



MINUTES OF THE REGULAR MEETING OF THE RIDGECREST CITY COUNCIL

**City Council Chambers
100 West California Avenue
Ridgecrest, California 93555**

**October 15, 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 Daniel O. Clark; Vice-Mayor Marshall 'Chip' Holloway; Council Members James Sanders, and Steven Morgan

Council Absent: Council Member Lori Acton

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

APPROVAL OF AGENDA

Items Pulled:

- Closed Session Item No. 2. Conference With Legal Counsel – Liability Claim Of Christopher Calvi – Claim No. 14-11
- Discussion Item No. 10. Presentation Of Quarterly Department Report By The Finance Department

Motion To Approve Agenda (As Amended) Made By Council Member Morgan, Second By Council Member Holloway. Motion Carried By Voice Vote Of 4 Ayes (Mayor Clark, Council Members Holloway, Sanders, And Morgan); 0 Noes; 0 Abstain; 1 Absent (Council Member Acton)

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CLOSED SESSION

GC54959.8 Local Agency Real Property Negotiations – Negotiation for Receipt and/or sale or use – APN's 508-020-12 & 13 – Ridgecrest Sr. Housing Project. Agency Negotiators Dennis Speer, City Manager And Gary Parsons, Economic Development Program Manager

GC54956.9 (d)(1) Conference With Legal Counsel – Liability Claim Of Christopher Calvi – Claim No. 14-11

PUBLIC COMMENT - CLOSED SESSION

Dave Matthews

- Asked about an item which arose that he thought would be added to closed session
 - Dennis Speer – have spoken with city attorney and the item does not qualify as a need arose item and will be placed on a future agenda.

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
 - Local Agency Real Property Negotiations – Ridgecrest Senior Housing Project. Report received, no action taken.
 - Conference with Legal Counsel – Liability Claim of Christopher Calvi – Claim No. 14-11. Item pulled prior to approval of the agenda.
- Other
 - Overview of the new Groundwater Sustainability Management Act presented by City Attorney Michael Silander

PUBLIC COMMENT opened at 6:21 p.m.

Robert Blackwell

- Representative of the Monterey Bay PETAC to assist small business to obtain more state and federal contract.
- No cost to the small or under privileged businesses to obtain assistance with getting certified for funding
- Met with local and City representatives to offer services to Kern County small businesses

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Robert Blackwell *(continued)*

- Here to let businesses in Kern County know about the free services available to them.
 - Steve Morgan – any businesses interested in the services can contact Gary Parsons
- montereybaypetac.com for online sign up.

Randy Jenkins

- Commented on Daily Independent not being a community based newspaper or locally owned.
- Commented on articles attacking Mr. Jenkins children and wife.
- Read excerpt from article which misstated wife speaking at public comment.
- Questioned the Daily Independent's hidden agenda and the long term attempts to discredit the Jenkins family.
- Spoke on candidate question responses being suppressed again by the Daily Independent.
- Spoke on freedoms granted by the Bill Of Rights.
- Read scripture from the Bible.

Cooper Jenkins

- Encouraged public to elect Randy Jenkins.
- Read scripture from the Bible.

Marcie Jenkins

- Encouraged public to elect Randy Jenkins.
- Read scripture from the Bible.

Lana Jenkins

- Encouraged public to elect Randy Jenkins.
- Read scripture from the Bible.

Dave Seybold

- Read a statement called 'Holy Ridgecrest Blvd' referencing the bulb-outs being built in the new Ridgecrest Blvd. construction project.
- Requested these be removed and asked for Council response.
 - Steve Morgan – responded with overview of the planning process.

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Penelope Lepome

- Informed council of a Palm Tree growing out of the sewer.
- Asked about the salary schedule year
- Commented on the City Attorney report about the groundwater sustainability district and suggested including Kern, Inyo, and San Bernardino counties.
- Requested release of letter from City Attorney
- Expressed concern of the agency formation being completed in 2-3 years and hope it can be accomplished.

