



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

City Council Chambers  
100 West California Avenue  
Ridgecrest, California 93555

November 5, 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 5:30pm

#### ROLL CALL

Council Present: Mayor Clark, Council Members Marshall 'Chip' Holloway and Steve Morgan  
Council Absent: Council Members Jim Sanders and Lori Acton  
Staff Present: City Manager Dennis Speer; Acting City Clerk Ricca Charlon; City Attorney Michael Silander; and other staff

#### APPROVAL OF AGENDA

*Motion To Approve Agenda Made By Council Member Morgan, Second By Council Member Holloway. Motion Carried By Roll Call Vote Of 3 Ayes; 0 Noes; 0 Abstain; And 2 Absent.*

#### PUBLIC COMMENT – CLOSED SESSION - None

#### CLOSED SESSION

\*Councilmember Sanders & Acton joined closed session

GC54959.8 Local Agency Real Property Negotiations – Leroy Jackson Park – Agency Negotiators Dennis Speer, City Manager And Jason Patin, Recreation Supervisor

GC54956.9 (d) (4) Conference With Legal Counsel – Existing Litigation - Squillacote v. Frid, CASE NO. S-1500-CV-276362 SPC

GC54956.9 (d) (4) Conference with Legal Counsel – Potential Litigation – Claim No. 14-11, Claimant: Christopher Calvi

#### REGULAR SESSION – 6:10 p.m.

- Pledge Of Allegiance
- Invocation

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### CITY ATTORNEY REPORT

- Closed Session
  - Property Negotiations – Leroy Jackson Park – Agency Negotiators Dennis Speer, City Manager And Jason Patin, Recreation Supervisor  
*Received report, no reportable action taken, direction given to staff*
  - Conference with Legal Counsel – Existing Litigation - Squillacote v. Frid, CASE NO. S-1500-CV-276362 SPC  
*Received report, no reportable action taken, direction given to council*
  - Conference with Legal Counsel – Potential Litigation – Claim No. 14-11, Claimant: Christopher Calvi  
*Received report, no reportable action taken, direction given to City Attorney*
- Other
  - None

### PUBLIC COMMENT - opened at 6:12 p.m.

*Connie Hilmer* – shared concerns regarding median placed at Ridgecrest Blvd. and Norma intersection.

*Janice Bottoroff* – shared concerns regarding safety, parking, flooding, maintenance and water use in regards to the Ridgecrest Blvd. project.

*Tina Warren* – quality of work is great, thanked Council for making Ridgecrest Blvd. repaving happen but concerned about safety on the road and lack of communication from City.

*Randy Jenkins* – congratulated new Council members. Read scripture passage.

*Dave Siebel* – Read letter to the editor he wrote and had printed in newspaper(s).

\*\* Engineer Culp reviewed meetings held on Ridgecrest Blvd. project to explain ‘fully vetted’ in regards to Mr. Siebel’s letter.

*Karen Davis* – concerned with Ridgecrest Blvd. construction as it related to disruption of businesses; dislikes the bulb outs.

*Gary Allred* – Disagreed with comments made regarding businesses not being notified. He has been involved for many years and the community was notified. Concerned with handicap access along Ridgecrest Blvd. Feels that infrastructure, OTAP and other meetings being cancelled halted communication avenues with the public. Does not agree with the bulb outs.

*Mike Neel* – Commented to public that coming to one meeting will not solve your problems; you need to come more often to be heard. Concerned with handicap and bicycle safety along Ridgecrest Blvd. Asked how much was spent on bulb outs and other extras?

*Virginia DeAngelis* – concerned about bulb outs and safety in regards to DART staff.

Closed public comment at 7:00 p.m.

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### PRESENTATIONS

1. **Proclamation Presentation To The Benevolent And Protective Order Of Elks Honoring National Veterans Remembrance Month** Ford
  - Council presented a proclamation to Exalted Ruler Bill Brickey, Sam Brown, and Odessa Newman-Staples representing the Benevolent and Protective Order of Elks.
  
