



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

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

**June 20, 2007  
6:00 p.m.**

**Tape Recorded  
Tape 07-11**

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 – 6:10 p.m.**

**ROLL CALL**

**PRESENT:** Mayor Pro Tem Steven Morgan, Vice Mayor Thomas Wiknich, Council Members Daniel Clark

**ABSENT:** Mayor Marshall Holloway and Council Member Ronald Carter

**STAFF:** Harvey Rose, City Manager; Wayne Lemieux City Attorney; Rita Gable, City Clerk; Jim Winegardner, Administrative Services Department Director/City Treasurer; Jim McRea, Public Services Department Director, Speers, Public Works Department Director; Joe Pollock, Assistant Public Works Director; Jim Ponek, Parks, Recreation And Cultural Affairs Department Director; Michael Avery, Chief of Police/Assistant City Manager; Ronald Strand, Deputy Chief of Police; and other personnel

**CLOSED SESSION – 6:12 p.m.**

GC54956.8 Redevelopment Agency Real Property Negotiations – Rite-Aid Project, 112 and 120 W. Ridgecrest Boulevard – Agency Negotiators Harvey Rose, Michael Avery, and James McRea

GC54956.9 Conference With Legal Counsel – Existing Litigation – Special Service Contractors, Inc. v. City of Ridgecrest – Case No. S-1500-CV 260790-AEN

Mayor Holloway and Council Member Carter entered Closed Session at 6:14 p.m.

**MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR**

**June 20, 2004**

**Page 2**

**REGULAR SESSION – 6:38 p.m.**

**PLEDGE OF ALLEGIANCE led by City Attorney Wayne Lemieux**

**INVOCATION – Mike Meyer, Immanuel Baptist Church**

**CITY ATTORNEY REPORT OUT OF CLOSED SESSION**

In Closed Session Council discussed the two items and took no action.

**APPROVAL OF AGENDA**

Moved by Council Member Carter, Second Council Member Clark TO APPROVE THE AGENDA. No public comment. Carried with a voice vote of 5 ayes.

**PROCLAMATIONS AND PRESENTATIONS**

**1. Youth Advisory Council**

No report

**2. Presentation – Habitat For Humanity**

John Anderson gave a presentation to Council regarding Indian Wells Valley Habitat For Humanity on behalf of Jean Throckmorton President of the organization. (A copy of the presentation is in the Clerk's agenda packet.)

**PUBLIC COMMENT            6:48 p.m.**

Dave Matthews, 717 Kevin Court

- Distributed agenda for Desert Advisory meeting for coming weekend
- Gathering to hear presentations from various energy providers seeking public lands in the desert
- It is his field of interest
- Formal meeting on Saturday

Closed at 6:50 p.m.

**CONSENT CALENDAR**

- 3. City Council Confirmation And Approval Of Watchable Wildlife Park Grant Extension, 491 San Bernardino Rd. State Of California Resource Agency, Parks & Recreation Grant & Contract 06-1528. Approval Of Request For A One (1) Year Extension To Complete The Grant By June 2008            McRea**

**MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR**

**June 20, 2004**

**Page 3**

The Watchable Wildlife Park is a community project undertaken as a grant application by the City for a Land and Water Conservation Fund Grant from the State of California Resource Agency, Department of Parks and Recreation.

4. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of June 6, 2007** **Gable**
5. **Council Expenditure Approval List (DWR) Dated June 6, 2007 In The Amount Of \$263,076.25** **Winegardner**
6. **Agency Expenditure Approval List (DWR) Dated June 8, 2007 In The Amount Of \$15,514.49** **Winegardner**

Moved by Council Member, second Council Member Clark Carter TO APPROVE THE CONSENT CALENDAR. No public comment. Carried with a voice vote of 5 ayes.

