



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

AGENDA

Wednesday

Regular

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

December 16, 2015

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

(760) 499-5000

**Peggy Breeden, Mayor
James Sanders, Mayor Pro Tempore
Lori Acton, Vice Mayor
Eddie B. Thomas, Council Member
Mike Mower, Council Member**

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LAST ORDINANCE NO. 15-03
LAST RESOLUTION NO. 15-116

AMENDED

CITY OF RIDGECREST

CITY COUNCIL REDEVELOPMENT SUCCESSOR AGENCY HOUSING AUTHORITY FINANCING AUTHORITY

AGENDA

Regular Council

Wednesday December 16, 2015

CITY COUNCIL CHAMBERS CITY HALL

100 West California Avenue
Ridgecrest, CA 93555

Closed Session – 5:00 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

PUBLIC COMMENT – CLOSED SESSION

CLOSED SESSION – 5:00 p.m.

GC54957 Personnel Matter – Public Employee Performance Evaluation – City Manager

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
- Other

PRESENTATIONS

1. Presentation of Life Saving Recognition Awards Strand
2. Presentation On Developer Fees Speer

PUBLIC COMMENT

COUNCIL ANNOUNCEMENTS

CONSENT CALENDAR

3. Adopt A Resolution Authorizing The City Manager To Sign The Notice Of Completion On The Cycle Five Highway Safety Improvement Program (HSIP) Traffic Signal Modification At Seven Intersection Projects, Authorizing The City Clerk To File The Notice Of Completion And Authorizing The Release Of Retention In The Amount Of Seven Thousand Six Hundred Nine Dollars And Thirty-Eight Cents (\$7,609.38), After Recordation Of The Notice Of Completion Speer
4. Adopt A Resolution Accepting The Donation Of R1 Single Family Real Property To The City – Located At 209 S. Gold Canyon Street. Property APN 080-141-03-00-1 Parsons
5. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Meeting Dated December 2, 2015 Ford

DISCUSSION AND OTHER ACTION ITEMS

6. Presentation and Discussion of Quad State Participation Staheli
7. Presentation Of The October Financial Report Staheli

ORDINANCES

8. Second Reading And Adoption Of Ordinance No. 15-04, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities
Strand

OTHER DISCUSSION AND OTHER ACTION ITEMS

9. Discussion Of The Kern County Council Recommendation To Form A Joint Powers Authority For The Purpose Of Establishing The Indian Wells Valley Groundwater Sustainability Agency
Breeden

COMMITTEE REPORTS

(Committee Meeting dates are subject to change and will be announced on the City website)

City Organization and Services Committee

Members: Lori Acton; Mike Mower
Meeting: 4th Wednesday each month at 5:00 p.m. as needed
Location: Council Conference Room B

Infrastructure Committee

Members: Jim Sanders; Mike Mower
Meeting: 3rd Thursday each month at 5:00 p.m. as needed
Location: Council Conference Room B

❖ Ad Hoc Water Conservation Committee

Members: Jim Sanders; Peggy Breeden
Meeting: 3rd Monday each month at 5:00 p.m. as needed
Location: Conference Room B

Parks, Recreation, and Quality of Life Committee

Members: Eddie Thomas; Lori Acton
Meeting: 1st Tuesday each month at 12:00 p.m. as needed
Location: Kerr-McGee Center Meeting Rooms

❖ Ad Hoc Youth Advisory Council

Members: Eddie Thomas
Meeting: 2nd Wednesday of each month, 12:00 p.m. as needed
Location: Kerr-McGee Center Meeting Rooms

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

Members: Eddie Thomas; Lori Acton
Meeting: Quarterly on the 3rd Tuesday of the month at 4:00 p.m. as needed
Location: Kerr McGee Center Meeting Rooms

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Lori Acton and Eddie Thomas
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: To Be Announced

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

SUBJECT:

Presentation Of Life Saving Recognition Awards To Members Of The Ridgecrest Police Department

PRESENTED BY:

Ron Strand – Chief of Police

SUMMARY:

As first responders, there are times when Police Officers are called on to go above the normal routine and aid individuals whose lives would be lost without intervention.

This item is to present Life Saving Recognition Awards to two members of the Ridgecrest Police Department who each saved a life through their quick response and .proper use of the valuable training they receive on the police force.

FISCAL IMPACT:

None

Reviewed by Finance Director

ACTION REQUESTED:

Presentation only

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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

SUBJECT:
Presentation on Development Fees

PRESENTED BY:
Dennis Speer, City Manager

SUMMARY:

The intent of this item is to provide information that will enucleate the collection, distribution, and use of development fees.

Staff will provide an overview of the fees collected by the City from development activities. The types of fees will be identified. The purpose of the fees will be explained. A recent example project will be presented.

FISCAL IMPACT: Undetermined
Reviewed by Finance Director

ACTION REQUESTED:
None

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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

Action Date: December 16, 2015

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

SUBJECT:

A Resolution Authorizing The City Manager To Sign The Notice Of Completion On the Cycle 5 Highway Safety Improvement Program (HSIP) Traffic Signal Modification At Seven Intersection Projects, Authorizing The City Clerk To File The Notice Of Completion And Authorizing The Release Of Retention In The Amount of Seven Thousand Six Hundred Nine Dollars and Thirty-Eight Cents (\$7,609.38), After Recordation Of The Notice Of Completion

PRESENTED BY:

Dennis Speer, Public Works Director

SUMMARY:

The Contractor, Traffic Development Services, has finished the project that consisted of updating traffic signal heads at seven intersections. The intersection locations were: South China Lake Boulevard at College Heights Boulevard, Norma Street at Ward Street, Drummond Avenue at Downs Street, Norma Street at Las Flores Avenue, South China Lake Boulevard at California Avenue, Drummond Avenue at French Avenue, and Norma Street at Drummond Avenue.

With the work being completed and, with the exception of retention in the amount of Seven Thousand Six Hundred Nine Dollars and Thirty-Eight Cents (\$7,609.38), the contractor, Traffic Development Services, has been paid in full.