2. **Present Findings Of 'Bang For Your Buck' Fair Activity** McQuiston
  - Finance Director McQuiston presented findings from the survey.
  
3. **Department Report – Public Works** Speer
  - City Manager/Public Works Director Speer presented a power point report.
    - Holloway – Would the removal of some items on Ridgecrest Blvd. be something the new council members in attendance (Breedon, Thomas, Mower) would like? If so, we need to stop the spending now since they are going to pull them out in 30 days.
    - Culp – Staff cautioned Council that federal funds are being expended for the features (bulb outs, crossings, etc.) and the city might be asked to pay back the monies expended if removed or if the project is halted in regards to the features.
    - Holloway - remember that if you accept the money and promise to spend it a certain way, then don't do what you promised, it makes it harder to obtain the next round of funds (cautioning the new council present to be cognizant of projects and promises in the works).
    - Sanders – Cautioned the public to just be patient and wait till the projects are complete to make judgment. Asked the City to give the new streets a chance.
    - Morgan – Concerned with how the Ridgecrest Blvd. project is being viewed. Thanked staff for the presentation and adhering to the PMS plan and completing year 1.
    - Acton – Citizens have been asking her 'why did we pave the streets around town all at the same time?'
    - Speer – due to the paving season of April through October
    - Mayor Clark – made mention of the time spent by staff preparing presentations and thanked them. Spoke to the time spent by staff preparing for the prior cancelled committee meetings and the justification he used in recommending they be cancelled.
    - Christina Witt – commented on bicycle safety in regards to them being legal to join traffic to pass by the bulb outs.
    - Mike Neel – mentioned understanding the committee's cancellations do to the information being documented at council and better vetted. Supports the stopping of Ridgecrest Blvd. rather than continuing and pulling out later.
    - Tina Warren – Doesn't want everything pulled out, just concerned about safety.
    - Peggy Breedon – asked the council are you going to have to pay back for the items already removed? We are not criticizing, we are just asking for help and better processes going forward.

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**CONSENT CALENDAR**

4. **A Resolution Authorizing The City Manager To Sign The Notice Of Completion, Authorizing The City Clerk To File The Notice Of Completion And Authorizing The Release Of Retention On The Sunland Avenue Project: Upjohn Avenue to Bowman Avenue** **Speer**
5. **A Resolution Of The Ridgecrest City Council Accepting Grant of Sewer Easement From The Ridgecrest Regional Hospital Across Parcels 3, 4 & 5 Of Quit Claim Deed, Document Number 0207224809, In The City Of Ridgecrest, County Of Kern, State Of California And Authorize The Mayor, Daniel O. Clark, To Sign The Certificate Of Acceptance and Authorize the City Clerk to Record the Document** **Speer**
6. **A Resolution Of The Ridgecrest City Council Vacating Portions Of The Sewer Easement For The Ridgecrest Regional Hospital Properties Across Parcel 2, Of PM 7595, And Parcels 3, 4 & 5 Of Quit Claim Deed, Document Number 0207224809, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor, Daniel O. Clark, To Sign The Quit Claim, Vacation Deeds, And a Certificate of Acceptance And Authorize The City Clerk To Record The Document** **Speer**
7. **A Resolution Approving Program Supplement Agreement No. 037 With The State Of California, Department Of Transportation, Under Master Agreement No. 09-5385R And Authorizing The City Manager, Dennis Speer, To Sign The Agreement For The Preliminary Engineering Of The North Warner Street Project from Drummond Avenue to West Howell Avenue** **Speer**
8. **Approve Contract Change Order Number Nine With The Contractor Griffith Company To Provide Services For The Fog Seal Of All New Asphalt Prior to Striping The West Ridgecrest Boulevard Project And Authorize The City Manager, Dennis Speer To Sign The Change Order Number Nine** **Speer**
9. **Approve A Letter Of Support To The Kern County Board Of Supervisors For The Water Availability And Conservation Report** **Clark**

