



**MINUTES OF THE REGULAR MEETING OF THE
RIDGECREST CITY SUCCESSOR AGENCY,
FINANCING AUTHORITY, AND HOUSING AUTHORITY**

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

**July 1, 2015
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

Council Present: Mayor Peggy Breeden; Vice Mayor Lori Acton; Council Members Eddie B. Thomas, and Mike Mower

Council Absent: Mayor Pro Tempore James Sanders

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

APPROVAL OF AGENDA

Add Item No. 9 To Discussion and Other Action Items
Amend resolution for item no. 3
Move presentation 2 to presentation 1

9. Adopt A Resolution Authorizing Renewal Of A Professional Service Agreement Between The City Of Ridgecrest And World Economic Development Alliance (WEDA) Parsons

Motion To Add Item No. 9 To The Agenda As A Need Arose Item Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

Motion To Approve Agenda As Amended Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

PUBLIC COMMENT (*Closed Session*)

- None Presented

CLOSED SESSION

GC54956.9 (d) (4) Conference With Legal Counsel – Anticipated Litigation – Public Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest

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

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
 - Undisclosed litigation – Kern College District – after consultation Council directed staff to request time periods be tolled so staff and School District can meet.
 - Christopher Calvi v. City of Ridgecrest – Council authorized City Attorney to defend the case on behalf of the City
- Other
 - Legislative update – Updated Council on Department Of Finance (DOF) language on the State budget trailer bill that would have ended the existing claim regarding solar loan – language did not make it into the bill. Matter has been sent back to Assembly to establish task force to discuss the matter further. No meetings scheduled at this time. Suspect the DOF will not give issue up but court action is safe for now.
 - Trailer bill regarding drought response, authorizes local water district to penalize up to \$10,000 for irresponsible water usage. Appears to authorize City Code Enforcement to enforce the Water District ordinance. If of interest to staff and Council then looks to be possible.
 - Question arose regarding use of position when making public statements. As individuals Council members have free speech rights, however if speaking formally on behalf of Council requires a vote of the Council. Question of when can an elected speaks as a Council member. No Brown Act or formal regulation, only policy. Is improper for a Council Member to state they are speaking on behalf of Council without a vote and if it does

- happen and Council as a whole are not in agreement then can discuss at a subsequent meeting. Appropriate advice when speaking in public, Members are allowed to identify their position providing they make it clear they are speaking as an individual without the authorization of the Council and views do not reflect the views of the Council as a whole. Important for people to know the position.
- Peggy Breeden – commented on the locality pay bill but couldn't do so as the Mayor. Questioned writing a response on City letterhead.
 - Easy to misconstrue if on City letterhead.
 - Peggy Breeden – do not have the ability of calling all Council members and asking for their consent, this violates the Brown Act.
 - Suggested making a standing policy regarding the use of letterhead.
 - Peggy Breeden – requested an agenda item for next meeting, Keith will work with staff to draft resolution and policy.
 - Keep in mind statements will be made on individual behalf and not binding to the City.

PUBLIC COMMENT (*Regular Session*)

Dave Matthews

- Commended Keith Lemieux on statements
- Wished Rachelle McQuiston well in her new position
- Happy 4th of July Holiday

Robert Eierman

- Commented on illegal speed limit signs on China Lake Blvd. and Police enforcement of the speed limit. Quoted regulations regarding posting of speed limits in construction zones. Commented on safety of workers and when they are present. Regulations state signs will be covered. Requested public announcements be rescinded and apologies made to individuals who have been cited. Commented on fostering disrespect for construction workers and police. Asked City Council to discuss with Chief Strand to rectify the situation.
 - Dennis Speer – commented the posting is Caltrans and the police are enforcing what Caltrans has posted. Only enforcement is under the City authority. Can contact Caltrans regarding the posting.
 - Mike Mower – commented on the point of when workers are actually working.
 - Dennis Speer – protects safety when workers are working but also when there are openings in the street or cones and barricades which could cause obstruction. Safety for drivers. Will have the discussion with District 6.
 - Eddie Thomas – questioned the traffic control plan submitted to City.
 - Dennis Speer – part of their enforcement, City notified of what they are doing but no traffic control plan submitted. Not under our jurisdiction.

