



**City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority**

**AGENDA**

**Wednesday**

**Regular**

**Closed Session 5:30 p.m.  
Regular Session 6:00 p.m.**

**March 6, 2013**

**City Hall  
100 West California Avenue  
Ridgecrest CA 93555**

**(760) 499-5000**

**Daniel O. Clark, Mayor  
Jason Patin, Mayor Pro Tempore  
Marshall 'Chip' Holloway, Vice Mayor  
James Sanders, Council Member  
Lori Acton, Council Member**

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LAST ORDINANCE NO. 13-01  
LAST RESOLUTION CITY COUNCIL NO. 13-05  
LAST RESOLUTION FINANCING AUTHORITY NO. 13-xx  
LAST RESOLUTION OF THE HOUSING AUTHORITY NO. 13-xx  
LAST RESOLUTION OF THE SUCCESSOR REDEVELOPMENT AGENCY NO. 13-xx

## **CITY OF RIDGECREST**

### **CITY COUNCIL REDEVELOPMENT SUCCESSOR AGENCY HOUSING AUTHORITY FINANCING AUTHORITY**

#### **AGENDA**

Regular Council  
Wednesday March 6, 2013

**CITY COUNCIL CHAMBERS CITY HALL**  
100 West California Avenue  
Ridgecrest, CA 93555

**Closed Session – 5:30 p.m.**  
**Regular Session – 6:00 p.m.**

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

In compliance with SB 343. City Council Agenda and corresponding writings of open session items are available for public inspection at the following locations:

1. City of Ridgecrest City Hall, 100 W. California Ave., Ridgecrest, CA 93555
2. Kern County Library – Ridgecrest Branch, 131 E. Las Flores Avenue, Ridgecrest, CA 93555
3. City of Ridgecrest official website at <http://ci.ridgecrest.ca.us>

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**



## AGENDA - CITY COUNCIL - REGULAR

March 6, 2013

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### PUBLIC HEARING

6. **Conduct A Public Hearing And Approve A Resolution Of The Ridgecrest City Council Establishing A Finding For Unmet Transit Needs That Are Reasonable To Meet With The Public Transportation System** Speer

### COMMITTEE REPORTS

#### **City Organization**

Members: Dan Clark, Jim Sanders  
Meeting: 3rd Tuesday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: March 19, 2013

#### **Community Development Committee**

Members: Jason Patin, Chip Holloway  
Meetings: 1<sup>st</sup> Thursday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: March 7, 2013

#### **Infrastructure Committee**

Members: Dan Clark, Jason Patin  
Meeting: 2<sup>nd</sup> Wednesday Of The Month At 5:00 P.M., Council Conference Room  
Next Meeting: March 13, 2013

#### **Quality Of Life**

Members: Chip Holloway, Lori Acton  
Meeting: 2<sup>nd</sup> Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center  
Next Meeting: April 11, 2013 (Dark in June, July, December, and January)

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

Members: Jim Sanders, Jason Patin  
Meetings: 2<sup>nd</sup> Monday Of Odd Numbered Months At 4:00 P.M., Kerr-McGee Center  
Next Meeting: March 11, 2013

#### **Veterans Advisory Committee**

Members: Jason Patin, Lori Acton  
Meetings: Every Monday as needed at 6:00 p.m., Council Conference Room  
Next Meeting: March 11, 2013

#### **Ridgecrest Area Convention And Visitors Bureau (RACVB)**

Members: Jason Patin, Chip Holloway  
Meetings: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.  
Next Meeting: April 3, 2013 at location to be announced

**AGENDA - CITY COUNCIL - REGULAR**

**March 6, 2013**

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**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

**CITY MANAGER REPORT**

**MAYOR AND COUNCIL COMMENTS**

**ADJOURNMENT**



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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/FINANCING  
AUTHORITY/HOUSING AUTHORITY AGENDA ITEM**

<b>SUBJECT:</b> Service Award Presentations
<b>PRESENTED BY:</b> Mayor and City Council members
<b>SUMMARY:</b>  Service recognition awards presented by the Ridgecrest City Council to employees who have reached milestones of five (5) or more years of employment with the City of Ridgecrest.
<b>FISCAL IMPACT:</b>  NONE  Reviewed by Finance Director
<b>ACTION REQUESTED:</b>  Presentation of certificates to the employees by City Council members.
<b>CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:</b>  Present Service Awards

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5-year

CATHERINE LOREN  
POLICE DEPARTMENT  
5 YEARS  
2008-2013

TESSA SHEPPARD  
POLICE DEPARTMENT  
5 YEARS  
2008-2013

10-year

SANDRA AICHLMAYR  
TRANSIT DEPARTMENT  
10 YEARS  
2003-2013

MARTIN DORRELL  
POLICE DEPARTMENT  
10 YEARS  
2003-2013

30-year

LARRY MILLER  
PUBLIC WORKS  
30 YEARS  
1983-2013

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**CITY COUNCIL AGENDA ITEM**

**SUBJECT:** Approve a Resolution for the final invoice and the balancing contract change order, authorize the Interim City Manager to sign the Notice of Completion and authorize the City Clerk to file the Notice of Completion on the Safe Routes to School Cycle 8 Program.

**PRESENTED BY:**

Dennis Speer, Director of Public Works

**SUMMARY:**

The project consisted of the construction of curb, gutter, sidewalk, driveway approaches, cross gutters, match up paving, ADA ramps, and street striping along S. Warner Street from W. Upjohn Avenue to W. Church Avenue and W. Church Avenue from S. Sunset Street to S. Warner Street. Additionally, a missing section of curb, gutter, sidewalk, driveways and match up paving at 205 S. Norma was also constructed.

City Council awarded a contract to Cen-Cal Construction on December 5, 2012 in the amount of \$245,637.70. Retention was not withheld due to the fact the final invoicing to Caltrans must be made by April 1, 2013 or funding for this project would be in jeopardy. An unconditional release and waiver from Cen-Cal Construction has been received by the City to protect from any potential claims from materials men, labor, or subcontractors. Work was completed by Cen-Cal Construction on February 21, 2013. The final contract amount including all change orders is \$249,825.00. The resulting change order is a cost increase of \$4,187.30 over the original contract amount and is within the ten percent contingency allowed on the project. The change orders for the project represent a 1.70% increase in the original contract amount. See Attachment "A" Final Balancing Change Order.

The costs of these items are within the total cost of the project allocation given to the City of Ridgecrest by the State of California Safe Routes to School Program. The project was completed on February 21, 2013.

**FISCAL IMPACT:**

None

Reviewed by Finance Director

**ACTION REQUESTED:**

Approve a Resolution of the final invoice and the balancing change order, authorize the Interim City Manager to sign the Notice of Completion, authorize the City Clerk to file the Notice of Completion on the Safe Routes to School Cycle 8 Project.

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Approve a Resolution of the final invoice and the balancing change order, authorize the Interim City Manager to sign the Notice of Completion, authorize the City Clerk to file the Notice of Completion on the Safe Routes to School Cycle 8 Project.

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**RESOLUTION NO. 13-**

**APPROVE A RESOLUTION OF THE FINAL INVOICE AND THE BALANCING CHANGE ORDER, AND AUTHORIZE THE INTERIM CITY MANAGER, TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION ON THE STATE SAFE ROUTES TO SCHOOL CYCLE 8 PROJECT**

**WHEREAS**, the City Council awarded a contract to Cen-Cal Construction on December 5, 2012 in the amount of \$245,637.70.

**WHEREAS, Cen-Cal Construction, Inc.** has completed construction of curb, gutter, sidewalk, cross gutters, driveways, match up paving, ADA ramps and street striping on S. Warner Street from W. Upjohn Avenue to W. Church Avenue and W. Church Avenue from S. Sunset Street to S. Warner Street, and a missing section of curb, gutter, sidewalk, driveways and match up paving at 205 S. Norma, and

**WHEREAS**, During the course of construction some change order deletions and additions were necessary, and

**WHEREAS**, The final contract amount including all change orders is \$249,825.00, and

**WHEREAS**, Retention was not withheld due to the fact that final invoicing to Caltrans must be made by April 1, 2013 or all funding for this project would be in jeopardy, and

**WHEREAS**, The resulting change order for the final contract is a cost increase of \$4,187.30 over the original contact amount and is within the ten percent contingency allowed for the project, and

**WHEREAS**, The change orders for the project represent a 1.70% increase in the original contract amount, and

**WHEREAS**, An unconditional release and waiver was received by the City from Cen-Cal construction to protect the city from any claims from materials men, labor or subcontractors.

**NOW THEREFORE, be it resolved**, that the City Council of the City of Ridgecrest hereby

- 1) Approves a final contract amount of \$ 249,825.00
- 2) Approves the balancing change order in the amount of \$4,187.30
- 3) Authorizes the City Manager to sign the Notice of Completion
- 4) Authorizes the City Clerk to file the notice of completion for recordation for the project

**APPROVED AND ADOPTED** this 6<sup>th</sup> day of March 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Daniel O. Clark, Mayor

ATTEST \_\_\_\_\_  
Rachel J. Ford, CMC, City Clerk

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# CITY OF RIDGECREST

# CONTRACT PROGRESS REPORT

**Description:** Safe Routes to School - Cycle 8  
 S. Norma St, Church Ave, Warner St.  
**Contractor:** Cen Cal Construction  
**Address:** 10112 Revere Beach Dr, Bakersfield, CA 93314

