



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

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

**November 7, 2007
6:30 p.m.**

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/Redevelopment Agency. Meetings are recorded solely for the purpose of preparation of minutes.

CALL TO ORDER – 6:00 p.m.

ROLL CALL

PRESENT: Mayor Marshall Holloway, Mayor Pro Tem Steven Morgan, Vice Mayor Thomas Wiknich, and Council Members Ronald Carter and Daniel Clark

STAFF: Harvey Rose, City Manager; Scott Navé, Deputy City Attorney; Rita Gable, City Clerk; Jim Winegardner, Administrative Services Department Director/City Treasurer; Jim McRea, Public Services Department Director, Dennis Speer, 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 – 6:01 p.m.

GC54956.9 RRA Conference With Legal Counsel - Potential Litigation - Public Disclosure of Potential Litigant Would Prejudice the Ridgecrest Redevelopment Agency

GC54956.9 Conference with Legal Counsel - Liability Claim of Lylette Mulverhill, Claim No. 07-11

REGULAR SESSION – 6:40 p.m.

PLEDGE OF ALLEGIANCE led by First District Supervisor Jon McQuiston

INVOCATION – Reverend Ralph Muller, Ridgecrest Presbyterian Church

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

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In Closed Session Council received information regarding potential litigation - no action taken; Council took action to deny the Liability Claim of Lyette Mulverhill.

APPROVAL OF AGENDA

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

PROCLAMATIONS AND PRESENTATIONS

1. **Youth Advisory Council**

None

2. **Proclamation - Native American Heritage Month**

Mayor Holloway read and presented a proclamation to Little Deer Durvin, Chairperson, Four Winds Inter-tribal Council of the Indian Wells Valley, in recognition of Native American Heritage Month, November 2007.

3. **Proclamation - Veterans Remembrance Month**

Mayor Pro Tem Morgan read and presented a proclamation to Gene Casey, Elks Lodge 1913, in recognition of Elks National Veterans Remembrance Month, November 2007.

4. **Proclamation - Toys For Tots Month**

Council Member Clark read and presented a proclamation to Colonel Kevin Gross and 1ST SGT Damon Sanford, United States Marine Corps, and Ann Ryan, Coordinator, Toys for Tots, in recognition of the Toys for Tots Campaign, December 2007.

5. **Proclamation - Long Term Care Awareness Week**

Vice Mayor Wiknich read and presented a proclamation to Don Cortichiato, Gary Charlon's State Farm, in recognition of Long Term Care Awareness Week, November 4 through 10, 2007.

6. **Proclamation - Honoring Police Dispatcher Yuri Kamiya**

The Mayor read and he and the City Council presented a proclamation to Police Dispatcher Yuri Kamiya as she retires from the Ridgecrest Police Department after twenty-seven years of service.

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7. Presentation - Kiwanis Walk-A-Thon

Members of Kiwanis presented prizes to children raising the most funds for the Walk-A-Thon held the last weekend in September 2007. The five students and their schools are: Hannah Hammon - Pierce, Lillian Johnson - Gateway, Dillon Sears - Immanuel, Marty Stone - Gateway, and Danielle Walding - Gateway. They will also distribute funds to schools and recognize businesses that donated and supported the Walk-A-Thon.

8. Presentation - Recognition of Returned Individual Augmentees

The City Council presented Certificates of Appreciation to the China Lake Augmentees recently returned home from Iraq and Afghanistan.

- ❖ SKC Henry Pacete, NAWS China Lake, returned from Afghanistan October 9, 2007
- ❖ CDR Ian Anderson, VX-9, returned from Iraq October 15, 2007
- ❖ ET2 (SW) Antonio Salas, NAWS China Lake, returned from Afghanistan September.8, 2007
- ❖ LCDR Kerry Kuykendall, VX-31, returned from Iraq September. 24, 2007
- ❖ PSC Christopher Bennet, returned from Afghanistan and Kuwait June 7, 2007
- ❖ CDR Keith Reams, VX-9, returned from Iraq June 7, 2007
- ❖ PRAM Dominic Ellison, VX-9 returned from Iraq August. 13, 2007
- ❖ IS1 Stephan Barrow, VX-9, returned from Afghanistan/Iraq October 2007
- ❖ Lt. Brian Cepaitis, VX-31, returned from Afghanistan August 27, 2007
- ❖ IT1 James Werth, VX-9 returned from Bahrain June 12, 2007
- ❖ LT Clifton Hutchinson, NAWCWD, returned from Iraq November 2, 2007

PUBLIC COMMENT 7:20 p.m.

