



**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 18, 2011
5:30 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 – 5:30 p.m.

ROLL CALL

PRESENT: Mayor Ronald H. Carter; Vice Mayor Jerry D. Taylor; and Council Member Steven P. Morgan

REMOTE ATTENDANCE: Council Members Marshall 'Chip' Holloway and Council Member Jason Patin.

STAFF: Kurt Wilson City Manager; Rachel J. Ford, City Clerk; Keith Lemieux, City Attorney and other personnel

APPROVAL OF AGENDA

- Closed Session cancelled

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

CLOSED SESSION – 5:30 p.m.

GC54956.9 (A) Conference With Legal Counsel; Existing Litigation; City Of Ridgecrest V. Benz Sanitation, Inc.

PUBLIC COMMENT – CLOSED SESSION

- Closed session was cancelled so no public comment was heard for closed session items.

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance – led by Mayor Carter
- Invocation – Rev. Warren Campbell

CITY ATTORNEY REPORTS

- ❖ Other – no report

PUBLIC COMMENT

- Dave Matthews – mentioned closed session item concerns about the way the process is going. Has read newspaper reports pertaining to another drop-off point at the dump. Concerned that previous comments were made by seniors and others to do 'right-sizing' of cans. Stated he does not have to set a trash can out every week and a smaller can would save energy and Benz time on collections. Also, doesn't understand the arbitration process, if this had been a court trial public would have had access to proceedings and does not have that privilege in this process.
 - Keith Lemieux – stated that City is following the process set in the franchise agreement.

CONSENT CALENDAR

1. Approve A Resolution For Printing and Reproduction Fund Capital Copier Replacement Bradley
2. Approve Minutes Of The Regular City Council/Redevelopment Agency Meeting Of April 20, 2011 Ford
3. Approve Council Expenditure List (DWR) Dated April 26, 2011 In The Amount Of \$44,478.54 Staheli
4. Approve Council Expenditure List (DWR) Dated May 6, 2011 In The Amount Of \$294,106.82 Staheli
5. Approve Agency Expenditure List (DWR) Dated May 6, 2011 In The Amount Of \$6,136.00 Staheli

ITEMS REMOVED FROM CONSENT:

- Item 1 pulled by Council Member Taylor

Motion To Approve Consent Calendar With The Exception Of Item 1 Was Made By Council Member Morgan, Second By Council Member Taylor. Motion Carried By Roll Call Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

ITEM 1 DISCUSSION:

- Council Member Taylor – Stated concerns about understanding the replacement rate relative to the internal service fund. Questioned if this fund being over-funded.
 - Kurt Wilson – Stated that we don't want anyone to think we magically had funds available and that these are not extra funds but was an anticipated expenditure and funded all along.
 - Craig Bradley – explained the funding and actual use. State that there are no increased expenditures to support the system however there would be some support increase thru the years which has been built into the costs. City Copiers are owned, not leased.
- Council Member Taylor – questioned if this copier was scheduled for replacement.
 - Craig Bradley – indicated that this is 5 ½ years in a 7 year replacement schedule and will downsize the copier because the current one is not being used to fullest and will move the present system to a more critical need area. Funding amount is built over 7 years and if we go beyond the 7 years of use without replacing then will see savings in the future.
- Council Member Taylor – Stated he thought ISF fund was for recapitalizing for a life system and asked the purchase process.
 - Kurt Wilson – Reassured council the copier will be purchased via 3 competitive bids process.

Motion To Approve A Resolution For Printing And Reproduction Fund Capital Copier Replacement Was Made By Council Member Taylor, Second By Council Member Morgan. Motion Carried By Roll Call Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 0 Absent.

DISCUSSION AND OTHER ACTION ITEMS

6. Approve A Resolution Of The Ridgecrest City Council Requesting The California Citizens Redistricting Commission Reconfigure The Proposed Political Boundaries To Allow Ridgecrest To Remain In The Kern County Congressional District **Morgan**

- Council Member Morgan – corrected the staff report regarding new legislative boundaries and noted that at this time the boundaries are not released but data is being gathered. Announced First map release date as June 10. Stated that Council is putting forward a resolution informing the redistricting commission of our wish to remain within our current boundaries.
- Council Member Taylor – Stated the same comment relative to May 23rd. Reminded Public of the ability to make their concerns heard has a deadline of May 23. Gave website address for more information.

