



MINUTES OF THE REGULAR MEETING OF THE RIDGECREST CITY COUNCIL

City Council Chambers
100 West California Avenue
Ridgecrest, California 93555

September 4, 2013
5:30 pm

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. Meetings are recorded for the purpose of preparation of minutes.

CALL TO ORDER – 5:30 p.m.

CALL TO ORDER

ROLL CALL

Council Present: Mayor Daniel O. Clark; Mayor Pro-Tem Jason Patin; Vice-Mayor Marshall 'Chip' Holloway; Council Members James Sanders and Lori Acton

Staff Present: City Manager Dennis Speer; City Clerk Rachel J. Ford; City; City Attorney and other staff

APPROVAL OF AGENDA

Motion To Approve Agenda (As Amended) Made By Council Member Holloway, Second By Council Member Acton. Motion Carried By Voice Vote Of 4 Ayes; 0 Nays; 0 Abstain; 0 Absent

CLOSED SESSION PUBLIC COMMENT

No public comment presented for closed session

CLOSED SESSION – 5:30 p.m.

GC54956.9 (B) Conference With Legal Counsel – Anticipated Litigation – Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Discussed potential litigation, no action taken

PUBLIC COMMENT at 6:10 pm

Dave Matthews

- New potholes on Caltrans roads due to digital 395 passage from Ridgecrest Blvd. and Las Flores Street.
- Updated council on designation progress of highway 178. Met with Inyo county supervisor, who is in favor of the project. Scheduled meeting the following day with Caltrans district. Also met with kern county supervisor and discussed.
- Plans on meeting with RACVB, Chamber of commerce, and state representatives. Asked to meet with city manager to discuss approach.
- Mentioned Lori Acton.

Tom Wiknich

- Asked if planning commission was investigating charter city.
 - Dennis Speer responded
- Asked if report of applicant for council would be forthcoming.
- Discussion of charter city and newspaper article.
- References to league of California cities tool kit for charter cities.
 - Mayor Clark stated benefits to charter cities such as prevailing wage. Commented that accusations made in the press were inaccurate.

Jerry Taylor

- 1000 flags parade this weekend announced this Saturday at 9am.
- Candlelight vigil at 7:30pm at freedom park gazebo
- 5am Saturday is set up and tear down on September 14.

Paul Vanderwerf

- Discussed amount of turnover past few years and desire for things to go well and move forward regardless of charter city of general law city.
- Spoke on frustration and understanding from associations due to lack of communication with city.
- Spoke on personal efforts to engage with council and find solutions.
- Encouraged council to look at processes and not personalities.
- Commented on process used to consider charter city.

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Mike Neel

- Spoke on municipal code regarding city manager and council instructions in relation to charter city research.
- Spoke on opposition to parks assessment district and need to bring before full council.
- Spoke on Mrs. Acton's experience at the DUI checkpoint and intent to publish informational data for public awareness.

Troy Frazier

- Suggested City owning their own electrical power plant
- Included visual drawings and costs.
- Working on patent for engine design that creates energy with small footprint.
- Requesting Council and staff to review his designs.

Renee Westalusk

- Asked council about options to prevent closure of Staples and if other comparable businesses can replace the store.
- Spoke on letter writing campaign
- Asked how community can help with UAS project.

Dave Matthews

- Shares concerns about Staples closure.
- Spoke with Jim McRea about the issue.

Closed Public Comment At 6:41p.m.

PRESENTATIONS

- 1. Employee of the Month – August **Clark****
- Council presented Employee Of The Month award to Karen Harker for the month of August.
- 2. Employee Service Awards **Clark****
- Council presented five year service award for Officer Edward Hamilton.

3. Eileen Shibley Will Give A Presentation To Council Updating The Unmanned Aircraft Systems (UAS) Project **Speer**

- Eileen Shibley gave PowerPoint presentation to Council updating the Unmanned Aircraft Systems project. *(Copy Available In The City Clerk's Office)*
- Announced UAS family day at Inyokern Airport on November 16 from 9am-3pm. Open to the public at no cost with exception of food purchases.
- Website www://caluas.com available for public viewing.
- Facebook page at CalUAS
- Spoke on UAS laboratory renovations.
- Lori Acton requested proclamation for November 16. Council concurred.
- Chip Holloway thanked Eileen and airport board for the vision and effort being put into this project.
- Mayor Clark praised and thanked Eileen for her work on the project.
- Jim Sanders thanked Eileen and board for their efforts.
- Clarified funding sources as public or private.
- Eileen responded there is a combination of funding. Noted have not received funding from the state unlike competitors who have received millions from state. Some federal funding anticipated if awarded the project and business private funding will be a large part of the project.
- Eileen referenced local projects for the area which will use the UAS systems such as videos and marketing, search and rescue missions, agriculture survey of water lines, infestations, water saturation, crop spraying. UAS can be used to survey power lines, wildlife inventory.
- Jim Sanders spoke on the additional economic revenue for the community to stabilize the economy.