The construction project was funded by the Highway Safety Improvement Program (HSIP) and the project was completed on July 9, 2015.

The City will authorize release of retention thirty-five days from the filing of the Notice of Completion as long as no claims have been filed against the retained funds and the City of Ridgecrest has accepted all work.

FISCAL IMPACT:\$7,609.38

Reviewed by Finance Director

ACTION REQUESTED:

Adopt A Resolution Authorizing The City Manager To Sign The Notice Of Completion On the Cycle Five Highway Safety Improvement Program (HSIP) Traffic Signal Modification At Seven Intersection Projects, Authorizing The City Clerk To File The Notice Of Completion And Authorizing The Release Of Retention In The Amount of Seven Thousand Six Hundred Nine Dollars and Thirty-Eight Cents (\$7,609.38), After Recordation Of The Notice Of Completion

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

Submitted by: Karen Harker
(Rev. 02/13/12)

Action Date: December 16, 2015

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RESOLUTION NO. 15 -XX

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION ON THE CYCLE FIVE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) TRAFFIC SIGNAL MODIFICATION AT SEVEN INTERSECTION PROJECTS, AUTHORIZING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION AND AUTHORIZING THE RELEASE OF RETENTION IN THE AMOUNT OF SEVEN THOUSAND SIX HUNDRED NINE DOLLARS AND THIRTY-EIGHT CENTS (\$7,609.38), AFTER RECORDATION OF THE NOTICE OF COMPLETION

WHEREAS, The Contractor, Traffic Development Services, has finished the project that consisted of updating traffic signal heads at seven intersections. They intersection locations were: South China Lake Boulevard at College Heights Boulevard, Norma Street at Ward Street, Drummond Avenue at Downs Street, Norma Street at Las Flores Avenue, South China Lake Boulevard at California Avenue, Drummond Avenue at French Avenue, and Norma Street at Drummond Avenue; and

WHEREAS, With the work being completed and with the exception of retention in the amount of Seven Thousand Six Hundred Nine Dollars and Thirty-Eight Cents (\$7,609.38), the contractor, Traffic Development Services, has been paid in full; and

WHEREAS, The construction project was funded by the Highway Safety Improvement Program (HSIP) and the project was completed on July 9, 2015; and

WHEREAS, The City will authorize release of retention thirty-five days from the filing of the Notice of Completion as long as no claims have been filed against the retained funds and the City of Ridgecrest has accepted all work.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Ridgecrest hereby:

1. Authorizes the City Manager to sign the Notice of Completion.
2. Authorizes the City Clerk to file the notice of completion for recordation on the Cycle Five Highway Safety Improvement Program (HSIP) Traffic Signal Modification At Seven Intersection Projects.
3. Authorizes City Staff to release the retained funds in the amount of Seven Thousand Six Hundred Nine Dollars and Thirty-Eight Cents (\$7,609.38) thirty-five (35) days after recordation of the notice of completion providing no claims have been filed against said retained funds.

APPROVED AND ADOPTED this 16th day of December, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST

Peggy Breeden, Mayor

Rachel J. Ford, CMC
City Clerk

Recording Requested By:

CITY OF RIDGECREST

When Recorded Mail to:

City of Ridgecrest
City Clerk
100 West California Avenue
Ridgecrest, CA 93555

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

- 1. The undersigned is **OWNER** or Agent of the **OWNER** of the interest or estate stated below in the property hereinafter described.
- 2. The **FULL NAME** of the **OWNER** is City of Ridgecrest
- 3. The **FULL ADDRESS** of the **OWNER** is 100 West California Avenue, Ridgecrest, CA 93555
- 4. The **NATURE OF THE INTEREST** or **ESTATE** of the undersigned is: In Fee.

(if other than fee, Strike "In Fee" and insert, for example, "Purchaser under contract of purchase," or "Lessee.")

- 5. The **FULL NAMES** and **FULL ADDRESSES** of **ALL PERSONS**, if any, **WHO HOLD SUCH INTEREST** or **ESTATE** with the undersigned as **JOINT TENANTS IN COMMON** are:

Names	Addresses
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- 6. The full names and full addresses of the predecessors in interest of the undersigned if the property was transferred subsequent to the commencement of the work of improvement herein referred to:

Names	Addresses
-------	-----------

- 7. A work of improvement on the property hereinafter described was **COMPLETED** July 9, 2015

- 8. The work of improvement completed is described as follows: Cycle 5 HSIP Traffic Signal Modifications
At 7 Intersections Project, HSIPL – 5385 (051)

- 9. The **NAME OF THE ORIGINAL CONTRACTOR**, if any, for such work of improvement is: Traffic Development Services, Inc.

- 10. The street address of said property is: _____

- 11. The property on which said work of improvement was completed is in the City of Ridgecrest County of Kern, State of California, and is described as follows:

Various Streets

Date

Dennis Speer, City Manager

Verification for **INDIVIDUAL** owner

I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the owner of the aforesaid interest or estate in the property described in the above notice; that I have said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

Date and Place

Signature of Owner named in paragraph 2

Verification for **NON-INDIVIDUAL** owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the **City Manager** of the aforesaid interest or estate in the property described in the above notice; that I have read the said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

Date and Place

Dennis Speer, City Manager

SUBSCRIBED AND SWORN TO before me on _____

Rachel Ford, City Clerk

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Monthly Payment Estimate Summary Payment No. 2 (Retention)

Project Name: Cycle 5 HSIP Traffic Signal Modifications at 7 Intersections Project

Federal Aid Project No.: HSIPL-5385 (051)

Contractor: Traffic Development Services, Inc.

