



**M MINUTES OF THE REGULAR MEETING OF THE  
RIDGECREST CITY COUNCIL AND  
RIDGECREST REDEVELOPMENT AGENCY**

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

**April 21, 2004  
6:00 p.m.**

Tape Recorded  
Tape 04-06

This meeting was tape 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 – 6:30**

**ROLL CALL**

**PRESENT:** Mayor Ronald Carter, Mayor Pro Tem Marshall Holloway, Vice Mayor Richard Martin, Council Members Steven Morgan and Daniel Clark

**STAFF** Harvey Rose, City Manager; Wayne Lemieux, City Attorney; Rita Gable, Chief Deputy City Clerk; Jim Winegardner, Finance Director; Jim Ponek, Parks and Recreation Director; Jerry Helt, Public Works Director; James McRea, Community Development Director; Michael Avery, Chief of Police; and other personnel

**REGULAR SESSION – 6:32 p.m.**

**PLEDGE OF ALLEGIANCE** let by

**INVOCATION** by Reverend Jean Throckmorton, Ridgecrest Presbyterian Church

**APPROVAL OF AGENDA**

Moved by Council Member Clark, seconded by Council Member Holloway TO APPROVE THE AGENDA. No public comment. Motion carried with a voice vote 5 ayes.

**PROCLAMATIONS AND PRESENTATIONS**

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### 1. **Proclamation – Respect for Law Week**

On behalf of the City Council Mayor Pro Tem Holloway presented proclamations to Ted Lemon, President Optimist Club, Chuck Gillespi, Exalted Ruler Elks Lodge, Betty Summers, Vice President Kiwanis Club, Sharon Girod, President Rotary Club, Christina Cosner, Vice President Exchange Club, and Jim Tooker, President Foot Printers, in recognition of Respect for Law Week, April 25 – May 1, 2004.

### 2. **Proclamation – Be Kind To Animals Week**

On behalf of the City Council Vice Mayor Martin presented a proclamation to Mary Trowsdale, President Indian Wells Valley Humane Society, in recognition of Be Kind To Animals Week, May 2 – 8, 2004.

### 3. **Proclamation – Family Child Care Provider Week**

On behalf of the City Council Mayor Carter presented a proclamation to Little Deer Durvin, Owner Leapin' Lizards Child Development Center, in recognition of Family Child Care Provider Week, May 1-8, 2004.

### 4. **Proclamation Sexual Assault Awareness Month / Annual Denim Day**

On behalf of the City Council Member Clark presented a proclamation to Karin Stone, Program Manager Sexual Assault Response Team, Women's Center High Desert, in recognition of Sexual Assault Awareness Month, April 2004 and Annual Denim Day in East Kern County, April 21, 2004.

### 5. **Proclamation – Administrative Professionals Day**

On behalf of the City Council Member Morgan presented a proclamation to Francie Lewis, Community Development Technician, representing the administrative employees of the City, in recognition of Administrative Professionals Week, April 18-24, 2004 and Administrative Professionals Day, April 21, 2004.

### 6. **Presentation – Assembly Bill 2006**

Deborah Hess, Region Manager Public Affairs, Mammoth Service Center, Southern California Edison, will give a presentation to Council on AB2006. A copy of the PowerPoint presentation is in the Clerk's agenda packet.

Council expressed some concerns. It was suggest that maybe the Legislative Committee could do some research.

