



## MINUTES OF THE REGULAR MEETING OF THE RIDGECREST CITY COUNCIL

City Council Chambers  
100 West California Avenue  
Ridgecrest, California 93555

December 17, 2014  
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 Peggy Breeden; Mayor Pro Tem James Sanders; Vice Mayor Lori Acton; Council Members Eddie B. Thomas and Mike Mower

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

**APPROVAL OF AGENDA**

DELETE FROM CLOSED SESSION

GC54956.9 (d)(4) Conference With Legal Counsel – Existing Litigation – Brutuco v. City Of Ridgecrest

ADD TO CLOSED SESSION

GC54956.9 (d) (1) Conference With Legal Counsel – Liability Claim Of Verizon v. City Of Ridgecrest – Claim No. 14-13

*Motion To Add Closed Session Item Verizon v. City Of Ridgecrest Claim No. 14-13 And Delete Item Identified As Brutuco v. City Of Ridgecrest Made By Council Member By Lori Acton, Mike Mower 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

*Motion To Approve Agenda As Amended Made By Council Member Acton, Second By Council Member Sanders. Motion Carried By Voice Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

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**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

**PUBLIC COMMENT – CLOSED SESSION**

- None Presented

**CLOSED SESSION**

- GC54956.9 (d) (4) Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. Matasantos
- GC54956.8 Successor Redevelopment Agency Real Property Negotiations – Negotiation For Sale – APN 033-070-41. Agency Negotiators City Manager Dennis Speer And Economic Development Program Manager Gary Parsons
- GC54956.8 Local Agency Real Property Negotiations – Negotiation For Sale – PM 10819 Lot Parcel 22 APN 033-070-41. Agency Negotiators City Manager Dennis Speer And Economic Development Program Manager Gary Parsons
- GC54956.8 Local Agency Real Property Negotiations – Negotiations for Purchase – Leroy Jackson Park. Agency Negotiators City Manager Dennis Speer and Receptions Supervisor Jason Patin

**Item added to closed session prior to approval of the agenda**

- GC54956.9 (d) (1) Conference With Legal Counsel – Liability Claim Of Verizon V. City Of Ridgecrest – Claim No. 14-13

**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

## CITY ATTORNEY REPORT

### ➤ Closed Session

- Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. Matasantos – report received – hearing on City motion will be heard the week of January 21 - no reportable action
- Conference With Legal Counsel – Existing Litigation – Brutuco v. City Of Ridgecrest – struck from the agenda
- Successor Redevelopment Agency Real Property Negotiations – Negotiation For Sale – APN 033-070-41. Agency Negotiators City Manager Dennis Speer And Economic Development Program Manager Gary Parsons – report received – no reportable action
- Local Agency Real Property Negotiations – Negotiation For Sale – PM 10819 Lot Parcel 22 APN 033-070-41. Agency Negotiators City Manager Dennis Speer And Economic Development Program Manager Gary Parsons – report received – no reportable action
- Local Agency Real Property Negotiations – Negotiations for Purchase – Leroy Jackson Park. Agency Negotiators City Manager Dennis Speer and Recreations Supervisor Jason Patin – report received – no reportable action
- Conference With Legal Counsel – Liability Claim Of Verizon V. City Of Ridgecrest – Claim No. 14-13. Claim denied and City Clerk directed to send a letter of rejection.

### ➤ Other

- None

## PUBLIC COMMENT Opened at 6:52 p.m.

Sophia (Sam) Merck

- Presented council with papers she wrote regarding land use and BLM
- Wished new council

Pertexa

- Congratulated new council
- Gave report of Pertexa's progress since receiving grant funding
- New office procured
- New employee's thru TOSS and Cerro Coso College
- Challenged with attracting new business
- Took 1 month to get internet in the building and concerned about other businesses facing the same issue.
- Trying to get heat into the building
- Still moving forward with RoboDoc
- Encouraged council to contact them with questions

Public Comment closed at 6:57 p.m.

## PRESENTATIONS

### 1. Finance Department Report

McQuiston

Rachelle McQuiston

- Presented staff report.
- PowerPoint presentation available in the City clerk's office.
- Reviewed funding sources, functions of the department, staffing, opportunities, threats, and goals.