Period: 8/1/2015 to 10/15/2015	Purchase Order No.	7556	
Total Earnings for Work and Materials Installed..... Release of Retainage Net Earnings..... Less: Previous Payments..... Less: Withholdings - Less: Liquidated Damages - Net Payment this Estimate.....	Previous Total	This Invoice (Retention Release)	Total To Date
	\$ 152,187.54	\$ -	\$ 152,187.54
	\$ 7,609.38	\$ 7,609.38	\$ 7,609.38
	\$ 144,578.16	\$ 7,609.38	\$ 152,187.54
			\$ 144,578.16
			\$ 7,609.38
% Time Elapsed - As of: 10/15/2015 = 45%	% Work Completed Based on Cost: 104%		
Contract Completion Data	Contract Budget Data		
Notice to Proceed Date..... 6/29/2015	Original Contract Amount..... \$146,376.00		
Original Contract Completion Time... 7/24/2015	Change Order Amount..... \$ 5,811.54		
Approved Time Extensions..... 0	Total Contract Amount..... \$152,187.54		
Contract Completion Date..... 7/24/2015			
Remaining Contract Time..... 11*			
* Project is substantially complete as of 7/9/15			
Certification by Owner's Representatives	Certification of Contractor		
I certify that I have checked and verified this Progress Payment Application and to the best of my knowledge and belief, it is a true and correct statement of work performed and/or material supplied by the contractor; that all work included in this estimate has been inspected by me or my support staff and that it has been performed and/or supplied in full accordance with requirements of the contract. *PLEASE SIGN ON THE LINE ABOVE YOUR TITLE MIKE BUSTOS 12/7/15 Inspector Date [Signature] 12/7/15 Construction Manager Date City Engineer Date	According to the best of my knowledge and belief, I certify that all items and amounts shown in this progress payment application are correct: all work has been performed and/or material supplied in full accordance with the requirements of the referenced contract, and/or additions; that the foregoing is a true statement of the contract amount up to and including the last day of the period covered in the progress payment application; that no part of the "balance" due this payment has been received. In addition, I certify that this payment complies with State of California prevailing wage requirement provided in the contract. [Signature] 11/18/15 Contractor Date		

Attachments:	Progress Payment Record	RE	INS
	Revised Construction Schedule	RE	FE
	Progress Report (Narrative Summary)	RE	FE

Cycle 5 HSIP Traffic Signal Modifications at 7 Intersections Project HSIPL - 5385 (051)

Owner
City of Ridgecrest 100 W. California Avenue Ridgecrest, CA 93555 Contact: Loren Culp Phone: 760-499-5082 FAX: 760-371-1580

Contractor	Traffic Development Services, Inc.
Name	Lisa Young, Project Manager
Address	207 W. Los Angeles Avenue, Suite 252
City, State, Zip	Moorpark, CA 93021
Phone	805-523-1914
Fax	888-225-0844

Progress Payment #:	2 (Final)
Period Covered	
From:	August 1, 2015
Through:	October 15, 2015

Purchase Order # 007556					
Federal Aid Project No. HSIPL - 5385 (051)					
Item No.	Bid Item	Quantity	Units	Unit Cost	Contract Amount
1	Traffic Signal Modification - China Lake Blvd at College Heights Blvd	1	LS	\$12,528.00	\$12,528.00
2	Traffic Signal Modification - Norma St at Ward Ave	1	LS	\$25,056.00	\$25,056.00
3	Traffic Signal Modification - Drummond Ave at Downs St	1	LS	\$25,056.00	\$25,056.00
4	Traffic Signal Modification - Norma St at Las Flores Ave	1	LS	\$25,056.00	\$25,056.00
5	Traffic Signal Modification - China Lake Blvd at California Ave	1	LS	\$25,056.00	\$25,056.00
6	Traffic Signal Modifications - Drummond Ave at French Ave	1	LS	\$5,568.00	\$5,568.00
7	Traffic Signal Modifications - Norma St at Drummond Ave	1	LS	\$25,056.00	\$25,056.00
8	Traffic Control Plan/Traffic Control/Construction Area Signs	1	LS	\$3,000.00	\$3,000.00
Subtotal:					\$146,376.00

This Period Progress Payment Request		
Quantity	% Comp	Cost
0.00	0%	\$0.00
0.00	0%	\$0.00
0.00	0%	\$0.00
0.00	0%	\$0.00
0.00	0%	\$0.00
0.00	0%	\$0.00
0.00	0%	\$0.00
0.00	0%	\$0.00
Subtotal:		\$0.00

Previous Progress Payments To Date		
Quantity	% Comp	Cost
1.00	0%	\$12,528.00
1.00	0%	\$25,056.00
1.00	0%	\$25,056.00
1.00	0%	\$25,056.00
1.00	0%	\$25,056.00
1.00	0%	\$5,568.00
1.00	0%	\$25,056.00
1.00	0%	\$3,000.00
Subtotal:		\$146,376.00

Total Payments To Date				
Quantity	% Comp	Cost	Retainage	Cost-Ret.
1.00	0%	\$12,528.00	\$626.40	\$11,901.60
1.00	0%	\$25,056.00	\$1,252.80	\$23,803.20
1.00	0%	\$25,056.00	\$1,252.80	\$23,803.20
1.00	0%	\$25,056.00	\$1,252.80	\$23,803.20
1.00	0%	\$25,056.00	\$1,252.80	\$23,803.20
1.00	0%	\$5,568.00	\$278.40	\$5,289.60
1.00	0%	\$25,056.00	\$1,252.80	\$23,803.20
1.00	0%	\$3,000.00	\$150.00	\$2,850.00
Subtotal:		\$146,376.00	\$7,318.80	\$139,057.20

Change Orders

CCO#1	Street Name Sign Brackets	1	LS	\$5,059.17	\$5,059.17
CCO#2	China Lake at College Heights	1	LS	\$752.37	\$752.37
Subtotal:					\$5,811.54

0.00	0%	\$0.00
0.00	0%	\$0.00
Subtotal:		\$0.00

1.00	0%	\$5,059.17
1.00	0%	\$752.37
Subtotal:		\$5,811.54

1.00	0%	\$5,059.17	\$252.96	\$4,806.21
1.00	0%	\$752.37	\$37.62	\$714.75
Subtotal:		\$5,811.54	\$290.58	\$5,520.96

Total Cost:	\$0.00	Total Cost:	\$152,187.54
Retainage Total:	\$0.00	Retainage Total:	\$7,609.38
Cost - Retainage:	\$0.00	Cost - Retainage:	\$144,578.16

Totals:	\$152,187.54	\$7,609.38	\$144,578.16
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**CITY COUNCIL/ SUCCESSOR REDEVELOPMENT SUCCESSOR AGENCY/
FINANCING AUTHORITY/HOUSING AUTHORITY AGENDA ITEM**

SUBJECT:

Approve A Resolution For the Donation of R1 Single family real property To The City – located at 209 S. Gold Canyon street. Property APN 080-141-03-00-1

PRESENTED BY:

Gary Parsons

SUMMARY:

The Resolution authorizes the City Manager to accept the donation of real property and confirm the fair market value of the donation. The property is being offered through a private citizen and is a vacant lot located on Gold Canyon.