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Dave Matthews, 717 Kevin Court

- Morgan addressed some questions he had
- Is there anything in bill that addresses costs of building plants and environmentalists
- Not for deregulating the utilities does not want to shop for prices
- Wants steady power day to day with no fluctuations
- 

Ron Kicinski, 134 Chambers Street

- How does bill address transmission problems
- How does bill address building new facilities
- Impact on local power generators
- Who approached the senator to sponsor this bill
  - The senator talked to SCE and other entities
  - Transmission is a problem PG&E is addressing this
  - Allows SCE to go procure long term contracts with generators

Matt Feemster, 724 Sydnor Avenue

- Idea for new plants is good
- Trying to put emphasis on renewable is good
- During the power crisis generators were shut off to drive up prices
- Is there anything in this bill that will prevent this happening again
  - Will have to research this

Lois Beres, 637 N. Sunland Street

- What in this bill will guarantee money owed will be paid back
  - PUC will not put it down

Passed utilities committee on Monday

### **PUBLIC COMMENT            8:00**

Dave Matthews, 717 Kevin Court

- May be a friend who left who may be coming back – "Doc" the B-29 is in Wichita Kansas getting rebuilt
- Owner said after restored it may come back to Inyokern
- Then heard that it was going to stay in Wichita
- Tony the owner still owes us some rides
- Perhaps it can take up part time residence
- Asked Council Member Martin about petitions for the initiatives being circulated
  - Have been collected and sent to the League of California Cities

### **CONSENT CALENDAR            8:04**

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7. Resolution No. 04-21, A Resolution Of The Ridgecrest City Council Authorizing A Progress Payment To Asphalt Construction Company In The Amount Of \$71,750.00 Less A Retention Of 10% Pollock
8. Resolution No. 04- , A Resolution Of The Ridgecrest City Council Approving A Lease Agreement With Municipal Finance Corporation And Authorizing The City Manager To Execute All Appropriate Documents Winegardner
9. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of April 7, 2004 Gable
10. Council Expenditure Approval List (DWR) Dated April 2, 2004 In The Amount Of \$317,642.50 Winegardner
11. Agency Expenditure Approval List (DWR) Dated April 2, 2004 In The Amount Of \$675.78 Winegardner

Council Member Holloway requested removal of item 8 for discussion

Moved by Council Member Morgan, seconded by Council Member Martin TO APPROVE THE CONSENT CALENDAR WITH ITEM 8 REMOVED. No public comment. Motion carried with a voice vote of 5 ayes.

8. Resolution No. 04- , A Resolution Of The Ridgecrest City Council Approving A Lease Agreement With Municipal Finance Corporation And Authorizing The City Manager To Execute All Appropriate Documents Winegardner

Mr. Rose gave staff report

- Discussed this concept when reviewing budget for 2004
- Has been asked why go to outside source when City could borrow from the wastewater fund
- Through lease financing we can protect revenue and fund source
- We can book it on year to year basis
- Should be going to a lease back loan with an outside organization

Council comment

- This would be 7 years with 14 semi annual payments
- \$350,00 loan with \$62,000 interest
- Council should finance in house
  - Will allocate \$400,000 each year from reserves and because we cannot pay off the first year we will renew the loan each year until paid off

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- We did the Kinetics projects with this company
- If we knew what the state will bring it would be easier
- Council felt like we could not afford the necessary repairs out of reserves and asked staff to look into a loan
- May need reserves to hold up other parts of our next years budget
- We manipulate our funds to go as far as possible in the most needy places
- Is in favor of doing this and make the repairs
- Or we can hold until the budget cycle

Moved by Council Member Morgan, seconded by Council Member Martin TO ADOPT RESOLUTION NO. 04- , A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING A LEASE AGREEMENT WITH MUNICIPAL FINANCE CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPROPRIATE DOCUMENTS

Matt Feemster

- Feels it is wrong way to go with Municipal Finance
- If you have to borrow then borrow from yourselves

Lois Beres

- Wastewater reserve fund – how long before you expect to use these funds
  - Will expend \$4 million to bring it up standard for ten years and then we start building the \$30 million new plant

Council Member Martin

- Asked if there will be a negative impact on borrowing from the wastewater and did you think about doing it
  - Mr. Rose stated he and Mr. Winegardner were familiar with lease pay backs so went that way
  - Will be asked to adjust \$3—400,000 for ERAF
  - Cities in state will be paying another 3 billion
- Would you still recommend the lease pay back
  - Yes
- Concerned with what will happen with the state

Moved by Council Member Morgan, seconded by Council Member Martin TO ADOPT RESOLUTION NO. 04-22, A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING A LEASE AGREEMENT WITH MUNICIPAL FINANCE CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPROPRIATE DOCUMENTS. Public comment heart. Motion carried with a voice vote of 3 ayes, 2 noes. Council Members Holloway and Clark voted no.