Lori Acton

- Asked about the cost of a new financial system
  - Rachelle McQuiston – between \$100k and 500k. have not reviewed all proposals.
- Asked about current staff who can do grant writing
  - Rachelle McQuiston – some staff in several departments do part time grant writing. Desire a full time grant writer.
- Can position be filled by a current employee
  - Needs to be someone at a level higher than clerical

Peggy Breeden

- Commented on the format of the budget. Asked if new program will allow capability to identify how much money went to specific projects
  - Rachelle – that is the hope
- Spoke on working with a friend to understand the budget. Encouraged a good understandable budget
  - Rachelle – will work on this in the next budget cycle as we are building the budget.

Eddie Thomas

- Requested clarification of needing 'more time'
  - Rachelle – goal is to be able to do more planning. Currently reacting to needs and not able to do more planning to become efficient.

Jim Sanders

- Will new financial system save enough staff time to devote a staff member to grant writing
  - Rachelle – possible.

Public Comment

Dave Matthews

- A few years ago City did have a dedicated grant writer who was dismissed during reduced budget.
- Suggested one grant writer for the entire City.
- Asked for clarification of revenue sources and property tax
  - Rachelle – currently receive 5% of the 1% of property tax. Prior to RDA City received 50% of the 1% and now that RDA is gone will need to talk with the county.

Closed Public Comment

**2. Presentation Of Employee Service Awards**

**Council**

Council

- Presented a certificate of appreciation to Pat Richard for achievement of years of service milestone.

**CONSENT CALENDAR**

**3. Adopt A Resolution To Approve To Amend The Professional Service Agreement With HLA Group For Documentation And Construction Oversight For The Addition Of A Pre-Fabricated Restroom And Concession Building Located At The Kerr McGee Youth Sports Complex Project Site**

**Patin**

**4. Adopt A Resolution Approving The Annual Report On Development Impact Fee Revenues And Expenditures, And Making Findings As To Unexpended Funds**

**McQuiston**

**5. Adopt A Resolution Approving Adjustments To The FY 2014-2015 Budget**

**McQuiston**

**6. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving Contract Change Order Number Fourteen With The Contractor, Griffith Company, For The West Ridgecrest Boulevard Project And Authorize The City Manager, Dennis Speer, To Sign The Change Order Number Fourteen**

**Speer**

7. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving Contract Change Order Numbers Three, Four And Five With The Contractor, Griffith Company, For The South China Lake Boulevard Project Between Upjohn Avenue And Bowman Road And Authorize The City Manager, Dennis Speer, To Sign The Change Order Numbers Three, Four And Five Speer
8. Adopt A Resolution Rejecting All Bids On A Construction Contract For The City Corporation Yard And Bus Garage (Transit Facility) Speer
9. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Minutes Dated December 3, 2014 Ford

Items Pulled From Consent Calendar

*Request to Amend Item No. 9 on the minutes of December 3, 2014 to correct nomination seconded by Council Member Mower*

- Item Nos. 4, 6, and 8 pulled for discussion

*Motion To Approve Consent Calendar Items Nos. 3, 5, 7, And 9 As Amended Made By Council Member Sanders, Second By Council Member Thomas. Motion Carried By Voice Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, and Mower); 0 Noes; 0 Abstain; 0 Absent.*

Item No. 4 Discussion

Stan Rajtora

- Commented on impact fees having been necessary during a time of recession however may be inhibiting growth at this time
- Suggested City review and possibly put the impact fees on hold to allow for growth.
- Commented the fees are designed to fund increased need.
- Suggested City review whether these fees are doing more harm than good.
  - Rachelle – this is required report, if council chooses to do this it would fall under the City manager

Mike Mower

- No problem looking that the fees. Building permits are \$20,000 before breaking ground on construction
- Justification for some fees but if killing ability to buy a home then needs review.