Gail Marie Petty, Edward Jones

- Announced the 7th annual Veterans Barbecue, Monday noon to 3 p.m.
- Entire community invited to attend
- This is for the active duty service people and veterans
- It will be held 350 E. Ridgecrest Boulevard

Lisa Decker, Gateway Elementary

- Invited community to a Veterans Day celebration on Friday 9 November at 11:15

Shawna Curtis

- Live here in Ridgecrest as she always felt it was a safe haven for kids
- On October 20 she was picking up her child from school and learned she was chased by Samoan and Hispanic girls
- Attacked and assaulted her resulting in a head injury and bruised ribs
- She and her mother chased them down until police came
- Two girls remained and were questioned
- Nothing has been done to date
- Has been turned over to juvenile probation

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- o Her daughter was held down so could not identify many of her attackers
- o They have received hate calls and threats

Walt Maurer

- o During Parks, Recreation and Quality of Life Committee announced several youth went to Fresno to meet Hillary Clinton
- o He asked Council Members if it was paid for by City and was told yes
- o Feels they should also take the youth to attend appearances of all other candidates
- o Suggested particularly Dr. Ron Paul who is a presidential candidate

Gwen Jensen

- o As we all know most roads are bad and noted list that came out published in newspaper
- o Surprised about Norma Street - Upjohn to Ridgecrest Boulevard
- o Norma Street between Ridgecrest Boulevard is in horrid condition

Closed at 7:30 p.m.

CONSENT CALENDAR

9. Resolution No. 07-53, A Resolution Of The Ridgecrest City Council Approving The Purchase Of A Schwarze Roadpatcher Model RP005 With An Extended Two Year Warranty Speer
10. Resolution No. 07-54, A Resolution Of The Ridgecrest City Council Rejecting All Bids And Proposals For Art In The Medians
Ponek
11. Resolution No. 07-55, A Resolution of the Ridgecrest City Council Authorizing City Manager to enter into contract with South Coast Pool Plastering Inc. for the Re-Plastering and Tile Repair at Pinney Pool Ponek
12. Minutes Of The Regular City Council/Redevelopment Agency And The Special Meeting Of The City Council And Planning Commission Meeting Of October 17, 2007 Gable

Item Removed From Consent Calendar

13. Investment Reports for July 2007 to September 2007 Winegardner
14. Council Expenditure Approval List (DWR) Dated October 12, 2007 In The Amount Of \$308,767.25 Winegardner
15. Council Expenditure Approval List (DWR) Dated October 22, 2007 In The Amount Of \$148.49 Winegardner

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16. Council Expenditure Approval List (DWR) Dated October 26, 2007 In The Amount Of \$569,589.96 Winegardner
17. Agency Expenditure Approval List (DWR) Dated October 12, 2007 In The Amount Of \$22,978.58 Winegardner
18. Agency Expenditure Approval List (DWR) Dated October 26, 2007 In The Amount Of \$41,227.59 Winegardner

Al Huey requested item 13 be removed

Moved by Council Member Wiknich, second Council Member Morgan TO APPROVE THE CONSENT CALENDAR WITH ITEM 13 REMOVED. No public comment. Carried with a voice vote of 5 ayes.

Mr. Huey wanted to know what they (Investment Reports) were as he did not have a full agenda with backup materials.

Mr. Winegardner explained that the City Treasurer has to certify that sufficient investment liquidity and anticipated revenues are available to meet the City's budgeted expenditure requirements for the next six months. There is a balance of \$28,092,326.14.

Moved by Council Member Clark, second Council Member Carter TO ACCEPT THE INVESTMENT REPORTS FOR JULY 2007 TO SEPTEMBER 2007. Public comment heard. Carried with a voice vote of 5 ayes.

PUBLIC HEARINGS

19. A Public Hearing Concerning A Proposed Ballot Measure To Fund Infrastructure Improvement Wiknich

The Infrastructure Committee has proposed a ballot measure to fund certain infrastructure improvements - list attached. The Committee asks the City Council to engage in a public discussion.

