



**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**

**March 18, 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

ROLL CALL

Council Present: Mayor Peggy Breeden; Mayor Pro Tempore James Sanders; Vice Mayor Lori Acton; and Council Member Mike Mower

Council Absent: Council Member Eddie Thomas

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

APPROVAL OF AGENDA

Added To Closed Session

- *Local Agency Real Property Negotiations – Negotiations For Lease Or Purchase – Leroy Jackson Park – Agency Negotiators City Manager Dennis Speer And Recreation Supervisor Jason Patin*

Motion To Add Item To Closed Session As A Need Arose Subsequent To Posting Of The Agenda And Approve Agenda As Amended Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Voice Vote Of 4 Ayes (Mayor Breeden, Council Members, Sanders, Acton, And Mower); 0 Noes; 0 Abstain; 1 Absent (Council Member Thomas)

PUBLIC COMMENT – CLOSED SESSION

- None presented

CLOSED SESSION

GC54956.9 (d) (1) Conference With Legal Counsel – Existing Litigation –
Balfour v. City Of Ridgecrest

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
 - Balfour v. City of Ridgecrest – report received – no reportable action
 - Real property negotiations – Leroy Jackson Park – report received – no reportable action.
- Other
 - None

PUBLIC COMMENT

- None presented

PRESENTATIONS

**1. Presentation Of A Proclamation Recognizing The Month Of April As DMV
Donate Life California Month Council**

- Recipients unable to attend so proclamation will be mailed by the City Clerk.

CONSENT CALENDAR

**2. Adopt A Resolution Awarding A Construction Contract For The Signing
And Striping Of 12 Intersections Utilizing Funds From Highway Safety
Improvement Program (HSIP) Cycle 5 To Super Seal & Stripe And
Authorizing The City Manager, Dennis Speer, To Execute The Contract**

Speer

**3. Adopt A Resolution To Amend The Professional Service Agreement
Contract Amount With The Engineering Firm Of Willdan Engineering Inc. To
Provide Additional Services Of Re-Scoping, Bidding Assistance And
Construction Management For The City Corporation Yard And Bus Garage
At The Property Of 636 W Ridgecrest Boulevard**

Speer

4. Adopt 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 South Sunland Avenue: East Ridgecrest Boulevard To Upjohn Avenue Speer
5. Adopt A Resolution Approving The Program Supplement Agreement No. 038-N 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 Graaf Avenue Project From North Sierra View Street To North Norma Street Speer
6. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Approving Contract Change Order Number Twenty-Four With The Contractor, Griffith Company, For The West Ridgecrest Boulevard Project And Authorize The City Manager, Dennis Speer To Sign Change Order Number Twenty-Four Speer
7. Adopt A Resolution Authorizing Proclamations For The Annual Blue Jacket Awards And Announcing Date And Time Of Presentation Ford
8. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Meeting Dated March 4, 2015 Ford

No Items Pulled From Consent Calendar

Motion To Approve Consent Calendar Made By Council Member Mower, Second By Council Member Sanders. Motion Carried By Voice Vote Of 4 Ayes (Mayor Breeden, Council Members, Sanders, Acton, And Mower); 0 Noes; 0 Abstain; 1 Absent (Council Member Thomas)

DISCUSSION AND OTHER ACTION ITEMS

9. Approval Of Installation Of A Memorial Plaque Honoring Former Mayor Ronald H. Carter Be Placed At The Leroy Jackson Skate Park Patin

Jason Patin

- Presented Staff Report

Peggy Breeden

- Questioned the size and type of memorial for \$3000.
 - Jason Patin – will bring back options for Council to consider and select.
- Asked about donations received
 - Jason Patin – 4 committed at \$250 each. No others received to date.
- Suggested contacting the PTA for donations.

Jim Sanders

- Asked about the donation process
 - Jason Patin – contact Parks department and a trust account will be established.
- Asked about the process with the county
 - Jason Patin – explained the letter request to the county.

Public Comment

Patrick Schappa

- Asked if the park is currently named after an individual
 - Jason Patin – not at this time and if county approves request a memorial can be installed
- Asked if public would have opportunity to speak to the board of supervisors about the memorial
 - Jason Patin – understand the decision would be made by Mr. Lerude
- Expressed appreciation for Mr. Carter's efforts with the youth and approves of a memorial.
 - Peggy Breeden – suggested public send a letter to the county.

Dave Matthews

- Not objecting to actions tonight, the way presented last time was not worded as tonight. Did not expect you are trying to rename Leroy Jackson Park, it is a county park. The sign in front of the skate park says 'City of Ridgecrest Skate Park' that is a park built for the youth by the city on county land.
 - Jason Patin – if the lease expires then the park goes to the county.
- After last meeting, did homework about park naming policy as set by the Quality of Life Committee and approved by Council by resolution. Provided copies for Council.
- Commented on quality of life committee meetings regarding park naming policy.
- Policy does not address memorials. Suggested Council approves motion tonight and goes back to quality of life committee to develop policy for memorials.

Jason Patin

- Park is on county property and does not belong to the city.

Minute Motion Authorizing Installation Of A Memorial Plaque Honoring Former Mayor And Council Member Ronald H. Carter At The Leroy Jackson Skate Park Made By Council Member Sanders, Second By Council Member Acton . Motion Carried By Voice Vote Of 4 Ayes (Mayor Breeden, Council Members, Sanders, Acton, And Mower); 0 Noes; 0 Abstain; 1 Absent (Council Member Thomas)

10. Adopt A Resolution Of The City Of Ridgecrest Recognizing The Critical Work Of Eastern Sierra Connect Regional Broadband Consortium In Deploying Broadband Throughout The Region And The Necessity To Leverage Broadband Resources Through The Continuation Of Consortia Activity By State Funding As Proposed By Assembly Bill 1262 Authored By Assemblyperson Jim Wood O'Neill

Justin O'Neill

- Presented Staff Report
- Assembly bill would move \$5 million out of the revolving loan fund and into the broadband consortia account for grants.
- Grants expired in February and this bill would provide the funds to continue broadband efforts of the consortia.
- Commented on pending agenda item relating to establishment of a broadband team.
- Gathering support from all cities in Kern County as well as Bishop.

Peggy Breeden

- Attended the last consortium meeting and expressed support for a need of broadband in our area and the need for funding.

Mike Mower

- Questioned what the money is to be spent on.
 - Justin O'Neill – set aside for non-profits who work on adoption, digital literacy, chambers of commerce, and supports staffing needs. Gathering data for connectivity and intermediary work to getting connectivity.

Lori Acton

- \$5 million is for the entire state and the eastern sierra covers east Kern and up to Bishop.
- Funds are to assist getting every portion of California connected to broadband.
- Consortia's help small businesses apply for grants and get the connectivity.
- Guide people on how to obtain grants.

Mike Mower

- How many providers.
 - Justin O'Neill – explained sale of broadband to networks, medical, and service providers. After anchor institutions they sell to internet service providers. None of our local providers have made the investment and listed reasons. People don't understand the need for large amounts of data and high speed rates. Geography plays a role in what can be provided and consortia help with this.

Motion To Approve A Resolution Recognizing The Critical Work Of Eastern Sierra Connect Regional Broadband Consortium In Deploying Broadband Throughout The Region And The Necessity To Leverage Broadband Resources Through The Continuation Of Consortia Activity By State Funding As Proposed By Assembly Bill 1262 Made By Council Member Acton, Second By Council Member Sanders . Motion Carried By Voice Vote Of 4 Ayes (Mayor Breeden, Council Members, Sanders, Acton, And Mower); 0 Noes; 0 Abstain; 1 Absent (Council Member Thomas)

ORDINANCES

11. Second Reading and Adoption, Ordinance No. 15-02, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code Chapter 6, Article 24 With Regard To License Tax Rates And Classifications **McQuiston**

Rachelle McQuiston

- Presented staff report

Dave Matthews

- Suggest not pass but if you do suggest forming an Ad Hoc or send to committee to look at a different area.
- Concerns about why a person renting their own private property needs a business license.
- Know a person who has several properties, never knew there was a business license requirement for this. Don't think it is constitutionally proper.
- Person known is out of town due to his profession as an engineer. Bought several properties, lived in some of them and then decided to lease them. Holds a number of properties in the area. Bought as an investment and is using the money to put children thru college.
- One question is 'what is a unit'
- Is there a difference between a rental and a lease?
- Number 2 amendments, chapter 9 article 8 is amended to read as follows. Then next line says article 24. Is this being changed?
- When specifies fees, category 8 fee says per year minimum. Questions the word minimum. Article H and I. Feels the word minimum should be struck.
 - Mike Mower – explained that \$66 is the minimum for 4 units and then add \$6.00 of each additional unit.
- Need to look at the entire ordinance, don't like what I see.
- Who will find out who is renting and who isn't? Will incur additional cost for a person to monitor.
- If he has a business license, can he buy supplies for property without being charged sales tax?
 - Mike Mower – no all businesses pay sales tax for supplies.

Peggy Breeden

- Asked Rachelle for explanation of why this is being done.
 - Rachelle McQuiston – sections did not agree, to make them agree decided to require license only if there were 4 or more rentals. Those with less than 4 will not be required to have license in the future.
 - Paraphrased Rachelle’s explanation.
- Asked if City Attorney sees something which may need changed
 - Keith Lemieux – could cut the word minimum, won’t change the meaning of the section. Can be done with second reading.

Jim Sanders

- Asked about the definition of the term ‘unit’
 - Keith Lemieux – 6-24.3 (h)(i) describes renting residential property. In that section refers to another section which lists different types of property. Safe to leave as an undefined term.

Carol Vaughn

- Asked about those who have property management firms running the property.
- Double jeopardy, already paying a licensed business to manage the property for them, now requiring them to also get a business license.
- Will be a shock to a number of property owners, never knew any owners who have a license.
 - Rachelle McQuiston – at this time are relying on self-reporting.
- Because of the number of people here who did not know about this, you won’t find many people self-reporting because they didn’t know they had to.
- Do not think this a very well-known item and do not think very many landlords know about this.
 - Peggy Breeden – I have 5 units and can’t remember how I knew to do this. Interesting that there may be some people who did not know.
 - Rachelle McQuiston – at this time just looking to clarify.

Motion To Waive Reading In Full And To Adopt By Title Only Amending To Remove The Word Minimum, Ordinance No. 15-02, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code Chapter 6, Article 24 With Regard To License Tax Rates And Classifications Made By Council Member Mower, Second By Council Member Sanders . Motion Carried By Voice Vote Of 4 Ayes (Mayor Breeden, Council Members, Sanders, Acton, And Mower); 0 Noes; 0 Abstain; 1 Absent (Council Member Thomas)

Requires A Second

Motion To Adopt, By Title Only, Ordinance No. 15-02, And Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code Chapter 6, Article 24 With Regard To License Tax Rates And Classifications Made By Council Member Mower, Second By Council Member Acton . Motion Carried By Voice Vote Of 4 Ayes (Mayor Breeden, Council Members, Sanders, Acton, And Mower); 0 Noes; 0 Abstain; 1 Absent (Council Member Thomas)

Requires A Second

Mike Mower

- Suggested a committee look at this and how to educate the public.

Lori Acton

- Agreed and asked the newspaper to cover it.

COMMITTEE REPORTS

City Organization and Services Committee

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

Lori Acton - Meet next Wednesday, asked the ordinance be on the agenda.

Infrastructure Committee

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

Jim Sanders

- Reviewed last meeting TAB allocation discussion

Mike Mower

- Announced change to 3rd Thursday of the month

❖ Ad Hoc Water Conservation Committee

Members: Jim Sanders; Peggy Breeden
Meeting: 1st Monday each month at 5:00 p.m.
Location: Conference Room B

Jim Sanders

- Announced next meeting

Parks, Recreation, and Quality of Life Committee

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

Lori Acton

- No Report

❖ **Ad Hoc Youth Advisory Council**

Members: Eddie Thomas
Meeting: 2nd Wednesday of each month, 12:00 p.m.
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 each month at 4:00 p.m.
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

- No Report

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Peggy Breeden

- Provided copies of articles related to the cost of buying water
- Groundwater management meeting tomorrow at 1:00 p.m.
- Kern COG meeting awards ceremony and next meeting tomorrow at 6:00 p.m., agenda provided.
- Jim Sanders will be attending legislative meeting.
- EKAPD – ordinances passed that change how pollution is dealt with by the district. Fugitive dust ordinance passed and solar plant comments received. Will review subjects in six months

CITY MANAGER REPORT

Dennis Speer

- Consultant for hydro-flushing and video of wastewater lines is compiling data.
- GIS mapping consulting will take data and will be reviewing to develop a work program to begin retrofit of pipes.

MAYOR AND COUNCIL COMMENTS

Mike Mower

- State of California regulations regarding water restrictions
- Apologized for having to leave meeting Saturday
- Will be hearing more on land use management plan on April 1
- Don't like being threatened, California constitution does say water use is for the common good. If going to be called to support the constitution then needs to be aware of this.

Lori Acton

- Thanked staff for Saturday's meeting
- Thanked public for giving comments and letting us know how they feel.
- City org meeting next week
- Announced water board meeting

Jim Sanders

- Thanked everyone who attended Saturday meeting
- Very informative and all concerns were valid and pertinent
- Also read the constitution which says water has to be beneficial to the land and reasonable. Constitution doesn't say who decides what is reasonable. Believe is duty of the elected board to decide what is reasonable.
- Very good discussion and had a lot of participation.

Peggy Breeden

- Felt threatened by comments made about Council not following the constitution
- Have 3 books of the constitution and have read them. Feel comfortable that we are doing what we are sworn to do.
- Do not like being threatened.
- Asked Council if they would have a problem if I write a response but will not write the response until we hear from Mrs. Oviatt on April 1.
- Feel is disrespectful to not hear Mrs. Oviatt before we tell her we don't like her plan.
- Will write a response and send to Council for comments.
- Love my country and do not want someone threatening me when I know we are upholding the constitution.

Peggy Breeden *(continued)*

- Thanked everyone for coming.

ADJOURNMENT at 7:32 p.m.

A handwritten signature in blue ink that reads "Rachel J. Ford, CMC". The signature is written in a cursive style and is positioned above a horizontal line.

Rachel J. Ford, CMC
City Clerk