The market value of the donations is described in the assessed valuations of the Kern County Assessor records at \$6,000 and is 8,433 Square feet in size.

Pursuant to City of Ridgecrest Resolution 05-53, and Government Code 37354, the “legislative body may accept or reject any gift, bequest, or devise made to or for the city”.

The owner of this lot wishes to donate the vacant property located at 209 S. Gold Canyon street to the city.

This property is in an already developed R1 zone with single family residential housing existing on both sides. Staff would recommend acceptance of this donation conditional on all existing taxes being current.

Staff would also recommend council consider donating this property at a later date to a nonprofit low and moderate housing origination for the development of a new housing unit for a needy family.

FISCAL IMPACT:

Addition of a Real Property Asset in the amount \$6,000.00

Reviewed by Finance Director

ACTION REQUESTED:

Motion to approve attached Resolution authorizing the city manager to accept the donation

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Review and Comment

Submitted by: Gary Parsons

Action Date: 12-16-15

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RESOLUTION NO. 15-XX

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL AUTHORIZING
THE ACCEPTANCE OF REAL PROPERTY**

WHEREAS, an offer of donation for real property was extended to the City of Ridgecrest; and

WHEREAS, Attachment No. "1" describes the vacant property recorded as APN 080-141-03-00-1. Who's address is 209 S. Gold Canyon, Ridgecrest Ca.

NOW, THEREFORE, BE IT RESOLVED that the subject property is hereby accepted by the city council of the city of Ridgecrest and authorizes the city manager to execute all necessary documents to except said donation on behalf of the City of Ridgecrest and the recordation thereof by its duly authorized officer.

APPROVED AND ADOPTED on this 16th day of December, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Peggy Breeden, Mayor

ATTEST:

Rachel J. Ford, CMC

City Clerk

Attachment #1

- Metro Scan/Kern

Attachment #2

- Assessors Map #80-14

Attachment #3

- Google Street view of property

Attachment #4

- Google aerial photo of property

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*-----: MetroScan / Kern -----*
Parcel :080 141 03 00 Land :$6,908
RefPrcl# : Struct :
Owner :Boychenko Mary Cathleen Timber :
CoOwner : Other :
Site :209 S Gold Canyon St Ridgecrest 93555 Total :$6,908
Mail :3490 Greenville Dr Simi Valley Ca 93063 Exempt :
Xfered : Doc # : Type :
Price : Deed : % Imprvd :
Loan Amt : Loan : % Owned :100
VestType : IntTy : Tax Area :010002
Lender : 14-15 Tx :$72.61
Land Use :0020 Vacant,R-2 Zone OwnerPh :
Legal :MAP 1524 BLOCK LOT 87 TenantPh :
: Map Grid :
Census :Tract:54.04 Block:2 S: T: R:
.....
Bedrooms : Stories : Year Built :
Bathrooms : 1st Flr SF : Williamson :
Dining Room : 2nd Flr SF : Lot Acres :.19
Family Room : Addtl SqFt : Lot SqFt :8,433
Total Rooms : BsmTot SF : Lot Dimen :
Heat Type :Central Bldg SqFt : Frame Type :Wood
Air Conditn : Garage SF : Bldg Shape :A
GarageType :