- Peggy Breeden – brought subject up at the last Caltrans meeting. Was told they would discuss with contractor, asked Dennis for update at the next meeting.

Mike Neel

- Distributed documents, motion for award of attorney fees regarding Dale Howard. Have spoken about this before and requesting each Council Member to respond support or oppose. Names will be placed in the paper next week. Feels this action against Mr. Howard is despicable and will ruin Mr. Howard. Provided 2 copies of motion for public review.
- Asked Council to bring specific laws back for consideration as they go against American freedoms.

Ron Porter

- Spoke on the abuse of laws today. Country founded on individual liberty and freedom. Spoke on common sense. Spoke on zoning laws to protect health and safety. Spoke on the Dale Howard case. Commented on peacocks and a car leaking oil as the only items creating a violation. Cannot infringe on an individual when absolutely necessary then only for the health and safety of society. Suggested meeting on the zoning code in the future. Commented on citizens not being involved in the decision to prosecute and spend thousands of dollars. Commented on City Attorney being the one to file this and not a contract attorney regarding receivership. Commented on the term Nuisance being defined in an ambiguous way. Commented on keeping civil society and not government having more power as the basis for laws. Spoke on Code Enforcement Officer moving forward and not punishing someone.

Dave Matthews

- Support most of what has been said and spoke on Code Enforcement. Related story of veteran with acreage living in trailer totally self-sufficient without utility hookup.

PRESENTATIONS

1. **Presentation To Council By The Lions Club Of The Annual Independence Day Fireworks Display** **Ford**

Steven Morgan and Members of the Lions Club showed a brief video advertisement for the annual Independence Day Fireworks Display. Encouraged Council and citizens to attend this Saturday for the event, gates open at 6:00 p.m., food available. Fundraiser parking lot for Boy Scouts. County Parks do not allow fireworks. Asking everyone to come and enjoy the event.

2. Community Survey Presentation by Becky Napier of Kern Council of Governments Speer

Becky Napier of Kern COG presented a PowerPoint presentation to Council regarding the Kern County Community Survey for 2015 focusing on East Kern County results.

Peggy Breeden

- Very impressed with the overall survey and commented on the similarities of our community compared to the rest of the county.

Dave Matthews

- Reviewed the data and was impressed. Have lived in residence in Ridgecrest for 47 years and has never been included in the survey.
- Commented on telemarketers
- Commented on landline phones having service in a disaster whereas cell phones will not have service.
- Noticed increase in jobs which is something Ridgecrest is working on.
- Noticed as a whole we want to conserve open space yet increase jobs. Asked how to do this with an increase in population. Suggested patrolling borders and stop the illegals from coming here.

Tom Wiknich

- Commented on a sample of 1200 with over 500,000 people in the county. Asked about the distribution of the sample.
 - Becky Napier – responded, 200 in east kern, 200 in west kern, 200 in mountains, and the balance in central valley. Calls are random dialed. Want to look at ethnicity as well as male/female and economic.

Carol Vaughn

- Younger people have disconnected home phones. Asked about age sampling and length of time people have lived in the area. Age and tenure could be revealing.
 - Becky Napier – yes, last portion of survey is demographic. Entire survey is available online.