## PUBLIC HEARINGS

12. **A Public Hearing To Receive Input And Comments From The Public Regarding Transit Unmet Needs** **Helt**

Mr. Rose gave the staff report

- Every time we ask for transit funds we have to have a public hearing
- The Transportation Development Act of 1971 (TDA), as amended, provides for the disbursement of funds from the Local Transportation Fund for various eligible transportation uses
- The funds are distributed by the Kern Council of Governments (KernCOG), in its capacity as the Regional Transportation Planning Agency
- An eligible claimant wishing to receive TDA funding through KernCOG must conduct an annual review of the transit needs of the individuals and groups in the community
- A public hearing must be conducted to receive written and oral comments regarding any “unmet transit needs” and whether these are “reasonable to meet”.

Opened at 8:45

Gwen Jensen, 241 Panamint

- Many unmet transit needs still exist
- Have worked on many committees pertaining to this for years
- Hear complaints about the transit system and employees all the time at Senior Center
- This was ranked as the 8th highest need at the 100 voices for women
- The out of town connecting buses are not well enough advertised as some citizens don't even know about them

Dorothy Brown, 221 N. Gold Canyon Street

- Echoed Gwen's comments
- Transit problem has been ongoing for many years
- Last time she rode they went past her house
- They do not know how to dispatch - they couldn't when a private concern and now they are City employees
- If you cannot get it running like a bus system and not a taxi - shut it down
- \$395,000 in the hole according to the last transit report
- Need to look deeper than unmet needs to make they system really work

Closed 8:55

Mayor Carter opened hearing for Council comment

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Council Member Clark

- 100 voices women's identified it as #2 need - Senior bus was #1 need
- Two busses are down with blown engines – 1 given to PD
- Tomorrow is the Senior ad hoc Committee at 4 – before Quality of Life Committee
- Looking to expanding the senior bus service

Mr. Rose

- We started fiscal year with 7 buses and now have 5 and our ridership has grown
- Transit started new system for seniors with only 1 hour notice required
- 100 voices interested in going to fixed route rather than dial a ride
- Fixed route is fare oriented and required large ridership
- In part the county is responsible for advertising the regional system

Dorothy Brown

- Talked with Council Member Clark about using the senior bus to go to the concert series on the base to be used on a reserved basis

Gwen Jensen

- Was on transit ad hoc committee and Dewain talked to them many times mostly about what the transit system cannot do
- Only two seniors at the center still use the bus – others have given up
- Insurance for fixed route is more expensive than dial a ride

Mayor Carter said there is a number to call with complaints and staff will respond or investigate or come to the City Organization meetings where things can be explained

Florence Clelan, 405 N Alvord Street

- Was told that Dewain Cook would be here to take her home but he is not here
  - Transit employee Melissa will take her home

Closed again 9:19 again

### **Resolution No. 04-23, A Resolution Of The Ridgecrest City Council Establishing Unmet And Reasonable To Meet Transit Needs Findings**

Moved by Council Member Morgan, seconded by Council Member Holloway TO ADOPT RESOLUTION NO. 04-23, A RESOLUTION OF THE RIDGECREST CITY COUNCIL ESTABLISHING UNMET AND REASONABLE TO MEET TRANSIT NEEDS FINDINGS. Public comment heard. Motion carried with a voice vote of 5 ayes.

## ORDINANCES AND RESOLUTIONS

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13. **Ordinance No. 04-02, An Ordinance Of The Ridgecrest City Council Amending The Ridgecrest Municipal Code As It Relates To Flood Control** **Pollock**

This ordinance brings the Ridgecrest Municipal Code into compliance with existing state law for flood damage activities. First reading took place at the Council meeting of April 7, 2004. It is returned for second reading and adoption.

