



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

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

**November 4, 2015  
5:00 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 – 5:00 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**Council Present:** Mayor Peggy Breeden; Mayor Pro Tempore Jim Sanders; Vice-Mayor Lori Acton; Council Members Eddie Thomas and Mike Mower

**Staff Present:** City Manager Dennis Speer; City Clerk Rachel J. Ford; City; City Attorney Michael Silander and other staff

**APPROVAL OF AGENDA**

- No amendments

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

- Jim Sanders joined Council for Closed Session

**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

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**CLOSED SESSION**

- GC54956.9 (d) (4) Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. Matasantos
- GC54956.9 (d) (4) Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. Cohen
- GC54956.9 (d) (4) Conference With Legal Counsel – Existing Litigation - William Johnson v. City of Ridgecrest. 1:15-CV-01540-JLT
- GC54956.9 (d) (4) Conference With Legal Counsel – Existing Litigation - Cameron Rainwater v. City of Ridgecrest. BCV-15-100181 SPC
- GC54957 Personnel Matters – Public Employee Performance Evaluation – City Manager

**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

**CITY ATTORNEY REPORT**

- Closed Session
  - Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. Matasantos – report received, no reportable action taken
  - Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. Cohen – report received, no reportable action taken
  - Conference With Legal Counsel – Existing Litigation - William Johnson v. City of Ridgecrest – report received, no reportable action taken
  - Conference With Legal Counsel – Existing Litigation - Cameron Rainwater v. City of Ridgecrest – report Received, No Reportable Action Taken
  - Personnel Matters – Public Employee Performance Evaluation – City Manager – matter was discussed but not completed and will continue at the next council meeting.

**PRESENTATIONS**

1. **Presentation Of A Proclamation Honoring American Indian Heritage Month 2015** **Council**
  - Council presented a proclamation to representatives of the local American Indian tribes.
  - Little Deer Durvin thanked Council and announced the Pow Wow, Hog Fry, and crafts this weekend.

**PUBLIC COMMENT Opened at 6:05 p.m.**

**Mike Neel**

- Commented on TOT payments for local hotels for the past few years. Information received thru public record request. Suggested City perform an audit because no significant change was observed during last year petroglyph festival
- Commented on bulb out restricting ADA wheelchair access. Has been two month of delay since told it would go before planning commission. Spoke on discussion with two persons in wheelchairs who struggle to maneuver the street or avoid using the street because of the bulb outs. Commented on other medians with planters restricting ADA wheelchair traffic and stated there is no need for grass or other plantings at these locations.
  - Peggy Breeden – responded the infrastructure meeting is discussing the issue and City Engineer is working on a study. Item will be on the agenda as soon as the answers are received from staff. Commented on the Council Member experiment with wheelchairs.
- Reiterated his concern about the bulb outs on Ridgecrest Blvd. and cars turning into the wheelchair zone.

**Dave Matthews**

- Responded to Mr. Neel's comments stating it would take someone getting hit before something is done.
- Commented on the agenda title for the proclamation.

**COUNCIL ANNOUNCEMENTS**

**Jim Sanders**

- None

**Lori Acton**

- Reminder that BLM will have horse and burro adoptions this weekend.

**Eddie Thomas**

- none

**Mike Mower**

- none

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Peggy Breeden

- reminder for petroglyph festival and optimist club dinner
- commended the military banner people who are doing a tremendous job
- Economic Development Committee report given. Smaller committees presented their reports and Beth Sumner is compiling the data. Having trouble getting some participation so if anyone is interested in helping finish this report please contact Mrs. Sumner

**CONSENT CALENDAR**

2. Adopt A Resolution Of The Ridgecrest City Council Accepting An Offer Of Dedication From Khaled Odeh and Shafiqeh Odeh for APN 456-010-04, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Right of Way Agreement And The Certificate Of Acceptance For The Escrow Fees Of Five Thousand Dollars  
Speer
3. Adopt A Resolution Of The Ridgecrest City Council Accepting An Offer Of Dedication From The Pam Ridgecrest Venture, LLC For APN 456-010-02 And APN 456-010-03, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Right Of Way Agreement And The Certificate Of Acceptance For The Escrow Fees Of Five Thousand Dollars  
Speer
4. Adopt A Resolution Declaring Surplus Equipment And Authorizing Staff To Negotiate The Destruction Of Said Equipment  
Speer
5. Receive For File The Quarterly Investment Report For First Quarter 2015  
Staheli
6. Adopt A Resolution Amending The Classification Plan And Revising Certain Job Descriptions  
Staheli
7. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Minutes Of Meeting Date October 21, 2015  
Ford