Public Comments

Dave Matthews

- Spoke on need to diversify economy in the community.
- Commented that infrared drones were used on the Rim Fire.
- Spoke on grandson's construction of flying wing.
- Asked for contact information of Berkley graduates.

CONSENT CALENDAR

4. Adopt A Resolution Of The City Of Ridgecrest Successor Redevelopment Agency Approving The Recognized Obligation Payment Schedule (ROPS) 13-14B **Parsons**

5. Adopt A Resolution Of The City Of Ridgecrest Successor Redevelopment Agency Approving The Selection Of A Consultant To Provide Professional Services For The Development And Implementation Of The Successor Agency's Property Management Plan Parsons
6. Adopt A Resolution Of The Ridgecrest City Council Accepting An Offer Of Dedication From Boydston Construction Company, Inc. For APN 477-090-05, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Right Of Way Agreement, Certificate Of Acceptance And Approve An Allocation Of \$23,000 For Fee Interest In The Dedicated Portion Of The Property Speer
7. Adopt A Resolution Of The Ridgecrest City Council Accepting Offer Of Dedication From Bernice B. Pooley for APN 477-020-01, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Right of Way Agreement And The Certificate Of Acceptance Speer
8. Adopt A Resolution Of The Ridgecrest City Council Accepting An Offer Of Dedication From Betty Jean Shoemaker for APN 477-090-02, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Right of Way Agreement And The Certificate Of Acceptance Speer
9. Adopt A Resolution Of The Ridgecrest City Council Accepting Grant of Easements and Irrevocable Offers Of Dedication From Dollar General (DG) Ridgecrest, CA-1, LLC, for APN's 420-020-09, 15 & 22, (Easements A, B & C) In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Certificate Of Acceptance and Authorizing the City Clerk to Record the Document Speer
10. Adopt A Resolution Of The Ridgecrest City Council Vacating A Portion Of Sewer Easement From Parcel 3 Of Parcel Map 7716, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Quitclaim And Vacation Deed And Authorizing The City Clerk To Record The Documents Speer
11. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The City Manager To Sign A Deferred Improvement Agreement For 100 East Las Flores Avenue Street Improvements For The Maturango Museum Speer
12. Adopt A Resolution Of The Ridgecrest City Council Authorizing A Letter Of Opposition To SB 594 (Hill) And Authorizing The Mayor To Sign The Letter Holloway

13. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Eliminating Standing Committees And Reaffirming City's Ability To Form Ad Hoc Committees Ford

14. Adopt A Resolution Of The Ridgecrest City Council Announcing Proclamations Prepared For The Month Of August 2013 Ford

15. Approval Of Draft Minutes Of The Regular Council Meeting Dated August 21, 2013 Ford

Items Pulled from Consent Calendar

- No's 4, 12, and 13,

Motion To Approve Consent Calendar As Amended Made By Council Member Sanders, Second By Council Member Holloway. Motion Carried By Voice Vote Of 4 Ayes; 0 Noes; 0 Abstain; 0 Absent.

Item 4 discussion

Mike Neel

- Requested clarification of line item 17, wastewater loan to business park
 - Gary Parsons responded the loan was made between two city entities so cannot be allowed on payment list until other obligations are paid.
- Requested clarification of solar park loan
 - Gary Parsons responded with same regulatory requirements as item 17.
- Asked if all items on list have been accepted.
 - Gary Parsons responded all items with exception of last item has been accepted.
- Clarification of bond obligations. Made statement of the bond list which was never discussed or approved in full council. Staff put in as a placeholder and has stayed.

Motion To Approve Item No. 4 Made By Council Member Acton, Second By Council Member Holloway. Motion Carried By Voice Vote Of 4 Ayes, 0 Noes, 0 Abstain, And 0 Absent.

Item 12 discussion

Chip Holloway

- Pulled item as problem has been solved. Asked city manager and attorney to come back with mechanism to resolve time sensitive items such as this.

No motion was made or seconded therefore Item did not pass.

Item 13 discussion

Lori Acton

- Confused about setting up ad hoc committees. Suggested moving ad hoc reference to later item.

Mayor Clark

- Suggested removing all references to ad hoc committees from resolution

Ron Porter

- Clarified Mayor's suggestion

Paul Vanderwerf

- Commented on the importance of issues that committees discuss.
- Spoke on the general plan for parks.
- Asked for better plan to address parks general plan issues.