PUBLIC COMMENT – Item 1

- Renee Westerlusk – Restated that we need more public input especially on-line. Lines will be drawn on May 27. Provided copies of meeting dates for council and public. Should have someone from city attend these meetings in case there is opportunity for comment. Made copies of sample letter and provided at information desk along with contact information. Thanked council for their help with this issue.
 - Council Member Taylor – thanked Mrs. Westerlusk for her awareness and support.
- Barbara Auld – Thanked Renee. Would be up a creek without this effort. Need someone to attend these meetings and give our voice for what we want. Recapped comments at the Sunday meeting. Want everybody to appreciate my passion. Leave the boundary lines the way they are.

Motion To Approve A Resolution Of The Ridgecrest City Council Requesting The California Citizens Redistricting Commission Reconfigure The Proposed Political Boundaries To Allow Ridgecrest To Remain In The Kern County Congressional District Made By Council Member Morgan , Second By Council Member Taylor , Motion Carried By Roll Call Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

- ❖ Mayor Carter – asked everybody listening or watching to write in support of staying in Kern County

7. **Approve A Letter Of Support For Assembly Bill 890 (AB890) Which Proposes To Exempt From The California Environmental Quality Act (CEQA), A Roadway Improvement Project Or Activity That Is Undertaken By A City, County, Or City And County Within An “Existing Road Right-Of-Way” For The Purposes Of Minor Roadway Improvements** Holloway

- Kurt Wilson – Council Member Holloway wanted to make sure everyone understands that every road improvement is controlled by the CEQA act. This would make road improvements easier for us to accomplish.
- Council Member Morgan – spoke on issues we are currently having with local pavement projects such as college heights trouble with BLM setting regulations. Need to support this.
- Council Member Taylor – clarification is the road section next to the college that is currently at issue.
- Council Member Holloway – glad we are taking this on. Increase efficiency and lower the cost which is important

Motion To Approve A Letter Of Support For Assembly Bill 890 (AB890) Which Proposes To Exempt From The California Environmental Quality Act (CEQA), A Roadway Improvement Project Or Activity That Is Undertaken By A City, County, Or City And County Within An “Existing Road Right-Of-Way” For The Purposes Of Minor Roadway Improvements Was Made By Council Member Morgan, Second By Council Member Taylor, Motion Carried By Roll Call Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

8. **Approve A Resolution Of The Ridgecrest City Council Requesting Authorization To Apply And Accept A Off-Highway Vehicle Grant Through The Off-Highway Motor Vehicle Recreation Division Within The California Department Of Parks And Recreation** Strand

- Ron Strand – gave staff report outlining grant amount to be used for equipment to be used to purchase a vehicle to pull the off highway trailer.
- Council Member Taylor – Reminded Chief Strand to make sure there was proper training for the off-road vehicles important.
- Council Member Morgan – Encouraged the young representatives in audience to explain this grant and how it affects those who ride off-road within Ridgecrest. City will be cracking down on off-road vehicles trespassing on private property. We need youth's help to get the word out to their friends not to trespass on private property to and from off-road network.

PUBLIC COMMENT – Item 8

- No comments were presented by the public.

Motion To Approve A Resolution Of The Ridgecrest City Council Requesting Authorization To Apply And Accept A Off-Highway Vehicle Grant Through The Off-Highway Motor Vehicle Recreation Division Within The California Department Of Parks And Recreation Was Made By Council Member Morgan, Second By Council Member Taylor. Motion Carried By Roll Call Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

9. **Approve A Resolution Of The Ridgecrest City Council Authorizing Application For And Acceptance Of The United States Department Of Justice, Cops Hiring Program Grant** Strand

- Ron Strand – gave staff report outlining this grant ability to assist with funding for positions. Application, if approved would fund 2 officers for one year.
- Council Member Taylor – Inquired if the previous grants received were overlapping?
 - Ron Strand – Confirmed there was a one year overlap based on hire date of the officers.
- Council Member Taylor – Asked if this is this within current staffing?
 - Ron Strand – Confirmed.