Items Pulled From Consent Calendar

- Item Nos 2, 3, 4, and 6

*Motion To Approve Consent Calendar Items Nos. 5, And 7 Made By Council Member Acton, Second By Council Member Thomas. Motion Carried By Voice Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent*

Item No. 2 and 3 Discussion

Dave Matthews

- Asked if property owner is paid for the property
  - Dennis Speer – dedicated property

*Motion To Approve Consent Calendar Items Nos. 2 And 3 Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Voice Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent*

Item No. 4 Discussion

Mike Mower

- Clarified destruction or disposing

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

Item No. 6 Discussion

Lori Acton

- Commented on some positions which may allow for experience in lieu of degree.
  - Dennis Speer – brought for discussion from several years ago. Need to fill gaps between manager and supervisor. May save money at times by hiring manager instead of director. Spoke on requirement for degree for director which under state law requires degree for professional designation. Comment came from audience question several years ago, trying to clarify for the director position.
- Commented on someone who has worked their way up but don't want this person with 30 years' experience not advance because of lack of a degree. Suggested this be a preference for some of the manager positions, not director positions.

Eddie Thomas

- Asked for more clarification on the degree requirements.
  - Dennis Speer – positions of mid-management and director level would thing education and experience adds value to the knowledge, skills, and ability for the positions.
- Is this the minimum you are trying to establish?
  - Dennis Speer – as for Directors it would require a Bachelor's degree as a minimum.

Item No. 6 Discussion (continued)

Peggy Breeden

- Without knowing the functions, are there changes to these?
  - Dennis Speer – for Directors only education requirement changed. For managers it provides management over supervisors.
- This does not create jobs or openings but fiscal impact is in the future.
  - Dennis Speer – no fiscal impact unless we hire something not budgeted.

Public Comment

Dave Matthews

- Read table title (department head, mid-managers, classified) and suggested separating them in future.

Tyrell Staheli

- The word classified should be 'confidential'

Tom Wiknich

- Reviewed positions and which are currently filled. Asked where Matthew Alexander position is listed.

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

**DISCUSSION AND OTHER ACTION ITEMS**

**8. Discussion And Approval Of Letter Of Intent To Participate In The Proposed Groundwater Sustainability Agency (GSA) Speer**

Dennis Speer

- Presented staff report

Peggy Breeden

- Commented on past long term attendance at water board meetings in various capacities. Much divisive discussion. Our goal is to have land use authority within the city of Ridgecrest. Important for us to be at the GSA. Not saying we are agreeing with everything and nothing here says we are going to levy charges. This only says we want to be part of the agency. Exampled do you want to be on the train or do you want to give up authority. Feels we need to be on the train. Listed the agencies eligible to be on the GSA. There is legislation proposed to allow other opportunities for participation. We must do everything we can to protect our land use authority and the water located with our land.

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Peggy Breeden *(continued)*

- If we don't do this the State will do it for us. Don't want anyone except those who have to live with the rules to be a part of making those rules.

Jim Sanders

- Feel it is important to participate. We would be sending an elected representative to participate and have a vote on what happens with our aquifer.

Eddie Thomas

- Concur with participating

Mike Mower

- We would be derelict in our duty to not be involved.