Moved by Council Member Martin, seconded by Council Member Morgan TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY AN ORDINANCE OF THE RIDGECREST CITY COUNCIL AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO CHAPTER XXI FLOOD CONTROL. No public comment. Motion carried with a voice vote of 5 ayes.

14. **Introduction And First Reading, By Title Only, Of An Ordinance Of The Ridgecrest City Council Adopting Zone Change No. 04-01** **McRea**

Community and economic development director McRea gave the staff report

- The ordinance amendment includes modifications to the City Zoning Ordinance to ensure consistency between the newly adopted Housing Element, other General Plan Elements, pending reclassifications, and the Official Zoning Map
- This zone change is consistent with the General Plan Amendment 04-01 (GPA 04-01) and the General Plan as adopted
- The zone changes will not have a significant impact on the environment as approved by the Certified Mitigated Negative Declaration Report, Planning Commission Resolution 04-17
- The zone changes will promote the health, welfare and safety of the community in accordance with the findings of GPA 04-01.

Moved y Council Member Morgan, seconded by Council Member Clark TO WAIVE READING IN FULL AND TO INTRODUCE, BY TITLE ONLY AN ORDINANCE OF THE RIDGECREST CITY COUNCIL ADOPTING ZONE CHANGE NO. 04-01. Motion carried with a voice vote of 4 ayes, 1 abstention. Council Member Martin abstained.

**OTHER ACTION ITEMS**

15. Resolution RRA No. 04-05, A Resolution Of The Ridgecrest Redevelopment Agency Authorizing The Payment Of Fiscal Year 2004 ERAF Funds Pursuant To Health & Safety Code 33681.9 And The Amendment Of The Annual Ridgecrest Redevelopment Agency Budget For The Payment Of The FY 2004 ERAF Payment **Winegardner**

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Mr. Rose gave the staff report

- ERAF (Education Revenue Augmentation Fund) shift from the Agency to the State
- 13 years ago state hit agencies to pay for schools
- Once the funds were taken from the agencies the State then took funds from the school and put it into the general fund
- To date 1\$5M has been taken from Ridgecrest
- Still paying on 1st shift and paid the 2nd - this is 1st on permanent shift
- If we don't pay they will take from property taxes we receive

Dave Matthews

- How does state get property tax money
  - County works as collector for the State

Matt Feemster

- What is amount of this payment
  - \$118,009

Moved by Council Member Martin, seconded by Mayor Carter TO ADOPT RESOLUTION RRA NO. 04-05, A RESOLUTION OF THE RIDGECREST REDEVELOPMENT AGENCY AUTHORIZING THE PAYMENT OF FISCAL YEAR 2004 ERAF FUNDS PURSUANT TO HEALTH & SAFETY CODE 33681.9 AND THE AMENDMENT OF THE ANNUAL RIDGECREST REDEVELOPMENT AGENCY BUDGET FOR THE PAYMENT OF THE FY 2004 ERAF PAYMENT. Public comment heard. Motion carried with a voice vote of 4, 1 no. Council Member Holloway voted no.

16. **Ridgecrest Business Park Conditions, Covenants, And Restrictions (CCRs) And Design Standards Presentation For Consideration And Adoption. Referral To The Panning Commission For Recommendation Of Reclassification Of The Ridgecrest Business Park (RBP) From Service Commercial (CS) To Plan Unit Design Overlay District. (PUD)** McRea

Community and Economic Development Director McRea read staff report

Matt Feemster

- Asked if citizens can get the CC&R's
  - Yes – the City Clerk will have a copy

Moved by Council Member Morgan, seconded by Mayor Carter TO ACCEPT THE CONDITIONS, COVENANTS, AND RESTRICTIONS FOR THE RIDGECREST BUSINESS PARK. Public comment heard. Motion carried with a voice vote of 5 ayes.

