



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

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

**October 20, 2004
6:00 p.m.**

Tape Recorded
Tapes 04-21 and 04-22

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: 02 p.m.

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; Keith Lemieux, City Attorney; Rita Gable, City Clerk; Jim Winegardner, Deputy City Manager, Administrative Services/City Treasurer; James McRea, Deputy City Manager, Public Services; Jerry Helt, City Engineer, Joe Pollock, Assistant Public Works Director; Gary Parson, Community Development Director; Jim Ponek, Parks and Recreation Director; Michael Avery, Chief of Police; and other personnel

CLOSED SESSION – 6:00 p.m.

GC54956.9 Conference with Legal Counsel – Liability Claim of Glenda Phipps, Claim # 04-04

GC54957.6 Labor Negotiations – P.E.A.R. – Negotiator Harvey Rose

REGULAR SESSION – 6:35 p.m.

PLEDGE OF ALLEGIANCE led by Mayor Carter

INVOCATION by Reverend Doug Hearn, Police Chaplain

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

City Attorney Lemieux reported Council discussed the Liability Claim of Glenda Phipps - no action taken. Council was update on the P.E.A.R. labor negotiations.

APPROVAL OF AGENDA

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

PROCLAMATIONS AND PRESENTATIONS

1. Introduction of New Employees

Chief Avery introduced the new Police Chaplains, Dr. Ralph Ricco, Father J.P. Wadlin, Reverend Douglas Hearn and Dr. Ray Teston. City Clerk Gable administered the Oath of Affirmation of Allegiance For Public Officers and Employees.

Chief Avery introduced Officers Ryan Sloan and Johnny Frisbie to the City Council and the Community as our newest officers.

2. Proclamation – 2004 United Way Campaign

Council Member Clark on behalf of the City Council presented a proclamation to Felice McLane, President, Harris Brokke, Board Member, Mary Anne Arnold and Gino LaMarca Members at Large, United Way of Indian Wells Valley in recognition of the 2004 United Way Campaign.

3. Proclamation – Death Valley Days

Council Member Martin on behalf of the City Council presented a proclamation to Ray Arthur, Ridgecrest Area Convention and Visitors Bureau, Jan Bennett, Ridgecrest Chamber of Commerce, and Gary Parsons, City of Ridgecrest Community and Economic Development Director, in recognition of the 10th Anniversary of the Death Valley National Park and Death Valley Days celebrations in Ridgecrest, October 22 and 23, 2004.

4. Proclamation – National Family Literacy Day

Council Member Holloway on behalf of the City Council presented a proclamation to Linda Archibald, Regent, Panamint Chapter, Daughters of the American Revolution, in recognition of National Family Literacy Day, November 1, 2004. Holloway

5. Proclamation – California Writers Club

Council Member Morgan on behalf of the City Council presented a proclamation to Casey Wilson, founder and Past President, Ridge Writers-East Sierra Branch, California Writers Club, in recognition of California Writers Week. Mr. Wilson will give a short presentation about the California Writers Club and their activities.

6. Presentation – Ridgecrest Chamber of Commerce

Jan Bennett, Chamber Executive Director, Ron Kicinski, Board of Directors President and Sharon Girod will make a presentation of Chamber activities during the past year. A packet of information was distributed to the Council. A copy is made a part of the Clerks Agenda packet.

7. Proclamations- Recognizing Ridgecrest Citizens

Council Member Clark presented a proclamation of appreciation to Sharon Girod and Ron Kicinski.

Council Member Holloway presented a proclamation of appreciation to Gary and Anne Charlon.

8. Proclamation – China Lake Memorial

Mayor Carter on behalf of the City Council presented a proclamation to Sharon Girod, Board Member, China Lake Museum Foundation, in recognition of the dedication of the Memorial Rock at the U.S. Naval Museum of Armament and Technology, China Lake, on October 15, 2004

The following item was not presented

9. Presentation – Habitat For Humanity

Habitat for Humanity of Indian Wells Valley Board Members Barbara Manning and Lois Landrum made a presentation to update the Council on the status of current houses under construction and activities related to the October "Women Build Project". No show

PUBLIC COMMENT

Matt Feemster, 724 Sydnor Avenue

- Questioned what is law regarding vandalism of campaign signs
 - Keith Lemieux responded if on your property it would be theft or vandalism - if on public land it would depend on whatever the local laws or ordinances stated

Bud Klamt, 221 N. Gold Canyon Drive

- Drainage ditch and sidewalk near his housing complex is overgrown with bushes and weeds and trash

