



MINUTES

CITY OF RIDGECREST

CITY COUNCIL RIDGECREST REDEVELOPMENT AGENCY FINANCING AUTHORITY

AGENDA

Regular Adjourned

Council/Agency/Authority Meeting
Wednesday January 12, 2011

CITY COUNCIL CHAMBERS CITY HALL
100 West California Avenue
Ridgecrest, CA 93555

Closed Session – 5:30 p.m.
Regular Session – 6:30 p.m.

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

City Council/Ridgecrest Redevelopment Agency Agenda and corresponding writings of open session items are available for public inspection at the following locations:

1. City of Ridgecrest City Hall, 100 W. California Ave., Ridgecrest, CA 93555
2. Kern County Library – Ridgecrest Branch, 131 E. Las Flores Avenue, Ridgecrest, CA 93555
3. City of Ridgecrest official website at <http://ci.ridgecrest.ca.us> (SB 343)

CALL TO ORDER

ROLL CALL

Council Present: Mayor Ronald H. Carter, Council Members Marshall Holloway, Jerry Taylor, Steve Morgan, Jason Patin

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Staff Present: City Manager Kurt Wilson, City Clerk Rachel Ford, City Attorney Keith Lemieux (via Teleconference), and other staff

APPROVAL OF AGENDA

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

CLOSED SESSION – 5:30 p.m.

GC54956.9 (A) Conference with Legal Counsel; Existing Litigation – City of Ridgecrest v. Benz Sanitation Inc.

GC54956.8 Redevelopment Agency Real Property negotiations – Real property located adjacent to the KMYSC complex of approx. 13.48 acres. It is bounded to the west by unimproved Inyo St., and to the south by 50 percent improved Church Ave. The property owner, Mr. John Landry, a portion of APN 508-002-10. Agency negotiators Kurt Wilson and James McRea

GC54957 Personnel Matters – Public Employee Performance Evaluation – City Manager

REGULAR SESSION – 6:52 p.m.

- Pledge Of Allegiance
- Invocation – Warren campbell

CITY ATTORNEY REPORTS

- Closed Session
 - Met in closed session, received report on City of Ridgecrest v. Benz Sanitation, no action taken.
 - Received report of negotiators on Redevelopment Agency Real Property negotiations – Real property located adjacent to the KMYSC complex of approx. 13.48 acres. It is bounded to the west by unimproved Inyo St., and to the south by 50 percent improved Church Ave. The property owner, Mr. John Landry, a portion of APN 508-002-10. Agency negotiators Kurt Wilson and James McRea. No action taken.
 - City manager evaluation will take place in closed session following open session

PUBLIC COMMENT

- Christina Witt – working on website and posting minutes and agendas. Recently received Benz bill. August 16 and June minutes had breakdown of rates and both mentioned a transfer station as part of the bill. City not doing the station. Is it possible to put the rate on agenda and remove the transfer facility since not going to build?
- Ray Hoffman – representing IWV swim team. We have facility issue in Ridgecrest with Gyms and Track and other sports venues. Our city would do well by building a complex that would take care of all sports. Current facilities are becoming more difficult to use between civilian and military. Penny Pool expensive to maintain. Asked for Bond issue to build total sports facility including gym, football, track & field, swimming pool. Should be able to get that bond passed. We are isolated from other facilities and have to travel out of town but with proper facilities could attract other teams to come here to compete. Mr. Ponek has been active about putting together a swimming complex but think a grass roots effort for bond issue should be able to get it passed.
- Harris Brokke – Ridgecrest desert wildflower festival April 15-17. Going to have venues throughout community. Excited about it and asking council for continued support for promotion of event.
- Mr. Blackshot – in November mother had heart attack so came back to town to stop trash service. Today received a bill for \$122 and today went to city. Been trying to get a hold of Benz since Monday, drove out there and was told to go to city.
 - Mayor Carter – City Manager will work with you right now.
- Jim Rachels – surprised at short agenda. Lately the most significant item facing our town is not on agenda. More significant now since Benz is confiscating cans. Dispute in payment of bills, discussed with city manager. Franchise agreement and ordinance does not allow for relief from Benz if not being paid. Benz relief is to go to City Manager as arbiter between customer and Benz. Have not heard of one case where city manager has been called as arbiter but many cases of cans being confiscated. People do not have option to go elsewhere for service, what is city going to do? City is obligated to step in but do not see this happening. What are you going to do about it? Earlier remarks about bond issue, hope you take into consideration we are in a significant recession and the idea of building pools and sporting complex is great but not during a recession. During hard times the last thing families do is go to Disney land, that is a nice to have but not necessary thing.
- Dave Matthews – since no infrastructure meeting want to mention condition of right hand turn lane at Norma and Ridgecrest blvd. Needs repaired and will be down to dirt soon. Secondly about Benz, letter in recent bill, Benz is unhappy, city is unhappy, citizens are unhappy. Suggest Benz and city pool resources to sue the state who started this whole thing. Maybe we could get funds to take care of this mess. Thirdly, city was considering bringing in building inspector, think there is good cause. Recently local business had to rebuild due to fire and

have heard many horror stories from them and other construction sites in town. Sounds like building inspection thru county is not working well enough. Lastly, bond suggestion is you pass a petition and see how much interest is generated.