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Moved by Council Member Morgan, seconded by Mayor Carter TO REFER TO THE PLANNING COMMISSION THE RECOMMENDATION FOR RECLASSIFICATION OF THE RIDGECREST BUSINESS PARK FROM SERVICE COMMERCIAL (CS) TO PLANNED UNIT DESIGN OVERLAY DISTRICT (PUD). No public comment. Motion carried with a voice vote of 5 ayes.

### **CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**

Question why would council in all common sense when short on funds go out and buy a hybrid vehicle – we didn't – loan to RACVB – DMV is funding the grant

Why approve an asst mgr position – request approval for a class opposition description – city manager will try to persuade council to fund the position if finances allow

### **CITY ATTORNEY REPORTS**

None

### **COMMITTEES, BOARDS AND COMMISSIONS**

#### **Economic Development Committee**

Members: Chair Chip Holloway, Dan Clark, Mike Biddlingmeier, Howard Laire

Meetings: 1st Thursday of the month at 4:30 PM; Council Conference Room

Next meeting to be announced – May 6 at 4:30 p.m.

#### **Legislative Committee**

Members: Chair Duke Martin, Chip Holloway

Meetings: 2nd Tuesday of the month at 8:00 AM; Council Conference Room

Met today April 21

- Discussed various Assembly and Senate bills coming up
- Reported on his trip to League of California Cities Desert-Mountain Division meeting
- Attended League meeting in Riverside
- Had over a million signatures on the petitions for the ballot initiative to keep local funds local the League is trying to get on the November ballot
- Governor asked League's Executive Committee to talk to them on a conference call and asked the petition not be filed as it interfered with his budget plan
- Committee could not make that commitment – the petition has been filed

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- This is the first time in the League's 100 year history that a governor asked them to sit and negotiate with him
- Fundraising will continue and executive staff will continue to negotiate with governor  
Next meeting to be announced

### **Infrastructure Committee**

Members: Chair Steve Morgan, Duke Martin, Chuck Roulund, Jim Smith

Meetings: 2nd Tuesday of the month at 5:00 p.m., Council Conference Room

Met on April 18

- Discussed Richmond Road paving curbs and gutters
- Discussed frontage road for business park
- Allen Street has been delayed because PG&E wants to replace gas lines  
Next meeting May 11 5:00 p.m.

### **City Organization Committee**

Members: Chair Chip Holloway, Ron Carter

Meetings: 2nd Thursday of the month at 4:00 PM; Council Conference Room

Met April 21

- Discussed transit and report
- Finance director reported
- Craig has new web page that will be active soon with enhanced ideas
- Report from chief on PD
- Discussed full time grant writer  
Next meeting May 13 4:30 p.m.

### **Quality of Life Committee**

Members: Chair Dan Clark, Ron Carter, Mike Biddlingmeier, Howard Laire

Meetings: 4th Thursday of the month at 5:00 PM; Kerr-McGee Center

Next meeting April 22 5:00

### **Redevelopment Advisory Committee**

Members: Chair Ron Ketcham, Vice Chair Lois Beres, Harley Baker, Bob Peoples, Gary Charlon. Ex-officio Members Council Members Steve Morgan and Duke Martin, Planning Commissioner Shelia Torkelson

Meetings: 3rd Tuesday of the month at 5:00 PM, Council Conference Room

Met April 20

- Discussed the Conditions Covenants and Restrictions for business park  
Next meeting to be announced

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### RACVB

Council Member Duke Martin

Council Member Dan Clark - Alternate

Meetings: 3rd Wednesday of the month, 8:00 a.m., RACVB Office

Met today April 21

- Announced establishment of Lodging/Tourism committee to promote and market Ridgecrest
- Film Commission participated in LOCATIONS film trade show – met 65 location professionals and production companies
- Bureau will participate with California Desert Tourism Association in International POW WOW convention in Los Angeles April 25-28
- Assemblyman McCarthy's RACVB Billboard Bill unanimously passed the Government Organization Committee and forwarded to the Assembly Appropriations Committee

Next meeting May 19 8:00 a.m.