Public Comment

Tom Wiknich

- Feel this is very important and council is taking the first step by saying they want to participate. Would like this to move forward faster.
- Suggested council begins having public meeting on this subject. Suggested Mick Gleeson, water district and Mayor begin receiving public input. Not as the GSA, but to gather information and questions for the time the GSA is formed.
- Agree we have to participate.
- Suggested Town Hall meetings for this subject with the 3 agencies who will be representing us on the GSA.
- Agrees with elected officials be members on the GSA.
- Happy to hear the Council agrees this agency is important to this valley. Suggested this agency be based in the valley and suggested room in City Hall and the agency members be people who live here and will be impacted by the decisions of the agency.
- Thanked county supervisors and Mick Gleeson for everything they have done so far, it is time for the next step which is Council getting involved.
  - Peggy Breeden – 3<sup>rd</sup> Thursday of each month ground water management committee. Asked staff to keep this on the agenda. Last Friday meeting was the first of many public meetings with a facilitator from the Water District. Supervisor Gleeson is hoping to get the item to board of supervisors before the end of December and get the resolution adopted. If we can get this started with notice of intent to state we will be ahead of many others. This is our job, our community, and our valley. No one is going to tell us what to do but us.
- Thanked Mayor and Council

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**James Hiser**

- Council is misled; they feel they have a vote. Commented on EPA involvement. You will be advising Mick Gleeson who will then vote his position. There will have to be a lot of give and take with a lot of words from the State. Mr. Gleeson has indicated he will be the final say for the valley. Commented on poison water and significant legal issues coming.
- We were declared a system in crisis because of one user who overdrew his water and lowered other wells.
- Commented on list and stats that are now old. There are significant ongoing issues and local input is limited and will be constructed of persons outside the valley and we are in this crisis because of misinterpretation of the data.

**Dave Matthews**

- Understands the GSA is mandated by the state so need to get started.
- Suggested we need to take initiative to point out to the State and Federal that we need to bring in new sources of water. You can conserve 100% of nothing and you still have nothing. State is going in the wrong direction and has done very little to increase the water supply. Draught situation has added to this problem. Need to push for new sources of water rather than just conserving.

**Stan Rajtora**

- Agree with sending letter in response to the County
- Agree with local membership and participation in the GSA
- Felt the letter was vague and could be misinterpreted. County asked what role we would play and we are saying we will participate. Some roles are advisory and we should be clear with response that we want to be an equal voting member joint powers agency.
  - Lori Acton – reviewed the County request.
- We have an opportunity to be clear and need to take advantage of this and make it clear we want to be a voting member of a join powers agency. If we send a letter that could be misinterpreted, we don't know how it will be used in the future.
  - Mike Mower – suggested adding the word voting member to the letter.

**Mike Neel**

- Have voiced my opinion to both the water district and Mick Gleeson at the last meeting. Basic position is GSA needs to be a separate elected agency, elected by whatever means to provide proper representation of all citizens within the water basin.
- Quoted city attorney letter regarding GSA purpose.
- This agency will have policing and taxing authority so people in this basin need to be on the agency.

Mike Neel *(continued)*

- Commented that current approach has only been talked about, once formed and begins exercising their powers there will be strong opinions. If they don't like what is going on, they will not have an opportunity to change the agency. With city council the public has the ability to recall elected officials who are not doing their job. With an appointed GSA the public will not have the ability to change them if they don't like what is happening.
- As a citizen, I demand the right to be able to elect this board. Asked city council to relay this to the county board of supervisors. Not necessary to push this so fast. The boards of supervisors want to be state's poster child and grab a small amount of money by being first. Need to get it right the first time because won't be able to change it later.

*Motion To Approve A Letter Of Intent To Participate In The Proposed Groundwater Sustainability Agency (GSA) As Amended Made By Council Member Sanders, Second By Council Member Acton. Motion Carried By Voice Vote Of 5 Ayes (Mayor Breedon, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent*

**9. Adopt A Resolution Of The Ridgecrest City Council Approving The Sale Of Property Within The Ridgecrest Business Park To American Loan Masters**

**Parsons**

Gary Parsons

- Presented staff report

Mike Mower

- Requested clarification of split and costs split for third lot.
  - Gary Parsons – responded with cost breakdown.

Peggy Breedon

- Asked for the total City will receive from this amount.
  - Gary Parsons – reviewed calculations.

Mike Mower

- Reviewed the acreage and cost for Lot 36 with the sump.
  - Gary Parson – clarified that almost ½ of the lot will be retained by City for the sump.