Dave Matthews, 717 Kevin Court

- Death Valley National Park formed under desert protection acts
- BLM advisory meeting will be at Needles with the act scheduled to be discussed
- Some feel it good to have made Death Valley a nation park some do not

Diane Grattaroti, Women's Center High Desert

- Forum for Sierra Sands Unified School District board candidates is tomorrow evening
- Next forum on Wednesday October 27 will be for City Council candidates
- Invited all citizens to come down and participate
- Up to us to exercise our right to vote

CONSENT CALENDAR

10. Resolution No. 04-59, A Resolution Of The Ridgecrest City Council Adopting The 2004-05 Overall Disadvantaged Business Enterprises Program Goal Of Eleven Percent (11%) And The Program Updates, And Authorizing The City Manager To Transmit The Required Documents To The California Department Of Transportation Helt
11. Resolution No. 04-60, A resolution of the Ridgecrest City Council Of Continuing Support Of The Naval Air Weapons Station, China Lake, The Naval Air Warfare Center Weapons Division And The Air Test And Evaluation Squadron VX-9 Parsons
12. Resolution No. 04-61, A Resolution Of The Ridgecrest City Council Accepting Certain Infrastructure Improvements For CDBG Project ST2K04, Allen Street Pavement Reconstruction, Constructed By Asphalt Construction Company Approving The Release Of Retained Funds Pollock

Items 13 and 14 removed for discussion

13. Resolution No. 04- , A Resolution Of The Ridgecrest City Council Authorizing The Mayor To Sign A Security Agreement With Heller Development Company Incorporated For The Remaining Public Improvements Associated With Tentative Tract 6105 Pollock

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14. Resolution No. 04- , A Resolution Of The Ridgecrest City Council Authorizing Recordation Of The Final Tract Map For Tract 6105 Pollock
15. Resolution No. 04-62, A Resolution Of The Ridgecrest City Council Authorizing Application For A Transportation Enhancement Act (TEA) Grant For The Construction Of Bicycle Rest Stations At Five Locations Along The Bowman Road Bike Path Pollock
16. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of September 1, 2004 Gable
17. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of September 15, 2004 Gable
18. Council Expenditure Approval List (DWR) Dated September 17, 2004 In The Amount Of \$286,790.44 Winegardner
19. Council Expenditure Approval List (DWR) Dated October 1, 2004 In The Amount of \$144,424.94 Winegardner
20. Redevelopment Agency Expenditure Approval List (DWR) Dated October 1, 2004 In The Amount of \$500.00 Winegardner

Council Member Morgan requested removal of items 13 and 14

Moved by Council Member Clark, seconded by Council Member Morgan TO APPROVE THE CONSENT CALENDAR WITH ITEMS 13 AND 14 REMOVED. No public comment. Motion carried with a voice vote of 5 ayes.

13. Resolution No. 04-63, A Resolution Of The Ridgecrest City Council Authorizing The Mayor To Sign A Security Agreement With Heller Development Company Incorporated For The Remaining Public Improvements Associated With Tentative Tract 6105 Pollock
14. Resolution No. 04-64, A Resolution Of The Ridgecrest City Council Authorizing Recordation Of The Final Tract Map For Tract 6105 Pollock

Assistant Public Works Director Pollock

- In accordance with the provisions of the Subdivision Act a developer may provide security satisfactory for completion of public improvements in order to record a Final Tract map before completion of said improvements
- The developer of Tract 6105, Heller Development Company Inc., has provided a Performance Bond and a Labor and Material Bond for completion of remaining improvements

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- A security agreement between the developer and the city has been prepared and has been approved by the City Attorney
- The security agreement has been signed by the Developer and now requires the signature of the Mayor
- Distributed aerial photo of the area to Council prior to meeting
- All utilities have been put in
- Still need curbs and gutters and raising of manholes and some street work
- Assured Council that surety company was valid so that takes care of item 14 also

Moved by Council Member Morgan, seconded by CM Clark TO ADOPT RESOLUTION NO. 04-63, A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN A SECURITY AGREEMENT WITH HELLER DEVELOPMENT COMPANY INCORPORATED FOR THE REMAINING PUBLIC IMPROVEMENTS ASSOCIATED WITH TENTATIVE TRACT 6105 AND RESOLUTION NO. 04-64, A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING RECORDATION OF THE FINAL TRACT MAP FOR TRACT 6105. No public comment. Motion carried with a voice vote of 5 ayes.