Vice Mayor Wiknich gave the report

- After the 2nd failure of a ballot measure to fund roads improvements the Infrastructure Committee took on the drive to try to do another ballot issue to fund the projects
- Project list has been developed with the help of staff
- There are different levels of repair or maintenance or even new roads in the list
- We also looked at where there may be new growth and also traffic flows
- The list is not 100% "in concrete" and is open to discussion and amendment
- The Committee came up with a 10 year sunset clause
- They listened to the citizens request for specific projects which will require a 2/3 vote of the voters

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- The Committee recommends a 3/4 cent sales tax increase
- Over 10 years this should accumulate 20-21M
- The Committee also discussed about hiring a consultant to do a survey
- Citizen volunteers said they would do a phone survey
- Possibly the newspapers could do a survey or a radio survey
- Noted the priority list of projects - many are on the list from our previous ballot attempt
- Possible that some of the projects on list may get done under other funding sources
- Committee took care that we would cover the maximum part of the city when looking at streets for the project list
- He read the priority list - there were copies of the list for the public
- Noted a new road extension of S. Norma to give a second route to College Heights area and a cross street to connect Norma and College Heights

Public comment

Dave Matthews

- Mentioned sunset clause of 10 years and taking 20 years to accumulate the funds - the 20 years was a mistake from Mr. Wiknich, should have been 10
- Lives in one of the newer sections of town but his house and streets are 40 years old
- Some of the other streets around town are older
- Has only seen one street overlay in his area
- Many areas have cracks of 1/4 inch or more
- We pay the taxes to state and federal and little or none comes back
- Thought the last ballot issue was going to pass
- Think we are getting a good start on this measure

Mike Neel's son

- Read a document his father prepared
- Facts brought up 20M over 10 years
- Parks and Recreation is considering the same kind of ballot issue
- They had enough funds for a bid for Art in the Medians for \$15K
- They gave funds to Maturango Museum, the Pow Wow, and \$50,000 to Ridgecrest Cares
- Council is not decreasing expenses
- Can save money by eliminating unnecessary activities
- Why does the council not take action
- Eliminate all expenses except for police and infrastructure
- Those are the only things a government needs to provide their citizens

Jerry Taylor

- There is some important info missing from the list
- CTI numbers are needed for prioritizing
- If it gets to 50% the road is gone
- PMS should be used

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- The expansion and paving of College Heights should be based on population along the road

Carol Hansing

- Each time a street is paved noticed IWV Water District or Mediacom or some other utility comes in and tears it up
- Do we get reimbursed for the street repairs
 - Yes we get reimbursed
 - And, we do notify all utilities before we do any repaving or new roads projects

Walt Maurer

- Recently received tax increase information in mail
- Thought we had really gotten on the ball with this measure
- It was from the Heritage Foundation talking about possible tax increases all over the country
- Appreciates Council is not hiring a consultant
- Urged everyone to go to City website to review the budget
- There are many small unnecessary expenses made that need to be curtailed
- Need to cut all the unnecessary spending out of the budget

Council Member Morgan

- He is KernCOG and California Transportation Commission representative and it has been an eye opening experience
- In Kern County we do not tax ourselves for infrastructure improvements
- There is a move put forward to define what regional means
- To get funding on certain levels you need matching funds
- Will be happy to go over the CTI figures with Jerry Taylor anytime
- He delved into the PMS heavily when it was first instituted in the City
- We need to try to help ourselves as much as we can
- If you do not like the sunset clause suggest you need to tell us now before we get too deeply in this ballot measure
- Tell your friends and neighbors about this proposed tax measure for infrastructure - everyone needs to educate themselves on the process

Mr. Rose noted Mr. Maurer's comments

- Only a small amount of property tax stays here
- Only 6% comes to the City but the majority stays here for schools, fire, special districts, etc.
- City's largest tax revenue comes from sales tax and a large part of that goes to the state
- We looked at what is the least disliked tax - that is usually property tax - and decided against that for Measure Q
- Sales tax here is much lower than other areas of the state
- We are open to any suggestions for other methods to raise funds

Al Huey

- Two words - Tax Reform

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- That is what needs to be done
- Smaller governments seem to get the smallest piece of the pie
- Would appreciate seeing some tax cuts in the budget
- Surprised to see some of the increases
- Like to see a shorter period of time and fewer projects addressed in the infrastructure measure
- Looks like over 50% is going up to College Heights area
- Residential is 10% of this and other main areas 40%
- You need to prove to the residents that you can do what you are proposing

Council Member Wiknich

- The roads for repair are all over town and the new construction is to the south and will avoid the hodge podge of China Lake Boulevard

Eric Kaufman

- There is a certain amount of dollars that comes in to the city
- Need to educate the public that some of this has to be spent on superfluous things
- Nobody should bring up parks and recreation until this one is done
- Hopefully some day that might be done