Peggy Breedon

- Asked about other inquiries in the past few years
  - Gary Parsons - never

Public Comment

Dave Matthews

- Description of property should be East Graaf Street.
- Lot 36, does City have control of the sump
  - Gary Parsons – yes, original agreement with China Lake Properties with Redevelopment the sump requirement was made to control water flow to the base.
- If we maintain, we need access
  - Gary Parsons – clarified the easement access
- Asked if American Loan Masters will develop the land.
  - Gary Parsons – identified the business current location and the planned expansion. If expansion is successful then City will gain additional sales tax and jobs.
- Asked about China Lake Properties.
  - Gary Parsons – a private investment group that owned the land. The Agency bought for the business park with an agreement for delayed payment based on sale of the property.
- Asked if there are names attached.
  - Gary Parsons – representative is Joanne Clark

Tom Wiknich

- Asked about development agreement
  - Gary Parsons – this is land acquisition, no proposal for development at this time. Only storage.
- Commented on past sales with developments
  - Gary Parsons – when development is done will go through the process
  - Peggy Breeden – will not have any concessions when it is developed and conditions can be placed at this time.
- Asked about existing DDA's
  - Gary Parsons – referenced problems resulting in the dissolution of RDA.

Benny Fuller

- Asked about authority to negotiate on the price.
  - Gary Parsons – staff has presented best price.
- Reviewed the pricing of the lots and asked about cost for expansion of the road at the cul-de-sac. Does not see a hindrance of business. Do not think the parcel is worth significantly less due to access.
  - Gary Parsons – reviewed the access issues. Have not had an offer in 5 years on the property.
- Asked for clarity on discussions with Caltrans for putting in roads along China Lake Blvd.
  - Gary Parsons – this sets next to the light and do not believe Caltrans will allow a road that close to the light.

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Benny Fuller *(continued)*

- Asked if the sump has to be in this location.
  - Gary Parsons – Navy has requested the location so we have complied.
- Asked if Navy was paying for the use of the land to provide the sump. We are now using the land free of charge for a sump to help the navy while we devalue the property.
  - Gary Parsons - We have an obligation to keep surface flow from going onto the base.

Jim Sanders and Mike Mower

- Reviewed the sump location and drainage canal with Gary Parsons

Mike Mower

- Asked about other taxing agencies.
  - Gary Parsons – idea is state would like all taxing agencies get their share of the sale. Exemplified school district, if they receive funds, will lose the same amount in allocations from the State. Only agency that benefits is the State. Benefit is to take this property which is currently not generating taxes and begin generating taxes with a business expansion.

Peggy Breeden

- Asked about China Lakes Properties portion going to taxing agencies
  - Gary Parsons – no, they are a private entity

Lynn Loscar

- Asked about options to capture the water and create a cistern.
  - Gary Parsons – reality is the water is supposed to circulate back into groundwater. Would need to check with engineer to get numbers and look at opportunities to capture water.

Gary Parsons

- Reviewed the sale prices for each lot.

*Motion To Adopt A Resolution Approving The Sale Of Real Property Within The Ridgecrest Business Park To American Loan Masters Made By Council Member Sanders, Second By Council Member Thomas. Motion Carried By Voice Vote Of 5 Ayes (Mayor Breeden, Council Members Sanders, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; 0 Absent*

## 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

Mike Mower

- Discussed meeting with County on building process
- Discussed past and future street projects
- Dark November and December, next meeting in January

### 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

Peggy Breeden

- Will provide written report for website

### ❖ 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

- Next meeting November 16
- Discussed xeriscaping
- Members asked about looking at the sump areas in front of City Hall to see if they are truly being used. Looking at options for xeriscaping these spots. No reason to expend a small fortune to remove grass and xeriscape just to save water. We are not helping the water district because it is our own well water. Not bad to save water in the whole valley but currently have funding restrictions. Still looking at this. Discussion included putting drip system around trees in the parking lot.
- Looking at watering options and making sure water does not arc outside the park area into the street

### 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

- Topic we need to cover is dead and dying trees and how we will replace them after the draught.
- Could also discuss the grass issues
- Will get with staff to set up the meeting

❖ **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

Eddie Thomas

- Youth are doing well. Projects are moving forward and getting good press.