**From:** 2/15/2013  
**To:** 2/21/2013  
**Contract No.:** SR2SL-5385(039)  
**Job No.:** 101663

**Report Number:** Final  
**Start Date:** 01/07/13  
**Complete Date:** 02/21/13  
**Contract Price:** \$ 245,637.73

ITEM	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY THIS EST.	PREVIOUS ESTIMATE	QUANTITY TO DATE	UNIT PRICE	TOTAL CONTRACT PRICE
1	Mobilization, De-mobilization	LS	1.00	0.10	0.90	1.00	\$12,500.00	12,500.00
2	Sawcut, Cold-Plane/Demolish, & Remove Asphalt Concrete	SF	1,220.00	0.00	2,216.50	2,216.50	\$2.83	6,272.70
3	Sawcut, Cold-Plane/Demolish, & Remove Concrete Curb, Gutter, and Curb Apron	LF	542.00	0.00	612.00	612.00	\$10.57	6,468.84
4	Sawcut, Cold-Plane/Demolish, & Remove Concrete Sidewalk & Curb Approach	SF	3,312.00	0.00	3,367.75	3,367.75	\$1.79	6,028.27
5	Slurry Seal Type III	SF	10,911.00	0.00	0.00	0.00	\$1.34	0.00
6	Vegetation Removal/Relocation; Site Grading & Cmpaction; Cut/Fil and Haul Excess Material	LS	1.00	0.00	1.00	1.00	\$35,000.00	35,000.00
7	Type B Hot Mix Asphalt Concrete	TN	40.00	0.00	55.00	55.00	\$280.00	15,400.00
8	Install Curb & Gutter / Concrete Tie-In	LF	613.00	0.00	609.00	609.00	\$28.45	17,326.05
9	Remove Existing / Install 8" Thick Concrete Curb Apron and Cross Gutter	SF	1,264.00	0.00	1,342.00	1,342.00	\$11.89	15,956.38
10	Class II Aggregate Base Compacted 95%	TN	40.00	0.00	50.00	50.00	\$77.77	3,888.50
11	Install Curb Ramp A	EA	4.00	0.00	4.00	4.00	\$1,700.00	6,800.00
12	Install Curb Ramp B	EA	10.00	0.00	9.00	9.00	\$1,375.00	12,375.00
13	Install Curb Ramp C	EA	12.00	0.00	13.00	13.00	\$1,635.00	21,255.00
14	Install Sidewalk Per Plans	SF	6,104.00	593.75	5,354.75	5,948.50	\$3.35	19,927.48
15	Install Drive Approach / Driveway / Walk-Around	SF	1,251.00	0.00	1,646.50	1,646.50	\$7.96	13,106.14
16	Wooden Fence Relocation	LS	1.00	0.00	1.00	1.00	\$2,840.00	2,840.00
17	Chain Link Fence Relocation	LF	135.00	0.00	124.00	124.00	\$51.60	6,398.40
18	Install Handrail Behind Sidewalk	LF	14.00	17.00	0.00	17.00	\$137.50	2,337.50
19	Relocate (E) Street Sign per Plans on Square Post	EA	7.00	0.00	7.00	7.00	\$205.00	1,435.00
20	Remove / Install Street Markings / Striping per Plans	LS	1.00	0.50	0.50	1.00	\$9,120.00	9,120.00
21	Traffic Control / Construction Area Signs	LS	1.00	0.00	1.00	1.00	\$5,615.00	5,615.00
22	Construction Survey / Staking / Record Drawings	LS	1.00	0.00	1.00	1.00	\$500.00	500.00
23	Prompt Submittal of Invoicing and Other Required Paperwork	LS	1.00	0.00	1.00	1.00	\$250.00	250.00
24	Materials Testing	LS	1.00	0.00	1.00	1.00	\$22,400.00	22,400.00



# CITY OF RIDGECREST

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 S. Norma St, Church Ave, Warner St.  
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**Address:** 10112 Revere Beach Dr, Bakersfield, CA 93314

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**Contract No.:** SR2SL-5385(039)  
**Job No.:** 101663

**Report Number:** Final  
**Start Date:** 01/07/13  
**Complete Date:** 02/21/13  
**Contract Price:** \$ 245,637.70

ITEM	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY THIS EST.	PREVIOUS ESTIMATE	QUANTITY TO DATE	UNIT PRICE	TOTAL CONTRACT PRICE
<b>TOTAL SCHEDULE</b>								<b>\$ 243,200.25</b>
CCO #1	Additional fencing at 205 Norma	LS	1.00	1.00	0.00	1.00	\$3,795.00	3,795.00
CCO #2	Revised Unit Bid Price for Bid Item No. 9	TN	19.31	19.31	0.00	19.31	\$62.22	1,201.47
CCO #3	Credit to City for providing sign posts and hardware	EA	7.00	7.00	0.00	7.00	(\$65.00)	-455.00
CCO #4	Additive required to pour PCC at cold temperatures)	LS	1.00	1.00	0.00	1.00	\$1,703.28	1,703.28
CCO #5	Short load costs for additional AC added at Norma Cross Gutter	TN	19.00	19.00	0.00	19.00	\$20.00	380.00

Prepared By: *Michael Ost*  
 CONSTRUCTION MANAGER

Approved By: *[Signature]*  
 GEN CAL CONSTRUCTION

Approved By: *Loren E Culp*  
 CITY OF RIDGECREST

Date: 2/27/13

Date: 2/27/13

Date: 2/27/13

Total Construction To Date	\$ 249,825.00
No Retention	\$ -
Total Due To Date	\$ 249,825.00
Previous Payment	\$ 233,063.70
Balance Due	\$ 16,761.30

[mb 022713]

# Invoice

Bill To
City of Ridgecrest 100 W California Ave. Ridgecrest, CA 93555

Date	Invoice #
2/27/2013	01-05

Federal Aid Project #	P.O. No.	Terms	Project
SR2SL-5385(039)	007095	Net 30	13-01 Cycle 8 Safe ...

Item #	Description	Prior Amt	Prior %	Qty	U/M	Rate	Curr %	Total %	Amount
1	Mobilization/Demobilization	11,250.00	90.00%	0.1	LS	12,500.00	10.00%	100.00%	1,250.00
14	Install Sidewalk Per Plans	17,938.41	87.73%	593.75	SF	3.34998	9.73%	97.45%	1,989.05
18	Install Handrail Behind Sidewalk			17	LF	137.50	121.43%	121.43%	2,337.50
20	Remove/Install Street Markings/Striping Per Plans	4,560.00	50.00%	0.5	LS	9,120.00	50.00%	100.00%	4,560.00
	Contract Change Order No.1			1		3,795.00			3,795.00
	Contract Change Order No.2			1		1,201.47			1,201.47
	Contract Change Order No.4			1		1,703.28			1,703.28
	Contract Change Order No.5			1		380.00			380.00

It's been a pleasure working with you!	<b>Total</b>	\$17,216.30
	<b>CCO No.3 Credit</b>	-\$455.00
	<b>Balance Due</b>	\$16,761.30



**CITY OF RIDGECREST**

CONTRACT CHANGE ORDER No.

7

DATE: 2/28/13

Project Name: Cycle 8 Safe Routes to School Improvements - S. Norma St, Church Ave, Warner St., SR2SL-5385(039)

Willdan Project #: 101663

Purchase Order No.: 007095

Contractor: Cen Cal Construction

You are hereby directed to make the described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract.

As directed by the City of Ridgecrest, Cen Cal Construction is to provide all traffic control and quality control required for change order work.	Cost	(working days)
Original contract amount:	\$ 245,637.73	30
Any authorization to increase the contract amount by City Council:	\$ -	
Previous Change Order No(s). amount(s) to:	\$ 6,624.75	0
Current Change Order No. ( 7 ) amounts to:	\$ (2,437.48)	0
Total increase to contract to date:	\$ 4,187.27	0
Revised contract amount:	\$ 249,825.00	30
Percentage of total increase to contract amount to date:	1.70%	

**DESCRIPTION OF WORK TO BE DONE, ESTIMATE OF QUANTITIES, AND PRICES TO BE PAID:**

Item	Description	Contract Qty	Change Order Qty	Adjusted Contract Quantity	Unit	Unit Cost	Change order Cost	Time Ext. Working Days
7.1	Quantity Adjustment for actual quantities constructed - Bid Item No. 2 (Sawcut, Cold-Plane/Demolish, & Remove Asphalt Concrete)	1220.00	996.50	2216.50	SF	\$2.83	\$ 2,820.10	0
7.2	Quantity Adjustment for actual quantities constructed - Bid Item No. 3 (Sawcut, Cold-Plane/Demolish, & Remove Concrete Curb, Gutter, and Curb Apron)	542.00	70.00	612.00	LF	\$10.57	\$ 739.90	0
7.3	Quantity Adjustment for actual quantities constructed - Bid Item No. 4 (Sawcut, Cold-Plane/Demolish, & Remove Concrete Sidewalk & Curb Approach)	3312.00	55.75	3367.75	SF	\$1.79	\$ 99.79	0
7.4	Quantity Adjustment for actual quantities constructed - Bid Item No. 5 (Slurry Seal Type III)	10911.00	-10911.00	0.00	SF	\$1.34	\$ (14,620.74)	0
7.5	Quantity Adjustment for actual quantities constructed - Bid Item No. 7 (Type B Hot Mix Asphalt Concrete)	40.00	15.00	55.00	TN	\$280.00	\$ 4,200.00	0
7.6	Quantity Adjustment for actual quantities constructed - Bid Item No. 8 (Install Curb & Gutter / Concrete Tie-In)	613.00	-4.00	609.00	LF	\$28.45	\$ (113.80)	0
7.7	Quantity Adjustment for actual quantities constructed - Bid Item No. 9 (Remove Existing / Install 8" Thick Concrete Curb Apron and Cross Gutter)	1264.00	78.00	1342.00	SF	\$11.89	\$ 927.42	0
7.8	Quantity Adjustment for actual quantities constructed - Bid Item No. 10 (Class II Aggregate Base Compacted 95%)	40.00	10.00	50.00	TN	\$77.77	\$ 777.70	0
7.9	Quantity Adjustment for actual quantities constructed - Bid Item No. 12 (Install Curb Ramp B)	10.00	-1.00	9.00	EA	\$1,375.00	\$ (1,375.00)	0
7.10	Quantity Adjustment for actual quantities constructed - Bid Item No. 13 (Install Curb Ramp C)	12.00	1.00	13.00	EA	\$1,635.00	\$ 1,635.00	0
7.11	Quantity Adjustment for actual quantities constructed - Bid Item No. 14 (Install Sidewalk Per Plans)	6104.00	-155.50	5948.50	SF	\$3.35	\$ (520.93)	0

7.12	Quantity Adjustment for actual quantities constructed - Bid Item No. 15 (Install Drive Approach / Driveway / Walk-Around)	1251.00	395.50	1646.50	SF	\$7.96	\$ 3,148.18	0
7.13	Quantity Adjustment for actual quantities constructed - Bid Item No. 17 (Chain Link Fence Relocation)	135.00	-11.00	124.00	LF	\$51.60	\$ (567.60)	0
7.14	Quantity Adjustment for actual quantities constructed - Bid Item No. 18 (Install Handrail Behind Sidewalk)	14.00	3.00	17.00	LF	\$137.50	\$ 412.50	0

TOTAL THIS CHANGE ORDER: \$ (2,437.48) 0

Requested:   
Construction Manager/Resident Engineer

Date: 2/28/13

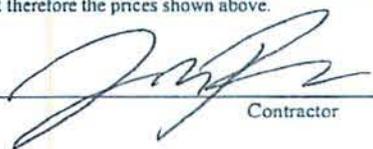
Approved: Karen Harker for Lorea Culp  
City Engineer

Date: 2/28/13

Approved: C James Spack  
Public Works Director

Date: 2-28-13

We the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

Accepted:   
Contractor

Date: 2/28/13

By: \_\_\_\_\_

Title: \_\_\_\_\_

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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/FINANCING  
AUTHORITY/HOUSING AUTHORITY AGENDA ITEM**

**SUBJECT:** A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Application for Federal Funding Under Federal Transit Act (FTA) Section 5311 (49 U.S.C. Section 5311) With The California Department Of Transportation And Authorizing The Interim City Manager, Dennis Speer, To Sign and File The Application

**PRESENTED BY:**  
Dennis Speer, Public Works Director

**SUMMARY:**

The Federal Transit Administration Section 5311 is a program that is formula based and provides funding to states for the purpose of supporting public transportation in rural areas. Rural areas encompass all populations, not included within an urbanized area of 50,000 or more population.

The Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital and operating assistance project for public transportation systems under Section 5311 of the FTA. The California Department of Transportation has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus. These grants aid in sustaining the purchase and maintenance of our public transportation fleet as well as covering overhead operational costs for staffing.

The City of Ridgecrest's Ridgerunner Transit has used these funds for operational activities and will continue to use the money for the Fiscal Year of 2012/2013 for the same use.

**FISCAL IMPACT:**

\$108,845.00

Reviewed by Finance Director

**ACTION REQUESTED:**

Adopt A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Federal Funding Under Federal Transit Act (FTA) Section 5311 (49 U.S.C. Section 5311) With California Department Of Transportation And Authorize Interim City Manager To Sign and File The Application

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested:

Submitted by: Dennis Speer  
(Rev. 02/13/12)

Action Date: March 6, 2013

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**RESOLUTION NO. 13-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AUTHORIZING THE APPLICATION FOR FEDERAL FUNDING UNDER FEDERAL TRANSIT ACT (FTA) SECTION 5311 (49 U.S.C. SECTION 5311) WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE INTERIM CITY MANAGER, DENNIS SPEER, TO SIGN AND FILE THE APPLICATION**

**WHEREAS**, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act; and

**WHEREAS**, the California Department of Transportation has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus; and

**WHEREAS**, The City of Ridgecrest desires to apply for said financial assistance for the operation of service in the City of Ridgecrest; and

**WHEREAS**, the City of Ridgecrest has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

**NOW THEREFORE, BE IT RESOLVED** that the City of Ridgecrest does hereby authorize the City Manager, to file and execute the application on behalf of the City of Ridgecrest with the California Department of Transportation for funding to aid in the financing of operating assistance projects pursuant to Section 5311 of the Federal Transit Act.

**APPROVED AND ADOPTED** this 6<sup>th</sup> day of March 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk

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**CALIFORNIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF MASS TRANSPORTATION**

**FEDERAL TRANSIT ADMINISTRATION (FTA)  
FEDERAL FISCAL YEAR 2013  
MODIFIED SECTION 5311 EXPEDITED PROCESS OPERATING PROJECT  
APPLICATION FORM PART 1**

**General Information:**

Name of Subrecipient: City of Ridgecrest

Address: 100 W. California Ave.

City/State/Zip Code: Ridgecrest, Ca. 93555

Contact Person: Starla Shaver Title: Transit Services Coordinator

Phone: 760.499.5041 E-Mail: sshaver@ridgecrest-ca.gov

Amount of Federal Section 5311 Funds Requested: \$108,845.00

**Operating Assistance (No changes to existing project)**

If there are **no changes** to the existing 5311 project, please **complete *only* Part I** of this Application.

I am certifying that this project is the same as was funded in FY11/12 and that there are no changes to the project; therefore I am completing **only Part I** of this application. If final congressional apportionment is less than the estimated **\$25 million**, funding will be reduced proportionally to all subrecipients.

To expedite the processing of your application, please submit your expenditures budget with your application using the **attached Budget Sheet in Part 1, Section 3** of this application.

**The deadline for submission of the FY2013 Funding application is April 15, 2013.**

We will process your application while waiting for the approval of supporting documents such as Certification and Assurances, Authorized Resolution by your Board/Commission.

Please mail completed application to your respective District Transit Representatives (DTR) for review and processing of your application.

I certify that data in this application are true and correct and the person whose signature appears below has been duly authorized by the governing body of the subrecipient to submit this application.

If there have been changes, please complete **ALL PARTS** of the application in our website.

**PART I, SECTION 2  
 CERTIFICATION AND ASSURANCES OF THE REGIONAL TRANSPORTATION  
 PLANNING AGENCY (TPA) OR GOVERNING BOARD**

Name-Regional Agency/TPA: Kern Council of Governments  
 Contact Person: Bob Snoddy Title: Regional Planner III  
 Phone: 661.861.2191 E-Mail: snoddy@kerncog.org  
 Name of Subrecipient: City of Ridgecrest  
 Project Description: FY 2012/2013

**Project Amount and Fund Type**

<i>Regional Apportionment 5311 or JARC</i>	<i>Flexible Fund CMAQ or STP*</i>	<i>Toll Credit**</i>	<i>In-kind Match**</i>
\$108,845.00	\$ %	\$	\$

\* CMAQ projects may be equal up to 100% at the discretion of the Regional Planning Agency Certification per Part II.  
 \*\* Prior approval by Caltrans required

The transportation planning agency/governing board has approved, by resolution, the following:

**State Transportation Improvement Program - Metropolitan Planning Organizations Only**

Document (or Amendment) Number	Document (or Amendment) Year	FHWA/FTA Federally Approved TIP (Date)
3	FY 2012-13	July 2013

**And further certifies:**

1. The subrecipient has, or will have by the time of delivery, sufficient funds to operate the vehicles, or, facility, or equipment purchased under this project, as applicable and has coordinated with other transportation providers and users in the region, including social service agencies.
2. The regional agency/TPA has approved, the programming of funds for this Project and Project has met all Statewide Transportation Improvement Program (STIP) requirements. Some combination of state, local, or private funding sources has been applied at the rate of 44.67% or more to match the federal share of 55.33%.

**Certifying Representative**

Name (Please Print): Ahron Hakimi Title: Executive Director  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PART I, SECTION 2  
 CERTIFICATION AND ASSURANCES OF THE REGIONAL TRANSPORTATION  
 PLANNING AGENCY (TPA) OR GOVERNING BOARD**

Name-Regional Agency/TPA: Kern Council of Governments  
 Contact Person: Bob Snoddy Title: Regional Planner III  
 Phone: 661.861.2191 E-Mail: snoddy@kerncog.org  
 Name of Subrecipient: City of Ridgecrest  
 Project Description: FY 2012/2013

**Project Amount and Fund Type**

<i>Regional Apportionment 5311 or JARC</i>	<i>Flexible Fund CMAQ or STP*</i>	<i>Toll Credit**</i>	<i>In-kind Match**</i>
\$108,845.00	\$ %	\$	\$

\* CMAQ projects may be equal up to 100% at the discretion of the Regional Planning Agency Certification per Part II.  
 \*\* Prior approval by Caltrans required

The transportation planning agency/governing board has approved, by resolution, the following:

**State Transportation Improvement Program - Metropolitan Planning Organizations Only**

Document (or Amendment) Number	Document (or Amendment) Year	FHWA/FTA Federally Approved TIP (Date)
3	FY 2012-13	July 2013

**And further certifies:**

1. The subrecipient has, or will have by the time of delivery, sufficient funds to operate the vehicles, or, facility, or equipment purchased under this project, as applicable and has coordinated with other transportation providers and users in the region, including social service agencies.
2. The regional agency/TPA has approved, the programming of funds for this Project and Project has met all Statewide Transportation Improvement Program (STIP) requirements. Some combination of state, local, or private funding sources has been applied at the rate of 44.67% or more to match the federal share of 55.33%.

**Certifying Representative**

Name (Please Print): Ahron Hakimi Title: Executive Director  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

19. The subrecipient certifies that it will comply with the requirements of 49 CFR parts 663, in the course of purchasing revenue rolling stock. Among other things, the subrecipient will conduct, or cause to be conducted, the prescribed pre-award and post-delivery reviews and will maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

20. The subrecipient certifies that it will submit the "Fiscal Year 2013 FTA Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements" and Appendix A Certifications and Assurances Checklist and Signature Page **when made available by the FTA.**

21. The subrecipient has provided documentation needed by the Department to assure FTA that it has properly and sufficiently delegated and executed authority, by Resolution, to the appropriate individual(s) to take official action on its behalf.

22. The subrecipient, providing complimentary paratransit service, certifies that they have submitted to the Department an initial plan for compliance with the complimentary paratransit service provision by January 26, 1992, as required by 49 CFR Part 37, Section 135[b] and have provided the Department annual updates to its plan on January 26 of each year, as required by 49 CFR Part 37, Section 139[c]. The subrecipient has provided the Department an initial plan signed and dated\_\_\_\_\_.

23. The subrecipient certifies that all direct and indirect costs billed are allowable per Title 2 Code of Federal Regulations, Part 225 (2 CFR 225) (formerly Office of Management and Budget (OMB) Circular A-87), the federal guidelines for allowable costs for subrecipients that are State, Local and Indian Tribal governments or 2 Code of Federal Regulations, Part 230 (2 CFR 230), (formerly, OMB Circular A-122) if the subrecipient is a non-profit organization. With regards to private for-profit organizations 48 CFR Part 3.

24. The subrecipient certifies that all indirect costs billed are supported by an annual indirect cost allocation plan submitted in accordance with 2 CFR 225. The plan or subrecipients' cognizant agency approval of plan was submitted to the Department's Audits and Investigations and approved before subrecipient submits request for reimbursement of any indirect costs. Indirect costs prior to having a plan approved as evidenced by a letter from the Departments' Audits and Investigations is not an allowable expense. If subrecipient does not bill for indirect cost then an indirect cost allocation plan is not required.

25. Before a subrecipient may lease an asset, FTA regulations, "Capital Leases," 49 CFR 639, Subpart C, require a written comparison of the cost of leasing the asset compared with the cost of purchasing or constructing the asset. Costs used in the comparison must be reasonable, based on realistic current market conditions, and based on the expected useful service life of the asset.