David Glazer

- He is one of those that need to be educated
- All that is frivolous needs to go
- Would there be any possibility to take the 3/4% and split it - 1/2 to police and 1/4 to roads
- Could be easier for the citizens to swallow

Council Member Wiknich noted there are still 4 positions to fill in the police department and the funds have been allocated but it is recruiting that is the hardest - good candidates are hard to find and we do not pay top dollar to our officers

Frank Nickelson\

- Glad to see this initiative
- There are not enough residential streets in this list
- The southeast part of the city is especially bad
- The roads that were capped over 20years ago were improperly done and the cap is coming off
- Need to do something more to preserve the streets we have
- The big rigs are tearing up our streets
- Hope you solve the big rig problem soon

Lois Beres

- We have listed Ridgecrest Boulevard from China Lake to Downs and the \$1M will not fix it
 - That \$1M is only for engineering and plans

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Get info in to Council Member Morgan or City Manager Rose

Mayor Holloway noted that he is aware that Supervisor McQuiston is working on College Heights and some other road projects

Mayor Holloway recessed the meeting at 8:25 p.m. to reconvene at 8:35 p.m.

Council Member Morgan

- request for the 1.2M reduction would just about shut down parks and recreation
- Supervisor McQuiston is looking into College Heights – may involve congestion management funds
- A sunset clause of 4 years in lieu of 10
- Possibly looking at new construction but it would be absolutely last
- Appreciated Mr. Glazer's 1/2 - 1/4 split – we called it measure Q few years ago
- Residential streets would cause increased maintenance
- China Lake to Mahan on Ridgecrest Boulevard - the 1M is of keen interest to Kern COG as we do have a project for that road
- City put a project in for 7M and the 1M is matching for that to prove to the County that we are serious about performing that project – we will know by January if we even have a chance at the RTIP money

Council Member Wiknich asked if any clubs or groups or organizations would like either he or Mr. Morgan come out and talk about this proposed and if so please let them know

Mayor Holloway stated there was a neighborhood that wanted streetlights and they formed an assessment district to get the tax to get the lights. That may be a way for citizens to get the residential street repaired.

Council Member Clark apologized for his comments about the big rig ordinance not having been looked at enough.

- Asked what it would cost to put on the ballot
 - A consolidated election about 7K – non-consolidated up to 40-50K
- We have been down this road before and we all have scar tissue – hearing the same comments as we did last time
- The more he listens to the community the more he thinks it will be the same as before
- Still wants to have a consultant for this and for the parks and recreation proposed measure – this is not the right way to go
- Spend the 15K it will be worth it
- These two issue will not be done at the same time – please go back and rethink this and get a consultant

Council Member Carter

- Has same comments as Mr. Clark
- We have been down this road several times
- We have proven that we do not have a pulse on this community
- Can only support infrastructure measure if we have a professional consultant for infrastructure and for parks and recreation

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- If we do not use a professional consultant for both of these measures we will fail again
- He will not support these if we don't do it with a consultant

Council Member Wiknich as far as the consultant the committee does not want to do it and have heard the same here from the citizens. We don't need to have someone come in and tell us what we have to do – we already know what needs to be done.

Mayor Holloway - the good news is that Taft passed a measure last night – he will talk to them to find out how they did it.

ORDINANCES AND RESOLUTIONS

20. Resolution No. 07-56, A Resolution Of The Ridgecrest City Council Declaring Dissatisfaction With United States Government Laws And Actions Pertaining To Immigration Holloway

Mayor Holloway stated he brought this forward -

- Does not listen to music on radio or watch TV shows but does pay close attention to national and state legislation
- This resolution registers the City of Ridgecrest's dissatisfaction with inadequate immigration laws, the failure of the U.S. Government to reimburse local governments for the costs generated by the federal government's failure to control illegal immigration, and the apparent inability of the federal government to develop much needed reform of immigration law
- This resolution allows the City to take a formal position regarding illegal immigration
- Had a discussion with Assembly Member Fuller's representative Zack Scrivner about this and a food industry conference that touched on this problem
- We recognize is a federal problem and requires federal solution
- Nothing here that is different than federal law
- Confirms the city is not a sanctuary city and we will deport criminals
- Gives ability in Kern County to have solidarity

Council Member Carter wanted to hear from the public before making his comments

Mayor Holloway requested Deputy City Attorney Navé to read the resolution

Public comment

Dave Matthews

- Noted for the public that this a resolution not an ordinance as was stated in the newspaper
- Wholeheartedly agrees in principle
- Wording should be changed – 2nd whereas – not sure the current laws are inadequate but they need to be enforced – don't think it should be here