Motion To Approve A Resolution Of The Ridgecrest City Council Authorizing Application For And Acceptance Of The United States Department Of Justice, Cops Hiring Program Grant was Made By Council Member Taylor , Second By Council Member Morgan , Motion Carried By Roll Call Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

10. Ridgecrest Redevelopment Agency Housing set aside Project proposal;
Las Flores Homes By Metcalf West **McRea**

- Jim McRea – gave staff report outlining Redevelopment Agency Housing Set-Aside. Previously approved funding for one senior citizen/young professional housing complex. This is a second proposal. Reviewed funding amounts, fees, revenue projection, and refund plan. Available properties for the proposed complex outlined.
- Council Member Morgan – Noted that the project came before Community Development Committee and until all plans, processes; maps, authorizations, requirements, and City ensuring that permitting and code is approved, the money is only in a placeholder position.
 - Jim McRea – Outlined that the proposal requires hearings, tentative tract maps, public notices before the agency prior to funding. Series of procedural processes before project is implemented.
- Council Member Morgan – Stated that the funds were sitting in an account
- Council Member Taylor – Echoed Mr. Morgan’s comments. Stated that Agency is required to spend 20% of Redevelopment funds for low/mod housing elements. This is another way to check that box.
- Council Member Morgan – Commented that this housing project is appropriate for individuals within the first time home buyer market who have entry level jobs on the base and have a moderate income level.
 - Jim McRea – Added that these homes are available on first come first serve basis to any potential buyer
- Council Member Morgan – Noted that Agency needed to think of this with a broader brush rather than just individuals you can put into one small box. Also these houses can be put on the market for sale.
- Council Member Patin – Commented that is didn’t see anything here that indicated if agency approved this today, how the money would be held.
 - Jim McRea – Explained the process including the annual audit and funds being deposited with LAIF. Current funds are an accumulation of several years of activity and there are 4 projects that diversify the portfolio. Gave brief summary of each of the 4 projects. A series of projects looking at 4.6-4.8 million dollars that currently resides in fund 19.
- Council Member Patin – Asked about the timeline for this project.
 - Jim McRea – Explained that the project would start in late summer as there are requirement for several items and hearings to be completed before full project approval will be done. Company wants to be operational by end of 2011.
- Jason Patin – Stated he is uncomfortable with allocating funds without a definite completion plan.
 - Jim McRea – Commented that City has not entered into planning process, cost involved in sale and development of property because of substantial infrastructure requirements as well as other items. Currently is a proposal and an allocation, not an appropriation of funds. Appropriations would come back to Council for approvals.

- Council Member Patin – Asked what protection the city has with regards to the sale of the land? If we sell the land and appropriate this money, what guarantee do we have if they do not move forward? Will we have a re-conveyance of the land?
 - Jim McRea – Responded that there can be added conditions. Current statutory procedures requires the development be met or be suspended and property taken back.
 - Keith Lemieux – Confirmed that the conditions are regulated.
 - Jim McRea – Gave an overview of D.R. Horton phases. Can guarantee the 1st phase will be seen.
 - Kurt Wilson – Confirmed that Agency would have the option to put restrictions in the deal.
- Council Member Taylor – Agreed with Mr. Patin’s comments. We do have the opportunity later and the developer needs to understand there will be conditions on the sale. Also questioned a condition on the payback, only on low/moderates?
 - Jim McRea – Reviewed the current market rate in Ridgecrest is \$185,000. Covenant on the sales that has to be affordable. Not like some where agency gets no credit. This is not that type of project, to receive the funds it would be restricted to part of the sale. Considered inclusionary housing because of the 55 year covenant. This is an offset to developer to provide funding to pay market value of land to the city and a write down because did not get the full value of the property. All will be outlined if we move forward.
- Council Member Taylor – Inquired where we are relative to 20% obligation and where are we short.
 - Jim McRea – Explained that over a 5 year period we were to provide 250 homes per year which is a fair share of the region that includes Bakersfield. Plan says we need this many houses but doesn’t say you have this many people. Four categories looked at workforce or affordable housing and in Ridgecrest the market value is less than the statewide average so a majority of homes falls into the affordable category.