PUBLIC HEARINGS

21. Resolution No. 04- , A Resolution Of The Ridgecrest City Council Adopting Revision Of Countywide Siting Element Of The Kern County And Incorporated Cities Integrated Waste Management Plan Parsons

Community and Economic Development Department Director Gary Parsons

- This is a revision of the Countywide Siting Element of the Kern County and Incorporated Cities Integrated Waste Management Plan
- Being done for Conformance with the Kern County General Plan
- Will up date siting plan
- City Planner Lois Landrum recommended going ahead with the project

Don Ferguson, Kern County Waste Management Department

- Presented plaque for meeting recycling goals in 2000
- Started process of revising the general plan over two years ago
- Took this opportunity to look into the sitting element

Council Member Morgan

- Asked why the City disapproved the plan in 1996?
- Not knowing the reason he is not prepared to vote on this at this time

Public hearing opened at 8:01 p.m.

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Al Huey, 1228 Windy Lynn

- Buffer zone is only change he sees in this siting element – is it because of dust
- 660 feet is not much buffer for a dust storm
- Asked if the property out there county owned or private
- Asked if there are any other sites being considered for landfills
- Asked how long before our present landfill was full

Mr. Ferguson stated

- It was felt the 660 foot zone was adequate in regard to nearby neighbors
- Land was acquired from BLM several years ago
- Present landfill is good until 2015
- Department plans short, mid and long term reviews for landfills in Kern County
- Plan as it stands shows local landfill being turned into a transfer site

Mr. Parson reminded all that this is system wide siting plan

Dorothy brown, 221 N. Gold Canyon Drive

- There are other ways of handling trash than at a land fill
- Things put into the landfill can be recycled
 - Diversion is a mathematical calculation of what is being recycled in any given time frame
 - Have lowest cost of service systems in the state
 - Parcel fee is the same throughout the county and was calculated to be the cheapest method to run the system

Dave Matthews, 717 Kevin Court

- We are conducting a public hearing and have not heard or seen what it is all about
- Has to be better way to get the info out

Jerry Taylor, 315 Mesquite Avenue

- Buffer seems fair and reasonable
- Why not utilize the China Lake no fly zones air corridors
 - WEMO and environmental factions have prohibition of siting new landfills in the desert
- Is there plan for closing of the landfill when the time arrives
 - Will be developed as time draws near

Closed public hearing at 8:25 p.m.

Council Member Morgan requested staff to do more research on this and maybe invite Daphne Washington, Director, Kern County Waste Management Department, to make a presentation

Mayor Carter directed Staff to investigate further

Have only 90 day window to reply by end of November if no reply we lose change to reply and majority will rule

DISCUSSION ITEMS

City of Ridgecrest Measure "Q"

Liz Whittington resident for 7 years, Police Officer for 5 years, vice president of P.E.A.R.

- ❖ Passage of Measure Q will maintain our status quo
- ❖ City is changing and without Q the police department cannot keep up
- ❖ Our department is no longer pro active but reactive
- ❖ Quoted some stats
- ❖ Funds generated from the increase will stay in Ridgecrest
- ❖ Council has stated these funds will be used to improve and maintain infrastructure and to maintain the police department
- ❖ Average increase is \$8 per household per month
- ❖ Other cities have taxes like this if not higher

Mr. Rose noted that this is the first election since cities have been allowed to have tax measures like this

Rob Oberghell

- ❖ Ridgecrest has lost 15M since the early 1990's
- ❖ State with soon take \$170,000 more in 2005-2006
- ❖ Has been a Ridgecrest police officer for 14 years
- ❖ Have endured furloughs in the past and no pay increases
- ❖ Asking every citizen to support Measure Q
- ❖ It's not just a tax it's a way to maintain our way of life
- ❖ We have a ride along program enabling citizens to ride with an officer to see what is happening in your City of Ridgecrest
- ❖ But hardly anyone does it
- ❖ Urging a yes vote on Measure Q - it's just the right thing to do

Dorothy Brown

- ❖ Agrees with P.E.A.R. and with the Council
- ❖ We need the money desperately for our streets and our police
- ❖ We will be inviting the same thieves into office again when we vote on November 2

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- ❖ If you don't stop the thievery you can't win
- ❖ You cannot guarantee that everyone elected in the future will be as honest as this Council but if they are not you can vote them out of office
- ❖ We must change it from the top away from this City of Ridgecrest
- ❖ State representative are a shame to our founding fathers