Items Pulled From Consent Calendar

- Item No. 9

*Motion To Approve Item Nos. 4, 5, 6, 7, and 8 Of Consent Calendar Made By Council Member Acton, Second By Council Member Sanders. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton And Morgan); 0 Noes; 0 Abstain; And 0 Absent*

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Item No. 9 Discussion

- Morgan – Proposed new wording to letter
- Clark - add 'GSA agency and/or a jpa'?
- Stan Rajtora – add wording 'in tandem with an update to the IWV specific plan'
- Holloway – concerned that the letter will become a tool and from his research there are people on each side of the Todd Report. Should we endorse the report with this letter or should we completely vet it.
- Clark – Believes we should approve the letter and be proactive.
- Amendments – 1. Add all council signatures to the letter. 2. Add wording 'in tandem with an update to the IWV specific plan'. 3. Add recommendation presented by Councilmember Morgan – 'The City Council as a stakeholder in the process of developing solutions that range from possible replenishment districts for taxation, importation, mandatory cutbacks on pumping for all users, etc., supports the formation of a Groundwater Sustainability Agency (GSA) to begin work on this very important issue to the Indian Wells Valley as soon as practicable'

*Motion To Approve Letter As Amended Made By Council Member Morgan, Second By Council Member Acton Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton And Morgan); 0 Noes; 0 Abstain; And 0 Absent*

*Motion To Approve Item No.9 Of Consent Calendar As Amended Made By Council Member Morgan, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton And Morgan); 0 Noes; 0 Abstain; And 0 Absent*

**DISCUSSION AND OTHER ACTION ITEMS**

**10. Executive Summary and Discussion of Fiscal Year 2013-14 Final Numbers**  
**McQuiston**

- Finance Director McQuiston reviewed report.
- Morgan – it would be helpful in the future to have a narrative for the public's use.
- Holloway –Open.Gov would help with a friendlier presentation, correct?
- McQuiston – we have issued the RFP for a new financial management system and it will be in the next fiscal year.
- Sanders – Do we have a short fall of revenue on this year?
- McQuiston – we brought in more money than budgeted but what usually happens is we get a new grant opportunity and we have to do an offset of expense. As we were projecting finance did not account for the repayment to Kern County.

ORDINANCES

**11. Introduction And First Reading, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Zoning Code as It Relates To Appeals Of Planning Commission Decisions Section 2-3.103** Alexander

City Planner Alexander

- Presented staff report.

Public Hearing – Ordinance No. 14-02 – opened and closed at 9:04 p.m.

*Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Appeals Of Planning Commission Decisions Made By Council Member Morgan, Second By Council Member Holloway. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton, And Morgan); 0 Noes; 0 Abstain; And 0 Absent.*

*Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Appeals Of Planning Commission Decisions Made By Council Member Morgan, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton, And Morgan); 0 Noes; 0 Abstain; And 0 Absent.*

**12. Introduction And First Reading, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Zoning Code As It Relates To Streets, Chapter XIV** Alexander

Matthew Alexander

- Presented staff report.

Public Hearing – Ordinance No. 14-03 – opened and closed at 9:07 p.m.

*Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Streets Made By Council Member Acton, Second By Council Member Holloway. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton, And Morgan); 0 Noes; 0 Abstain; And 0 Absent.*

*Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Streets Made By Council Member Holloway, Second By Council Member Sanders. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton, And Morgan); 0 Noes; 0 Abstain; And 0 Absent.*

**13. Introduction And First Reading, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Zoning Code As It Relates To Improvements Of Streets And Related Facilities Adjacent To New Or Improved Construction Section 20-3.20** Alexander

Matthew Alexander

- Presented staff report.

Public Hearing – Ordinance No. 14-04 – opened and closed at 9:10 p.m.

*Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Improvements Of Streets And Related Facilities Adjacent To New Or Improved Construction Made By Council Member Acton , Second By Council Member Morgan. Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton, And Morgan); 0 Noes; 0 Abstain; And 0 Absent.*

*Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Improvements Of Streets And Related Facilities Adjacent To New Or Improved Construction Made By Council Member Acton , Second By Council Member Holloway . Motion Carried By Roll Call Vote Of 5 Ayes (Mayor Clark, Council Members Holloway, Sanders, Acton, And Morgan); 0 Noes; 0 Abstain; And 0 Absent.*

**COMMITTEE REPORTS**

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

Members: Jim Sanders, Dan Clark

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

Next Meeting: To Be Announced

*Nothing to report*

**Veterans Advisory Committee**

Members: Dan Clark

Meetings: 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the Month At 6:00 p.m., Kerr McGee Center

Next Meeting: To Be Announced

*Nothing to report*

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

Members: Chip Holloway

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

Next Meeting: To Be Announced

*Nothing to report*

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### **OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

Sanders – Water Conservation Ad-hoc committee – good public turnout, established goals, vetted letter for council support to present to Supervisors, had idea sharing. Next meeting November 17<sup>th</sup> @ 5pm.

### **CITY MANAGER REPORT**

Welcomed new city engineer, Ryan Brooks.

### **MAYOR AND COUNCIL COMMENTS**

Morgan –

- Stuart Fields has been giving a lot of info to me and others in regards to his well in the county. He is very one sided and so warns the new council to listen but be cautious. The Water Conservation Ad-hoc committee is important and would like to see it continue; wishes them good luck.
- Petroglyph festival is very important to this community and hopes it is a shining success for many years to come. Thanked Mayor Clark for his leadership on this.

Acton –

- Council member Sanders and she met with Tepatitlan and Sister City Org last month, next year will be our 40<sup>th</sup> year together.
- Thanked the staff for the Petroglyph festival event. Thinks it will be very successful. Thanked Mayor Clark and the community for their support in making it happen.

Sanders –

- Need to take from this meeting that communication is a difficult task and we must do better. Knows staff is overworked but be mindful and stay involved; 'stay customer oriented'
- Has a friend obtaining a time lapse of the Ridgecrest Blvd. Project and will keep the Council posted
- Congratulated new council members Breedon, Thomas and Mower

Holloway

- Prop 47 passed and the ramifications are going to be high so new council be diligent and aware when balancing the budget next year in regards to police
- Mentioned the article and editorial about Ridgecrest being one of the top four cities to raise a family.
- We did fail in communication in regards to the Ridgecrest Blvd. project but we are understaffed and will work harder in the future – you cannot communicate enough!
- Served on the OTAP committee and knows that communication was attempted with RC Blvd merchants. The intention was to slow traffic and get the tandem tractor trailers off Ridgecrest Blvd. – it's going to work!
- HERO program was brought here to help the residents and because it was a great opportunity to help our local contractors, especially during their slow times
- Congratulated new council members Breedon, Thomas and Mower

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Clark

- Loved the article 'one of the best cities to raise a family in California', asked staff to put it on the website. We should be proud of that designation.
- Updated council on petroglyph festival activities. Big gain is going to be TOT; we project 60-70% occupancy. Getting lots of coverage in LA area as the festival is being aired on channel 7. We expect 5000+ new people in Ridgecrest that weekend. Sponsorships for the event are spectacular. Thanked donors for their support.
- Mentioned a Marine marathon he saw in Virginia while on vacation; touched his heart.
- Congratulated new council members Breeden, Thomas and Mower
- Thanked Gary Parsons as he attended the Kiwanis club luncheon with him and updated them on economic development

**ADJOURNMENT at 9:45 p.m.**

A handwritten signature in blue ink that reads "Ricca Charlon". The signature is written in a cursive style and is positioned above a horizontal line.

Ricca Charlon  
Acting City Clerk