CONSENT CALENDAR

3. Adopt A Resolution Approving Contract Change Order Number Twenty-Seven With The Contractor, Griffith Company, For The West Ridgecrest Boulevard Project; Authorizing The City Manager, Dennis Speer, To Sign Contract Change Order Number Twenty-Seven; Authorizing The City Manager To Sign The Notice Of Completion; Authorizing The City Clerk To File The Notice Of Completion And Authorizing The City Engineer, Loren Culp, To Sign Progress Payment Number Eleven, The Release Of Retention, After Recordation Of The Notice Of Completion Speer
4. Adopt A Resolution Approving And Adopting A Transit Policy Mandated By The Federal Transportation Administration (FTA) For Service Criteria For Complementary Paratransit Speer
5. Adopt A Resolution To Approve The Professional Service Agreement With The Firm Of Willdan Engineering To Provide Construction Management, Geotechnical & Inspection Services For Offsite Public Improvements For The Super Wal-Mart Construction Project And Authorize The City Manager, Dennis Speer, To Execute The Agreement Contingent Upon The City Attorney's Review And Approval Culp
6. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving The Attached Salary Schedules For Employee Classifications McQuiston

Items Removed From Consent Calendar

- Item Nos. 4, 5, and 6

Motion To Approve Item No. 3 Of Consent Calendar Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

Item No. 4 Discussion

Dave Matthews

- Asked about the changes implemented on the fixed route system
 - Dennis Speer – FTA programs administered by Caltrans. After review they found Caltrans should have required operators to adopt these policies so they came back to Caltrans and mandated we adopt the policies. Revision to the mandated policy is we deviate $\frac{3}{4}$ of mile from the fixed route.
- Deviation is only for ADA compliance
- Asked about making arrangements prior to riding.

Motion To Approve Item No. 4 Of Consent Calendar Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

Item No. 5 Discussion

Tom Wiknich

- Asked for timeline of project
 - Loren Culp – spoke with Walmart today and asked for schedule. Mr. Nelson was not certain if he could give specific timeframe for groundbreaking. We were told by engineers to expect project duration of 12 months. Not able to give specific starting date. Anxious to try and award project around the first of this month and assuming award is given could see some movement in next couple months. Not official statement. City will not move forward until we see activity on the project.

Dave Matthews

- Understood groundbreaking was supposed to be in July
 - Mike Mower – have gone out to bid for construction.

Motion To Approve Item No. 5 Of Consent Calendar Made By Council Member Thomas, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

Item No. 6 Discussion

Dave Matthews

- Seems to be adjusting pay schedules but only one listed is for PEAR.
 - Rachelle – CalPERS requires format change and amounts have not changed. This is correction for 2013.

Motion To Approve Item No. 6 Of Consent Calendar Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

DISCUSSION AND OTHER ACTION ITEMS

7. **Adopt A Resolution Of The Ridgecrest City Council, The Ridgecrest Redevelopment Successor Agency, Ridgecrest Housing Authority And Ridgecrest Financing Authority Adopting The Fee Schedule And Establishing The Policies By Which The Budget May Be And Shall Be Amended** **McQuiston**

Rachelle McQuiston

- Presented Staff Report, this is final step to adopt fee schedule and policy for amending the budget.

Motion To Approve Item No. 7 Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

8. **Grand Jury Report And Discussion Of Council Response To Forward To The Grand Jury** **Speer**

Dennis Speer

- Presented Staff Report

Peggy Breeden

- Recommendation was for diversification and we were called a 'company town'

Public Comment

Dave Matthews

- Asked if the interview was telephone or conducted locally
 - Dennis Speer – personally attended
- Commented about the amount of money spent to come here and tell us something we have known for years.

Peggy Breeden

- Read highlights of the report.
- Very good report which gave us action items. Read the recommendation to develop a broader employer base.

Al Huey

- Asked if they come here on their own or was it a request by someone.
 - Rachelle McQuiston – part of the job duties.
 - Dennis Speer – receive reports annually.

Peggy Breeden

- Response should thank them for their input and then need to act on their recommendations.

Mike Mower

- Perhaps update them on the economic development town hall.

Peggy Breeden

- Gave an update of the economic development committee and resulting sub-committees. Timelines to meet and respond back to the chair of report committee and when recommendations will come back to Council.
- Working on finding ways to make the community grow.

Al Huey

- Response to company town, might enlighten grand jury this company doesn't pay taxes.