Mike Neel

- Commented on lack of understanding why council is eliminating committees.
- Stated elimination of standing committees was unnecessary

Mayor Clark

- Requested the ACTION committee remain a standing committee
 - Ron Strand – responded to council questions pertaining to the ACTION committee, gangs, and school involvement.

Motion To Approve Resolution As Amended Made By Council Member Acton, Second By Council Member Holloway. Motion Carried By Voice Vote Of 4 Ayes; 0 Noes; 0 Abstain; And 0 Absent.

DISCUSSION AND OTHER ACTION ITEMS

16. Discuss And Adopt A Resolution Establishing Ad Hoc Committees For Identified Projects **Clark**

Mayor Clark

- Presented staff report supporting ad hoc committees for projects which are already under discussion at the committee level.

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Lori Acton

- Part of reason in eliminating standing committees was to allow discussion of these projects at Council.
- Feel none of the projects listed qualify for ad hoc.
- Willing to discuss projects in full council.
- Need to formulate how Council will be receiving the information prior to council discussions.

Mayor Clark

- Respectfully submit the research areas to ad hoc.

Lori Acton

- Have to get the information to Council
 - Dennis Speer understood direction to staff included comprehensive newsletter and will revive the newsletter which will provide the information and additionally staff will be working with IT to have lists and projects updates posted to the website. Newsletter will also be posted publicly on website.

Jim Sanders

- Agrees the issues listed are not appropriate for ad hoc with exception of research for parks assessment district.

Chip Holloway

- Wanted ad hoc decisions to be staff driven.
- Council goal is not to run the City. Only give recommendation and direction to bring recommendations to Council.
- Reviewed list of projects.
- Spoke on strategic plan session and last plan was not accomplished due to lack of staffing.
- Prerequisite for ad hoc is if Council cannot solve issue in public and staff had project that will require large amount of research before bringing to Council for discussion.

Public comment

Ron Porter

- Spoke on specifics of the process of creating ad hoc not outlined in the resolution.
- Commented on local talent and research. Exemplified wastewater treatment facility and potential research such as what type of plant is needed.
- Ad hoc is less formal manner of looking for ideas and information
- Need to decide what we want to do and how are we going to do it.

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Ron Porter *(continued)*

- Objects to resolution. Asked for more definitive manner with defined tasks and short time frame.
- Get community involved. How are members to be appointed etc.

Steve Morgan

- Provided handout regarding ad hoc committees.
- Suggested empowering staff to create ad hoc committees with some exceptions.
- Staff know how much time they have and can move forward with getting the information and bringing it to council
- Suggested tabling this item and have staff return with a suggested process for establishing committee which also give staff the power to recommend members based on needs of the committee.
- Gave example of language that could be used to establish ad hoc committee process. *(Handout Available In City Clerk's Office)*
- Doesn't prevent council from creating ad hoc, but empowers staff for items.

Stan Rajtora

- Spoke on discussion of modifying building code to help developers get construction completed.
- Suggests this as subject for ad hoc committee to be completed as soon as possible.
- Asked council to do something to get code changed to help contractors do their jobs.
 - Mayor Clark – noted that ad hoc from planning commission is working on amending the code.

Paul Vanderwerf

- Suggested more volunteers and community participation.
- Compared ad hoc to measure 'I' committee.
- Commented on value realized when community members volunteer and get involved.
- Spoke on local groups and offers presented to parks and recreation to help.
- Commented on frustration expressed by individuals who have been unable to get involved.
- Volunteered to be a part of ad hoc committees.

Dave Matthews

- Standing committees had minutes, which is important for both the committee and the public.
- Need to keep track of what happens at the meetings.

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Tom Wiknich

- Still waiting for a sign ordinance.
- Referenced conversation with former city manager Harvey rose which indicated that project priorities change after each meeting and then things fall thru the cracks.
- When items get to council they may get into the conclusion status and move forward.

Mike Neel

- Agreed with Mrs. Acton's opening statements
- Let staff do their jobs and bring to council for public comments.
- Emphasized that parks assessment district needs to be at council level completely
- Agreed with tabling item and think about it before bringing back.
- Agreed that most items listed are more for standing committees.
- Referenced attorney general definition of ad hoc which requires specific project for specific time.

Jim Sanders

- Liked Mr. Porter's comments and agreed with the need to define process for doing ad hoc committees which has been discussed but fine details have not been decided.
- Requested discussion items to outline what council wants for ad hoc committees such as who serves, who appoints, how called.
- Asked about capability of forming ad hoc during open discussion

Chip Holloway

- Agree with Mr. Morgan's suggestion of having ad hoc committee's staff driven.
- Before committee is actually established council will have input.

Lori Acton

- Agree with council comments
- Should be staff driven. Council is here to lead, not to manage
- Strategic planning session helps set goals and then staff knows which direction to go.
- Staff will give reports to council.
- Don't think we can lock in number of persons but do have guidelines.
- Need to discuss at next council meeting and not pass this resolution.