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- 4th whereas – “failure to adequately enforce immigration laws” – needs to be emphasized – federal government does not do its job
- Do not need number 1 in the action list
- Problem is coming to a head and it has been escalating for 30 years
- Has impacted his family especially at employment time

Andy Kilikauskas

- Has strong thoughts about this as he is an immigrant
- Surprised that Council has taken this on
- Resolution is a symbol of ignorance and bigotry
- Immigrants pay taxes as does everyone
- We are educating the next generation of citizens
- Anti-immigration resolution targets all immigrants - legal and illegal
- Proud to be an American and an immigrant, a legal immigrant

Jim Fallgatter

- Thinks this is pure American to bring this right to the government
- This is how our great country started
- Feels it is not governed properly

David Glazer

- 1000% supports this resolution
- Cannot see how anyone would object to this resolution
- An immigrant is someone who comes through the front door
- Illegal aliens are those that come over the borders without legal papers
- Fully supports this

Frank Nickelson

- He too supports this resolution
- We should not try to solve the problem ourselves - go along with Kern County
- Received an email concerning immigration – just ask the American Indian about immigration

(Did not hear the person's name)

- Agrees with this a great start
- Related an incident in Reno of a liquor store flying the Mexican flag above the American flag

(Did not hear the person's name)

- Supports resolution

Betty Allen

- Fully supports it a good move

Sandra Logo

- 3rd generation immigrant
- Grandparents came though Ellis Island
- They did it the right way

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- Please do it the right way now

Bud Klamt

- No one has as yet mentioned the subject of national security

Al Huey

- Also supports the resolution
- Thought it should be an ordinance - should be stronger
- Legislature is happening in D.C. now to strengthen or close our borders and to strengthen our enforcement of the laws

Walt Maurer

- His mother came through Ellis Island
- Had a question as to who drafted the resolution
 - Mr. Rose stated that he had at the request of the Mayor
- Does like the concept of cities banding together and petitioning the government
- Look at the crime statistics - crimes are not being done by legal immigrants
- We can't wait to set up neighborhood watch
- Appreciates the effort to get counties to stand together on an issue

William Dale Howard

- Don't support the resolution and don't have anything against it
- Looks like we are taking target practice at an issue
- He doesn't fear Spanish speaking persons
- He does know if we alienate the Congress by telling them they are not doing their job we could "shoot ourselves in the foot"
- So far have not had an illegal immigrant beat him out for a job

Sharon Delaney

- Supports this resolution

Council comment

Council Member Carter

- Wants our borders to be secure
- Wants people to be legal
- Does not support this resolution
- Has problem with wording "promoting English fluency among new legal immigrants:
 - No way he will ask federal government to regulate language – cited the plight of Native Americans who lost their native languages
 - He also cited the loss of native language of African-Americans and other immigrants
 - All persons should keep their native languages and customs
 - It offends him that this might be taken away
 - Not aware of an illegal immigrant problem in Ridgecrest
 - Asked about reimbursement – we have none

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- Statement is that the federal government needs to secure borders
- We need to have the President and Congress pass immigration laws that are fair and just
- This goes too far for him and he cannot support as written

Council Member Wiknich

- Was surprised to see this in the agenda packet
- See this resolution as a positive
- Has no problem with the English language portion

Council Member Morgan

- He stated he is 2nd generation American
- His grandparents came over differently than those coming over illegally
- He asked City Manager Rose to explain paragraph 2

Mr. Rose noted two points -

- City shares a concern with Homeland Security and others that sanctuary cities are breaking the law
- Government entities have to do documents in many languages depending on demographics, and example being Los Angeles

Council Member Morgan

- Directed to Council Member Carter - we cannot argue the sins of the past, all nations have their own language
- Difficult choice to determine if this will cause more programs

Council Member Clark

- He has to concur with Council Member Carter's comments for the Mayor's reason to bring this forth
- Is concerned with border security
- Senator McCain is the only one who has tried to fairly address this issue
- This may create problems and target our legal immigrants
- To inflame a community is not a good idea
- Cannot support the resolution

Mayor Holloway

- The dynamics occurring here illustrates the problem
- Trying to react to what the community wants to see before it escalates into a larger problem
- This is first step
- What about the illegal who kills someone after being identified as illegal?
- Are they brought to trial, are they deported?
- Disagrees that there is no substance to the resolution
- Does not know if he has legal or illegal immigrant friends
- One thing that is factual is communities who have taken positive action have discouraged sanctuary within their cities