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Peggy Breeden

- Likes the idea and feels appropriate for future item looking at all fees

Jim Sanders

- In favor of looking at the fees

Eddie Thomas

- Questioned if these fees are for goals or necessary
  - Rachelle – responded
- At the rate we are growing may never reach the goal
  - Dennis – traffic impact fees have been substantial over the past few years and parks will be bringing before council

*Motion To Approve Item No. 4 As Presented And Give Direction To Staff To Conduct A Fee Study Made By Council Member Acton, Second By Council Member Sanders. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

Item No. 6 Discussion

Dave Matthews

- Light standards late being delivered and suggest getting a rebate from manufacture because they did not deliver.
  - Dennis Speer - responded

*Motion To Approve Consent Calendar Item No. 6 Made By Council Member Thomas, Second Acton By Council Member. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent.*

Item No. 8 Discussion

Dave Matthews

- Clarified bid process

Mike Mower

- Explained reason for rejection

*Motion To Approve Consent Calendar Items No. 8 Made By Council Member Thomas, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent.*

## DISCUSSION AND OTHER ACTION ITEMS

### 10. Minute Motion Appointments To Council Committees, Boards, And Commissions And Discussion And Possible Formation Of Additional Standing Committees Of The City Council Ford

Peggy Breeden

- Opened discussion of re-establishing standing committees.
- Asked each Council Member to address existing committee appointments

Nominees for Planning Commission were announced by each Council Member as follows:

- Peggy Breeden nominated Solomon Rajaratamin for appointment
- Jim Sanders nominated Scott Davis for reappointment
- Lori Acton nominated Matthew Baudhuin for reappointment
- Eddie Thomas nominated Ronald Carter for appointment
- Mike Mower nominated Warren Cox for appointment

City Attorney was requested to research conflict of appointment of Ron Carter for Planning since he is already serving on Measure 'L' Citizens Advisory Committee.

*Motion To Approve Nominations Of Planning Commissioners Was Made By Vice Mayor Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

Nominees for Personnel Appeals Board were announced by each Council Member as follows:

- Peggy Breeden nominated Janis Bottoroff
- Jim Sanders nominated Ryan Hunter
- Lori Acton nominated Jerry Taylor
- Eddie Thomas nominated Christina Witt
- Mike Mower nominated Mike Avery

*Motion To Approve Nomination To The Personnel Appeals Board Was Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 5 Ayes (May Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

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Nominees for Construction Appeals Board were announced by each Council Member as follows:

- Peggy Breeden nominated Mike Ferguson
- Jim Sanders will provide nominee at the next council meeting
- Lori Acton will provide nominee at the next council meeting
- Eddie Thomas nominated Robert Obergfell
- Mike Mower nominated Russell Hurst

*Motion To Approve Nominees For The Construction Appeals Board Made By Council Member Sanders, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

Nominees for Handicap Appeals Board were announced by each Council Member as follows:

- Peggy Breeden nominated Jinny DeAngelis as the public member
- Jim Sanders nominated Russell Hurst as a construction member
- Lori Acton nominated Tami Miller as a handicap member
- Eddie Thomas nominated Gary Maxwell as a handicap member
- Mike Mower will provide nominee at the next council meeting

*Motion To Approve Nominees For The Handicap Appeals Board Made By Vice Mayor Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent*

Mayor Breeden announced the following additional Council appointments.

- Activate Community Talents and Interventions for Optimal Neighborhoods Task Force (ACTION)
  - Eddie Thomas and Lori Acton
- Ridgecrest Area Convention & Visitors Bureau (RACVB)
  - Lori Acton and Eddie Thomas
- Veterans Advisory Committee
  - To be appointed at the next council meeting
- Kern Council of Governments (KernCOG)
  - Peggy Breeden with Jim Sanders as the alternate
- Navy Community Council
  - Peggy Breeden and Lori Acton
- IWV Groundwater
  - Jim Sanders and Peggy Breeden
- Water Conservation Ad Hoc Committee
  - Jim Sanders and Peggy Breeden

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Committee Nomination *(continued)*