**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

Eddie Thomas

- Meeting next month

**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

Lori Acton

- Dark today, will meet next month

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

Peggy Breeden

- Bowman Business District Ad Hoc Committee have been meeting with council and planning commissioners to discuss ways we can best serve property owners with regard to traffic flow and development. Discussions have been very good. Will meet the 17<sup>th</sup> of the month in conference room B
  - Loren Culp – will be bringing information relating to landscaping and lighting districts and maintenance districts.

Lori Acton

- Jawbone Canyon is discussing WEMO and Trails.
- Next meeting on the 18<sup>th</sup> with potluck luncheon
- BLM has list of races coming up and will get the information out for the public.

Peggy Breeden

- East Kern Economic Development meeting next Thursday at the college
- November 12 Air Pollution Control District meeting at City Hall

## CITY MANAGER REPORT

### Dennis Speer

- Staff has identified recommendations of specific areas turf could be removed and will return to ad hoc with information. Have provided list to IWW Water District. Staff is developing example costs to give an idea of the fiscal impact.
- Phillip Braem has resigned to take a position in the state of Washington after 14 years with the City.

## MAYOR AND COUNCIL COMMENTS

### Mike Mower

- Asked about South China Lake Blvd being closed for construction.
  - Loren Culp – Walmart project has water line going in over next 2 weeks
- Saturday petroglyph festival booth schedule
  - Peggy – 9:00 a.m. to noon
  - Lori – 11:00 to whenever
  - Eddie – 3:00 p.m. to 6:00 p.m.
  - Mike – 3:00 p.m. to 6:00 p.m.
  - Jim – noon to 3:00 p.m.

### Eddie Thomas

- Community day on Saturday at the Base with car show
- Petroglyph Festival this weekend
- Participated in the Ridge Project last Saturday and so proud of the people who volunteered. 178 people helped and it looks so good.
- Will be gone at next meeting celebrating anniversary.

### Lori Acton

- Like the idea of taking public comments and questions for GSA. Look at website Q&A
- Public questions, on Facebook movement of putting scarves and hats on trees for homeless or those who need it. There is a share group who would like to participate. Need information from staff on what is and is not allowed so it doesn't get out of control. Similar to a coat drive. Youth want to take this on.
- Jerry Hilliard has agreed to give presentation on Quad State. In the works.
- December 11 flyers from Governor Brown's office, Economic Development group will be here to meet with local agencies and public.
- Thanked everyone who worked on the community cleanup
- Toys for Tots would like to put a box in the lobby. Dennis Speer does not see a problem with this.
- Veterans Day coming up next week, thank a veteran for what they have done and remember those who gave their all.
- Time capsule at Petroglyph Park at 10:00 a.m.
- Lost a great guy in Mr. Chase at the fair. This is a sad thing for the scouts and our community.

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Jim Sanders

- Was going to talk about Quad State and Petroglyph Festival which have already been discussed.
- Will be out the 18<sup>th</sup> to attend a wedding in Utah.

Peggy Breeden

- Requested workshop on Wastewater Treatment Plant.
  - Dennis Speer – Staff is working with consultant and have given them 6 different topics that need to be researched prior to the workshop
- Requested agenda discussion on contract with Justin O'Neill
- Requested agenda discussion on Municipal Code of how we operate in comparison to other agencies
- Requested Town Hall meeting for GSA and set up Facebook area for questions to be asked that we can address.
- Requested agenda discussion of monies Walmart paid to City, how it is utilized, where it is going, and what is happening with it.
- Commented on a letter to City and base asking how we will deal with El Nino flooding. Captain Wiley responded with the base plan and we need to see if we should do any coordination with the base.
  - Dennis Speer – China Lake will be holding workshop on the 13<sup>th</sup> that staff will be attending.

**ADJOURNMENT at 8:18 p.m.**



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Rachel J. Ford, CMC  
City Clerk