Richard Senn 115 S. Lumill

- ❖ Have appeared here four times in past regarding the tax measure
- ❖ Have not said not to vote for this but to be careful
- ❖ Being a general fund tax we must be diligent to see how the funds are spent

Council Member Martin

- ❖ stated he had evaluated comments Mr. Senn made in newspaper article and he is right he never said not to vote for Q
- ❖ Likes idea that police will be there to monitor the spending
- ❖ Up to the citizens to monitor what the Council and City does
- ❖ Have made Q very simple and to address what the community needs
- ❖ If you want these things maintained at high level vote yes on Q
- ❖ Council is dedicated that those funds go to infrastructure and police and safety
- ❖ Not something that was dreamed up overnight

Council Member Clark

- ❖ CalTrans meeting of last week attendees were polled - 70% wanted streets maintained
- ❖ 100% of funds stay in the community
- ❖ Look closely at prop 1A and Measure Q

Council Member Morgan

- ❖ He has talked about this to over 30 organizations in Ridgecrest
- ❖ Thought he did good job getting message out but you miss something
- ❖ 1A stops state from bleeding us dry but does not give us any funds
- ❖ They can still take funds from us twice every 10 years
- ❖ Separate funds will be established for the areas of Measure Q so anyone can check on what is happening
- ❖ Within 15 years we hope to have 20M worth of projects accomplished
- ❖ Believe other – future - city councils will listen to the citizens
- ❖ Knows this is a stupid statement but "if you don't vote for Measure Q don't vote for me"

Council Member Holloway

- ❖ Stated he was the least intelligent of City Council Members
- ❖ 3 time we have tried to get bond issues through and failed
- ❖ Have been asked over and over to donate to or support various projects

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- ❖ Commented on his "can't wait to get hands on that money" and putting that spin on it
- ❖ Whole issue is about trust – keep the playing field level on this issue
- ❖ When have you had opportunity to walk up and look someone in the eye and hold them accountable for the taxes you are paying now?
- ❖ This problem has existed for nearly 10 years and we need to turn it around
- ❖ Think about a 10 dollar investment a month to get the quality of life you want

Mayor Carter

- ❖ Revenue will be placed in two fund accounts - infrastructure and safety
- ❖ We have an oversight committee in the Redevelopment Advisory Committee and the Chamber and Police will be keeping an eye on us
- ❖ Police are struggling to keep control of a rapidly increasing population of wrong doers
- ❖ Cannot keep status quo - we must be proactive and give that 10 dollars
- ❖ Have been asking for 8 years to put it on the ballot and now you have it
- ❖ Thanked all the points of view on this issue
- ❖ Its up to you to decide what kind of community you want

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

Mr. Rose noted that comments have been made recently regarding the City's method of financing. An independent audit firm, Caporicci and Larson, has completed audit and we have improved in spite of loss of staff. Read letter.

Chief Avery - Police Department Activities Update

- Distributed brochures about the department and department shoulder patches
- Commented about pamphlet regarding identity theft
- In 1989 department had 42 sworn offices - today there are 31
- Volunteer programs include PACT, Explores, and the new Chaplain program
- reserve 10 go through same training as regular officer
- Explorers have 18 members and is growing
- PACT is an incorporated non profit that renders 6900 hours of service yearly
- Activities include graffiti removal team, "vacation" house checks, subpoena service, nuisance abatement, animal welfare service at pound, evidence transport to Bakersfield crime lab, transporting children to child services
- Spoke about the Chaplain program earlier when the new Chaplains were introduced
- DARE officer is important in the schools to get interaction with the youth and teach about drugs
- Animal control has three full time officers and 1 kennel attendant and with the Indian Wells Valley Humane Society helps maintain security at the shelter
- All equipment or the new security/surveillance system was donated

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- pact volunteers help run the Indian Wells Valley Emergency Services Committee for our Disaster Preparedness Program
- They enjoyed a close up look and demonstration when the air ambulance helo came to City Hall last month
- Parking violations are being overseen by volunteers
- Where do I want to go from here?
- Dedicated phone line for officers to dictate reports from the field
- Donation drive to bring another K9 unit into the City of Ridgecrest
- Forming an honor guard within the department
- Wish is to have a duel sport cycle to go off road and also do street policing