Jim Sanders

- Agree with broad outline.

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Mayor Clark

- Agree with comments and love idea of tabling this item and having city manager put together outline of ad hoc committees that includes empowering staff.
- Like idea of emergency ad hoc thru city manager if needed.
- Appreciate all comments and table the issue requesting Mr. Speer to put together plan from staff point of view.
- Like the idea of minutes.

No motion was made or seconded.

COMMITTEE REPORTS

Veterans Advisory Committee

Members: Daniel Clark

Meetings: 1st and 3rd Monday of the Month At 6:00 p.m., Council Conference Room

Next Meeting: To Be Announced

- Dan Clark – announced next meeting and veteran’s stand down on the 27th.

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Lori Acton, Chip Holloway

Meetings: 1st Wednesday Of The Month, 8:00 A.M.

Next Meeting: at time and location to be announced

- Doug Lueck presented directors report. *(Copy Available In The City Clerk’s Office)*

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- None

CITY MANAGER REPORT

Dennis Speer

- Update of concession stand fire
- Staff has received no confirmation of Staples closure so need clarity for letter to Staples (i.e. is letter a support for remaining in community or other)
 - Jim Sanders – hate seeing a business go away in Ridgecrest however, not sure of government stance because of free market economy. Fine with letter of support but not sure there is more we could do.
 - Lori Acton – only Staples in Kern County. Don’t like ordering online and in our case would like to take steps to encourage them to stay in the community. Have looked at alternatives such as smaller space. Need to reach out to try and keep them here.

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- Chip Holloway – in free market society can't pick winners and losers. When we rally for a competitor, what kind of service are we doing for the other local businesses? Asked for official statement from corporation as to why they are leaving but concerned about taking sides. Don't think we want to go down that path, we are to provide the environment for them to operate in.
- Dan Clark – disagree with colleagues. We recruit businesses to come to our community for a number of reasons and would like to see a similar stance or offer to try and keep the business to stay. If we can keep them here by the economic development persons offering a deal then would support it. Proactive or supportive, what is the council's preference.
- Lori – proactive for any business
- Jim Sanders – must do without fail for every business or support no letter at all.
- Chip Holloway – regret they are leaving but don't have the money to offer incentives. Economic development goes out to attract businesses that fulfill a need.
- Mayor Clark – suggest city manager work with economic development to try and keep in the community.
- Lori Acton – would be willing to do something to keep them here. We are supposed to help them same with any other business. Write a letter offering help.
- Chip Holloway – agree with positive letter but not waste staff time beyond that.
- Schedule for strategic planning session, October 2 is fine but teen court meets here so September 30 is out. Scheduled meeting for October 1 in the council chambers are available at 5:30 pm.

MAYOR AND COUNCIL COMMENTS

Lori Acton

- Asked for clarification of process for nomination process for Council.
 - Dennis Speer - As long as approach is identified and clear publicly in staff report then procedure followed.
 - Chip Holloway – submit 2 names to city clerk. Expect to personally interview nominees before the meeting. Vote secret ballot then public interview if there is a tie.
 - Dan Clark – in past a tie was discussed in the back. If a tie this time asked how this council wanted to do with it.
 - Dennis Speer – will check with city attorney on legality for closed session.
 - Jim Sanders – publicly review nominees.
 - Dan Clark – top 3 or 4 candidates have timed speech to sell themselves to council.
 - Lori Acton – like closed voting, narrowing down to top 3 and then public interview for those individuals.

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- Chip Holloway – don't have problem with speech then question period before next vote.
- Monster trucks this weekend and lions doing the cooking
- Booths for 50th anniversary available

Jim Sanders

- Clarified that city manager will create process in staff report
- Feel strongly that holding fast to free market principles is the best. Is the best economic system and regardless of what business is being discussed can't fail that system.
- Thanked applicants and several will be considered and looking forward to reading applications and getting to know them.

Chip Holloway

- Thanked everyone for the applications, surprised by some of the applications present and some that were not.

Dan Clark

- Encouraged public to participate in the 1000 flags and remembrance of 9/11
- Rear Admiral Mike Moran is Grand Marshall for parade.
- Application forms available for the 50th anniversary parade and Kathy Armstrong is assisting with parade applications.
- If you watch the parade, you will see Officer Myers flying around.
- Ridge project cleanup on Sunday September 8 at 7:30
- Thanked individuals who submitted applications to volunteer to sit on the council. Invited applicants to get to know the council and council will be contacting them as well.
- Commented on charter city v. general law city. Item pulled and will be brought back to full council as discussion item once new council member has been selected.

ADJOURNMENT at 9:07pm



Rachel J. Ford, CMC
City Clerk