Council Member Carter

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- Resolution needs to be rewritten

Moved by Council Member Wiknich, second Council Member Morgan TO ADOPT RESOLUTION NO. 07-56, A RESOLUTION OF THE RIDGECREST CITY COUNCIL DECLARING DISSATISFACTION WITH UNITED STATES GOVERNMENT LAWS AND ACTIONS PERTAINING TO IMMIGRATION. Public comment heard. Carried with a voice vote of 3 ayes, 1 no, 1 no way; Council Member Clark voted no, Council Member Carter voted no way.

Mayor Holloway requested copies of the resolution to sent to President Bush, U.S. Senators Feinstein and Boxer, U.S. Congressman McCarthy, State Senator Asburn, and Assembly Member Fuller

OTHER ACTION ITEMS

21. Left Turns And New Median, W. Ridgecrest Boulevard Between China Lake Boulevard And Balsam Street McRea

The matter was referred to the City Council by the Infrastructure Committee relating to the approved design of the median between China Lake Boulevard and Balsam Street for action and implementation of design.

Public comment

Jerry Taylor

- As citizen told you it was not good plan
- Did not allow this to happen at the Walgreens corner

Eric Kaufman

- Very excited about the Rte Aid building
- Gets to observe that intersection every day
- It is very dangerous intersection
- Have brutal sun in the afternoons
- People park in the right turn lane because it is not marked no parking

Andy Kilikauskas

- Surprised it is back at the Council again
- Feels this is very bad idea
- Needs to be a solid median from China Lake to Balsam\
- Don't know what we promised Rite Aid

Dave Matthews

- Pointed out problem when this intersection was in conception at Infrastructure
- It was unanimous that no left turn lane was needed
- Do solid median all the way back

Frank Nickelson

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- Agrees with Eric Kaufman
- He also spends a lot of time outside his building smoking
- Some improvements with the Bamboo Club gone and the gas station across the street is gone
- Shouldn't have parking on Ridgecrest Boulevard in front of the Chinese restaurant
- Thought it was all agreed to a long time ago

John Robb

- The intersection is not correct to start with
- You enter on the wrong side

Frank Borman – development company

- We take public safety very seriously
- Access into and out of the site is most important
- They (Rite Aid) would not come without the left turn pocket on Ridgecrest Boulevard
- They designed the site and put in the full turning lanes and it was approved
- Left turn out was not to be – never asked for left turn in
- They wanted median and Rite Aid was convinced it was the best plan
- They were given permission to pull the permits
- Entitlements received by them from cities is whether they live or die
- We did not purchase JD's or other properties until the plans were accepted
- If Rite Aid does not come our firm will be out all of their money about 5M
- Asking the City honor the site plan they approved
- It has never been a question of a left turn in but always a left turn out

David Fallgatter

- Likes being able to go across the intersection and make a left lane turn into the Bank of America
- This is a dollar vs. lives issue to him

Council Member Morgan

- Told staff right off the bat that he would admit he screwed up
- Did not monitor the situation closely enough
- Has to live with that
- No way he is ever going to vote for this

Mayor Holloway

- Never considered this – no way
- Ingress and egress has messed up more sites than he cares to mention
- Chain store and franchise standards do not apply in Ridgecrest
- Rite Aid will most likely want some type of indemnification without the left turn egress

Council Member Wiknich

- I'm glad this didn't happen in the 80's
- He wasn't on Council when this started

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- Lots of different traffic patterns over the years In this area
- If what he says was agreed to originally it needs to be honored
- This plan will eliminate the left turns going both east and west out of Bank of America
- Noted when he built his building on E. Ridgecrest Boulevard the City made him make changes after it was built

Council Member Carter

- Feels we have to honor our agreement with developer and move forward

Council Member Clark

- Asked about the cross walk at the intersection of Balsam and Ridgecrest
 - Chief recommends moving the cross walk to the signalized intersection at China lake
- How do we eliminate that concern
 - Better marking and speed signs
- Median will make it safer in the area
 - Definitely
- Compensation if agreement was changed
 - Not familiar with that
- What process will Chief use to assess the safety of this
 - Check with the smokers and maybe set up video, etc.