PUBLIC COMMENT:

- Tom Fallgatter – provided handout to council. Copy available in the Clerk’s office. Reviewed key elements. Possibility of sale of houses at market value and response was that it is possible. Staff report says underwriting low/moderate at a specific rate, however only 1/3 is low/moderate. This approval is premature, if you look at staff report and think you are subsidizing at one rate then may be surprised when the real sale numbers are calculated. Regarding how long the money would be held, or perhaps how long will you wait. Did not see anything in the staff report about this being a phase system. How can agency approve something based on this staff report? Question is what the timelines is. Referred to the question asked by Council Member Morgan, is this project appropriate for people on the base. The fact the question had to be asked is a

concern, how is any other developer in community to understand this if not laid out. Attended redevelopment meeting on behalf of a specific developer client. Made a proposal for funding for this same kind of funding and staff seemed favorable but were told nothing further done on our application until a process was outlined to be fair to every developer who wanted to apply for the funds. My question is, why isn't that being done for this program? Why do agency members have to ask about timelines. Also if only 30 of the units are low/mod how do we get our money back? The purpose of the protocol makes sense, why isn't the protocol available to me for this program. Series of legitimate questions have been asked, it isn't fair for those questions to be answered here this evening when others who might be interested in this program don't know what the protocol is. Asked agency to put together a protocol. Asked questions in letter such as if this a loan, how is it secured. Are you going to be asked to subordinate to the loan. If something goes wrong, your loan is junior to the bank loans. Are you willing to take the risk to subordinate to other financing? Comment from Mr. McRea, tract map has not been submitted, who is preparing that map? One concern is the developer is already spending money on this project, has hired an engineer. You are going to get into a position where you have an individual spending money, that person has a right to be upset when the rules change. Important this is done in a step-by-step basis. If developer is spending money then agency must make clear that it is solely at his risk. What is agency's feeling about the city approving this project; you will have money at risk. Developer will spend a significant amount of money and when neighbors begin asking questions, will city be ready to answer? This plan is putting you, as agency members, in difficult position by allowing this to go in this way. If approved tonight, developer may have expectations. Request agency to back up and develop a protocol which includes subordination, loan security, etc. This is fair to everybody and allows the agency to think thru the steps and clarify the agency's purpose for the program. Beneficial for agency to work for itself and for anyone to be able to pick up a packet that outlines the program requirements. Ask agency to table until these questions can be answered and the protocol is developed.

- Dave Matthews – thanked Mr. Fallgatter which answered questions. This is the cart before the horse. Most housing in that area is single-family for a number of years however another development to the west is stagnant and is not fair to that developer to come in with competition that would probably out-sell him. Also that developer could possibly get into the game. Suggest you take Mr. Fallgatter advice.
- Kay Glaphco – concerned with project for several reasons, thought the purpose was bringing jobs to the area, won't be construction going on here, will be built away from the area then assembled here. The homes will be low/mod but concerned there is another situation with no model homes, buyer will be forced to go out of the area to buy the homes. If can't get someone to come here with models then how can we get buyers to go to riverside to buy homes. Infrastructure and money going into this but can't sell. There are other developers and packages we should look at stronger before approving.