Brian Saxton

- Spoke on cross walk removal on Downs street in front of the Charter School.
- Expressed concern about the amount and speed of traffic in the area.
- Asked for reason for removal.
 - Dennis Speer – reviewed the removal reason of being an illegal location.
- Commented on other schools having cross walks.
 - Dennis Speer – school district is required to present a safe routes to school plan to the City which was requested five years ago. Cross has to be installed on action of city council which was not done by law or municipal code. The cross walk was not safe so children are directed to cross at the nearby intersection.
- Asked council to look into this and fix it.

Dave Matthews

- Offered joking solution to water sustainability which led into comments on Ebola.
- Asked city council to look into what we can do with the hospital and city to ensure we react properly should a case of Ebola occur in the City.
- Spoke on Cerro Coso barbecue and star party attended. Related experience of observing the stars and went to his car to warm up and noticed the difference between viewing stars to the west and south while not being able to see the stars when looking north. Asked Council to address Light Pollution issues.
- Spoke on visit from Grandson who commented on the view of the sky at night.
- Asked to attend the astronomy club meetings with council member sanders.
- Commented on light pollution affecting driver safety.
 - Chip Holloway – commented on new product with wireless capability to shut of lights in certain areas. New technology that some other cities are using.

Christina Witt

- High Desert Hottie motorcycle run with 50 registered bikes and raised in excess of \$1300 for High Desert Women's Center.
- Veterans fun run is November 1 and expecting good attendance. Read the ride route starting at 11:00 a.m. at the VFW and entry fee is \$25.00, cars are welcome. Funds to be used for VFW sewer line repair.

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Donald Baker

- Representing Charter School
- Clarified Safe Routes to School plan which was submitted to the City. First was denied but may be able to work something out.
- Commented on previous infrastructure meeting.
- Working on a traffic plan.
 - Dan Clark – Council is working on a plan and hopefully will come up with a solution soon.

Stan Rajtora

- Commented on new State law establishing groundwater sustainability. Makes sense and should not be a big deal except this valley has ignored the water problem for 60 years. Kern County is aware of the water problem.
- Spoke on a TODD report and referenced recharge statistics in the report.
- Commented the TODD report recommended importing water and County Supervisor discussion which do not include a plan on how to import water.
- Stated need to get supervisors to come to agreement on how to solve the problem rather than just attacking farmers.
- Requested council pass resolution to board of supervisors that the primary solution in solving water problems be to import water.

Matthew Baudhuin

- Commented on water issues and the sprinkler runoff during the night. Suggested code enforcement officer police violators who are over watering at night.

Robert Obergfell

- Echo Mr. Baudhuin comments about water runoff in various locations in the city due to over watering parks and lawns.
- Commented on working in partnership with IWW Water District and their code enforcement.
- Work forward and be proactive to take care of our problem now rather than waiting on a report.

Public comment closed at 7:15 p.m.

Dan Clark

- Spoke to community on the parameters for public comment.
- Legal opinion is public can say whatever you want due to freedom of speech.
- Want the community to know the Council stand on this issue.

PRESENTATIONS

1. Proclamation To Kern Energy Watch Declaring The Month Of October As Energy Awareness Month Ford

- Council Members and Mayor read a proclamation for the Kern Energy Watch declaring the month of October as Energy Awareness Month.

2. Presentation To Council By Justin O'Neill Entitled "Gigabit Leadership" Clark

Justin O'Neill

- gave a PowerPoint presentation to council entitled "Gigabit Leadership" *(Copy Available In The City Clerk's Office)*
- Explained the internet; Digital 395; economic impact; future of broadband technologies and request of the Council.
- Encouraged City to establish policies regarding broadband installation.

Steve Morgan

- To increase budget to provide opportunity to extend digital 395 throughout town the investment would be returned substantially in time. Ask businesses to spend investment to ultimately increase their bottom line.
- Asked if we are discussing expanding the Chamber of Commerce website or the City creating a sub website.

Justin O'Neill

- Neither at this time. Both good ideas and will bring benefit.
- Asking for City advocacy and involvement at meetings. Need or outreach and education to prove these tools are beneficial and to decrease negativity toward the internet capabilities. When used effectively and correctly, a City derives benefit. Related input received from local business inquiries.
- Not asking for money, just involvement thru attending meetings and getting people to understand and appreciate the benefits available.
- At some point must have city investment which will be a ticklish subject. Cannot make businesses sign up for this. From an investment standpoint, we need the education and understanding of where we are going.
- Commented on discussions with young adults who do not care about what businesses are here locally because they buy everything online.