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80-14

TRACT 1524

SCHOOL DIST. 10-2

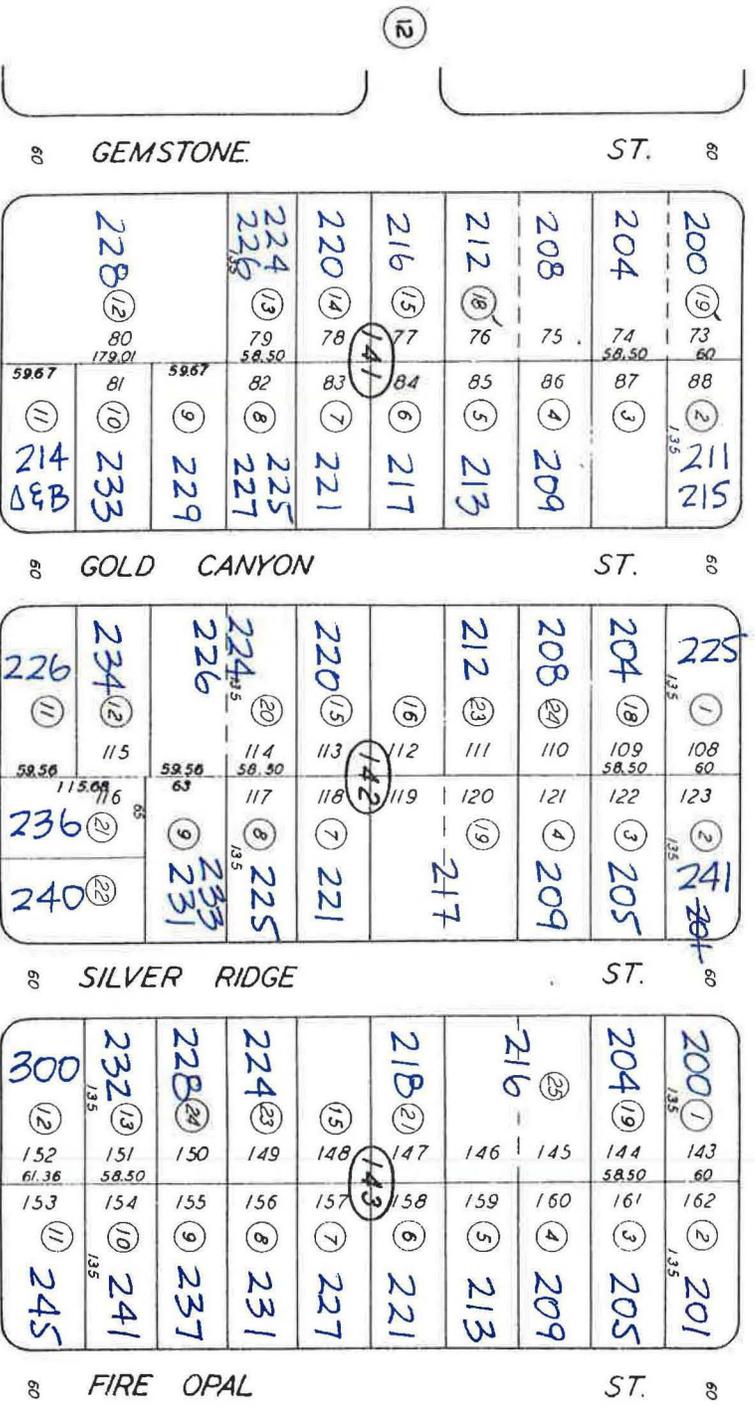
FEB 10 1998

80-14

ATTACHMENT #2

E. CALIFORNIA

AVE.



(01)

(23)

(21)

(17)

Note: This map is for assessment purposes only. It is not to be construed as portaying land ownership or divisions of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO. 80-14
COUNTY OF KERN

Google Maps 207 S Gold Canyon St

Attachment # 3



Image capture: Feb 2008 © 2015 Google

Ridgecrest, California

Street View - Feb 2008

- S China Lake St
- S Silver St
- S Fire Opal St
- S Desert Candice St
- S Ruby Canyon Dr

ATTACHMENT # 4

Google Maps



Imagery ©2015 DigitalGlobe, U.S. Geological Survey, Map data ©2015 Google 50 ft

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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 December 2, 2015

PRESENTED BY:

Rachel J. Ford, City Clerk

SUMMARY:

Draft Minutes of the Regular City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority Meeting of December 2, 2015

FISCAL IMPACT:

None

Reviewed by Finance Director:

ACTION REQUESTED:

Approve minutes

CITY MANAGER 'S RECOMMENDATION:

Action as requested: Approve Draft Minutes

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**MINUTES OF THE REGULAR MEETING OF THE
RIDGECREST CITY SUCCESSOR AGENCY,
FINANCING AUTHORITY, AND HOUSING AUTHORITY**

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

**December 2, 2015
5:00 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 – 5:00 p.m.

ROLL CALL

Council Present: Mayor Peggy Breedon; Vice Mayor Lori Acton; Council Members Eddie B. Thomas, and Mike Mower

Council Absent: Council Members Sanders

Staff Present: City Manager Dennis Speer; City Clerk Rachel J. Ford; City Attorney Michael Silander, and other staff

APPROVAL OF AGENDA

- **Remove Item Nos. 12 and 13**

Motion To Approve Agenda As Amended Made By Council Member Thomas, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breedon, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders).

PUBLIC COMMENT (Closed Session)

- None Presented

CLOSED SESSION

GC54957 Personnel Matter – Public Employee Performance Evaluation – City Manager

GC54956.8 Local Agency Real Property Negotiations – Negotiation For Lease – 131 S. Warner St. – Agency Negotiators Recreation Supervisor Jason Patin And City Manager Dennis Speer

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
 - Real Property Negotiations – discussion which corresponds with item No. 8 on the agenda action will be taken tonight to release the leaser from the agreement.
 - Personnel Matter – no action taken – continued to next closed session
- Other
 - none

PRESENTATIONS

1. Presentation Of Employee Service Awards

Council

- Council presented service awards to employees reaching certain milestones in their service to the City.

2. Presentation Of The Youth Advisory Committee Report

Thomas

- Haley White and Camen McGrew, Members of the Youth Advisory Committee, presented their annual report to the Council
- Reviewed projects the sub-committees have either held or have planned.
- Expressed concern about financing the projects and efforts to receive donations.
- Meetings the 2nd and 4th Wednesday of each month at 12:00 p.m.

Peggy Breeden

- Asked if committee was looking for funding or assistance from the council.
 - Haley – offered invitation for council members to attend the meetings and possibly speak at the meetings. Spoke on a career fair highlighting leaders and business persons in the community.

Lori Acton

- Commends the committee for their fund raising efforts and requested contact information for public who want to participate or donate.
 - Lori Blowers at the police station.

Mike Mower

- Congratulated Camen for making 3 round of tennis competition.

Eddie Thomas

- Questioned the receptiveness of students having council members attend the meeting.
 - Haley – if other members of the community would show the students their interest the students would appreciate seeing this.

Lori Acton

- Asked about the career development program
 - Camen – provided a brief summary of the program and how students participate.
- Questioned if the committee had long-term projects such as a teen center.
 - Haley – teen center would be great but don't know where to start, taking small steps.

Dave Matthews

- Congratulated ladies for the good job. Relayed experience of student government program where students would shadow government officials and employees and suggested committee could do the same.
- Spoke on awards the committee has received in the past and commended the continuation of the committee.

PUBLIC COMMENT (*Regular Session*)

Tom Wiknich

- Would like to know why a council person is absent.
 - Peggy Breeden – Council Member Sanders is not here tonight because his wife is having spinal surgery. There may be other absences and council has volunteered to step in and help cover his duties.

Stan Rajtora

- Would like to see the water/landscaping ordinance be vetted thru committee before coming before Council. Stated there would be better participation from the public at the committee level.
 - Peggy Breeden – was going to ask the same and suggested Ad Hoc Water Committee

Dave Matthews

- Glad to see the water ordinance pulled because it is not understandable yet. Suggested taking to committee first.