- Stan Rajtora – attended community development meeting. Thought the agreement was to divide the 20% set-aside between existing homes, new homes for developers, and a certain amount of track houses. Before determine the ratio for these, we are already talking about allocating 1.9 million to one contractor or developer without understanding the proportioning of the full amount. Let's figure out what we really want to do before funding one developer.
- Carol Vaughn – D.R. Horton has caused stress to neighbors and has developed a few homes. Gave statistics of current homes available on the market and 6 month inventory. Making assumptions these homes are good construction and people want to live in low/mod homes, if we have many vacant and repossessed home here already, what happens if these sell that would guarantee that on almost every street in town you will find other empty homes because population is not growing. If we build more than we need then will have empty homes which do not make a town attractive. Don't need a developer to go broke and asked developers to look at absorption factor before building. Once was a time when we could draw from other areas for low/mod, but those areas now have home available at low/mod prices. Know you have to build some but can use some of the funds for rehab of existing homes and could scatter new homes around the area so we don't have large developments sitting empty. Could sell some homes as low/mod to persons with medium income. Question whether young engineers would want to buy when in a couple years they will be earning larger incomes and want to move up in the housing. Ask agency to allot as much as can possibly fund for resale and rehab of homes already empty. Local people will look around and not build 34 homes at once when they can't sell them. Builders need to understand current demographics. At the 155 mark it would cost someone 1166 per month to buy a home, price goes up as sale price goes up. Some people can afford but not sure if they will do it. Is this good for the community to have more vacancies sitting around town? Developers need to take a look at this because money is on the line.
- Norm Stevenson – concerns. Attending council meeting during A&G project and council agreed to set-aside funds without really looking at the map and location and how it will impact the area. Now we are proposing another project without maps or home information. Concerned if city approves to allocate without really understanding the parameters of the development is like buying without seeing the home. If the developer builds something different than what we think it will be, then the blame will fall back on the city. Admire the council, but need to look at this more and make sure we are doing the right thing for the city. have not seen anything from Metcalf, only staff proposed. Where is Metcalf resume, is there an RFP for the land, can others have the opportunity for the land. Be cautious, would not make decision tonight and ask that decision to be to help the city of Ridgecrest.

- Council Member Taylor – what others were discussing was in March the list of other projects. My concern is the commitment level of number of houses and return of funds. Concerned about setting false expectations and feel council should set conditions before approving the project. Fairness to citizens and agency, should agree what conditions will be. Ask developers to bring projects in that are completed.
- Council Member Patin – concerns are to be careful not to hurry these projects, not opposed to this project but want to be careful. Want to see conditions and guarantees for the city. Don't know if this needs to come back to committee but not opposed to working with staff to set conditions before this comes back to council. Don't want to hurry projects thru and make quick decisions without having restrictions in place.
- Council Member Morgan – this is a double-edged sword. We get yelled at by developers who bring proposals and we don't move forward. We ask staff to put together these reports. Currently have 4 different projects that are making their way thru development and each one is different in the way they utilize the money and each will have different restraints. If we put out one document, it would not fit with all projects. One thing made clear to this developer, agree that it is not clear until I see the proposal in planning commission. Any developer with more than 25 houses will phase it. On that point when discussing this development I made it clear that one thing I wanted to see is that at least ½ of the homes would use the low/mod format. We have to be careful to only put as much money into this project that is required for this particular type of program. Developers who want to spot build can come in and discuss with staff their projects. Any developer, as these dollars accumulate, can put forth a proposal. At the end of each fiscal year there is another chunk of money in the accumulated pot. We discussed a timeline for the first phase and a condition is the funds would go back into the fund and be reallocated. I think developer would understand the need of a timeline. They don't get the money until they actually create the project so not sure that a delay would be inappropriate but confident that we will not appropriate the funds until they create the project. The questions we ask when going thru an item, I am trying to disseminate information to the public which may key other questions and comments from members of the public. Tonight heard something new and will follow up on the statement that buyers have to go out of town to look at the home. Comfortable in allowing the allocation to occur but not set in stone on the appropriations. Developer should not let conditions be a stopper for their project and don't believe that is the case with this developer. Staff has been contemplating on how to put together a rule book and not sure if it can be done for these 4 projects because of their differences. Spot builders and developers need to come in and talk to the staff about their projects. Not sure if rehab has the measures and qualifications required for redevelopment funds.