Justin O'Neill

- Commented on young people buying experience such as coffee houses. Would like to provide local businesses with the tools to survive.

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Jim Sanders

- Asked what kinds of steps can be taken to increase our online presence to attract people passing by Ridgecrest

Justin O'Neill

- Talked about education of the public to help build websites.
- Get shops online and understanding the benefits of Yelp.
- Get the public to go online and leave reviews about shops in the area.

Chip Holloway

- Asked about Trip Advisor

Justin O'Neill

- Reviewed the capabilities of the website.

Chip Holloway

- Asked about infrastructure needed for 'Big Data'

Justin O'Neill

- Fiber in the ground is a step in the right direction

Chip Holloway

- Asked if the policies being created are being developed by consultants
 - Justin – will check and provide policies
- Commented on IWV 2000 in 1990's and the possibility of a service that when you got a business license you also got a website. City creates the website, owner can edit, city can raise license fees, and owners get a licensed website.

Steve Morgan

- Reiterated his question of whether this is going to be thru Chamber of Commerce or City Website.

Chip Holloway

- Clearly understood in Mammoth that the City lifeblood is thru this method.
- Ridgecrest used to be referenced as Egg Heads R Us and we have been slowly losing this.
- Commented on attendance at meetings and will continue if re-elected.

Justin O'Neill

- Presentation has additionally been given to Mick Gleeson and board of supervisors. Idea is to have united front toward this positive growth.
- Can't stress policy enough.

Dan Clark

- Reviewed action steps. Asked Justin to expand on direction of who can give council what is needed to accomplish the goals. Asked for information to be provided outside the meeting in way of written message to the Council mail slots.
- When spending city money to invest in this community, concerned we purchase top quality.

CONSENT CALENDAR

3. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving A Community Development Block Grant (CDBG) Activity Agreement (CD# 17.12.1) With The County Of Kern For CDBG Grant Funding For The Design Engineering Of Handicap Access Improvements In The City Of Ridgecrest And, Accepting The Terms Of The Receipt Of CDBG Funds And Authorizing The City Manager, Dennis Speer, To Sign The Agreement Speer
4. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Authorizing Award Of A Construction Contract To Griffith Company For The Road Reconstruction Of An Existing Alley Way In Front Of City Hall And The Resurfacing North Mahan Street From Ward Avenue To West Graaf Avenue And Gateway Boulevard From East Bowman Road To East Upjohn Avenue And Authorize The City Manager, Dennis Speer, To Execute The Contract Speer
5. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving A Contract Change Order Number Six, Seven, And Eight With The Contractor Griffith Company To Provide Services For The Installation Of New Service Meters For The West Ridgecrest Boulevard Project And Authorize The City Manager, Dennis Speer To Sign The Change Order Number Six, Seven And Eight Speer
6. Adopt A Resolution To Approve The Final Balancing Contract Change Order, Authorize The City Manager, Dennis Speer, To Sign The Notice Of Completion, Authorize The City Clerk To File The Notice Of Completion And Authorize The Release Of Retention On The Upjohn Traffic Signal At The Intersection Of South China Lake Boulevard And Upjohn Avenue Speer
7. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Partial Disability Retirement Of Sworn Safety Member Anthony Agostinacci Strand

8. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving The Attached Salary Schedules For Employee Classifications

McQuiston

9. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority For Meeting Dated October 1, 2014

Ford

Items Pulled From Consent Calendar

- Item Nos. 4 and 5

Motion To Approve Consent Calendar Items Nos. 3, 6, 7, 8, and 9 Made By Council Member Morgan, Second By Council Member Sanders. Motion Carried By Voice Vote Of 4 Ayes (Mayor Clark, Council Members Holloway, Sanders, And Morgan); 0 Noes; 0 Abstain; 1 Absent (Council Member Acton)

Item No. 4 Discussion

Jim Sanders

- Asked for clarification of location of the alley way
 - Dennis Speer – between bank car wash and city hall parking lot