### Other Committees, Boards, or Commissions

Council Member Morgan - BLM has steering meeting April 22 6:30 p.m.

Will attend City Selection Committee of KernCOG meeting tomorrow – there will be a selection for a seat on Local Agency Formation Commission (LAFCO) – Ridgecrest is next in line to sit on the board-Council Member Martin interested on serving

Law enforcement oversight committee – Mr. Rose will do if no one else will

Council Member Clark - senior ad hoc committee at 4:00 p.m. May 22

100 Voices for Women Steering meeting May 3 6:00 p.m. Kerr-McGee

Council Member Martin will be attending the League's Desert-Mountain Division Meeting

### COUNCIL COMMENTS

**Clark –**

- Thanked Chief Avery, Joe Pollock and Mr. Rose about road safety at Mesquite
- Crosswalk got painted and radar van has been on Drummond
- Has met with motorcycle groups recently - May is motorcycle awareness month
- May 5 we will have proclamation for motorcycle awareness
- May 23 is a motorcycle ride for Boys and Girls Cub
- May 30 is an event for diabetes

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- Thanked Council Member Holloway – had prom at Mesquite High School and Chip made donation

### **Morgan –**

- April 19 Bakersfield California reported a robotic plane dropped a bomb at Edwards – it may have been flown from Edwards but it was dropped here and we were not mentioned
- Public Works workshop at 10 a.m. tomorrow in Mojave
- April 24 has many activities going – Special Olympics, Health Fair, Kids Fair, spaghetti dinner at the Senior Center, Burroughs cheerleaders having car wash, AltaOne having car sale and many more
- May 1 is the bingo fund raiser for community fireworks at Mesquite Hall at fairgrounds
- May 6-9 is Spring Fair at fairgrounds
- The British Hercules Operation Unit here for a month occupying 70 rooms and 40 rooms
- And, they spend dollars
- Quality of Life Committee interested in inquiring a building near Hellmers park

### **Martin –**

- Invited everyone to attend the Suggestion Box being held by Assemblyman McCarthy and Senator Ashburn in Bakersfield
- Looking for comments from citizens
- California Space Authority Spacebound paper prints news of all aerospace activities in the area
- Kiwanis Mayors Prayer Breakfast is May 6 6:30 a.m. at Kerr-McGee
- Will attend League of California Cities Board of Directors meeting

### **Holloway –**

- Congratulated school district for implementing the facilities study
- Thanked Loren Smith and Advance Government Class or allowing him to speak to them – all Council has been invited
- Transit is reviewed every month in City Organization meeting
- MBIA services sales tax audits and has found us \$320,000
- Met with Shelby Abajian and Phil who are Representative Thomas' reps
- Learned about some things he felt should be handled immediately
- Met with Assemblyman McCarthy on Monday with Gary Charlon
- Met Fabian Nunez while he was in Sacramento – author of AB 2006
- Saw Governors office and the tent where cigars are never smoked
- Susan Reed came through and found some stuff from the base to leave with them
- Met with Maria Schriver for about 10 minutes
- Addressed BRAC issues with McCarthy and also some PW projects

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- Political climate is so different now that Governor Schwarzenegger is there

**Carter –**

- Some very encouraging things have happened in the last couple weeks
- Town Hall meeting with Assembly McCarthy
- Went to Bakersfield with Council Member Clark to talk with movers and shakers who are interested in Ridgecrest
- Worked with people last night – came in August for their honeymoon – talked about starting a business here – they are from Los Angeles
- Things we have done in the past year are now paying off
- Thanked Gary Parsons and Jim McRea for all they have done
- Jet Propulsion Lab people here and say things are busy on the base
- Appreciate all that staff and volunteers are doing for the City

**ADJOURNMENT**

Mayor Carter adjourned the meeting at 10:45 p.m.

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Rita Gable, Chief Deputy City Clerk