- Howard Auld – would like to mention during president's speech a Tucson memorial he mentioned congresswoman has opened her eyes. Secondly armed forces day may 21, 2011 and because this is 70th year since start of WWII will be emphasizing those veterans' services.

PRESENTATIONS

1. Presentation Of Volunteer Service Award To Frances Simpson

- Frances Simpson was presented with awards for 10,000 hours of community volunteer service through the PACT organization

ORDINANCES

2. Introduction And First Reading, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code By Repealing The Existence Of The Code Sections That Establish A Vice Mayor Wilson

- Kurt Wilson – this item was brought at recommendation of current vice mayor. Gave standard structure of council's which have a mayor, a mayor pro-tem, and three remaining council members.
- Council Member Taylor – this is unique and don't see the value for us, feel realistically we only need the two positions and do not need the vice mayor title.
- Council Member Holloway – only question is with your consent, I would like to see Mayor and Vice Mayor and then eliminate the Mayor Pro-Tem.
- Council Member Taylor – I was struggling with that too. What is the standard breakdown?
- Kurt Wilson – most coastal cities use Mayor and Vice whereas southern California cities most are Mayor and vice Mayor
- Keith Lemieux – Vice mayor only shows in one section, however in the code there may be other sections that define the Mayor Pro-Tem. Would like the opportunity to take a look at this.
- Council Member Taylor – not desperate for this to happen tonight, will leave to council to discuss can send back to staff.
- Mayor Carter – would prefer we not make the change, don't want to do it just because other do, I like the three positions.

Public Comment:

- Dave Matthews – would suggest the term vice mayor be substituted for pro-tem and make the changes. Don't have to do it tonight. Have heard same from a previous council member

- Jim Fallgetter – I looked up pro-tem because did not know what it meant, if that is a common reaction then should change to something people do understand like vice-mayor. Don't understand why we have all three.

Council Discussion:

- Mayor Carter – wish we all had titles because it opens doors when meeting with state representatives. Not in favor of changing.
- Council Member Morgan – if it is the will of Vice Mayor Taylor to allow the attorney to research then willing to table and bring back.
- Council Member Patin – think table and bring back is good, not too sure about more titles.
- Mayor Carter – Request the item be tabled and bring back at future meeting.

DISCUSSION AND OTHER ACTION ITEMS

3. Redevelopment Agency & Development Impact Fees In-Lieu Credit, 1200 N. China Lake Boulevard APN 33-070-25 Property Owner, Dr. Taheri McRea

- Jim McRea – gave staff report. Sale of real property of lot 25 in Ridgecrest Business Park for medical facility. Site plans have been approved with certain improvements as attached to staff report. Outlined improvements to be made for drainage and aisle. Staff is requesting consideration of in lieu credit.
- Council Member Morgan – thank staff for their hard work and believe the negotiations are favorable for the city and thanked the planning commissioners for their work.

Public Comment:

- None presented by members of the public.

Motion to approve made by Council Member Morgan, second by Council Member Holloway, motion carried by voice vote of 5 ayes, 0 nays, 0 abstain, and 0 absent.

CONSENT CALENDAR

4. Approve A Resolution Establishing Expenditure Approvals, Budget Adjustments, And Appropriations As They Pertain To The City's Tri Annual Volume Software Licensing Contract With The Microsoft Corporation

Bradley

5. Approve A Resolution Of The Ridgecrest City Council Setting The Public Hearing For Unmet Transit Needs Findings

Speer

6. Approve A Resolution Adopting The Job Specification Of Public Works Maintenance Coordinator Into The Classification Plan A. Taylor
7. Approve Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 1, 2010 Ford
8. Approve Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 15, 2010 Ford
9. Approve Council Expenditure List (DWR) Dated December 7, 2010 In The Amount Of \$28,000 Staheli
10. Approve Council Expenditure List (DWR) Dated December 17, 2010 In The Amount Of \$ 603,836.76 Staheli
11. Approve Council Expenditure List (DWR) Dated December 21, 2010 In The Amount Of \$ 1,646.06 Staheli
12. Approve Agency Expenditure List (DWR) Dated December 17, 2010 In The Amount Of \$ 8,775.04 Staheli

Items Pulled:

- None

Motion to approve consent calendar made by Council Member Morgan, second by Council Member Taylor, motion carried by voice vote of 5 ayes, 0 nays, 0 abstain, and 0 absent.

- Council Member Taylor – relative to item 4 Microsoft licensing. Does this license include employees to purchase a license for home?
 - Craig Bradley – currently do not have that type of plan.

DEPARTMENT AND COMMITTEE REPORTS

Community Development Committee

Member: Steve Morgan, Jason Patin

Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room

Next meeting February 3, 2011

- Council Member Morgan – not met and if Mr. Patin and other members will allow would like to move that meeting to 3:00pm.
- Council Member Patin – is ok with me
- Council Member Morgan – will get response from planning members

RACVB

Council Members Chip Holloway, Jason Patin

Meetings: 1st Wednesday of the month, 8:00 a.m.