26. The subrecipient certifies that they understand that Transit Employee Protection is specified in Title 49 U.S.C. 5333(b). This Title requires that the interests of employees affected by assistance under most FTA programs shall be protected under arrangements the Secretary of Labor concludes are fair and equitable. Title 49 U.S.C. 5311(b) requires that the Department of Labor (DOL) use "a special warranty that provides a fair and equitable arrangements to protect the interests of employees" in order for the 5311(i) requirements to apply to Section 5311.

27. To the best of my knowledge and belief, data in this local application are true and correct, and the person whose signature appears below has been duly authorized by the governing body of the subrecipient for filing of this application.

**Certifying Representative:**

*(Please Print)*

Name: Dennis Speer Title: Interim City Manager

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

“Third Party Contracting Requirements,” and such other implementing requirements as FTA may issue. The subrecipient certifies that it will include in its contracts, financed in whole or in part with FTA assistance, all clauses required by Federal laws, executive orders, or regulations and will ensure that each sub recipient and each contractor will also include in its sub agreements and contracts financed in whole or in part with FTA assistance all applicable contract clauses required by Federal laws, executive orders, or regulations.

11. The subrecipient assures and certifies that **private for-profit transit operators** have been afforded a fair and timely opportunity to participate to the maximum extent feasible in the planning and provision of the proposed transportation services.

12. The subrecipient assures and certifies that the project complies with the **environmental impact** and related procedures of 23 CFR Part 771.

13. The subrecipient certifies that it has established and implemented an **anti-drug and alcohol misuse prevention program** and has conducted employee training complying with the requirements of 49 CFR part 655, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations”.

14. The subrecipient assures and certifies that it requires its subcontractors and sub-recipients to have established and implemented an **anti-drug and alcohol misuse prevention program**, to have conducted employee training complying with the requirements of 49 CFR part 655, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations”.

15. The subrecipient certifies that before expending any Federal assistance to acquire the first bus of any new **bus model or any bus model with a new major change in configuration or components** or before authorizing final acceptance of that bus (as described in 49 CFR part 665), that model of bus will have been tested at a bus testing facility approved by FTA and subrecipient and FTA will have received a copy of the test report prepared on that bus model.

16. The subrecipient certifies that the recipient shall comply with 49 CFR Part 604 in the provision of any **charter service** provided with FTA funded equipment and facilities. The subrecipient certifies that in the provision of any charter service provided, subrecipient and its recipients will provide charter service that uses equipment or facilities acquired with Federal assistance authorized for 49 U.S.C. 5309, or 5311 only to the extent that there are no private charter service operators willing and able to provide those charter services that it or its recipients desire to provide unless one or more of the exceptions in 49 CFR part 604-Subpart B applies. 10. The subrecipient assures and certifies that the revenues generated by its incidental charter bus operations (if any) are, and shall remain, equal to or greater than the cost (including depreciation on Federally assisted equipment) of providing the service. The subrecipient understands that the requirements of 49 CFR part 604 will apply to any charter service provided, the definitions in 49 CFR part 604 apply to this agreement, and any violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

17. As required by 49 U.S.C. 5323 (f) and FTA regulations, “**School Bus Operations**,” at 49 CFR 605.14, the subrecipient agrees that it and all its recipients will: (1) engage in school transportation operations in competition with private school transportation operators only to the extent permitted by an exception provided by 49 U.S.C. 4323 (f) and implementing regulations, and (2) comply with requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance awarded by FTA and authorized by 49 U.S.C. Chapter 53 or Title 23 U.S.C. for transportation projects. The subrecipient understands that the requirements of 49 CFR part 605 will apply to any school transportation it provides, that the definitions of 49 CFR part 605 apply to any school transportation agreement, and a violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

18. The subrecipient assures and certifies that when procuring capital equipment acquired with Federal assistance it will comply with all **Buy America provisions** as pertaining to all 5311 subrecipients, **49 CFR Part 661 and 49 USC 5323(j)(2)(c)**. This policy means that certain steel, iron, and manufactured products used in any capital equipment acquired with Federal assistance must be produced in the United States. Buy America requirements apply to all purchases, including materials and supplies funded as operating costs, if the purchase exceeds the threshold for *small purchases* (currently \$100,000).

**PART I, SECTION 1**  
**FTA SECTION 5311 CONTINUED FUNDING OPERATING ASSISTANCE**  
**PROJECT APPLICATION**

**Section One: Certifications and Assurances:**

1. Pursuant to 49 CFR, Part 21, Title VI of the Civil Rights Act of 1964, the subrecipient assures that no person, on the grounds of race, color, creed, national origin, sex, age, or disability shall be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program or activity funded in whole or in part by Federal Transit Administration (FTA).
2. Pursuant to 49 CFR, Part 21, Title VI of the Civil Rights Act of 1964, the subrecipient assures that it shall not discriminate against any employee or subrecipient for employment because of race, color, religion, sex, national origin, and that it shall take affirmative action to ensure that subrecipients are employed, and that employees are treated during employment, without regard to their race color, religion, sex, or national origin.
3. Pursuant to 49 CFR, Part 27, U.S. DOT Regulations implementing the Rehabilitation Act of 1973, the subrecipient certifies that it will conduct any program or operate any facility that receives or benefits from Federal financial assistance administered by FTA in compliance with all imposed requirements, Nondiscrimination on the basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
4. Pursuant to 49 CFR, Part 26, the subrecipient must prepare and maintain complaint procedures for investigating and tracking Title VI complaints filed against them. Such procedures include record of investigations, complaints, and/or lawsuits, and notice to public about rights containing instructions on how to file a discrimination complaint. Recipients of federal financial assistance are required to take reasonable steps to ensure meaningful access to their programs and activities by **limited English proficient persons**.
5. Pursuant to 49 CFR Part 21, the subrecipient certifies that special efforts are being made to provide the **level and quality of transportation services** that disabled persons, including wheelchair users and semi-ambulatory persons, can use. This transportation shall be reasonable in comparison to the transportation provided to the general public and shall meet a significant fraction of actual transportation needs of such persons within a reasonable time.
6. The subrecipient assures and certifies that it will comply with the Federal statutes, regulations, executive orders and administrative requirements, which relate to applications made to and grants received from FTA. The subrecipient acknowledges receipt and understanding of the list of such statutes, regulations, executive orders and administrative requirements that is provided in FTA Circular 9040.1F.
7. The subrecipient agrees and assures that it will comply with U.S. DOT regulations, “**Participation by Disadvantaged Enterprises in Department of Transportation Financial Assistance Programs,**” 49 CFR part 26. Among other provisions, this regulation requires recipients of DOT Federal financial assistance, namely State and local transportation agencies, to establish goals for the participation of disadvantaged entrepreneurs and certify the eligibility of DBE firms to participate in their DOT-assisted contracts. The recipient agrees and assures that it will comply with 49 CFR 26.49 which requires each transit vehicle manufacturer, as a condition of being authorized to bid or propose a FTA-assisted transit vehicle procurement (new vehicles only), certify that it complied with the requirements of the DBE program.
8. The subrecipient assures and certifies that it will adhere to the **California State DBE Program Plan** as it applies to local agencies. The subrecipient must complete and submit to the Department a DBE implementation Agreement. The subrecipient certifies that it must report twice annually on DBE participation in their contracting opportunities; their award/commitments and actual payments.
9. The subrecipient assures and certifies that its services funded by Section 5311 are, and shall remain, open to the general public.
10. The subrecipient certifies that its **procurements** and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1F,

<b>PART I, SECTION 3 BUDGET SHEET</b>
---

<b>(1) Total DIRECT Operating Expenses (Itemize)</b>		
Salaries & Benefits	\$610,481	
Services, Charges & Insurance	\$177,513	
Materials & Supplies	\$31,300	
Vehicles Fuels & Maintenance	\$72,794	
<b>TOTAL DIRECT OPERATING EXPENSES</b>	<b>\$892,088</b>	
<b>TOTAL INDIRECT EXPENSE (Indirect Rate: %)</b>	<b>\$239,401</b>	
<b>TOTAL DIRECT &amp; INDIRECT EXPENSE</b>	<b>\$1,131,489</b>	<b>(1)</b>
<b>(2) Less Fare box and Other Revenue</b>		
Fare Box	\$28,700	
County Contract	\$170,000	
	\$	
	\$	
<b>TOTAL FAREBOX AND OTHER REVENUE APPLIED AGAINST ELIGIBLE EXPENSES</b>	<b>\$</b>	<b>\$198,700 (2)</b>
<b>(3) Less Ineligible Expenses</b>		
	\$	
	\$	
	\$	
	\$	
<b>TOTAL INELIGIBLE EXPENSES</b>	<b>\$</b>	<b>\$0 (3)</b>
<b>(4) NET PROJECT COST (Line 1 – Line 2 – Line 3)</b>	<b>\$932,789</b>	<b>(4)</b>
<b>(5) Local Share (Itemized by Source Type &amp; Amount)</b>		
Article 4 TDA Funding	\$698,944	
STA Funding	\$125,000	
	\$	
<b>TOTAL LOCAL SHARE</b>	<b>\$</b>	<b>\$823,944 (5)</b>
<b>(6) FEDERAL SHARE *</b>	<b>\$108,845</b>	<b>(6)</b>
*Federal Share Max Allowed 55.33% of Net Project Cost (Item 4):		

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<b>(7) BUDGET SUMMARY: Local Share + Federal Share = Net Project Cost</b>		
LOCAL SHARE:	\$823,944	(5)
FEDERAL SHARE:	+ \$108,845	(6)
<b>NET PROJECT COST:</b>	<b>= \$932,789</b>	<b>(7)</b>



# DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REPORTING REQUIREMENTS

## ACTUAL PAYMENTS (Vendor Payment Record)

All applicants for Federal Transit Administration Federally-funded Caltrans Division of Mass Transportation administered programs under Sections 5310, 5311, 5316 and 5317 must submit ALL DBE contracting opportunities.