Joe Pollock

- When property purchased a condition was to put in a median with a left turn pocket
- Downstream the Chinese restaurant came up it changed things
- Right turn off China Lake and Ridgecrest and a right and left off Balsam
- All the freight will be in the back and it's where the dumpsters are
- That does not make for a good entrance
- Developer given credit of 13K for median

Moved by Council Member Carter, second Council Member Clark TO APPROVE LEFT TURNS AND NEW MEDIAN, W. RIDGECREST BOULEVARD BETWEEN CHINA LAKE BOULEVARD AND BALSAM STREET. Public comment heard. Carried with a voice vote of 4 ayes, 1 no; Council Member Morgan voted no.

22 Memorandum Of Understanding Community Entrance Sign

McRea

Review And Approval Of An MOU Relating To The Community Entrance Sign Centennial Project Of Rotary Club Of China Lake.

Council Member Morgan

- The signs emblems of City seal and Rotary are equal in size giving impression that City favors Rotary
- No other clubs or organizations are on the sign

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- The sign is all theirs, their money and they deserve recognition and their name should be on it as donating the sign maybe a plaque at the base

Gary Parsons

- This did go through the Economic Development Committee at the time it was first brought to the City as a centennial project for Rotary

Moved by Council Member Wiknich, second Clark to table and sent to Community Development Committee. No public comment heard. Carried with a voice vote of 5 ayes.

23. **Resolution No. 07- , A Resolution Authorizing The Selection And Contract With A Consultant Regarding The Funding Of Improvements Associated With Community Parks, Recreation, And Quality Of Life** Carter

Council Member Carter

- The Parks, Recreation and Quality of Life Committee has proposed a ballot measure to fund certain community improvements
- The Committee asks that a consultant be selected to survey the community and recommend actions for an election campaign
- Council Member Carter wants to see all the ballot measures brought together and not done separately
- He also wants to add a third one for safety
- And to have a consultant dealing with all three issue but they cannot go on the ballot at the same time

Council Member Morgan

- Has no problem with Parks, Recreation and Quality of Life Committee hiring a consultant
- Under measure Q we combined infrastructure, safety and some parks and recreation items
- Asked public attendees who wanted to see City hire a consultant
- Commented on hand raising for consultants with only 4-5 voting against

Council Member Wiknich

- Does not want consultant for any of these
- Even though he does not agree with the consultants he will support Parks, Recreation and Quality of Life Committee if they bring back a good product

Council Member Clark

- Consider what the majority wants is not the ones who do not come here or read the news
- We will need a 5-0 council to float this issue

Mayor Holloway

- Feels the majority are the ones who don't participate in their government
- Would like to get more info regarding consultants

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Jerry Taylor

- People who come talk to us are a small part of the citizens
- Come back with the numbers before a decision is made
- We are out there trying to find out what the citizens want not to market this issue
- Think the issues should be separate because it confuses the citizens

Council concurred to table this item

DISCUSSION ITEMS

24. **Bowman Road And S. China Lake Boulevard Intersection Recommendation Of The City Engineer And Staff For The Initial Conceptual Design Of A Traditional Signalized Intersection To Support Four Lanes Of Traffic With A Center Median And Outside Lane And Consideration Of A Roundabout Is Also Presented With Attachments**

Jerry Taylor

- This item has been to just about everyone but the Planning Commission

Council Member Morgan

- There is no applicant and there is no plan for this intersection
- Planning Commission has seen it because they are supposed to only deal with the General Plan

Joe Pollock

- Intersection has been planned to be a signalized intersection with plans for over 10 years
- It was done long before the possibility of a Super WalMart and the possibility of much increased traffic generated by the store
- If a roundabout is considered it will have to be very large and then the problem of right of ways comes into play

Gary Parsons

- Yes WalMart did look at this – cost of roundabout more costly but not a killer

Public comment

Jim Fallgatter

- Why are we talking about this if there is no plan
- Staff is supposed to bring intelligent information to the Council
- More red herrings have come out of committees on this
- Unprecedented opportunity to make something nice with this

Bill Norris

- Important to consider the traffic that uses the intersection and pedestrians also
- Crosswalks at the entrances and exits will not be sufficient they will be hit

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- Could be traffic signals with buttons – would stay green for vehicles
- Or stop signs at enter and exits

Andy Kilikauskas

- Council made good decision Rite Aid issue
- Thinks roundabout is good idea
- Blown way out of proportion
- Look at the best engineering solution
- Bowman channel is a bigger issue