Dave Matthews

- Asked if there was something in the building permit for the Motel that they would improve the alley way.
 - Loren Culp – redevelopment agency agreed to do the alley way in negotiations with the owner. Participation agreement. Funded by TAB as part of redevelopment agency.
- Other streets involved, how do they get into the funding project as there are others that may need funding first.
 - Loren Culp – all streets being completed now are year one priority from the pavement management study
- Commented on a need for infrastructure meeting to receive suggestions for next round of paving.
 - Steve Morgan- council has been accused of not following the pavement management study. This group of streets completes year one of the study. Plan is available to anyone who would like to view it.

Item No. 5 Discussion

Dave Matthews

- Asked if the meters were included in the original design of the boulevard reconstruction.
 - Loren Culp – design for services are from SCE. Service request requires a deposit of funds and construct according to their design. These are the costs for providing the services.
- Original design had lights in locations. Why do we have to pull additional funding?
 - Loren Culp – during design process could have included with original design but with milestones needed were not able to include with original bidding.
 - Steve Morgan – contingency funds are put in place for this type of item.

Motion To Approve Consent Calendar Items Nos. 4 and 5 Made By Council Member Morgan, Second By Council Member Sanders. Motion Carried By Voice Vote Of 4 Ayes (Mayor Clark, Council Members Holloway, Sanders, And Morgan); 0 Noes; 0 Abstain; 1 Absent (Council Member Acton)

DISCUSSION AND OTHER ACTION ITEMS

10. Presentation Of Quarterly Department Report By The Finance Department

McQuiston

- **Item pulled prior to approval of the agenda**

COMMITTEE REPORTS

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

Members: Jim Sanders, Dan Clark

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

Next Meeting: To Be Announced

Jim Sanders

- No report

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Veterans Advisory Committee

Members: Dan Clark

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

Next Meeting: To Be Announced

Dan Clark

- Appointing board of directors at next meeting
- Looking at budget
- Looking at seed money and grants
- Met yesterday

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway

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

Next Meeting: Date And Location To Be Announced

Chip Holloway

- No report

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- None

CITY MANAGER REPORT

Dennis Speer

- None

MAYOR AND COUNCIL COMMENTS

Steven Morgan

- KGZN forum for Mayor was question on closed sessions. Suggested to attorney to come up with a mock closed session. Want to see an open, mock closed session for the public to see what happens behind closed doors.
- West Ridgecrest Blvd. Many people saying City isn't thinking about truck restriction on the Blvd. City is considering weight limits and asked people to relax. Requested an update on this issue from city manager
- Regarding Measure 'L'. Press release regarding roadways read and these include Measure 'L' money.
- Public request for breakdown of total Measure 'L' expenditures between streets and police. Think the numbers will be surprising. Huge public misperception that funds are out of whack. Will be made available tomorrow from finance

Steve Morgan *(continued)*

- CalRecycle is coming to visit. Going to 75% diversion which was predicted several years ago. City and waste management offers a recycling tips sheet and we need to watch how we recycle in the community. Requested an update from waste management regarding recycling. We have to up our percentage and work as a team.
- Regarding water. We can discuss who, what, where, when and how but will have to be a collaborative. City will have to lead and this will be different because we have a separate water agency. In past anticipated the water district coming to city but they have not done this. We have to figure out how to work with them and not sure how we are going to limit who has a stake in this. We are working on this, staff is reviewing, council is aware, and water district is aware.
- Political push from environmental agency who wants to purchase Sand Canyon. Concerned to not designate this as a wilderness area. Wilderness means people must stay out unless you are healthy. Not designate as wilderness ever or property reverts back to city at no cost. Any designated trail must stay open to traffic. Roads trails, passes must be maintain or property goes back to city. Property counts as mitigation in future at city discretion. Mojave conservancy needs to bring papers to city signed and no restrictions of any kind. We had a biologist come to Ridgecrest regarding west Mojave plan. We were concerned about mitigation value and the stunting of growth. We showed depredated land with no animals and the biologist said it was possible habitat. 5 to 1 ratio for mitigation. Need to prevent what could occur. Every speck of undeveloped property within Ridgecrest have no mitigation cost if we turn this property over. City should hold onto the property.