A. Subrecipient: City of Ridgecrest

B. DBE Liaison Officer Signature and Phone #: Kurt Wilson (760) 499-5004

C. Date: 4/3/2012

D.  Report due April 15 for the period October 1 to March 31     Report due October 15 for the period April 1 to September 30

E. Identify Grant Program Section (5310, 5311, 5316, 5317)	F. Standard Agreement #	G. Contractor/Subcontractor/Vendor	H. Type of Contract	I. DBE Y/N	J. If yes, Identify Ethnicity & Gender	K. DBE Cert Number <a href="http://www.dot.ca.gov/hq/bep/find_certified.htm">http://www.dot.ca.gov/hq/bep/find_certified.htm</a>	L. Contract/Grant Amount
N/A		There was no reimbursements during timeframe					
			Sub-Total Number of Yes DBE's			Sub-Total Amount of Yes DBE's	
			Sub-Total Number of No DBE's			Sub-Total Amount of No DBE's	\$0.00
			<b>GRAND TOTAL</b>	<b>0</b>		<b>GRAND TOTAL</b>	<b>\$0.00</b>

Ethnicity and Gender Legend:

- 1) Black American    2) Hispanic American
- 3) Native American    4) Subcont. Asian American
- 5) Asian-Pacific American    6) Non-Minority Women

# DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REPORTING REQUIREMENTS

## AWARDS/COMMITMENTS (Vendor Selected)

All applicants for Federal Transit Administration Federally-funded Caltrans Division of Mass Transportation administered programs under Sections 5310, 5311, 5316 and 5317 must submit ALL DBE contracting opportunities.

A. Subrecipient: City of Ridgecrest

B. DBE Liaison Officer Signature and Phone #: **Dennis Speer, Interim City Manager**

C. Date: Oct 3, 2012

D.  Report due April 15 for the period October 1 to March 31     Report due October 15 for the period April 1 to September 30

E. Identify Grant Program Section (5310, 5311, 5316, 5317)	F. Standard Agreement #	G. Contractor/Subcontractor/Vendor	H. Type of Contract	I. DBE Y/N	J. If yes, Identify Ethnicity & Gender	K. DBE Cert Number <a href="http://www.dot.ca.gov/hq/bep/find_certified.htm">http://www.dot.ca.gov/hq/bep/find_certified.htm</a>	L. Contract/Grant Amount
5311	642121	N/A	Operating	No		N/A	\$62,733.00
			<b>Sub-Total Number of Yes DBE's</b>			<b>Sub-Total Amount of Yes DBE's</b>	
			<b>Sub-Total Number of No DBE's</b>	1		<b>Sub-Total Amount of No DBE's</b>	\$62,733.00
			<b>GRAND TOTAL</b>	1		<b>GRAND TOTAL</b>	\$62,733.00

**Ethnicity and Gender Legend:**

- 1) Black American    2) Hispanic American
- 3) Native American    4) Subcont. Asian American
- 5) Asian-Pacific American    6) Non-Minority Women



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**CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY/  
HOUSING AUTHORITY/FINANCING AUTHORITY AGENDA ITEM**

**SUBJECT:** A Resolution of the Ridgecrest City Council approving the second amendment to the Sports Complex at Kern Desert Regional Park lease agreement between the City of Ridgecrest and the County of Kern.

**PRESENTED BY:** Jim Ponek, Director of Parks and Recreation

**SUMMARY:**

Staff is recommending approval of a second amendment agreement to the existing Kern Desert Regional Park lease. The second amendment to the lease changes some of the boundaries of the Jackson Sports Complex. These changes will allow the Maturango Museum and Naval Museum to continue forward with their plans for new development on the site.

There are no costs associated with this amendment to the lease.

City Staff and City Attorney have reviewed this agreement and approve at this time.

**FISCAL IMPACT:**

No cost to the City.

**ACTION REQUESTED:**

Adopt A Resolution approving the second amendment to the Sports Complex at Kern Desert Regional Park lease agreement between the City of Ridgecrest and the County of Kern.

**CITY MANAGER/EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Approve A Resolution Authorizing A Second Amendment To The Sports Complex At Kern Desert Regional Park Lease Agreement Between The City Of Ridgecrest And The County Of Kern

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**RESOLUTION NO 13-**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING THE SECOND AMENDMENT TO THE SPORTS COMPLEX AT KERN DESERT REGIONAL PARK LEASE AGREEMENT BETWEEN THE CITY OF RIDGECREST AND THE COUNTY OF KERN.**

**WHEREAS,** Staff is recommending approval for a second amendment agreement to the existing Jackson Park lease, and

**WHEREAS,** The second amendment to the lease changes of boundaries of the Jackson Sports Complex. These changes will allow the Maturango Museum and Naval Museum to continue forward with their plans for new development on the site, and

**WHEREAS,** There is no cost to the City of Ridgecrest for this second amendment to the current lease for the Jackson Sports Complex at Kern Desert Regional Park, and

**WHEREAS,** Staff and City Attorney have reviewed amendment and approve.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Ridgecrest approves the second amendment to the lease agreement for the Sports Complex at Kern Desert Regional Park.

**APPROVED AND ADOPTED** this 6th day of March 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk

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**SECOND AMENDMENT TO LEASE AGREEMENT FOR  
SPORTS COMPLEX AT KERN DESERT REGIONAL PARK**

(County of Kern – City of Ridgecrest)

THIS SECOND AMENDMENT TO AGREEMENT FOR LEASE (“**Second Amendment**”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ (“**Execution Date**”) by and between the **COUNTY OF KERN**, a political subdivision of the State of California (“**County**”) and the **CITY OF RIDGECREST**, a municipal corporation of the State of California (“**Lessee**”). County and Lessee are referred to individually as a “**Party**” and collectively as the “**Parties.**”

**RECITALS:**

**A.** County and Lessee entered into a lease agreement on March 1, 1988 to allow Lessee to build and operate public recreational facilities on a portion of Kern Desert Regional Park (“**Park**”), Kern County Agreement number 084-88 (“**Agreement**”), which is on file with the County Clerk of the Board.

**B.** The Agreement was amended the first time on February 9, 1993 to increase the leased premises within the Park to allow Lessee to provide additional public recreational facilities, Kern County Agreement number 058-93, (“**First Amendment**”), which is on file with the County Clerk of the Board.

**C.** The China Lake Museum Foundation is developing a new naval museum (“**Naval Museum**”) on Park land adjacent to Lessee’s leased premises. The Naval Museum requires additional Park land to develop a facility that will serve as a display of naval aircraft, armament and technology.

**D.** The Parties now desire to amend the Agreement a second time to reduce the size of the leased premises in an area currently unused by Lessee so that it may be used in the development of the Naval Museum, and to adjust the Premises boundary to include an area containing Lessee improvements that were constructed beyond the Premises boundary.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

**1.** Section 1 **Premises** of the Agreement, as amended by the First Amendment, is hereby amended consistent with the following:

For and in consideration of the terms, covenants, and conditions contained in this Agreement,

County leases to Lessee, and Lessee leases from County, real property situated in the County of Kern, State of California, containing an approximate 36.18-acre portion of Assessor's Parcel Number 396-011-11, and depicted on the maps and legal description attached and incorporated as **Exhibit "A-1"** ("**Premises**"). County grants to Lessee a reasonable right of ingress and egress along all boundaries of the Premises.

2. **Ratification of Agreement**: Except as modified by this Second Amendment, all terms and conditions of the Agreement as amended, shall be in full force and effect. All rights provided to County in this Second Amendment are in addition to those provided in the Agreement, First Amendment, and those provided by law.

3. **Authority to Execute**: Each of the individuals executing this Second Amendment on behalf of the Parties represent and warrant that he or she is duly authorized to execute and deliver this Second Amendment on behalf of Lessee or County, respectively, and that this Second Amendment is binding upon Lessee and County, respectively, in accordance with its terms.

4. **Exhibits**: All exhibits attached to this Second Amendment are incorporated into this Amendment reference.

*Remainder of page intentionally left blank.*

The Parties have executed this Second Amendment on the Execution Date.

**APPROVED AS TO CONTENT:**  
Department of Parks and Recreation

By \_\_\_\_\_  
Director

**COUNTY OF KERN**

By \_\_\_\_\_  
Chairman, Board of Supervisors  
"County"

County Administrative Office

By \_\_\_\_\_  
Assistant County Administrative Officer  
for General Services

**CITY OF RIDGECREST**, a municipal  
corporation of the State of California

By \_\_\_\_\_

Name \_\_\_\_\_

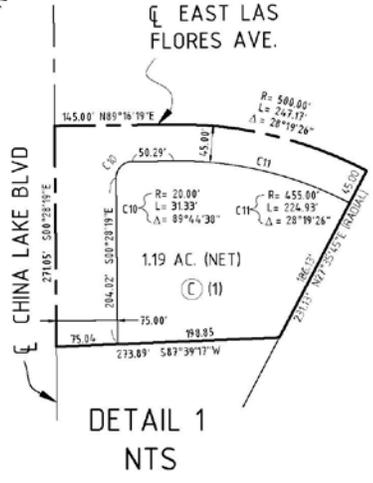
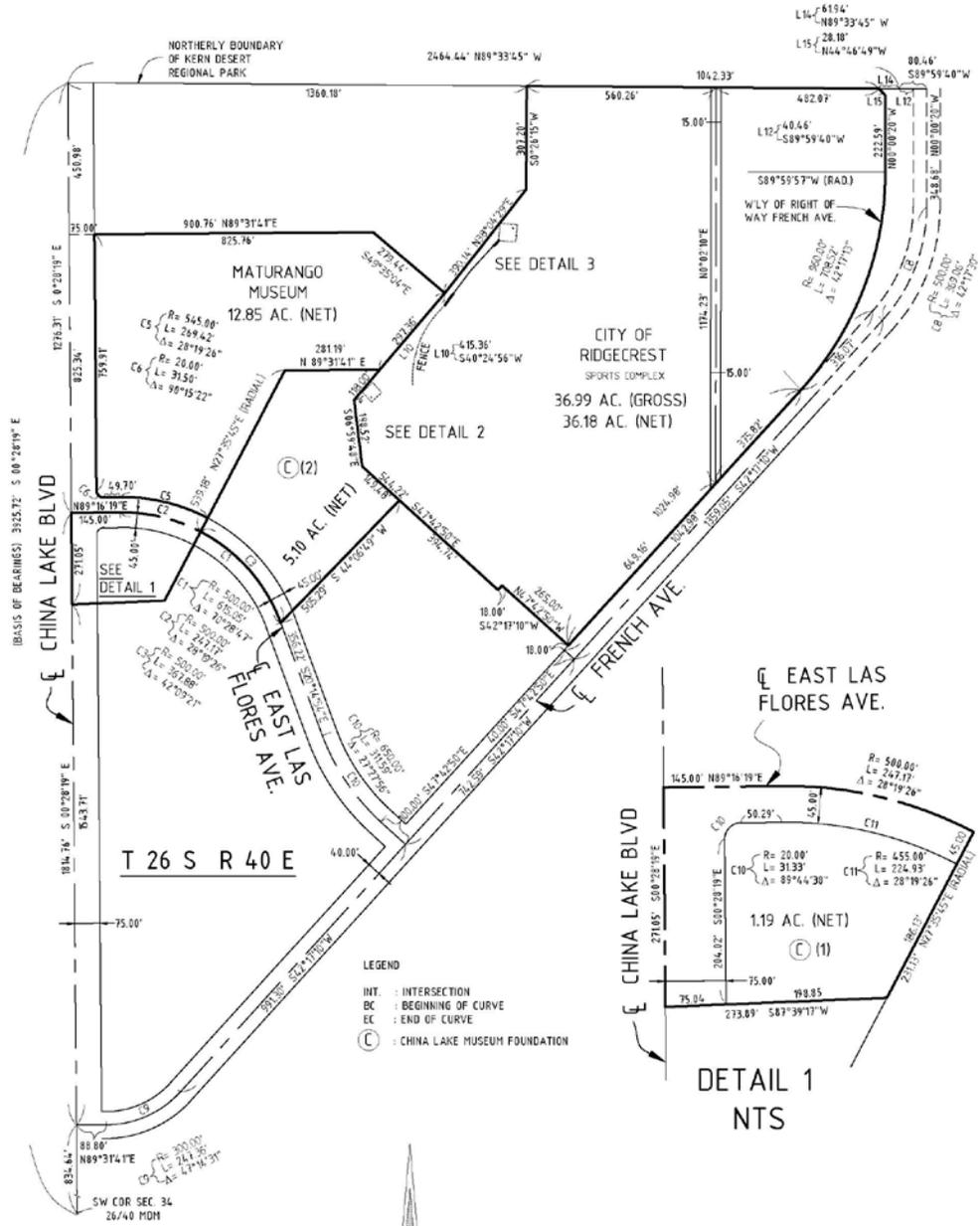
Title \_\_\_\_\_