- Youth Advisory Council
  - Eddie Thomas
- Civilian & Military Affairs
  - Peggy Breeden and Lori Acton
- East Kern County Air Pollution Control Board
  - Peggy Breeden
- Senior Advisory Council
  - Combined with Parks, Recreation, and Quality of Life committee
- Arts Council
  - Combined with Parks, Recreation, and Quality of Life committee
- Quad State Local Governments Authority
  - Jim Sanders and Mike Mower
- League of California Cities
  - Peggy Breeden and Jim Sanders with Eddie Thomas as alternate
- Disaster Council (appointments set by Municipal Code)
  - Mayor, City Manager, and Chief of Police
- Round Table and Bureau of Land Management
  - Lori Acton
- Energy Conservation Plan (DRECP)
  - Lori Acton
- Infrastructure Committee (re-establishment of committee scheduled for next council meeting)
  - Jim Sanders and Mike Mower
- City Organization and Services Committee (re-establishment of committee scheduled for next council meeting)
  - Lori Acton and Mike Mower
- Parks, Recreation, and Quality of Life (includes Senior Advisory Council and Arts Council)
  - Eddie Thomas and Lori Acton

*Motion To Approve Additional Council Member Appointments As Announced Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 0 Absent.*

**Additional appointments and formation of Standing Council Committees to be brought back for discussion and action at the next Council meeting.**

**Dave Matthews**

- Appointments were made to IWW Groundwater and AdHoc which are separate committees
  - Peggy Breeden - same people will serve on each committee.

Keith Lemieux

- Requires a written resolution to establish former standing committees. Mayor has authority to appoint members now and when committees are reformed then appointees will assume the appointments.

**11. Downs Project Overview**

**Speer**

Dennis Speer

- Presented staff report and PowerPoint presentation.

Jim Sanders

- Asked cost for moving ball park lights
  - Dennis Speer – don't have a cost, streets does not drive it. SCE has guidelines to follow for transmission purposes.
- Sounds like its likely we will have to move the ball park lights.
- CMAC funding apply to this situation for paving dirt?
  - Dennis Speer – no doubt this qualifies for ISIP but would have to make a case for CMAC. Spoke on traffic bottleneck and air quality issues.

Mike Mower

- Edison and how long would it take to move the poles
  - Dennis Speer – Ridgecrest Blvd. move to approx. 6 months
- Would dividers be removed
  - Dennis Speer - yes

Peggy Breeden

- Moving poles then going underground seems doing the same thing.
  - Dennis Speer – want to make the decision which is to be done and not both.

Mike Mower

- Commented on modified street section
  - Dennis Speer – can do but poles will not go underground

Jim Sanders

- Asked about bike lanes
  - Dennis Speer - responded

Mower

- Asked about right of way
  - Dennis Speer – do not have all the right of way

Lori Acton

- Clarified moving poles and undergrounding

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**Jim Sanders**

- Asked about benefits of undergrounding versus moving poles
  - Dennis Speer – beautification and allocation saved for payment. We have 2.5 million saved for project and county willing to give another 2.5 on loan to do the undergrounding.

**Lori Acton**

- Mr. McQuiston went out of his way to procure that money for us and is a good beautification.

**Mike Mower**

- Do want to underground but concerned about waiting on Edison. Interested in widening street now and moving poles then underground later.
- Commented on lights blinking in businesses.

**Dennis Speer**

- Spoke on a project and likelihood of moving poles now and but completion time funding date for underground may come due.

**Peggy Breeden**

- Are there considerations for safety of school children
  - Dennis Speer – safety always weighs into funding allocations.

Public comments

**Don Baker**

- Works at the school and from 2:30pm to 3:30pm there is a glutton of traffic trying to pick up students.
- Are large transmission pole going to stay
  - Dennis Speer – yes
- Asked how many poles would be affected
  - Dennis Speer – do not have a full count.
- When discussing visual will still have several huge transmission lines.
- Anything done to move the widening project forward is beneficial.
- Commented on difficulty driving with rain at night because of the bends.

**Dave Matthews**

- Asked about rule 20 money. Been a promise for up to 20 years but nothing happening.
- What would be a way to get the street done in the least amount of time without a huge amount of funding?
- That is the only section left. Original widening started 40 years ago and tired of that section being left out.
- Whatever needs to be done, get it done.