- Council Member Holloway – concerned. We have a skeleton of idea and waiting for the meat to be hung on the bones. How do we get the information for a decision without allowing them to develop the project? When we allocate the funds is it a promise for funds from this agency. Not enough to expend the funds but is enough to say we want more information.
- Council Member Jason – not looking for a rule book but at this specific project. This developer must understand that we may put conditions and guarantees on this project before he receives funds.
- Council Member Carter – no problem moving forward since has to go to planning commission and council.
- Council Member Taylor – previous project had a timeline deadline to apply for additional funds. Is this a comfort factor for the developer or can we pause?
 - Jim McRea – authorization of funding pending final approval of final project. Question before agency is are you interested in selling the property. Mr. Fallgatter questions would be answered thru the review process before funds are expended. This is a program where we are advancing funds from the agency to purchase land from the city so large portion of the funds will come back thru land purchase, development fees, and permit fees.
- Council Member Taylor – appreciate switching hats but my concern is that besides locking in the money we are committing the property without knowing if there is a better offer out there for the land. Concerned about the uncertainty of this. Last project went to planning commission before coming to agency. My personal concern is credit for low/moderate v. how much we are putting into the project. Have not seen appraisal for property and willing to bring back at the next meeting if our concerns can be addressed. We are committing to sell property.
- Council Member Jason – similar concerns as Mr. Taylor's. Why are we going down this road and spend money and time when in two weeks we could have the answers to a few other things before moving forward. Understand the developer is not under a timeline.
- Council Member Taylor – what is a reasonable amount of time to get the information for agency?
 - Kurt Wilson – staff needs to understand what you want brought back.
- Council Member Jason – want developer to understand the conditions and guarantees that will be placed on the project.
 - Kurt Wilson – staff will put the information together.
- Council Member Taylor – personal concern is the reimbursement relative to how the houses will be sold. Secondly payback if not developed in a reasonable amount of time.
- Kurt Wilson – at your request staff will notify developer.

Council Member Morgan Moved The Item Be Tabled. Council Member Taylor And Council Member Holloway Agreed. Item Was Tabled For A Future Meeting.

11. Discussion And Approval Of A Contract For The City Of Ridgecrest Drop-Off Program At The Ridgecrest Sanitary Landfill **McRea**

- Jim McRea – gave staff report. Reviewed amended local assistance plan and task 13 which requires a recycling drop-off plan at the landfill.
- Council Member Morgan – comments on the agreement, pg. 2 last sentence. Top of page 2 paragraph 1 last sentence asked ‘until such time as what?’ that statement needs closure.
 - Keith Lemieux – Corrected sentence to state ‘until fully paid’
 - Kurt Wilson – added that he understood that if we cause damage during the term of the agreement we would be responsible.
- Council Member Morgan – suggested adding ‘...until such time that a final inspection and closure document’. Have trouble with an open statement, have no problem with having to pay, but have a concern that there is no document finalizing the termination of the agreement.
- Council Member Morgan – page 3 item D, asked if county already mitigated for dust, can we contract with them to control dust.
 - Jim McRea – they want a dust free surface.
- Council Member Morgan – page 4 item J & K. We are going to contract for this facility and have a monitoring for inappropriate material. Are we responsible to train the staff for handling of inappropriate material? Also providing signage. Worried we are assuming liability if they handle something inappropriate.
- Council Member Morgan – page 4 item R. Are there sanitary facilities at the landfill for their staff and why we can’t share? This is an additional cost to us when they already have facilities.
- Council Member Taylor – we are providing a service to the county and they can claim a lot of credits for this.
- Council Member Morgan – page 6 item 13 indemnification. To avoid any possible contract conflict can we take the name of Benz sanitation out of this contract and replace with city’s authorized hauler.
 - Keith Lemieux – could be problematic if Benz is determined to not be the authorized waste hauler.
- Council Member Morgan – page 10 section 22. Is it not possible that county of Kern is going to be recycling at some time in the future and is it plausible the county may want to purchase the improvements we made?
 - Kurt Wilson – not in this contract but you are not precluded.
- Council Member Taylor – with this agreement under section 22, this says we would have to remove the improvements.
 - Kurt Wilson – director provides written authorization to allow them to remain.
- Council Member Morgan – staff report attachment 4. ...public/private partnership however item section 23 says opposite.
 - Keith Lemieux – has to do with giving public money to private projects and bidding requirements. The other language has to deal with joint venture. Don’t know if this will be a joint venture. Not necessarily the same thing.