**ORDINANCES AND RESOLUTIONS**

7. **Resolution No. 07-36, A Resolution Of The Ridgecrest City Council Adopting The Budget For Fiscal Year 2007-2008, Establishing Appropriations, Estimating Revenues, And Establishing The Policies By Which The Budget May Be And Shall Be Amended** **Winegardner / Rose**

Suggested additions to the budget as discussed in the budget discussion meeting June 18 were presented by Mr. Rose

Pothole Machine \$161,000  
Community Partnership Grants \$100,000  
Swimming Pool Surge Pit \$45,000  
Arts Council "Art In Public Places" \$15,000

Public comment

Curt Bryan

- Interested that the Council did not understand parts of the budget (ISF) that was established by Mr. Winegardner
- Asked if they were satisfied with this budget and do they now understand the above procedure
- Thinks there should be an option to go back to general accounting procedures

Council Member Clark

- Thinks the Council understands the concepts of the budget and trusts staffs judgment that it is ok

Mayor Holloway

**MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR**

**June 20, 2004**

**Page 4**

- For years he asked why not run it like a business and the ISF is the closest we can get

Howard Auld

- Asked if the wastewater fund being tapped to balance the budget

Mr. Rose replied - no transfer in this year but a couple of years ago was a 2M loan from the Redevelopment Agency that is being paid back in a timely manner with interest

Jerry Taylor

- IT question - where are we with the procurement
- Thought there was a 200K item

Mr. Rose stated that was requested in the budget and is still in there for soft wear and is what is being purchased now

Council Member Clark

- Spoke to Mike Avery for stop gap back up measure

Mr. Avery

- IT overspending on particular item of 125K and Council should have been informed as they are concerned with spending of the ISF reserve
- In future when used Council will be informed before the transfer is made

Council Member Morgan - it is just notification – yes

Moved by Council Member Morgan, second Council Member Wiknich TO ADOPT RESOLUTION NO. 07-36, A RESOLUTION OF THE RIDGECREST CITY COUNCIL ADOPTING THE BUDGET FOR FISCAL YEAR 2007-2008 AS AMENDED, ESTABLISHING APPROPRIATIONS, ESTIMATING REVENUES, AND ESTABLISHING THE POLICIES BY WHICH THE BUDGET MAY BE AND SHALL BE AMENDED. Public comment heard. Carried with a voice vote of 5 ayes.

**8. Resolution No. 07-37, A Resolution Of The Ridgecrest City Council Approving The Revised Contractual Agreement Between The County Of Kern And The City of Ridgecrest For County Provision Of Fire Protection Duties And Enforcement Of State Fire Marshal Regulations Rose**

Mr. Rose

- After almost 18 months of negotiation we have a contract for 1 July 2007 to June 30 2012
- Have looked at establishing our own fire department and also contracting with state
- Believe this is the best we can have as we have great fire service

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 5

- Would like to have a list of standards to attach but that should not hold up approval of this

Council Member Wiknich

- Asking for renegotiation of the settlement agreement for the Redevelopment Agency approved in 1987
- Thinks this is premature because of the 5M involved in that agreement

Mr. Rose stated we are already getting credit

Council Member Carter

- Thought the agreement addressed the fire service

Mr. Rose

- There is no mention of any kind of fire service in that agreement
- Tried to hold out for that in the discussion and is holding this out from the inter-governmental funding

Mayor Holloway

- Inspections are performed by fire what about the contract with Kern County for building inspections
  - Fire does the life safety portion
- What about a ladder truck with three story buildings being built

Mr. Rose

- With fire suppression in them the fire chief is OK with not having a ladder truck
- Several items can and will be negotiated as they come up
- Incident management control re cost associated
- The cost is in our current budget
- Noted larger portion of emergency medical service as opposed to fire
- Emergency services division is under fire in case of disaster - it is city first then them and our keeping track of costs to ask for reimbursement
- If we contracted with any other for cost savings we would give the county notice

Public comment

Dave Matthews

- Only number he has heard is 2M what is the rest
  - 5,172 the gross is the fire fund 485K
- Heard it takes 2 years lead time to buy a ladder truck why
  - Many are in demand and few are produced

Jerry Taylor

- Paying an additional 5M beside the taxes they now collect
  - 5th year it will be 654- close it will be 621K

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 6

Nellavan Jeglum

- If there is a super catastrophe they will bill us over and above what is in the contract
- They are first responders and is there a cap on the number of those calls

Rose

- in an emergency city pays the cost initially then when over city attempts to get reimbursement from state or feds
- No caps they will provide the services as required

Moved by Council Member Carter, second Council Member Morgan TO ADOPT RESOLUTION NO. 07-37, A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE REVISED CONTRACTUAL AGREEMENT BETWEEN THE COUNTY OF KERN AND THE CITY OF RIDGECREST FOR COUNTY PROVISION OF FIRE PROTECTION DUTIES AND ENFORCEMENT OF STATE FIRE MARSHAL REGULATIONS Public comment heard. Carried with a voice vote of 4 ayes, 1 no; Council Member Wiknich voted no.