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Tom Wiknich

- Agree this undergrounding has been discussed for a long time. Did not know the transmission lines would still be there. Do we want to spend that much money to take down half the poles.
- How long does council want to wait to do the project
- 3-5 years for programmed approval thru Kern COG.
- Quickest approach was reallocating TAB funds which is in the control of the Council.
- There is a lot to consider.

Mike Mower

- Longer it takes the more it will cost.

Dennis Speer

- Requesting direction on which approach council prefers

Mike Mower

- Asked if could come back to council with alternative for funding.
- Downs project should be a priority.
- Want to see right of way issues taken care of.
  - Dennis Speer – in process.
- Requested staff come back at next council with projects and funding

Peggy Breeden

- Funding
- TAB projects and impact to moving funds
- Estimate of cost for Downs project

Jim Sanders

- First preference is TAB funding route
- Distribution lines only ones to be undergrounded and it is approximately 7 poles, just as many transmission poles above ground.
  - Single transmission pole estimate to move is \$384k

Lori Acton

- Would like to see the funding options.
- If waiting on funds from Kern COG and we are not top priority could be another 16 years to get funded.

**12. Executive Summary And Discussion Of Fiscal Year 2014-2015 Budget Projections** **McQuiston**

Rachelle McQuiston

- Presented staff report and General Fund status updates thru October.

Lori Acton

- This is positive, thank you

Jim Sanders

- The principles used in the budgeting process is left more than that as a reserve. There was temptation to use the money and glad we did not do it.
- This shows good budgeting practices and thanked Mrs. McQuiston for her hard work.

Public Comment

- None Presented

**ORDINANCES**

**13. Approve Two Motions To Waive Reading In Full And Introduce By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Granting A Non-Exclusive Taxi Franchise To Sandra Gamble** **Speer**

Public Comment

Dave Matthews

- How many taxi franchises do we have
  - Dennis – Three

Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Granting A Non-Exclusive Taxi Franchise To Sandra Gamble Made By Council Member mower , Second By Council Member Thomas . Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent

Requires A Second

Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Granting A Non-Exclusive Taxi Franchise To Sandra Gamble Made By Council Member mower , Second By Council Member Acton . Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent

Requires A Second

## COMMITTEE REPORTS

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

Members:

Meetings: 3<sup>rd</sup> Tuesday of the Month at 4:00 P.M., Kerr-McGee Center

Next Meeting: To Be Announced

- No Report

### Veterans Advisory Committee

Members:

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

Next Meeting: To Be Announced

- No Report

### Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members:

Meetings: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.

Next Meeting: Date And Location To Be Announced

- No Report

## OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Jim sanders

- Water conservation Ad Hoc met
- Don Zebeda gave presentation on water conservation options
- Discussed an enabling ordinance for residents to use grey water in the City
- Gave staff direction to find that ordinance and identify impacts to other City ordinances.
- Will set new meeting schedule

## CITY MANAGER REPORT

Dennis Speer

- Reminded council the January 7 meeting will not have staff items so questioned council if they want to hold the meeting on that date.
  - Council agreed to cancel the meeting

## MAYOR AND COUNCIL COMMENTS

Mike Mower

- No comments

Eddie Thomas

- Happy holidays to everyone
- Excited about the downs project, huge safety concerns so let go forward

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Jim Sanders

- Wished everyone a Merry Christmas
- Love this community and hopes as a community we can maintain this as a religious holiday

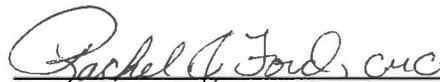
Lori Acton

- Thanked staff for their hard work and wished everyone happy holidays
- Love the enthusiasm of getting the Downs Street project done.

Peggy Breeden

- Asked staff to provide the impact of one Council meeting a month? Staff time will be used for more meetings. Want to see if this is feasible and how will it impact other agencies
- Want to look at moving closed session to end of the meeting. Want to look at the options. Talked about cheerleaders who had to leave because closed session went long. Want to see the impacts and see if it is good or bad.
- Merry Christmas everyone and staff
- Saw a beautiful Christmas tree lighting and party because of our staff. Thank you for your hard work.

**ADJOURNMENT at 8:48pm**



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Rachel J. Ford, CMC  
City Clerk