Adam Summers

- Almost put resignation letter on Pats desk today (New Review newspaper)
- Covering this issue has been a strain
- Council was elected to do the best they can for the citizens
- The roundabout issues points this out – you are all part timers
 - You are relying on your professional staff and if they are not professional they are not a help to you
 - Said this was a preconceived reject in July
 - Feels there will not be vision for the City in the future
 - What matters is the public gets the very best
 - The City has long suffered from good leadership

David Fallgatter

- Maybe we should bring this back at another time as it is very late
- There is some good potential there

David Matthews

- WalMart was not enthused because of the cost
- It will take more real estate than a regular intersection
- Put any extra funds in the Bowman Channel

Council

Council Member Carter

- Not in favor of roundabout - wants signalized intersection

Clark

- In favor of roundabout but wants more info

Mayor Holloway

- Has no more answers than the several times before
- Feels roundabout won't work there
- Needs more info

Council Member Wiknich

- Have been inundated with roundabouts all around the world
- Looking for more info on goes or no goes

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- With the possibility of more development other than the Super WalMart the City has to have a plan for the whole area
- This might not be the right location for a roundabout
- Don't have the engineering of the circles and the access roads

Council Member Morgan

- The problem is at this intersection that we are either going to commit engineering staff and funds or a contract engineer to do plans on a roundabout
- Or do we wait for someone like WalMart to come along with a plan
- Asked where the Council wants to go

Council Member Carter

- Does not feel this is the right place for a roundabout

City manager Rose

- Asked Council to please not dismissed the information presented to them
- You have two California registered engineers saying do not do a roundabout

Mayor Holloway

- Asked if Infrastructure Committee can come back with an engineering study on both the four way and the roundabout

Moved by Council Member Clark, second Council Member Morgan TO SEND THE ITEM TO INFRASTRUCTURE COMMITTEE FOR MORE INFORMATION. Public comment heard. Carried with a voice vote of 4 ayes, 1 no; Council Member Carter voted no.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

City Council and City Hall holiday schedule

Nov 21 Holloway gone Carter gone

Dec 5 and 19 all here no Jan 2 meeting

CITY ATTORNEY REPORTS

NONE

COMMITTEES, BOARDS AND COMMISSIONS

Community Development Committee

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

Met November 1

- ❖ Plan for review of all CUPs
- ❖ Discussion Bowman Corridor

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- ❖ General Plan update
- ❖ Review of billboards and sign ordinance
- ❖ Waste management update
 - Meetings: 1st Thursday of the month at 5:30 p.m.; Council Conference Room
 - Next meeting December 6

City Organization and Services Committee

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

Met October 24 - Special Meeting

- ❖ Discussed consideration of amendments to "Big Rig" parking ordinance
- ❖ Tabled for more study and info
 - Meetings: 2nd Thursday of the month at 5:00 p.m.; Council Conference Room
 - Next meeting November 8

Parks, Recreation and Quality of Life Committee

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

Met October 25

- ❖ Discussed the Art in the Medians bid
- ❖ Update on proposed bond issue for parks and recreation
- ❖ Project up date from Department Director
 - Meetings: 4th Thursday of the month at 5:00 p.m.; Kerr-McGee Center
 - Next meeting to be announced November 13 (4th Thursday is Thanksgiving Day)

Arts Council will meet November 28

Infrastructure Committee

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

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

Next meeting November 13

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

Members: Chair Dan Clark, Ron Carter

Meetings: 2nd Monday of the month at 6:00 p.m., Kerr-McGee Center

Met November 5

- ❖ Nancy Young new PACT coordinator
- ❖ Video regarding Neighborhood Watch
- ❖ Ralph Mueller reported on Mentorship Program
- ❖ Youth incentive update re meetings with Chamber of Commerce and service clubs
- ❖ Report on EDD services
 - Next meeting Dec 10

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RACVB

Council Member Holloway

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

Next meeting November 21

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Council Member Wiknich and Mr. McRae will attend the League of California Cities Desert-Mountain Division meeting

MAYOR AND COUNCIL COMMENTS

Clark

- Rotary Fellows Award given to the Council

Wiknich

- To date he has lost 8 pounds in his competition with the Mayor

Morgan

- Bob Gould donated the nomination and funds for the Rotary award
- Kern Blueprinting meeting at KerrMcGee Center next week
- Hard to sit up here while someone is trying to ruin our credibility

Holloway

- Thanked everyone for attending and their comments

ADJOURNMENT

Mayor Holloway adjourned the meeting at 1:20 a.m. Thursday November 8.

Rita Gable, City Clerk