"Lessee"

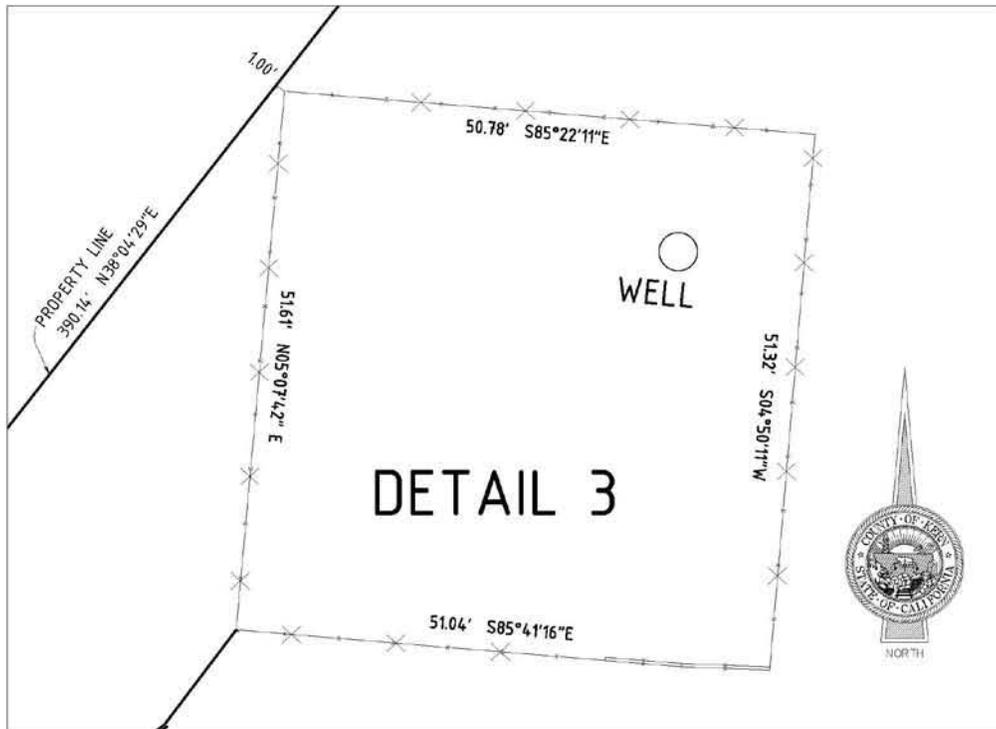
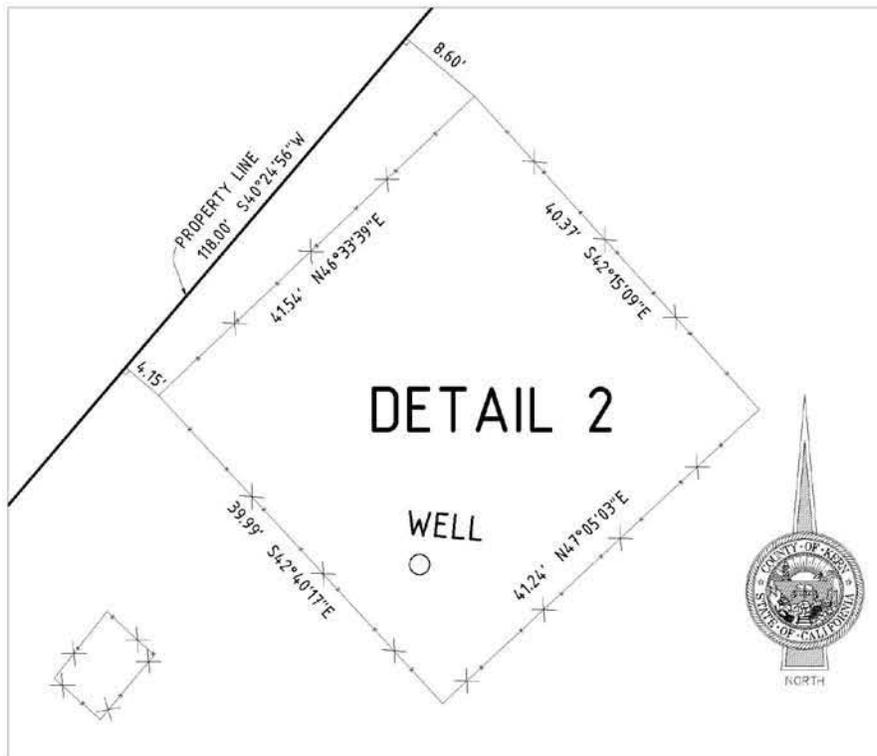
**APPROVED AS TO FORM:**  
Office of County Counsel

By \_\_\_\_\_  
Deputy

# PROPOSED LEROY JACKSON PARK PROPERTIES



DEPT. OF ENGINEERING, SURVEYING & PERMIT SERVICES KERN COUNTY, CALIFORNIA	
<b>PROPOSED LEROY JACKSON PARK PROPERTIES</b>	
Scale: 1" = 300'	Date: JANUARY 2013
Drawn By: ERLYNA BAUMAN	Checked By: _____
<i>Charles Lackey</i> Director	BY: _____ County Surveyor
SHEET 1 OF 2	



DEPT. OF ENGINEERING, SURVEYING & PERMIT SERVICES KERN COUNTY, CALIFORNIA	
PROPOSED LEROY JACKSON PARK PROPERTIES	
Scale: 1" = 10'	Date: JANUARY 2013
Drawn By: ERLYNA BAUMAN	Checked By: _____
<i>Charles Lackey</i> Director	BY: _____ County Surveyor
SHEET 2 OF 2   D:\CHANDLER\VALERIE JACKSON PARK\LEROY JACKSON PARK-11K 03-20-10 2 LAYOUT.dwg	

CITY OF RIDECREST SPORTS COMPLEX

Legal description

All that portion of Section 34, Township 26 South, Range 40 East, MDM, in the County of Kern, State of California, being a parcel of land more particularly described as follows:

Commencing at the Southwest corner of said Section 34,

Thence (1) North 00° 28' 19" West, along the West line of said Section, also being the centerline of China Lake Boulevard (IX-KER-178), a distance of 2649.40 feet to the intersection with the centerline of East Las Flores Avenue;

Thence (2) North 89° 16' 19" East, along said centerline of East Las Flores Avenue, a distance of 145.00 feet to the beginning of a curve, concave southerly, and having a radius of 500.00 feet;

Thence (3) easterly along said curve and centerline, through a central angle of 28° 19' 26", an arc distance of 247.17 feet;

Thence (4) North 27° 35' 45" East, leaving said curve and centerline, along the southeasterly boundary of Maturango Museum and its southerly extension, also being the northwesterly boundary of the China Lake Museum Foundation, a distance of 539.18 feet;

Thence (5) North 89° 31' 41" East, continuing along said Museum and Foundation boundary, a distance of 281.19 feet to the True Point of Beginning;

Thence (6) North 40° 24' 56" East, leaving said Foundation boundary and continuing along said Museum boundary, a distance of 297.36 feet to an angle point;

Thence (7) North 38° 04' 29" East, leaving said Museum boundary, a distance of 390.14 feet to an angle point;

Thence (8) North 00° 26' 15" East, a distance of 307.20 feet to the northerly boundary of Kern Desert Regional Park, as described in Book 4292, Page 224 O. R., also being the southerly right-of-way line of Drummond Avenue;

Thence (9) South 89° 33' 45" East, along said boundary and right-of-way line, a distance of 1042.32 feet to an angle point;

Thence (10) South 44° 46' 49" East, leaving said boundary and right-of-way line and proceeding along the westerly right-of-way line of French Avenue along courses 8, 7 and 6 per "Agreement Granting Easement", recorded in Book 6490, Pages 2344 O. R., a distance of 28.18 feet to an angle point;

Thence (11) South 00° 00' 20" East, along said westerly right-of-way line, a distance of 226.59 feet to the beginning of a non-tangent curve, concave northwesterly, and having a radius of 960.00 feet, to which beginning a radial line bears North 89° 59' 57" East;

Thence (12) southerly along said curve and right-of-way line, through a central angle of 42° 17' 13", an arc distance of 708.52 feet to a point of tangency;

Thence (13) South 42° 17' 10" West, continuing along said right-of-way line, a distance of 1024.98 feet;

Thence (14) North 47° 42' 50" West, leaving said right-of-way line, a distance of 265.00 feet to an angle point;

Thence (15) South 42° 17' 10" West, a distance of 18.00 feet to an angle point;

Thence (16) North 47° 42' 50" West, a distance of 394.74 feet to a point on the boundary of the China Lake Museum Foundation;

Thence (17) North 47° 42' 50" West, continuing along said Foundation boundary, a distance of 149.48 feet to an angle point;

Thence (18) North 06° 59' 48" West, continuing along said boundary, a distance of 198.52 feet to an angle point;

Thence (19) North 40° 24' 56" East, continuing along said boundary, a distance of 118.00 feet to the True Point of Beginning.