Lori Acton

- Additional comments about investing in our community.

Keith Lemieux

- Consensus of content and direct staff to develop letter to come back to Council at next agenda.

9. Adopt A Resolution Authorizing A Professional Services Agreement Between The City Of Ridgecrest And World Economic Development Alliance, And Authorizing The City Manager To Sign The Contract Parsons

Item Added As A Need Arose Item Prior To Adoption Of The Agenda

Gary Parsons

- Presented Staff Report
- TAB funding and no impact to General Fund

Peggy Breeden

- Clarified request for Council action.
 - Gary Parson – reviewed scope of work and request for Council approval to sign the agreement. Gave examples of industries targeted and marketing campaign.

Lori Acton

- Renewing contract already in place and service is comparison of Kosmont retail development whereas WEDA is industrial development.

Mike Mower

- Asked about the budgeted amount
 - Gary Parsons – budgeted over \$100,000 including other items. Promotion and advertising budget is part of this. Within the overall industrial budget.

Peggy Breeden

- Clarified total industrial development budget.

Public Comment

Al Huey

- Asked about cost incentive if we sign by the 10th. Asked Council to consider a special meeting.

Tom Wiknich

- Asked clarification of 3 projects
 - Dark Fiber – data transmission
 - SMOG – Research and development for auto industry emission control for heavy equipment
 - Airplane manufacturer to be referred to Inyokern

Gary Parsons

- These are existing businesses with no startup costs

Motion To Approve Item No. 9 Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders).

COMMITTEE REPORTS

(Committee Meeting dates are subject to change and will be announced on the City website)

City Organization and Services Committee

Members: Lori Acton; Mike Mower
Meeting: 4th Wednesday each month at 5:00 p.m. as needed
Location: Council Conference Room B

Lori Acton

- Discussed permit process for construction
- Discussed sewer impact fees and Navy formula for payment of their usage

Mike Mower

- Commented sewer fees have increased 4 times in the past years for Navy use.

Infrastructure Committee

Members: Jim Sanders; Mike Mower
Meeting: 3rd Thursday each month at 5:00 p.m. as needed
Location: Council Conference Room B

- No report

❖ **Ad Hoc Water Conservation Committee**

Members: Jim Sanders; Peggy Breeden
Meeting: 3rd Tuesday each month at 5:00 p.m. as needed
Location: Conference Room B

- Next meeting, Monday the 20th. No meeting due to holiday.

Parks, Recreation, and Quality of Life Committee

Members: Eddie Thomas; Lori Acton
Meeting: 1st Tuesday each month at 12:00 p.m. as needed
Location: Kerr-McGee Center Meeting Rooms

Justin O'Neill

- Gave report from collaborative meeting.
- Looking at doing a Broadway show or headline group to attend the USO event.
- Council needs to consider use of park and Kerr McGee center.
- Questions of insurance coverage.
- Met with Chief Strand to discuss safety and traffic control
- Potential to pull outside visitors and do not anticipate problems
- Parking and hotels need to be considered.
- City consideration requested for financial costs and volunteer support. Marketing fund should be addressed and where the funds can be attained, approximately \$2000 for printing costs.
- USO has committed stage and sound needs for a headliner group.
- Need to work to secure portable toilets, chairs, and other basic needs.
- Working on developing a draft budget
- Joint effort in spirit but money support is one sided. Working to get as much volunteer assistance as possible.
 - Peggy Breeden – requested Justin bring back firm idea of what the City is being asked for in support.
- All depends on USO commitment at the national level. Can put together more at that time.
 - Lori Acton – requested in-kind support in the report.