Next meeting February 2, 2011 and location to be announced

- Council Member Holloway – gave report provided by RACVB director Doug Lueck

Parks, Recreation and Quality of Life Committee

Members: Chip Holloway, Jason Patin

Meetings: 1st Thursday of every even month at 12:00 p.m.; Kerr-McGee Center

Next meeting February 3, 2011

- Council Member Holloway – has not met yet and may reschedule the meeting date, will announce when new date is set.

Youth Advisory Council

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor

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

Next meeting February 9, 2011

- Council Member Taylor – did not meet, waiting on Pavement Management System for February 9 and also wastewater report.

City Organization and Services Committee

Members: Ron Carter, Jerry Taylor

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

Next meeting February 14, 2011

- Council Member Taylor – did not meet, will be discussing with city manager and potential new date and will announce.

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

Members: Co-Chairs Ron Carter, Chip Holloway

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

Next meeting March 14, 2011

- Mayor Carter - Did not meet but hope to meet soon.

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- Council Member Patin – OTAP committee council representatives need to be scheduled.
- Council Member Holloway – will step down to avoid a conflict of having too many council represented on that committee
- Council Member Taylor – joint meeting on 27th of water district. Not a standing city committee. Only two council members will be attending, so there is no conflict.
- Council Member Morgan – Holloway and I will be attending a lobbying sojourn in Sacramento next week to attend other city, county, kern COG, and league of California cities committee meetings as well as meetings with state senators and assembly members. I have also scheduled to attend a meeting on public/private partnerships such as wastewater treatment, former director of Caltrans will be a keynote speaker for that meeting. Looking at partnerships as a way of strengthening our infrastructure.
- Council Member Taylor – will be attending my committees for admin services.
- Council Member Holloway – will be attending revenue and taxation meetings.

PUBLIC COMMENT

- Jim Fallgetter – speaking tonight to encourage staff and city leadership to take action regarding super Wal-Mart. Right now engineering is checking plans for the building, would like to speak on Wal-Mart's continuing enclave walling itself from the rest of the regional city plan since 1985. This is very much sales excise tax issue to track another big box store. Hope is this will attract other big box stores and by blocking access between a couple of different sites will provide opportunity for that big box. Understood won't be any big push back from council, but think city does have in their legal rights to keep that access open, don't want shopping center with a wall in the center of it. How do I get some action from council/city on this issue? Can't get anybody to do something, they talk about doing something but let's get some action done. Encourage Wal-Mart to save money by not building a wall or dividing street. Not just about super Wal-Mart, but about excise tax and other businesses that may be attracted. Gave council handout showing where this was talked about. Other handout with suggestions for excise tax and requesting the wall not go up. What am I doing wrong?
- Doug Lueck – last week we lost a rally person from the board of trade who went to Sacramento, however Cathy Lundstrom will be coming over which is good news. Other good news is Lori Acton of McQuiston's office is going to be a great support and we have built two bridges at once.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

- Kurt Wilson – public safety policy committee meeting next week in Sacramento. Have a synopsis of governors budget available.

MAYOR AND COUNCIL COMMENTS

- Mayor Carter – ask city clerk to add additional committee appointments on next agenda.
- Council Member Patin – council member Holloway and I met with gentleman at solar millennium which was halted due to ground squirrel. Now a desert land protection act prohibits land around our city limits from being developed, this is scary as it would prevent growth. Also we volunteered for a side committee to discuss and report back to council regarding the TOT. Want people to hang in there with us on trash situation, a lot of things we cannot discuss at this time due to litigation, are aware of the issues and trying to work on them. Ask public to hang in there with us. Going through expenditure lists, have questions about budget items and expenditure lists, need to make sure I understand what things are.
- Council Member Morgan – inform public if haven't purchased tickets, Mr. IWV contest will be held January 15. Male leaders in drag, good cause to support the women's shelter. Also attended committee meeting and one item they are dealing with is clean energy as well as the desert land act so will be dealing with these issue thru league of California cities. Vitally important we work to prevent this. Ask council signatures be added to letter regarding redevelopment agencies to governor. He is proposing dumping all redevelopment agencies and unfortunately cities have borrowed at the state's urging and have incurred debt. Thank citizens for understanding regarding the Benz issues, we are working on these and the council members are your community representatives.
- Council Member Taylor – spring boarding off Morgan's comments, if you have a specific issue regarding your Benz service, please bring to city managers attention so we can deal with it. Regarding military banner program is doing well, have had numerous donations from individuals, businesses, and service organizations. Printing of banners beginning and plan to have second set of banners ready for armed forces day.
- Council Member Holloway – have no comments to make.
- Mayor Carter – thank public who attended meeting, thank hard work from staff. If something is not on agenda it doesn't mean it isn't being taken care of. If you are having a problem with Benz please bring to city manager's attention. Thank you for coming.

ADJOURNMENT to conclude closed session at 8:12pm.

Report out of closed session: