



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

City Council Chambers  
100 West California Avenue  
Ridgecrest, California 93555

November 18, 2015  
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.

### ROLL CALL

Council Present: Mayor Peggy Breeden; Vice Mayor Lori Acton; Council Member Mike Mower

Council Absent: Council Members Jim Sanders and Eddie Thomas

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

### APPROVAL OF AGENDA

#### Item Pulled:

- Item No. 4 was pulled and moved to the December 2 meeting to accommodate the presenter's schedule

*Motion To Approve Agenda As Amended Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Breeden, Council Members Acton And Mower); 0 Noes; 0 Abstain; And 2 Absent (Council Member Sanders And Thomas)*

### PUBLIC COMMENT – CLOSED SESSION

- None Presented

### CLOSED SESSION

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

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**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

**CITY ATTORNEY REPORT**

- Closed Session
  - Conference With Legal Counsel – Cameron Rainwater v. City Of Ridgecrest – report received, no reportable action taken.
- Other
  - None

**PRESENTATIONS**

**1. Presentation Of A Proclamation Recognizing Allen Soard For Attaining Eagle Scout Designation Council**

- Council presented a proclamation to Allen Soard honoring him for attaining the designation of Eagle Scout.

**MAYORAL COMMENT**

- Mayor Breeden recognized Charlotte Braitman for her past support of the Rose Varga organization and thanked the Braitman family for helping us remember her service. Read a letter provided by Mrs. Braitman's son, Robert.

**PUBLIC COMMENT**

**Dave Matthews**

- Congratulated Eagle Scout Allen Soard and thanked him for playing Taps when called upon to do so.
- Commented on the playing of Taps sounding better live than in recorded form and how it brings tears to his eyes each time he hears it. Encouraged the public to look up the words to the song.

**Al Huey**

- Tomorrow at 9:00 a.m. is GSA formation meeting held at the water district. will be an open meeting and encouraged the community to attend.
  - Mayor Breeden – all agencies eligible to participate in the GSA will hold a closed meeting and afterwards the public can make their comments.
- Commented on budget report. Suggestion due to the concern about a report being done on projections, have a report monthly showing what went out and what came in.

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Tom Wiknich

- Asked council add to the agenda, a short statement of why council members are absent.
  - Mike Mower – asked about the Demand Warrant Register
  - Tyrell Staheli – posted on the website

**COUNCIL ANNOUNCEMENTS**

Lori Acton

- Public land roundtable meeting moving to December 10 for protest input at 6:30 p.m.

Peggy Breeden

- Proud of Police Department, reserves, PACT, and Explorers efforts to make the petroglyph festival a success. Read the schedules and number of man-hours. Over \$8000 donated on a volunteer basis from this department.

**CONSENT CALENDAR**

2. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Disability Retirement Of Sworn Safety Member Michael D. Myers Strand
3. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Dated November 4, 2015 Ford

Items Pulled From Consent Calendar

- Item Nos. 2

*Motion To Approve Item Nos. 3 Of Consent Calendar Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Breeden, Council Members Acton And Mower); 0 Noes; 0 Abstain; And 2 Absent (Council Member Sanders And Thomas)*

Item No. 2 Discussion

Tom Wiknich

- Commented Sgt. Myers took me under his wing and trained and guided me on the duties needed as a volunteer. Would like to publicly thank him for the job he does. Fine officer that I am going to miss.
  - Ron Strand – will be doing a proclamation in December or January.

Dave Matthews

- Chief answered my question, noticed the retirement date is in January but may not have a meeting at that time.

*Motion To Approve Item Nos. 2 Of Consent Calendar Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Breedon, Council Members Acton And Mower); 0 Noes; 0 Abstain; And 2 Absent (Council Member Sanders And Thomas)*

#### DISCUSSION AND OTHER ACTION ITEMS

- 4. Presentation And Adopt A Resolution Of The Ridgecrest City Council Accepting For Filing The Other Post-Employment Benefits (OPEB) Actuarial Study As Of June 30, 2015 Prepared By Nyhart Company Staheli**

Item pulled and moved to the meeting of December 2 prior to approval of the agenda

- 5. Nomination And Appointment To The Measure 'L' Citizens Advisory Committee** Council

Mike Mower

- Nominated Nellavan Jeglum

*No council or public comment was presented by attendees*

*Motion To Approve Nellevan Jeglum As Member Of The Measure 'L' Citizens Advisory Committee Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Breedon, Council Members Acton, And Mower); 0 Noes; 0 Abstain, And 2 Absent (Council Members Sanders And Thomas)*

- 6. Adopt A Resolution Of The Ridgecrest City Council Approving The Sale Of Property Within The Ridgecrest Business Park To The Ridgecrest Regional Hospital** Parsons

Council Member Mower stated for the record that he is the Treasurer for the Hospital Board of Directors but has no decision making authority as a volunteer, therefore no conflict of interest exists.

Gary Parsons

- Presented staff report

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**Mayor Breeden**

- Inquired about the tax status and other inquiries
  - Gary Parsons – Hospital is exempt and have not had any other offers in several years.

**Dave Matthews**

- Clarified the sales tax for medical facilities versus retail and stated this defeats the purpose of the business park.
- Asked question of properties donated or purchased by the hospital.
  - Mike Mower – hospital purchased the property from the Drummond family and possible use will be a new helipad.
  - Gary Parsons – expansion of the hospital is an economic development advantage for the community in terms of bringing new business and employment to the valley.
- Questioned use if the helipad is across the street would a tunnel be built to transport patients to the main building.
  - Mike Mower – plans is to expand the emergency department.

**Tom Wiknich**

- Clarified the helipad location and supports the sale and opportunity to expand the medical facilities

*Motion To Approve Resolution Authorizing The Sale Of Real Property To Ridgecrest Regional Hospital Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Breeden, Council Members Acton, And Mower); 0 Noes; 0 Abstain; And 2 Absent (Council Member Sanders And Thomas)*

**Additional Public Comment**

**Dianna Moon**

- Commented on her love for the town and changes that need to be made. Fix the road.

**6(a). Discussion of Possible Amendments To Existing City Of Ridgecrest Water Ordinance**

**Dennis Speer**

- Presented staff report and purpose.

**Don Zedeba**

- Indian Wells Valley Water District Director is present to respond to questions

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**Mayor Breeden**

- Questioned the architectural design requiring landscaping, what happens if the owner does not want landscaping and what happens to the cost.
  - Don Zedeba – in that case, if property owner did not want to landscape there could be a covenant for the future similar to what the water district has.

**Mike Mower**

- Question what is considered landscaping. Exemplified rock and do we now have to submit landscape plans to build a house.
  - Keith Lemieux – reviewed the definitions of landscapes. Is possible to draft a version that is equally as stringent but more comprehensible so may be a goal of the council.
- Right now hard to build and sell a house for the cost of building. This will add more cost. Suggested keeping the landscaping at 500 square feet to builders having to draft plans and do soil sampling.

**Peggy Breeden**

- Questioned water district ordinance
  - Don Zedeba – water district will have to make a few small changes to comply with the new model. Commented on the City's ordinance water schedule and if there is a conflict then must comply with the stronger ordinance. Encouraged council to look at matching the watering schedule to what the water district has adopted.

**Dennis Speer**

- Offered options for council to consider including adopting the ordinance as is, adopting an ordinance which matches the water district, or having city attorney revise the new model ordinance and bring back to council.

**Mayor Breeden**

- Suggestion is to approve as is with time changes to the water schedule and request City Attorney to make it more understandable.

**Mike Mower**

- Can we adopt and modify later rather than let the state make it mandatory
  - Dennis Speer – anything other than the model ordinance must be sent to the state for approval
  - Don Zedeba – there is time to adopt and then look at revision with the change to water time. If you don't change it then the water district ordinance which is stronger would be the one complied with.
  - Keith Lemieux – this is on agenda for discussion only, no action can be taken tonight other than direction to staff. Due to time frame, the model ordinance will be adopted by default and then we can formally adopt a revised ordinance.

Lori Acton

- Agree with sending to staff to make it easier to understand

Public Comment

Bennie Fuller

- Regarding 500 square feet, asked attorney to read the definition of landscaping.
  - Keith Lemieux – reviewed landscape area and exemptions.
- Sounds like gravel walkways are exempt but gravel isn't.
  - Keith Lemieux – non irrigated areas for non-development.
- Language does not include areas not actively irrigated. Exemplified gravel over a large area.
- Commented on committee or agent that will go to older homes for enforcement. This is expensive and time consuming for the city and residents.
- Also water recording devices are a concern.
  - Keith Lemieux – City Attorney will be revising to a clearer version and suggested coming back to discuss the points again.

Dave Matthews

- Asked where the model ordinance came from
  - Peggy Breeden – Department of water resources
- Didn't expect to have to have this passed by December 1.
- Don't like the state agencies trying to tell Cities what to do. We are able to make our own decisions. The state is part of the problem because they have not developed new sources of water.
- State senators, assembly members came out with article encouraging the state to capture all the El Niño water we may get. How are we going to do it?
- Tired of what the state is doing and they are more a problem than lack of water. Asked City Attorney to look into ways we might be able to get them to stop telling us what to do.
  - Keith Lemieux – appreciate your argument for local control however we would still have these rules based on local control.

Mike Mower

- If someone doesn't want to do their yard but the definition says that if this is the case it would apply as open space with native plants.

Keith Lemieux

- If you choose to landscape these rules apply.

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Tom Wiknich

- Will the city have to rescind the existing ordinance
  - Dennis Speer – currently do not have a landscaping ordinance and this would supersede any conflicts.
- Commented this is more a building code.
- Addressed enforcement role and the reference to penalties. Asked if City would begin enforcing or continue allowing the water district to enforce.
  - Keith Lemieux – by mutual agreement local water purveyor can do the enforcement.
  - Mike Mower – clarified current regulations for building new property and enforcement process.
- Asked if Attachment A listing evaporative rates deleted Ridgecrest. Suggested bringing this to water board attention.

Bennie Fuller

- Read section of ordinance pertaining to existing landscapes. Section applies to park behind city hall and not sure as a recreational area it would be affected.

Peggy Breeden

- Item to go back to staff for review and revision.

**PUBLIC HEARING**

- 7. Conduct A Public Hearing Before The City Council Of The City Of Ridgecrest Regarding The Community Development Block Grant (CDBG) Funding In The Estimated Amount Of \$138,000.00 And Adopt A Resolution Approving The Fiscal Year 2016-2017 Annual Action Plan Application And Direct Staff To Submit The Application** Speer

Dennis Speer

- Presented staff report
- Recommendation is to fund the completion of Senior Center project and direct staff to seek and advance on the funds.

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Public Hearing opened at 7:11 p.m.

**Dave Matthews**

- Commented on the length of time for the Senior Center project and does not know why this has not been completed.
- Encouraged council to do this.
  - Dennis Speer – explained the processes required by HUD and the cost of plans. After completing the process we were left with under \$100,000. This money would actually be spent to complete the project. Also found out the estimate given by the director at the time may not have been high enough and the time to complete the process with inflation has increased the costs.

*Motion To Adopt A Resolution Approving The FY 2016-17 Annual CDBG Action Plan Application; And Direction To Staff To Submit The Application; And Request An Advance Of The Funds Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Breeden, Council Members Acton And Mower); 0 Noes; 0 Abstain; And 2 Absent (Council Member Sanders and Thomas)*

**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: 4<sup>th</sup> Wednesday each month at 5:00 p.m. as needed  
Location: Council Conference Room B

**Lori Acton**

- Dark until January 27

**Infrastructure Committee**

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

**Mike Mower**

- Meeting tomorrow at 5:00 p.m.

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❖ **Ad Hoc Water Conservation Committee**

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

Peggy Breeden

- Meeting last Monday and received comments from staff.
- Made recommendation to prioritize parks water conservation.
- First conservation effort will be Denny's park. Will be getting bid to remove turf but leave trees.
- Second was the senior services center and the boys and girls club building
- Third priority was Pinney Pool area outside the fence
- Discussed goals and setting examples for the public
- Cost of spending the money to save water and do we have the money will be discussed at the next meeting.
- Next meeting will be announced.

**Parks, Recreation, and Quality of Life Committee**

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

Lori Acton

- No meeting, only topic is dead trees

❖ **Ad Hoc Youth Advisory Council**

Members: Eddie Thomas  
Meeting: 2<sup>nd</sup> 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: Quarterly on the 3<sup>rd</sup> Tuesday of the 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: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.  
Next Meeting: To Be Announced

- No report

## OTHER COMMITTEES, BOARDS, OR COMMISSIONS

### Lori Acton

- The Friends of Jawbone Committee, RFP is out and closing December 14 with special meeting to discuss. No caretakers for a camp and encouraged interested parties to contact BLM.
- Bowman Business District meeting decided is not beneficial to do an assessment district for the area at this time. Discussed putting a frontage road in to deal with traffic flow. Looking to develop cohesiveness in the area for future developments. Will meet again next month.
  - Loren Culp – expanded on the different assessment district options available and the frontage road traffic flow

### Peggy Breeden

- East Kern Airport District met and agenda was light.
- East Kern Economic Development Alliance meeting. All cities in eastern kern county working together to find ways. Asked the report presented at the meeting be added to the agenda. Praised the committee chair.
  - Gary Parsons – reported on the Monarch presentation of their activities and production facility tour. Pleasure to see progress on a business the City supported.

## CITY MANAGER REPORT

### Dennis Speer

- Tomorrow infrastructure committee meeting will provide an update on the wastewater facility. Due to staff availability and base restrictions the consultant has not been able to complete his report so workshops will not be held until January.

## MAYOR AND COUNCIL COMMENTS

### Mike Mower

- Recommended staff review condition of sumps in light of El Niño
- Wished everyone Happy Thanksgiving

### Lori Acton

- California Competes tax credits will be here December 11 at 8:30 a.m. in City Hall
- Reviewed amounts that will be available for businesses relocating into California.
- Thanked staff for all they do and wished Happy Thanksgiving to community

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Peggy Breeden

- Requested report on petroglyph festival. Chief Strand estimate of visitors is 12,000 – 14,000. Interested in seeing the numbers. A lot of events going on that weekend and great participation.
- Want a report on TOT. A comparison from last year to this year. Heard some people did not report as quickly as possible so made the festival look less than actual.
- Want a report on the Walmart check, where the money is going and how much we will keep.
- Are grants available for those riding bikes or wheelchairs to have antennas or flags and do we have to administer it or can a volunteer organization do this.
- Military banner program is moving forward and thanked staff for getting the encroachment permits.
- Teacher talking to her pupils about local government and the only person the students know by name is the mayor. Can council go to the classrooms and visit. Talk about what city government does. Want to see young people to be involved in government.
- Wished everyone a wonderful Thanksgiving and appreciate the new people we have getting involved.

**ADJOURNMENT at 7:37pm**



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Rachel J. Ford, CMC  
City Clerk