Michael Silander

- City Attorney took considerable time going thru the model code which is already in effect. Did not want to add more burdens to the citizens and agree committee would be beneficial.

Mike Mower

- City Organization is dark but Infrastructure is meeting on the 17th of December.
- Received a text from a contractor with concerns about the language
- Suggested infrastructure Committee.
 - Peggy Breeden – would like to attend
 - Michael Silander – so long as the meeting is appropriately noticed per Brown Act, there is no conflict.

Al Huey

- October 21 had quarterly financial report and agreed to have a monthly report. Asked if Council could answer why we have not seen it.
 - Dennis Speer – closing out November and scheduled for the December 16 meeting as a monthly.

COUNCIL ANNOUNCEMENTS

Lori Acton

- December 11 the Governor's Economic Development Meeting (GoBiz) providing information on tax credits. At 8:30
- December 10 at BLM is public land round table discussion for final draft EIR.

Peggy Breeden

- Christmas tree lighting at 6:30 p.m. on the 6th of December. Singing, lighting and is a lot of fun. Kathy and Francie presenting coffee, hot chocolate, and cookies.
- Christmas parade on December 12. Elks group are presenting and can be contacted for more information.

CONSENT CALENDAR

- 3. Adopt A Resolution Authorizing The Award Of A Construction Contract To DBX Inc. For The Construction Of The Traffic Synchronization Project From California Avenue To College Heights Boulevard In The Amount Of \$224,385.00 And For The City Manager, Dennis Speer, To Execute The Contract**
Speer

4. Adopt A Resolution Of The Ridgecrest City Council Accepting Grant Easement For Roadway Purposes From Southern California Edison For APN 508-020-07-00, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Grant Of Easement And The Certificate Of Acceptance Speer
5. Adopt A Resolution Of The Ridgecrest City Council Accepting A Grant Of Easement For Roadway Purposes From Southern California Edison From APN 080-020-67, In The City Of Ridgecrest, County Of Kern, State Of California And Authorizing The Mayor To Sign The Grant Of Easement And The Certificate Of Acceptance Speer
6. Adopt A Resolution Approving Contract Change Order Number Three For The Amount Of Three Thousand Four Hundred Twenty-Two Dollars And Fifty Cents (\$3,422.50) With The Contractor, Griffith Company, For The Richmond Road Project And Authorize The City Manager, Dennis Speer To Sign Change Order Number Three Speer
7. Adopt A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Application For A Financial Assistance Application With The State Water Resources Control Board And Authorizing The City Manager, Dennis Speer, To Sign And File The Application And Have His Designee To Execute All Documents To Obtain Financial Assistance Speer
8. Adopt A Resolution To Approve The Release Of Water Blasters, Inc. From Their Existing Lease Agreement Patin
9. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Meeting Dated November 18, 2015 Ford

Items Removed From Consent Calendar:

- Item Nos. 3, 4, and 8,

Motion To Approve Item Nos.5, 6, 7, And 9 Of Consent Calendar Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)

Item No. 3 Discussion

Dave Matthews

- Asked what the price included

Loren Culp

- Bid amount is for materials and labor complete for synchronization project. Listed the various hardware required.

Dennis Speer

- Bid can be posted on website

Motion To Approve Item No 3 Of Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)

Item No. 4 Discussion

Dave Matthews

- Asked how much property and where is it located

Loren Culp

- Property along the downs substation frontage. Required an additional 25 ft. from substation to complete the full width street improvements.

Bennie Fuller

- Commented on pot holes in the section and asked if the width of the bicycle lane would remain or will it narrow down.

Loren Culp

- Current plans include a bicycle lane consistent.

Motion To Approve Item No 4 Of Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)

Item No. 8 Discussion

Dave Matthews

- Asked why the request to break the lease

Jason Patin

- Becoming a home based business.

Motion To Approve Item No 8 Of Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)

DISCUSSION AND OTHER ACTION ITEMS

10. Presentation And Adopt A Resolution Of The Ridgecrest City Council Accepting For Filing The Other Post-Employment Benefits (OPEB) Actuarial Study As Of June 30, 2015 Prepared By Nyhart Company Staheli

Tyrell Staheli

- Presented Staff Report and introduced Marilyn Jones from Nyhart Company to review the Valuation Report

Marilyn Jones

- Reviewed the Executive Summary of the Valuation Report

Peggy Breeden

- Reviewed the amortized cost per year and asked for clarification.
 - Tyrell Staheli – the \$5 million cost is our current payroll.
- Reconciliation and Market Value of planned assets. Very proud of past council's for implementing the plan to prefund the obligations.
- Reviewed the rate of return and difference shown.
 - Marilyn Jones – reviewed the numbers based on time of year reported.
- Commented on other City's unfunded obligations causing bankruptcy and expressed pride in our City doing it right. Questioned why other cities did not prefund the obligations.
 - Marilyn Jones – pensions are generally funded however medical benefits began small. As costs went up the accounting standards highlighted that the numbers were now bigger. The city by keeping the contribution at a reasonable level then will not have the issues other cities are experiencing. By keeping at the minimum, the retiree still has to come up with the difference and have the option of getting competitive rates elsewhere.

Tom Wiknich

- Questioned the implied and implicit rate subsidy.
 - Marilyn Jones – explained new accounting standards requiring the implied subsidy. Reviewed active and non-Medicare retirees costs associated for them is pooled and rate is then determined based on these numbers. Funding by paying higher active employee costs. Example difference for premiums between active employees versus Medicare eligible retiree. If the City was to leave CalPERS or the employee elects other coverage then may not have the obligation.

Peggy Breeden

- Commented on the Social Security system where people have paid now for those who have not paid.
 - Marilyn Jones – active versus retiree means if you didn't have active employees you would have a higher cost.