- Council Member Morgan – attachment 4 states city and county will develop a public outreach.
 - Keith Lemieux – can do things together without forming a joint venture. If we and county are acting on something that benefits both doesn't mean we have entered into a legal joint venture.
- Council Member Morgan – county will gain benefit by numbers and we ask county for money for outreach, what reason they have to help out.
 - Keith Lemieux – contract can be cancelled.
- Council Member Morgan – section 27 compliance of law. As rules change the city is solely responsible for costs even though the county may be implemented. Doesn't seem correct. Can we add 'unless such documentation is appointed directly to Kern County?'
 - Keith Lemieux – logic is we are paying for all costs associated to this part of the facility, if new regulation for our part of the facility we are on the hook but if it becomes burdensome then can cancel the agreement and negotiate for better terms.
- Council Member Morgan – would like verification from Mr. Landon that the county is open and understands that changes that don't affect the city directly and only the county then county should bear the cost of those changes. Don't think it is unreasonable that the discussion should be held.
 - Kurt Wilson – not sure if Mr. Landon can commit.
 - Keith Lemieux – would not be binding anyway. Need to treat this document as a final and we are coming to them with hat in hand.
 - Kurt Wilson – has taken awhile to get this together and we are at a disadvantage so do not have a lot of options.
- Council Member Taylor – broad comment to public is with Cal Recycle and voice an objection that developing this outside the city is onerous. To force this type of agreement and the way the county is treating us is onerous. To have to pay for a program they are benefitting from and to put a toilet out there when there already is one. If we are bearing 100% of the cost to develop this then we should get 100% of the credit.
 - Keith Lemieux – county argument is they don't need the credit.
 - Kurt Wilson – credit is based on the actual source.
 - Keith Lemieux – if time comes when they need the credit would be a good reopener for the agreement.
- Council Member Taylor – concern is since this LAP was signed, we have been in a position of not having options and to incur this cost for development and monthly hauling will come out the general fund.
- Council Member Carter – remind council this is one of the last links we have to do and are at a disadvantage.

PUBLIC COMMENT

- Dave Matthews – right now county is not under orders to put in recycling program so they can haul to dump and bury it. I can see the day coming when they may have to do this also, but if I were a good citizen in county then nothing stops me from taking to dump and dropping off in recycling stop. At current price of gas, won't opt out but if I did then would drop off within city limits. Whole situation is disgusting.
- David Neipp – this agreement has a requirement for city to supply a toilet. Is this drop-off facility combined with supplies, staffing, etc. not a further drain on the city coffers? With furloughs and potential layoffs. Process and procedure is taking precedent over common sense.
- Stan Ratoraj – during last year or at least one local recyclers claimed there was money associated with recyclables. Before we start paying someone to transport to Tehachapi, can't city look into getting someone to pay us for the recyclables. May not be as bad as we think. Would like us to think it thru and see if someone would pay us for it.

Motion To Approve A Contract For The City Of Ridgecrest Drop-Off Program At The Ridgecrest Sanitary Landfill Was Made By Council Member Morgan, Second By Council Member Patin. Motion Carried By Roll Call Vote Of 3 Ayes (Council Members Holloway, Patin, And Carter), 2 Nays (Council Members Morgan And Taylor), 0 Abstain, 0 Absent.

PUBLIC COMMENT – General Session 2

- Howard Auld – address upcoming armed forces day celebration this Saturday in Freedom Park. Plans in place and complicated details and appreciate Barbara's help. Listed participants. VX9 commander is keynote speaker, both Sr. & Jr. Bluejacket of the Year recipients, proclamations, military banner program, wreath laying at fallen soldiers monument, Jr. ROTC will present colors. Community invited to this recognition of our military who serve us so well. This is an important holiday in America and hope for a good attendance.