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

Legislative Committee

Members: Chair Duke Martin, Chip Holloway

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

Met October 20

- Discussed ballot propositions and state budget versus local budget update
- US 395
- CalTrans meeting
- Grant to patrol from China Lake Boulevard to Interstate 15 – will also put more yellow strips and bump strips down center of road

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 October 12

- Stop sign request at James and Tamarisk - area will become 15 MPH
- Red curb at Faller Elementary

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- TEA projects
- Signs that protrude from pole to be seen
- Upcoming CalTrans meeting

Next meeting November 9

City Organization Committee

Members: Chair Chip Holloway, Ron Carter

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

Next meeting to be announced no meeting in Nov

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 to be announce

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

Next meeting to be announced

RACVB

Council Member Duke Martin

Council Member Dan Clark - Alternate

Meetings: 3rd Wednesday of the month, 8:00 a.m., RACVB Office
Met October 20

- CalTrans has given final approval to construct tourism billboard
- Location is one mile north of Brady's Mobile on US 395
- Has taken over a year and a half since permit submitted
- City Manager Harvey Rose was recognized for promoting "on location" film production
- Awards were presented in Marina del Rey October 10
- Mr. Arthur attended Association of Film Commissions International's "Cineposium" in early October
- Will represent greater Ridgecrest area at the National Tour Association convention in November

Next meeting November 10

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Council Member Martin stated whole council attended League of California Cities Annual Conference in Long Beach. He was voting member. Proposition 1A was a big issue. Ray Arthur led discussion on BRAC. Kathy Prout of Shafter interested in our Youth Advisory Committee. We were only Council that had youth with them and joined them for lunch.

COUNCIL COMMENTS

Morgan

- Found company that had waterless urinals and will forward info to Jim Ponek
- There have been "some inferences" that council is misappropriating funds
- City has Standard and Poore ratings of A- which is well above rest of the state
- Thanked Jim Winegardner for his excellent staff
- Thanked Chamber of Commerce for their support
- Thanked P.E.A.R. for their support of Measure Q
- Officers Frisbie and Sloan signed on with the City knowing they might not have funding for their positions next year
- It has been an honor and privilege working with management staff over the last 8 years
- Thanked Harvey Rose for his honesty and integrity
- Urge everyone to vote – it is vital to give your opinion
- Thanked City of Ridgecrest for allowing him to serve

Martin

- Read letter of thanks from RADM Venlet to the City of Ridgecrest
- Attended Cerro Coso Community College dedication of their solar field and Community Media Center
- Heard on radio that Santa Rosa told senior students no photos with American flag
- Kern County air show was a great success and The Brits with the Apache was a hit with DARE car and officer
- Sister City delegation was here at same time
- May be last time this team (Council) is together
- Asked voters to educate themselves and vote to keep this team together

Holloway

- Mentioned several ballot propositions – 63, 67, 72
- Had honor to go with Phil Arnold, Gary Parsons, Bill Porter and Jon McQuiston to Washington DC regarding BRAC
- We have the best team in California defending our China Lake base
- Surprised to realize that those back east do not know what the mission of our base truly is

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- We are virtually the only city in California making these trip back to DC - there are 62 military bases in the state
- Need to have the Governor go back there too
- Consider and vote for Measure Q
- If you care about this community it is essential to maintain this team

Carter

- Spoke at Cerro Coso Community College dedications
- Talked about our youth
- One of the best colleges in the system
- Speaker at Women's Shelter and talked about domestic violence
- Need to find a way to break the cycle
- Thanked Steve Morgan for a great 8 years together on the Council
- To all on the Council have enjoyed working with them all
- Regardless of the vote we have moved on with the business at hand
- As for our staff you will not get better than what we have
- Important we all vote
- Hope you keep this team together

Clark

- He invited all council candidates to come talk to his class - all but one came
- Individually thanked Ron Carter, Steve Morgan, Lois Beres, Mary Ash and Randy Jenkins for coming to his class
- He went to Mr. Smiths class and spoke to them about politics
- Chief Avery came in and talked to the youths
- November 1 - 6 p.m. - 100 voices Women's Steering Committee
- Senior housing issue - Kern County will identify property in next 60 days
- Have opportunity to meet with US senator Boxer tomorrow at Las Flores School
- Wanted to talk to her about the US 395 corridor
- Read stats he got from CalTrans
- Thanked the staff and Chief for reducing speed limit in front of Mesquite High School
- Please vote on November 2
- Pleasure to have worked with this Council

ADJOURNMENT

Mayor Carter adjourned the meeting at 10:30 p.m.

Rita Gable, City Clerk