Reserving Therefrom, an easement strip 30.00 feet in width, lying 15.00 feet on each side of the following described line: Beginning at a point on said right-of-way line of French Avenue, said point being South 42° 17' 10" West, along said right-of-way line, a distance of 375.82 feet from the beginning of course (13) above; Thence North 00° 02' 10" East a distance of 1174.23 feet to said northerly boundary of Kern Desert Regional Park, as described in Book 4292, Page 224 O. R., also being the southerly right-of-way line of Drummond Avenue, the end of said line.

The sidelines of said easement to be lengthened or shortened to terminate on the south at said right-of-way line of French Avenue, and on the north at said northerly boundary of Kern Desert Regional Park.

Containing 36.18 acres net.

<b>OFFICE OF COUNTY SURVEYOR</b>	
<b>Prepared By:</b> _____	<b>20</b> _____
<b>Compared By:</b> _____	<b>20</b> _____
<b>Approved By:</b> _____	<b>20</b> _____

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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/HOUSING  
AUTHORITY/FINANCING AUTHORITY AGENDA ITEM**

**SUBJECT:**

Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of February 20, 2013

**PRESENTED BY:**

Rachel J. Ford, City Clerk

**SUMMARY:**

Draft Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of February 20, 2013

**FISCAL IMPACT:**

None

Reviewed by Finance Director:

**ACTION REQUESTED:**

Approve minutes

**CITY MANAGER 'S RECOMMENDATION:**

Action as requested: Approve Draft Minutes

Submitted by: Rachel J. Ford  
(Rev. 6-12-09)

Action Date: March 6, 2013

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

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

**February 20, 2013  
5:30 pm**

This meeting was recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council. Meetings are recorded for the purpose of preparation of minutes.

### **CALL TO ORDER – 5:30 p.m.**

### **CALL TO ORDER**

### **ROLL CALL**

Council Present: Mayor Daniel O. Clark; Mayor Pro-Tem Jason Patin; Vice-Mayor Marshall 'Chip' Holloway; Council Members James Sanders and Lori Acton

Staff Present: Interim City Manager Dennis Speer; City Clerk Rachel J. Ford; City Attorney Keith Lemieux and other staff

### **APPROVAL OF AGENDA**

Add a need arose item:

Approve a resolution authorizing letters of opposition to senators and representatives regarding sequestration.

*Motion To Add A Resolution Authorizing Letters Of Opposition To Sequestration And Approve Agenda As Amended Made By Council Member Patin , Second By Council Member Sanders . Motion Carried By Roll Call Vote Of 5 Ayes; 0 Nays; 0 Abstain; 0 Absent*

### **PUBLIC COMMENT – CLOSED SESSION**

- None presented

**MINUTES - CITY COUNCIL - REGULAR**

**February 20, 2013**

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**CLOSED SESSION – 11:30 a.m.**

GC54957 Personnel Matters – Public Employee Performance Evaluation – Interim City Manager

GC54956.9 Conference with Legal Counsel – Potential Litigation – Public Disclosure of Potential Litigant Would Prejudice the City of Ridgecrest.

**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

**CITY ATTORNEY REPORT**

- Closed Session
  - Personnel Matters – no action taken
  - Potential litigation - continued
- Other
  - Measure 'L' committee discussion included 2 resolutions pertaining to procedures and request budget information from City. in agreement with scope of the committees review.

**PUBLIC COMMENT**

Curt Bryan

- Spoke on wastewater fund loan

Dave Matthews

- Announced National Engineer's Week and American Institute of aeronautics 50<sup>th</sup> anniversary dinner.
- Asked Council to review traffic problem at Sierra View and Las Flores avenue during student arrivals and departures from Las Flores Elementary School.

Barbara Auld

- Related similar experiences as Mr. Matthews.

Tom Wiknich

- Requested Council to review revenues and fees during upcoming budget hearings.
- Requested Council review Parks programs including direct and indirect costs.

Jerry Taylor

- Suggested public comment be a part of the mid-year budget review.
- Urged Council to begin setting goals and holding budget discussions.
- Asked Council to use comment time to give staff direction for the budget.

Paul Vanderwerf

- Gave personal analysis and comparison between the trials the Lakers Basketball team has endured and the losses and challenges the City has faced.
- Encouraged transparency with the budget.

Mike Neel

- Read letter to the editor regarding the Civil Suit between City of Ridgecrest and Dale Howard.
- Urged Council to drop Civil Suit against Mr. Howard.

Closed at 7:00pm

*Mayor Clark Introduced the new Director of Finance, Rochelle McQuiston.*

## PRESENTATIONS

1. **Approve A Resolution Authorizing A Proclamation In Honor Of "Motorcycle Awareness Month" And Presenting The Proclamation** Clark

Mayor Clark announced presentation of proclamation in May.

*Motion To Approve Resolution Authorizing Proclamation For Motorcycle Awareness Month Made By Council Member Patin, Second By Council Member Acton. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.*

2. **Employee Of The Month Award** Clark

Dennis Speer spoke of the many ways Loren Culp is involved with City functions and the implementation of the Employee of the Month award.

Council presented a Certificate Of Recognition to City Engineer Loren Culp who was selected by peers as the Employee of the Month for the City of Ridgecrest.

## CONSENT CALENDAR

3. **Approve A Resolution Of The City Of Ridgecrest Successor Redevelopment Agency Approving The Recognized Obligation Payment Schedule 13-14A** Parsons
4. **Approve Draft Minutes Of The Regular Council Meeting Of February 6, 2013** Ford
5. **Added Approve A Resolution Authorizing Council To Sign Letters Of Opposition To California Senators And Representatives Pertaining To Federal Sequestration Threat** Holloway

**MINUTES - CITY COUNCIL - REGULAR**

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Item 3 pulled by Mike Neel

*Motion To Approve Items 4 & 5 Of Consent Calendar Made By Council Member Acton , Second By Council Member Patin . Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; 0 Absent.*

Item 3 discussion

Mike Neel asked about the payment structure and increase to cost.  
Gary Parsons outlined payments and explained increase to cost as interest payment.

*Motion To Approve Item No 3 Made By Council Member Patin, Second By Council Member Acton. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.*

**DISCUSSION AND OTHER ACTION ITEMS**

**6. Appointments to Council Agencies, Boards, and Commissions Ford**

Lori Acton nominated:

- Tammy Miller to Handicap Appeals Board
- Pat Brokke to Personnel Board
- Jerry Taylor to Construction Appeal Board

*Motion To Approve All Nomination Made By Council Member Patin, Second By Council Member Holloway. Motion Carried By Voice Vote Of 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.*

**ORDINANCES**

**7. Approve Ordinance No. 13-01, Second Reading and Adoption, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Municipal Code With Respect To Agencies, Commissions, Boards, and Committees Lemieux**

Keith Lemieux

- Gave staff report, mainly cleanup cutting out references to redevelopment agency, brings consistency with city manager and changes personnel commission appeals being final decision to be consistent with city manager.

Public Comment

- None presented

**MINUTES - CITY COUNCIL - REGULAR**

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(Ordinance – cont.)

*Motion To Waive Reading In Full And To Adopt By Title Only, Ordinance No. 13-01, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Municipal Code With Respect To Agencies, Commissions, Boards, And Committees Made By Council Member Patin, Second Council Member Sanders. Motion Carried By Voice Vote 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.*

*Motion To Adopt, By Title Only, Ordinance No. 13-01, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Municipal Code With Respect To Agencies, Commissions, Boards, And Committees Made By Council Member Holloway, Second By Council Member Sanders. Motion Carried By Roll-Call Vote 5 Ayes; 0 Noes; 0 Abstain; And 0 Absent.*

**COMMITTEE REPORTS**

**City Organization**

Members: Dan Clark, Jim Sanders  
Meeting: 3rd Tuesday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: March 19, 2013

Jim Sanders

- Reviewed budget status discussion.
- Presentation will be posted on website and encouraged Council Members to review.

Jason Patin

- asked about the status of the gas tax fund.
  - Dennis Speer – adjusted budget of December 16 anticipated Measure ‘L’ funding, however adjustments made to preserve Police were reduced by \$500K leaving a deficit in the gas tax fund for streets.

Dan Clark

- Recapped Measure ‘L’ funding received to date from which 97% has been spent on public safety.
- Anticipates another projected receipt this month which will change the numbers.
- Concerned about managing cost and City has suspended all overtime and travel.
- Revenues are decreasing which leads to major concerns within the adjusted budget.
- Real concerns for the current budget and the projected budget for next year.
- Has requested a financial narrative at every Council meeting so we have a better idea of the projections for revenues and pending deficit.

**Community Development Committee**

Members: Jason Patin, Chip Holloway  
Meetings: 1<sup>st</sup> Thursday Of The Month At 5:00 P.M.; Council Conference Room  
Next Meeting: March 7, 2013

Jason Patin

- Announced next meeting

**MINUTES - CITY COUNCIL - REGULAR**

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**Infrastructure Committee**

Members: Dan Clark, Jason Patin

Meeting: 2<sup>nd</sup> Wednesday Of The Month At 5:00 P.M., Council Conference Room

Next Meeting: March 13, 2013

Dan Clark

- Announced next meeting

**Quality Of Life**

Members: Chip Holloway, Lori Acton

Meeting: 2<sup>nd</sup> Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center

Next Meeting: February 27, 2013 (Dark in June, July, December, and January)

Chip Holloway

- Announced next meeting
- mentioned County Parks And Recreation meeting immediately following Quality of Life meeting.

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

Members: Jim Sanders, Jason Patin

Meetings: 2<sup>nd</sup> Monday Of Odd Numbered Months At 4:00 P.M., Kerr-McGee Center

Next Meeting: March 11, 2013

Jason Patin

- Met yesterday and focus of discussion was school violence and drug use
- Reviewed the success of Teen Court, which tries to work with at-risk youth.

**Veterans Advisory Committee**

Members: Jason Patin, Lori Acton

Meetings: Every Monday as needed at 6:00 p.m., Council Conference Room

Next Meeting: February 25, 2013

Lori Acton

- Announced next meeting.

**Ridgecrest Area Convention And Visitors Bureau (RACVB)**

Members: Jason Patin, Chip Holloway

Meetings: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.

Next Meeting: March 6, 2013 at location to be announced

Chip Holloway

- no report

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

Lori Acton

- Attended Jawbone Canyon meeting for Off Highway Vehicles and discussed revenue generation. Goal is to partner with BLM and hold collaborative discussions.