Closed Public Comment at 8:40pm

DEPARTMENT AND COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders
Meeting: 2nd Thursday of the month at 5:00 p.m., Council Conference Room
Next Meeting: June 9, 2011

- Council Member Taylor – will be meeting June 9. Met on the pavement management system which will come to council in June. Also discussed sewer program and may come to council the 2nd meeting of June.

Quality of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meetings: 1st Thursday of every even month at 12:00 p.m.; Kerr-McGee Center
Next Meeting: June 2, 2011

- Council Member Patin - Have not met

City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 3rd Tuesday of the month at 5:00 p.m.; Council Conference Room
Next meeting: June 21, 2011

- Council Member Taylor – announced next meeting date.

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders
Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room
Next Meeting: June 2, 2011

- Council Member Morgan – announced next meeting date.

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

Members: Ron Carter, Chip Holloway, Ron Strand
Meetings: 2nd Monday of odd numbered months at 6:00 p.m., Kerr-McGee Center
Next Meeting: June 11, 2011

- Council Member Carter – announced next meeting date

Ridgecrest Area Convention and Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday of the month, 8:00 a.m.
Next meeting: June 1, 2011 and location to be announced

- Council Member Holloway – announced next meeting announced

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- none

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

- Kurt Wilson – Announced that the governor released the budget revision this week and things are looking better for schools but city and redevelopment the governor remains the same. June 15 deadline to release the budget.

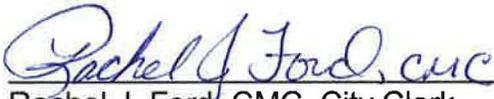
MAYOR AND COUNCIL COMMENTS

- Council Member Holloway – news out of Sacramento is positive. Revenues are in higher than expected. RDA met with Senator Fuller and other. Senator Rubio tomorrow. League is making voices heard.
- Council Member Patin – have met personally with several assembly members and heard speeches on RDA. Letting representatives know our communities concerns such as surrounding land and power. Have promises of getting more information on these issues. Trying to let our community concerns be known. Want to make sure item 10 Metcalf be brought back at next meeting.
- Council Member Morgan – thanked police department for open house and awards ceremony. Public came in and discussed issues and gave face and name to officers. Congratulations to graduates. Asked chip and Jason to speak to san Bernardino county reps and let them know it is nothing personal we just want to stay where we are. Thanked Mr. Taylor, news review headline was a little misleading but believe that the more information we get out on TAB funds is good for the community. Asked finance to give updates on revenues. Would like to thank the almighty for the real spring we are having in Ridgecrest. Armed forces day, will try to make the luncheon but will be in Northridge on Saturday for a young speakers competition and apologize for not being able to attend local activities. Ask community to support fundraising efforts in our community such as military banner program and July 4 fireworks bingo event. Other non-profits information will be given to public as we receive it.

- Council Member Taylor – thanks to community for support of lions club, and other non-profits for the fireworks efforts. Thanked Renee Westerlusk for her efforts on redistricting. Appreciate the police department and their open house is a great event. Attended military affairs meeting and briefed the board on the Digital 395 Fiber Optics Program. Will benefit all of our community. Infrastructure committee asks if sewer project will come to council after the 9th.
 - Council Member Carter – would like to see it. Would prefer an informal setting and feel is not finished enough to be rushed to council.
- Council Member Taylor – appreciate the Auld's for what you do for our valley. Unfortunately there is also a meeting in Inyokern for the visioning meeting.
- Council Member Carter – thanked Jerry for information on streets to the public. Thanked Renee for her coming forward and participating in the redistricting. Thanked Barbara and Howard for their time and effort for our community. Thanked the citizens for coming and giving us direction and comments.

ADJOURNMENT at 8:58 pm




Rachel J. Ford, CMC, City Clerk