Motion To Accept For Filing The OPEB Actuarial Study Of June 30, 2015 Made By Council Member Acton, Second By Council Member Mower. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)

11. Discussion of Transient Occupancy Tax (TOT) Audit Options, Review, And Proposal **Staheli**

Tyrell Staheli

- Presented Staff Report
- Reviewed work on procedure manual outlining in-house auditing.
- Reviewed contract audit cost and time constraints.
- Recommendation is to implement in-house audit procedure. Cost would be for staff time.
- Requested Council direction of either an RFP for contract audit or continue developing in-house procedure.

Peggy Breeden

- Requested this item and offered option of subscribing to Smith Travel Research for \$3000 per year. 3rd week of each month report is given to subscribers, which includes sales tax and TOT numbers. For the cost, it is a good option which might give us an opportunity to see discrepancies.
- Spoke on routine of driving around to see how busy motels are weekly.
- Many hotels in the community use this service to see what competition is reporting. Think it is important we look at this information.
- Members of the public have questioned the numbers being reported.
- If the company reports rentals of 10 rooms to this company and only 2 rentals to the City then we have a problem.

Tyrell Staheli

- That report could be used as indicator of which hotels need to be reviewed.

Dennis Speer

- The RFP process could not sole source as there are other companies which provide the service.

Peggy Breeden

- Is interested in the hotel sales tax data along with TOT.

Eddie Thomas

- Asked about repercussions for improper reporting.
 - Tyrell Staheli – there are penalties the City could pursue thru Code Enforcement

Lori Acton

- Clarified the subscription cost.

Peggy Breeden

- The report has 13 hotels reporting minus the Rose Garden Inn and Desert Inn which rent for more than 30 days.

Mike Mower

- Commented on staff being generous with a 30 day notice.
- Questioned the 2 week time frame
 - Tyrell – staff time would not be focused 100% on the audit. They have other responsibilities
- Asked about hotel paying impact fees on time payments.
- No problem with looking at the report.

Public Comment

- No members of the public presented comments.

Tyrell Staheli

- Clarified direction to proceed with in-house audit procedures and look at subscribing to the report.

12. Review And Discussion Of The Special Consultant Agreement Between City Of Ridgecrest And Justin O’Neill Breeden

- *Item Removed Prior to Agenda Approval*

13. Discussion Of Revised Water Conservation And Landscaping Ordinance Amendment Lemieux

- *Item Removed Prior to Agenda Approval*

ORDINANCES

14. Introduction And First Reading, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities Strand

Ron Strand

- Presented Staff Report
- City currently prohibits dispensaries and delivery services and this ordinance would prohibit commercial cultivation facilities.

Peggy Breeden

- Truly do not want to see these types of businesses in Ridgecrest; however I received a call from a citizen who uses the product due to Glaucoma and it is a benefit to cancer patients. We all tend to snicker when we hear medical marijuana because we assume too much. Want to ensure we are still going to accommodate those who truly use this for medical purposes and can we change this at a later date.
 - Ron Strand – explained the current process. If we don't take action then lose our local control and the State will take over. We want to protect our interest in maintaining local control. Explained the licensing requirements. This will not stop someone with medical marijuana in their home as currently allowed by law.

Lori Acton

- Currently do not allow within City limits, if the state does legalize for recreational use, at this point we could change our laws and benefit from the tax of sales.
 - Ron Strand – would still be able to prohibit sale or could later change based on state law. This would limit commercial grower's ability to lease a building in town and begin growing.
- Want to make sure we have the protection and control.

Public Comment

Bennie Fuller

- Commented on legalization polls over the past few years showing an increase in public support of 22%. Ridgecrest is on the less financially endowed side, might benefit by having the facilities in place and take advantage of the tax rates. Could set a high tax rate and if people are going to buy then encourage they buy here.
- Put this in place might limit our ability to act quickly to allow it.

Ron Strand

- Commented on federal facility and employees being terminated from their jobs.

Bennie Fuller

- Roughly 2/3rd of the citizens are not subject to the base restrictions. Do not want it to be a free-for-all, but encouraged City set up a system where commercial growers would have to go thru the City and try to maximize what we can get in fees and tax to improve roads and parks. This would be great tax revenue.

Peggy Breeden

- That is an option we can look at and would be able to move quickly. That is not the option tonight and if we don't pass this soon we lose our control to the State.

Bennie Fuller

- Questioned option of allowing some wiggle room down the road and suggested making it difficult to begin cultivating but still be possible.

Peggy Breeden

- Tonight is approval or disapprove. Could look at changing it later.

Bennie Fuller

- Suggested we maintain our ability to control without express prohibition.

Tom Wiknich

- Commented on the format of the ordinance and the absence of penalty clause.
 - Ron Strand – this only amends our current ordinance and are only the parts which are changing.
- a. *Motion To Waive Reading In Full Of An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities Made By Council Member Mower, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)*
- b. *Motion To Introduce, By Title Only, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Members Sanders)*

COMMITTEE REPORTS

(Committee Meeting dates are subject to change and will be announced on the City website)

City Organization and Services Committee

Members: Lori Acton; Mike Mower
Meeting: 4th Wednesday each month at 5:00 p.m. as needed
Location: Council Conference Room B

- No report

Infrastructure Committee

Members: Jim Sanders; Mike Mower
Meeting: 3rd Thursday each month at 5:00 p.m. as needed
Location: Council Conference Room B

Mike Mower

- Ridgecrest Blvd. bulb outs discussed with respect to wheelchair access
- Senior center bus access update. Need to modify access route.
- Murray School traffic circulation. Looking at mitigation measures.
- Downs Street widening projects with respect to underground utilities versus poles and financing.
- Wastewater Treatment Facility. Recommend Council Members go tour the facility to see the current condition.

Lori Acton

- SCE has some undergrounding completed, just need to pull the wires.