## **CITY MANAGER REPORT**

- No report

## **MAYOR AND COUNCIL COMMENTS**

Lori Acton

- Praised the Interim City Manager and welcomed the new Director of Finance. Council is asking for a lot of information in a short amount of time and thanked both for stepping up.
- Sequestration is looming large, is very scary. Has friends on Navy ships that cannot come home and salaries are being reduced.
- Citizens are stepping up to offer help to Council during the budget hearings. There are a lot of good ideas and out-of-the-box thinking. Encouraged other members of the public to contact Council and offer their assistance.
- Council is working hard to seek out new avenues of revenue.
- Received a call from a citizen who did not leave return contact information. Asked her to call back.

Jim Sanders

- Looking forward to regular budget discussions.
- Facing a tough situation and Federal Government action is needed or things will get worse.
- Military base is large employer and a 20% cut in pay will equate to reduction to local spending.
- Thanked Chip for the letters going to Washington DC opposing the sequestration.
- Need to have discussion of when to hold budget workshops and looking for suggestions from fellow council members.

Chip Holloway

- Asked Mr. Speer about strategic planning session timetable.
  - Dennis Speer responded that the idea was to have a City Manager in place before establishing a strategic plan.
- Asked to hold preliminary discussions to help Council deal with 2013-14 budget.
  - Dennis Speer reviewed the six-step process which includes audits and analysis to show what we are capable of doing rather than just what we want. The budget is a part of a strategic plan. Budget workshops are important to developing the strategic plan. New finance director is in agreement that we provide a complete budget document and once developed it will bring transparency for the Council and public. Would like to give the Director of Finance time to do it right so we do not have to do it over. Director is scheduled for training on our existing system so she can extract the information from the system for the proposals and budget preparation. She has been asked to work with the Assistant Finance Director to come back with cuts for this fiscal year. Would like to allow enough time to learn the existing software and put into a transparent document before holding budget hearings. Finance is currently working on identifying cuts that still need to be made in the FY13 budget. Need to give her enough time to do it right.
- Congratulated Loren Culp and thanked staff for coming up with way to recognize employees. Would like to see a reward program for City employees who identify significant cost savings.
- Sequestration letter, felt hypocritical putting the letter together because as Council we will be required to cut \$227K and already know we will have to cut more. I disagreed with the method of taking all the cuts from the defense department.
- Encouraged public to go to Chamber Of Commerce to sign letters of opposition to sequestration.
- Mentioned Mr. McQuiston and thanked him for his efforts as former supervisor with the undergrounding of digital 395.

Jason Patin

- Disagree with strategic planning session delay; Council needs to keep moving forward. Would like Council to get together to envision where this Council is headed. Suggest moving forward with a discussion to envision where we are headed which may assist staff with putting together their projections for budget. Asked council for input.
  - Jim sanders and Lori Acton concurred.
  - Dennis Speer – Budget strategy discussions. The basis of a discussion in a workshop should include Department Head projections for their departments.

**MINUTES - CITY COUNCIL - REGULAR**

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*(Jason Patin – cont.)*

- Want to discuss goals for the City, which is a strategic plan.
- Sequestration, if it happens, will result in a 20% reduction of pay and means families will stop spending money and reprioritize where they will spend and ultimately equals less tax revenue for the general fund. Letters must be completed by Friday.

Dan Clark

- Congratulated Loren Culp for selection by his peers as Employee Of The Month. Exciting to be able to acknowledge and recognize employees who are doing a good job.
- In 2012 money was shifted from Wastewater Fund to street maintenance due to gas tax shortage. Requested Director Of Finance to red flag action when Council shifts funds temporarily in anticipation of certain revenues, making the action better to track. When we shift the money waiting on revenues and then the revenues do not come in as projected, we get accused of consciously borrowing money which is not the case.
- Asked to go over the budget in detail monthly.
- Looking forward to Economic Development Outlook Conference tomorrow.

**ADJOURNMENT at 7:50pm**

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Rachel J. Ford, CMC  
City Clerk

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**CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY/FINANCING  
AUTHORITY/HOUSING AUTHORITY AGENDA ITEM**

**SUBJECT:** A Public Hearing and Resolution regarding Unmet Transit needs. A Resolution of the Ridgecrest City Council to consider public comments and establish a finding for unmet needs that are reasonable to meet with the public transportation system.

**PRESENTED BY:**

Dennis Speer, Public Works Director

**SUMMARY:**

The Transportation Development Act of 1971 (TDA), as amended provides for the disbursement of funds from the Local Transportation Fund for various eligible transportation uses. The funds are distributed by the Kern Council of Governments (KCOG), in its capacity as the Regional Transportation Planning Agency. An eligible claimant wishing to receive TDA funding through KCOG must conduct an annual review of the transit needs of the individuals and groups in the community. The hearing was duly noticed 30 days prior to this evening. It would be appropriate to open the Public Hearing and receive written and oral comments regarding any "unmet transit needs" and determine whether these needs are "reasonable to meet". The documentation of the Public Hearing will be forwarded to Kern COG.

**FISCAL IMPACT:**

None

Reviewed by Finance Director

**ACTION REQUESTED:**

Open the Public Hearing, consider all public comments, receive and approve a Resolution establishing the unmet and reasonable to meet transit needs

**CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:**

Action as requested: Conduct a Public Hearing to consider public comments pertaining to unmet transportation needs and approve a resolution establishing the unmet and reasonable to meet transit needs

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**RESOLUTION NO. 13-XX**

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL  
ESTABLISHING A FINDING FOR UNMET TRANSIT NEEDS THAT ARE  
REASONABLE TO MEET WITH THE PUBLIC TRANSPORTATION  
SYSTEM**

**WHEREAS**, the City of Ridgecrest receives Transportation Development Act funds for various transportation uses; and

**WHEREAS**, before any allocation of Transportation Development Act funds is made for a purpose not related to public transportation services, a public hearing must be held to determine if there are any "Unmet Needs that are Reasonable to Meet" in the public transportation system; and

**WHEREAS**, a public hearing was advertised and held on March 6, 2013, to receive public comments regarding unmet transit needs that are reasonable to meet; and

**WHEREAS**, the City Council considered all available information, including the information presented at the public hearing on March 6, 2013.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Ridgecrest, does hereby find that there are no unmet transit needs that are reasonable to meet within the City of Ridgecrest.

**ADOPTED, AND APPROVED**, this 6<sup>th</sup> day of March, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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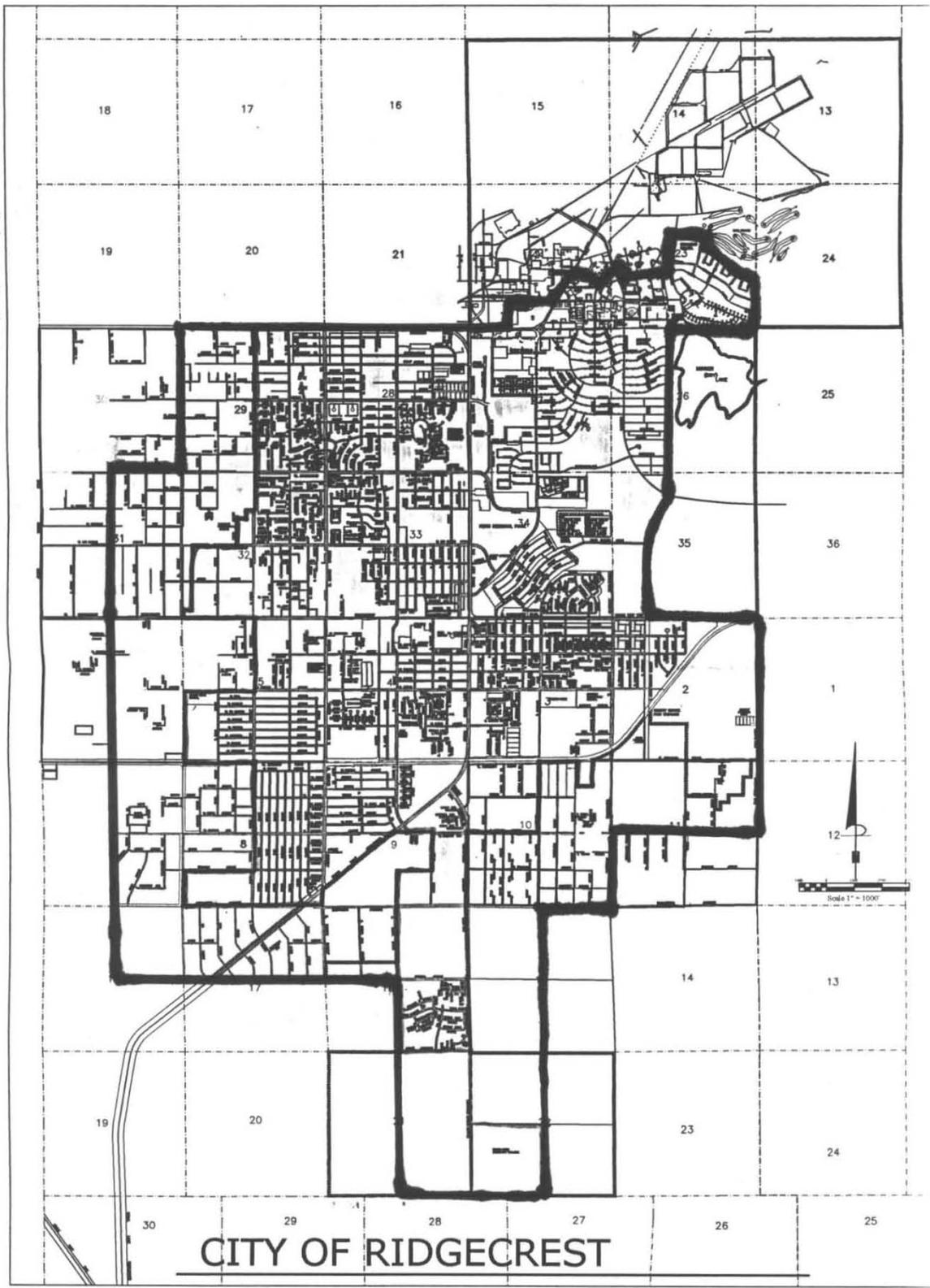
Daniel O. Clark, Mayor

ATTEST:

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Rachel J. Ford, CMC  
City Clerk

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# CITY OF RIDGECREST

**Ridgecrest Transit System (RTS) General Service Area**

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