❖ **Ad Hoc Youth Advisory Council**

Members: Eddie Thomas
Meeting: 2nd Wednesday of each month, 12:00 p.m. as needed
Location: Kerr-McGee Center Meeting Rooms

- No report

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

Members: Eddie Thomas; Lori Acton
Meeting: 3rd Tuesday every other month at 4:00 p.m. as needed
Location: Kerr McGee Center Meeting Rooms

- No report

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Lori Acton and Eddie Thomas
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: To Be Announced

Eddie Thomas

- Read Director's Report. *(Copy Available In The City Clerk's Office)*

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Peggy Breeden - League of California Cities

- Many bills being developed which need responses.
- Commented on bill which allows people to park a car in front of your house and live in it.
- Sometimes responses are required more quickly than meeting dates so looking to develop a way Council can respond.

Eddie Thomas

- A lot of bills and many of which would have been missed if we had not attended the meeting.

Peggy Breeden – Kern COG

- Caltrans announced they will be completed with China Lake Blvd by mid-November.

Lori Acton – broadband roundtable

- Report is out and FCC has voted to expand lifeline program as a broadband necessity. Includes landlines. Goal is to have 98% of the public with broadband.

CITY MANAGER REPORT

Dennis Speer

- Attended TTAC meeting – transportation fund will have no money by September so federal government needs to pass another transportation bill by October or all highway projects will cease.
- Today is first day of state reducing gas tax which will reduce the amount of revenue we receive from the gas tax for road maintenance
- State route 14 projects proposed to expand 4 lanes have been bumped another 2 years. Hoping to develop more passing lanes under public safety.

MAYOR AND COUNCIL COMMENTS

Lori Acton

- Cefund.org to see broadband study results
- Thanked everyone who serves and have served our country including first responders.

Eddie Thomas

- Outstanding turnout with baseball tournament, hotels full, restaurants busy. Should see a spike in TOT and tax revenues. If not, need to find out why the numbers are not reflecting events like these. Proud to be a part of the organizations
- Thanked City clerk for making Council smile.

Mike Mower

- Wished everyone a happy and safe 4th of July.

Peggy Breeden

- Heard repeatedly about City watering lawns when not supposed to. Have contacted one group of water watchers. Asked for staff to explain why we are not following the water time, address the needs of the fields. Want to have these answered once and for all so we don't keep getting these pictures. Received photos at 3pm and at 5:30 p.m. Asked staff addresses this with the public.
- Spoke on the wheel chair expedition. Was very interesting and thanked Eddie for pushing me as I would never have made the S-turns. Asked for explanation from Dennis Speer about the rescue islands and bulb-outs. Spoke on observations of two citizens trying to navigate the pattern and comments about the difficulty of trying to maneuver around the bulb-outs. As a driver, I almost hit someone who came out from around a bulb-out. Do not have 3 foot clearance around the bulb-outs.
 - Dennis Speer – share the road signs are being installed. This is the law in all 50 states. Commented on percentages of bicycles/auto accidents being small. Most bicycle accidents are with pedestrians and individually with a very low percentage with autos. Cross walks with rescue island is to protect pedestrians. If these are removed we will not have any cross walks at these locations. Can only put cross walks at controlled intersections. The rescue island aids the pedestrian by shortening the amount of time the pedestrian is unprotected as they cross the street. Only have to look one way as they cross each lane and can wait in the center for traffic to clear.
- Not suggesting we remove anything. Did not like it at first but it has grown on me and I think it is beautiful. Just want to make sure everyone is safe. Time will tell.

Peggy Breeden *(continued)*

- Economic Outlook discussion meeting put out a map for people to look at for potential annexation. Not written in stone and is not a sure thing that this is going to happen. Want to find out what people think about the idea. Idea is to annex out to highway 395 and potentially bring industrial/commercial business from the highway down into Ridgecrest. Want to hear everyone's ideas. We are revenue challenged and need to find a way to increase revenue to the City. Commented on sales tax and increased visibility for people passing by on the highway. This is my idea, not set in stone. Want to hear input so call me at (760) 382-3563. Build and grow for today and plan for tomorrow.
- Wished everyone the best Independence Day and remember those who fought for our freedom.

ADJOURNMENT at 8:30 p.m.



Rachel J. Ford, CMC
City Clerk