and stop service; even local tenants with contract for lease can't start or stop service. Common sense, don't tell property manager they cannot start or stop service. Needs to be readable on normal everyday people. People need to know what they can or can't do. Need to know we won't have to fight with franchisee who will only talk to the owner.
- Dave Matthews – also mention title still for curbside services. For what? Can also add to Mr. Wagner comments about front loader compacting asphalt is only temporary fill, think on Norma is the permanent resurface,

but other day was coming out onto Drummond, obvious that work was going on only as started to make right turn couldn't figure out which direction to go. Cones not clear. Also with respect to water district, city modified water ordinance, advertisements by water district which I believe are inaccurate. Also, earlier today went to funeral of long-time resident, used to be game warden Carl McKinnon.

- Council Member Taylor – make sure you get copy of water district ordinance also.
- Stan Retoraj – have letter regarding vacant property exception. What committee sponsored this effort? Would have been nice if this had been vetted thru committee. Did council vote on this program?
 - Mayor Morgan – city council is trying to change the rules, tried to formulate a program that would work for the community.
 - Stan – this is for current program. Why is 3 month stipulation? Exemption doesn't start until city was notified. Will be happy to provide questions for answer.

MAYOR AND COUNCIL COMMENTS

The Mayor and Council Members may make a brief statement. In addition, Council Members may ask questions of staff or the public for clarification on any matter make a request of staff for factual information, or request staff to report back to the Council at a later meeting concerning any matter. In addition the Mayor or any Council Member may direct the City Manager to place an item of business on a future agenda.

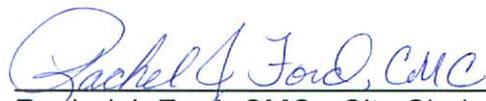
- Mayor Morgan – has become apparent that no matter which way city turns on whatever subject, no matter how they desperately try to please, not going to please some persons. It's getting old. Wish I had all the answers, but are not perfect and struggle to do the best we can. We put things out, listen to what public wants, doesn't always get vetted in committee, doesn't have to, is not 100% process and no way to please 100% of people on any subject. Getting frustrated because some people will never accept the answers and just ask the question in different ways, takes hours to gather that information from staff or engineers or complainant or county, turn it over to those asking the questions yet still beaten to death that not getting you everything. Wish could convince you otherwise that I am open and giving everything allowed. try hardest to work for you and yes getting thin skinned because not fair in my opinion. Not for lack of trying or working with staff into the wee hours of the morning, obviously don't believe me or think I'm hiding something. Frustrated.
- Council Member Carter – Mayor and Mrs. Auld support your ideas, new city manager has those connections that is why we went with him. Knows exactly who to call in federal government and will encourage him to sit down with you. Other cities and counties are doing the same thing. Keep

May 19, 2010

Page 19

- bring forward to us. To those of you who ask the same questions repeatedly and playing like attorney rather than giving opinion or comment. We are working with state, county and Benz to get this ordinance forward with changes. Not here to answer 20 questions but to listen to your opinion and direction.
- Council Member Wiknich – heard Mr. Auld say one person can make a difference. Encourage people to make a difference by giving us their opinion. A lot of people say can't fight city hall, I ask them to try and to come down and give their opinion. Encouraged them to come here with comments. If you are watching on TV, come tell us your ideas and thoughts. Would like to remind everyone about Ridgecrest blvd. design town hall meeting June 14. New city manager want known that all three candidates were excellent and would have gained with all three. Looking forward to Mr. Wilson starting August 1 and working with him and having him become part of this community. Also report dedicated persons for friends of NRA who raised over \$170,000. Thanked everyone who helped.
 - Council Member Holloway – thank Howard and Barbara for great armed forces event. Looking forward to next year. On trash issue, understand frustration but am now on front lines. Getting practical input like tenant issue. Spent time with property owners trying to resolve this situation. Trying to work with 4 entities who do not have the same desire to solve the problem. Have got to have a meeting with Benz, Property Managers, and Council. Business owners and council are being beat to death. Single point of contact in Tehachapi and Ridgecrest. Common sense things that could be done. No reason not to make some of these adjustments. Base issue, thanks to armed forces reception, met with individuals connected with BRAC. Now we are committed to start working that avenue again. Base does a lot of stuff but don't broadcast well, need to help them broadcast. Don't believe people don't want to do things, but sense is we try to do everything we can to stop someone from coming here; think that is coming from the east coast. Need to change that perception. Have to grow the mission to grow the city.
 - Council Member Taylor – had interesting week, highs of last week with the Auld's and their efforts, put father-in-law to rest, now get to witness daughter graduation. Big picture is take a look at what is important in your life. Need to improve situation and will work to do so. Appreciate staff efforts and wish those of us who accept federal salary, treasurer will accept donation.

ADJOURNMENT at 9:58pm



Rachel J. Ford, CMC - City Clerk