Jim Sanders

- Light pollution, sympathetic to this issue. Real issue is how far we take this. Need to have a discussion on this subject for public input. Very torn on the issue of how much government enforcement I want on this industry. Unique commodity we have with the visible sky and want to protect this.
- Can we form ad hoc committees without a special agenda item. Interested in forming an ad hoc on the water issue and explore options and utilize staff to do the same. Need to do our due diligence and everything we can to conserve water.
 - Steve Morgan – can start it but may change after the election.
- Committee formed of Jim Sanders and Steve Morgan. Meeting dates to be announced

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Jim Sanders *(continued)*

- Dismayed in public reaction to County's efforts to solving the water issue. When people raise the issue of property right with regard to this, they don't really understand what rights mean with respect to this. We all have rights but our rights are only valid so long as they do not infringe on other people. We have rights with respect to water on our property. Only so much water and when people say they are taking away property right they don't understand we don't have right to waste water. Read statement regarding rights of society. Asked people to reconsider their stance on the water issue. Everybody has to sacrifice including the city. Don't think there is a solution where we will not be paying thru the nose.
- Thanked council for good meeting.

Chip Holloway

- Understand some of the private property issue. Principal of proportionality. Agree with Steve on how we are going to put a group together that will encompass everyone affected.
- No growth is not an option; it is a death sentence to the community.
- Charter school issue, we had a packed house getting this council to approve the site for the school and they were warned publicly and privately about issues in the location. They made promises to the council and leadership has shifted and suddenly Council becomes the bad guys. Things come around. Once we were heroes and now are the bad guys.
- Attended the ICS conference in San Diego with Mr. Parsons. Things have evolved from the first meetings where people did not know where Ridgecrest was to now meetings are being requested of us. A lot of this has to do with Kosmont and Gary. Almost every meeting in the past revolved around filing empty buildings but this time almost everyone wanted to develop property that is not developed today. They want to turn dirt and this is an incredible change from the past. We got on the map in previous years and now they want to come here. Excited about the potential revenue coming back to this community.
- Referenced consumption sales tax in Kern County versus Ridgecrest. Fair assessment because of our isolation is that we are losing \$1400 per person per year. Equates to 1.75% leakage so still value in seeking retail opportunities in our area.
- Referencing campaigns focus only on me and don't throw dirt on other candidates. Have been asked why some people are running ads paid for by someone known as Sam Adams and there is no Sam Adams living in the City of Ridgecrest. This is destroying the candidate's credibility and not a good way to start your introduction to this community. Candidates have a responsibility to address this.
- If you are watching or sitting in this office, I love the opportunity to serve this community. Excited to see things developing that I have work on. Asking you to give me the opportunity to continue serving the city of Ridgecrest.

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Dan Clark

- Commented on call from county supervisor who stated he cannot carry this baton alone referencing the last board of supervisors meeting. Important we attend these meetings.
- Petroglyph festival radio commercials being aired all the way to Bridgeport. On social media, Ridgecrest is one of the top new festivals in the nation. Projecting a minimum of 4000 people coming to the community and may be up to 7000. Hotel reservations for November are substantial.
- Fact sheet provided for the public. Want everyone in town to be involved.
- R. Carlos Nikkei concert will be performed. Friday November 14 at 7:30p.m.
- In this community, it is such an honor to work with this council. This council is the most successful ever in terms of construction. Receive comments from the public asking us to thank Dennis and Council for all the work on the streets. Asked for Measure "L" signs at each end of the streets that are constructed with Measure 'L' funds.
- To the public, if you don't know the candidates, watch the council meetings to hear who attends. If they want to be a Council Member but won't attend then are not serious about representing this community. Read names of candidates attending the Council meeting.
- Desert Empire Fair this weekend. Candidates will be attending.
- Announced meeting date and time for Ad Hoc committee for groundwater sustainability. Meeting scheduled for October 27 at 5:00 pm in the downstairs conference room.

ADJOURNMENT at 9:21 p.m.



Rachel J. Ford, CMC
City Clerk