### DISCUSSION ITEMS

#### 9. Secession/Annexation

Carter

City Manager Rose

- It is always a struggle between the little guy and the big guy
- Statement was made by a council member regarding funding sources for the city
- Appreciate that those recommendations were made and that the community is talking about it
- Often hear the lack of the funding from the state
- Will never disagree with recommendations from the council, staff will always look into them
- Disappointed with those who should know better but said it should never have been made
- Have to look at many of our agreements with all entities and make revisions if necessary
- Soon will have to do agreements with the EPA and the citizens will not be happy with the restrictions put upon it
- This was not the only recommendation the council member made but is the one being focused upon by the community

Kern County First District Supervisor Jon McQuiston

- Made a presentation regarding the Redevelopment Agency agreement and distributed
- Fairness and injustice between the county and the City brought up by Mr. Wiknich
- In past we gathered facts and discussed and solved the problems

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 7

- Issued were raised and county admin office has been asked for accounting of funds
- Will try to get the info and staff to present on July 20 meeting (July 18)
- Will give an overview why annexing to Inyo County is not practical
- KernCOG made recommends of how those funds were to be used
- 63M to KC 210M request was more than received
- 60% of funds to county and the rest shared 40% by the cities left Ridgecrest out again
- 400 sq miles of metro area in Bakersfield and near areas
- Formula was agreed to by all cog members even Ridgecrest
- Annexation revenue sharing – county would still get 75% of the tax revenue and city would provide full services – police, fire, etc.
- Discussed redistribution of this several months ago
- Redevelopment Agency agreement is 60 40%
- Cities kept portion of property tax increment
- City chose to draw the agency boundary around the whole City of Ridgecrest rather than the blighted area
- Against the law - KC took to court to make them adhere to the law
- Quoted some of the portions of the agreement
- City only had to redraw the boundaries to the blighted area and it would have gone away
- Read the county property tax increment definition
- First 25 years 59.93% of county property tax paid to KC which it already was receiving
- City receives their full 100% of the city property tax increment
- All the areas in the hash mark (provided diagram – copy in Clerk Agenda packet) KC would have received 100%
- By leaving it as drawn we agreed to 60% of that
- The county is not taking 60% of the city's property tax - it gave up 40% of the county property tax when it could have gotten 100%
- At the end of the 25 year it will then get 100% of its county property tax
- Fire protection – now county feels we need to pay for the services
- Fire fund from property tax in city does not cover the cost of the service
- All cities in the county are required to pay for the services
- Negotiations have been going on with the cities and the county fire chief
- Would characterize it as we are at ready, aim, fire
- He commented about an article in the local media that was not correct
- His office is non-partisan and he tries very hard to keep it that way

Carter

- Appreciated him coming tonight
- Personally likes him and respects him and appreciates his comments
- Has heard second hand that he is willing to renegotiate contracts and agreements
- Redevelopment Agency agreement page 6 section 5 that we can renegotiate

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 8

Mr. McQuiston more than willing to sit down and talk about anything and appreciates his comments

Wiknich

- Thanked him for coming and said that he did not have the remark in his comments - that was added by the media
  - Mr. Watkins (Daily Independent) said the email had it in there
- Said Mr. Rose has gone into it so thoroughly and asked about notes about the boundaries of the redevelopment area
- Stated that then the boundaries were legal at that time
- Fire station on Dolphin and Gateway school came about because of the Redevelopment Agency
- 

Mr. Rose

- Nothing in there illegal at that time but hard to trace as the attorney who did it is deceased
- Cannot redo until debt is paid and can redo only once
- The agreement that exists between the County and Ridgecrest is the only one that exists in the county

Mr. McQuiston

- Noted other projects that are on the list - City Hall, the Justice Building, Ridgecrest Boulevard and many others

Holloway

- Noting the 60% asked if that is required to be spent in the valley - yes that is true
- Another project was the additional Court building
- Only about 500K has accrued in the last few years

Morgan

- Appreciates Mr. McQuiston coming in
- Cautioned no one comes back until everything is and has been looked at
- Still thinks that the 60-40% split is unfair to Ridgecrest (60 metro 40 rest of county cities)

Clark

- Thanked Mr. McQuiston for coming and we should have done this a long time ago
- Resulted from concerns from citizens and the community

Public comment

Dave Matthews

- Good to see Jon here
- Don't think we are in ready, aim, fire just yet

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 9

- Didn't take Wiknich comments on cession seriously and think the study is good
- Look at all the publicity we are getting
- Property owner and tax payer view is we are not getting our money's worth
- State and federal are to blame
- Give us the ability to tax at home
- Been around here 20 years and did not know it was an illegal boundary

Curt Bryant

- Council and Tom has to do with the publicity
- Has been read in Ventura and in Washington and may impact BRAC
- Stand by for more feedback

Dorothy Brown

- Seems like every time we do something we get a threat about BRAC
- Recall Wiknich? Why not all of Council? They all agreed!
- Requested info on income we receive
- Formally requesting the city publish the income the city gets in a manner we all can understand
- Could be in form such as the DWR
- No income figures are made available
- On a whole feel you think we do not trust you

Fran Nickleson

- Was at the meeting when Wiknich made statement
- Purchased the DVD and have watched it many times
- What was said at the meeting was not what was in the newspaper
- Think the analysis should continue and owes the citizens to increase funding to improve conditions

Jerry Taylor

- Think this is officially on the agenda
- Council should voice again

Steve Boster,

- 25 year resident in the Valley
- Has retired from the base
- cession is ill conceived before the study is done and makes no sense
- Inyo is one of the poorest counties in the state
- Lots of ideas for doing more with less are out there
- Would be foolish not to stay in Kern County
- Thinks Kern has done well helping in BRAC

Howard Auld

- One of your former politicians
- Agenda says one thing and discussion is mostly about money

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 10

- Where does this come from
- Where do funds come from - you have a budget – it is simple no funds no budget
- Attended City Organization Committee and made statement that was sensitive
- Went on line to see what Inyo County funds were
- They have large fund shortfalls in all accounts
- They balance the budget with a large fund in the general fund
- Where did the cession and annexation to Inyo come from when we are contingent with San Bernardino

Wiknich

- Brought the cession idea forward to get forth the funding from Kern County
- Was never asked about it by anyone
- Not advocating a move to Inyo County
- Did some research and found some info not favorable to us and some that may be
- Now forced to answer some questions
- What would happen regarding fire services – volunteer fire department in Inyo
- Fire Marshall has training that
- Check on insurance - cost is higher in Bishop
- Statement re plan check with Kern - they have it too
- Senior nutrition Inyo does too
- Inyo county has library system
- Kern jobs in Ridgecrest would be eliminated – cannot address
- Even talked to the Navy they have no problem pursuing finding info
- Does not want to hurt BRAC and Navy
- Not advocating move to Inyo
- Just asking for comparison for funding
- Kern has more people and roads and get big funding
- Inyo has much less so has smaller funding
- Devoted to Ridgecrest
- Lets just do an analysis

Carter

- Should not have problem getting the facts and figures
- Been here 10 years and have had trouble getting them
- Asking for discussion and facts and figures
- Newspapers have their own agenda and it is sad
- Hope we have closer relationship with Kern
- Have learned the news papers go in an unfair direction

Morgan

- One word started this whole thing
- Fanned from a spark to a full flame
- Still supporting the concept

## MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR

June 20, 2004

Page 11

- In regards to BRAC this is no great thing this will not tip the scale
- If you have not been following what the mayor has been doing you are not informed
- Kern County has been a big help
- Everyone contributed with the info from Ridgecrest
- If we stated doing an analysis of income etc from Kern and with any county or City of Ridgecrest here would have been no problems

Clark

- Respect Wiknich for bringing this forward
- We do the best job we can with the info we have
- Excited by dialog with county
- Support Wiknich searching for the info
- Concept looking for numbers
- Commends him for his efforts

Holloway

- Wiknich talked to him before bringing this into the meeting
- He does not dictate what goes onto the agenda
- Feels the analysis is a good thing
- Once pulling up figures off the web and from Kern got very concerned
- We cannot afford to lose anything
- May never have another 1st district supervisor from east kern as dedicate as Jon McQuiston
- We got the cause and effect but feel we are ok
- Should make sure we get the analysis every year
- Fear it will make Jon and our job harder
- And we will have to fight to keep the gains we have made
- Cession should be taken off the table
- Have agreement to the discussion of the agreements
- Will keep the council together
- BRAC - yes it is mucked up but I don't think this will affect it

Barbara Auld

- Is cession off the table?

### CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

#### 10. Discussion of Council Agenda – 4th of July meeting - agreed

### CITY ATTORNEY REPORTS

Nice to see everyone tonight

### COMMITTEES, BOARDS AND COMMISSIONS

**MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR**

**June 20, 2004**

**Page 12**

**Community Development Committee**

Members: Chair Steve Morgan, Chip Holloway, Jerry Taylor, Nellavan Jeglum

Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room

Next meeting July 5

**City Organization and Services Committee**

Members: Chair Tom Wiknich, Chip Holloway, Mike Biddlingmeier, Lois Beres

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

Met June 14

- o Discussed a number of issues
- o Sunland with police officer on 4th
- o Operational changes with transit
- o Stop for those at stop signs last off the bus
- o Big rig parking ordinance
- o Parking overnight loaded and some are hazardous materials
- o Post roads coming into town ?

Next meeting July 12

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

Members: Chair Ron Carter, Dan Clark, Jerry Taylor, Howard Laire

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

Next meeting to be announced – Dark June and July

**Infrastructure Committee**

**Members: Chair Tom Wiknich, Steve Morgan, Lois Beres, Nellavan Jeglum**

Meetings: 2nd Tuesday of the month at 4:30 p.m., Council Conference Room

Met June 12

- o Update on traffic signal control cameras
- o Drainage on Sonja
- o China Lake Bowman intersection master plan
- o Air Resource Board requirements for diesel vehicles

Next meeting to be announced

Howard Hockett, 327 Peg

- Oversize vehicle has to have a placard
- Consider some of the infractions that are going on and enforce them
- Carefully consider any actions you may take

**Activate Community Talents and Interventions For Optimal Neighborhoods Task Force (ACTION)**

**Members: Co-Chairs Dan Clark and Ron Carter**

## **MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR**

**June 20, 2004**

**Page 13**

Meetings: 2nd Monday of the month at 6:00 p.m., Council Conference Room

- Starla incentive program
- Christine Destry with membership program for Boy and Girls Club
- Neighborhood watch program needs coordinator

Next meeting September 10

### **RACVB**

#### **Mayor Member Holloway**

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

Next meeting to be announced

### **OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

Morgan - Quad State in Hesperia going to run into potential problems with Center For Biological Diversity funding numbers have gone up some but we will stay at 100k doing great lobbying in Washington

Desert Advisory meeting on Friday – cannot go at Joint Land Use meeting in Palmdale

Going to KernCOG tomorrow

Wiknich to LAFCO next Thursday

### **MAYOR AND COUNCIL COMMENTS**

#### **Clark**

- Papers negative spins on decision by council last few weeks
- Budget solved a problem that has bugged the community for year – the pothole machine but did not see anything about it
- Would like to see something positive about this

#### **Carter**

- Been on council 10 years and it shows
- Recently whatever we do we are blasted in the paper
- Need to work together for the good of citizens in the community
- No need to attack individual members

#### **Wiknich**

- Lot of fun to try to do things
- We should all be excited about passing the budget on time
- Look At what is going on at Ridgecrest and China Lake Boulevards
- Appreciate your supporting council
- Happy 4th of July

#### **Morgan**

- Understand news papers will take the most controversial work an build A story

**MINUTES – CITY COUNCIL / REDEVELOPMENT AGENCY – REGULAR**

**June 20, 2004**

**Page 14**

- DI did well but new review was inflammatory
- Warned Tim to start talking to people before you write editorial
- 4th of July Wednesday come out to community fireworks display
- Come out and see radio controlled car races and dinner
- June 30 is bingo fund raiser at Kerr-McGee

**Holloway**

- Happy 4th of July
- Hope people realize we can disagree up here and go right into another issue
- Hope we have refocused the issue where it should be
- Tired of not having the answers
- Chose to move forward

**ADJOURNMENT**

Mayor Holloway adjourned the meeting at 11:15 p.m.

---

Rita Gable, City Clerk