Tom Wiknich

- Questioned the tertiary alternate of the facility and whether the cost includes injection back into the ground
 - Dennis Speer - no

❖ **Ad Hoc Water Conservation Committee**

Members: Jim Sanders; Peggy Breeden
Meeting: 1st Monday each month at 5:00 p.m. as needed
Location: Conference Room B

- No report

Parks, Recreation, and Quality of Life Committee

Members: Eddie Thomas; Lori Acton
Meeting: 1st Tuesday each month at 12:00 p.m. as needed
Location: Kerr-McGee Center Meeting Rooms

- No report

❖ **Ad Hoc Youth Advisory Council**

Members: Eddie Thomas
Meeting: 2nd Wednesday of each month, 12:00 p.m. as needed
Location: Kerr-McGee Center Meeting Rooms

Eddie Thomas

- Thanked Justin O’Neill and Jason Patin for their work with the Youth
- Requested a building for the Youth to meet.
- Received report during presentation.

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

Members: Eddie Thomas; Lori Acton
Meeting: 3rd Tuesday every other month at 4:00 p.m. as needed
Location: Kerr McGee Center Meeting Rooms

- No Report

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Lori Acton and Eddie Thomas
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: To Be Announced

Lori Acton

- Read Directors report (*Attachment A*)

Peggy Breeden

- Commented on the sign and expressed her dissatisfaction with the sign. Encouraged public to give responses to the RACVB

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Dave Matthews

- Announced NARFE meeting next Wednesday at Kerr McGee Center at 1:30 p.m. Robert Mullvolac will be speaker.

Peggy Breeden

- Kern COG Meeting last Wednesday. Information provided to members for funding opportunities.

Dennis Speer

- No meeting today.

CITY MANAGER REPORT

Dennis Speer

- A lot of things we are working on but not ready for report

MAYOR AND COUNCIL COMMENTS

Mike Mower

- No comments

Eddie Thomas

- Public want Council and City Manager to know they are pleased with the xeriscaping being performed in front of the County buildings.

Lori Acton

- Reminder that Santa's Art Shop is this weekend

Peggy Breeden

- Municipal code discussion as it relates to the operation of the City and what can and cannot be adjusted in it
- Walmart funding, where is the money going.
- Potential taxation item for library coming to the ballot and we will have to come back with Measure 'L'.
- Want to start the budget process early. Asked about the mid-year budget review.
- Want to see the impact without Measure 'L'
- Asked about decorations on Balsam Street lights. Old Town Business District used to do this under the Chamber and is no group to take the responsibility now.
- Asked about Sales Tax report being included with TAB funding report. How does Council receive the report? Would like to see this as often as possible.
 - Dennis Speer – could be broken down monthly but only Quarterlies will provide actuals.
- Appreciate everyone and encouraged public to spend dollars locally.

ADJOURNMENT at 7:55 p.m.

Rachel J. Ford, CMC
City Clerk

Monthly Director's Report for RACVB

For October & November 2015

Held at Kerr McGee Center

December 2, 2015

- ❖ Doug included in Directors folders two magazines, 1st "National Park Journal Yosemite", in which Ridgecrest was featured in 3 ads. 2nd "The Sun Runner" September/October issue, which had 2 ads featuring Ridgecrest and 10 articles on Ridgecrest and 2nd Annual Petroglyph Festival.
- ❖ Directors received copy of "Ridgecrest Public Petroglyph Box Paintings". Describes "art-making process for each petroglyph panel in this public art series" of "Box Paintings 1 through 5 of 10". Example: **Title:** Coso Family Welcome" **Location:** South China Lake Blvd. & College Heights Blvd. **Viewpoint/description:** "Depiction of a Coso Neolithic stone age family of father, mother & child".
- ❖ Doug advised Directors that the RACVB will undergo a "re-designing" of its office space, by a Ridgecrest couple, who are contractors. The new set-up for office space will include a "Retail Store" space for purchase of gifts and "backroom" storage re-design.
- ❖ Doug also advised Directors that RACVB will have a Cal State University Fullerton student begin an academic internship starting in February 2016 for 120 hours. Doug and his team are excited to welcome the student who has "community event planning" experience.
- ❖ October 23 – 25, 2015 – Desert Empire Fair was held and RACVB had a booth. Doug and RACVB team, along with volunteers, helped with time in the booth promoting Petroglyph Festival.
- ❖ October 26, 2015 – "Kern Council of Governments" better known as "Kern County Association of Cities", gave a presentation on upcoming 2nd Annual Petroglyph Festival to city members. Some attendees included, California City, McFarland, Tehachapi and Ridgecrest, of course.
- ❖ January 27, 2016 – Kern County will have its "State of the County Dinner" with Mick Gleason as the "Chairperson" as well as "Guest Speaker".
- ❖ April 2016 – "Kern County 150th Birthday Bash". RACVB will be a participant in the celebration. Doug and RACVB team will attend celebration meeting Luncheon, December' 14, 2015.
- ❖ Doug Lueck informed Directors that Russo Construction will begin "NEW" Highway 395 Sign construction, in early January 2016,

FILMING: Ridgecrest Regional Film Commission

For the month of **October**, there were a total of **4** productions and for **November**, there was also a total of **4** productions for the Ridgecrest Film Commission.

At **Inyokern Airport**, there was **2** productions for **October** and **0** for **November** filming production.

Total for October & November 2015: \$ 310,000.00

Next Board of Director's meeting will be Wednesday, **January 6, 2016**, location will be Kerr McGee Center.

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

SUBJECT:

Presentation and Discussion of City of Ridgecrest continued participation in the Quad State Local Government Authority.

PRESENTED BY:

Tyrell Staheli – Director of Finance

SUMMARY:

The Quad State Local Governments Authority is a Joint Exercise of Powers Authority established between seven counties in four Western states. Its member counties are Mohave County, Arizona; California's Imperial, Kern and San Bernardino Counties; Lincoln and Nye Counties, Nevada; and Washington County, Utah. The Authority's Board of Directors, which meets quarterly, is comprised of elected officials representing each of the member counties.

The Authority was organized to provide a multi-county voice on federal natural resource management and public lands issues primarily in the Mojave Desert region. The Authority advances its policy priorities through legislative and regulatory advocacy and analysis, input regarding land use plans and decisions, and legal action.

The Authority is interested in resource management and balanced multiple use of public lands and public land resources. The Authority also represents the appropriate integrated consideration of private land values by the Federal and State agencies. The Authority seeks implementation of rational resource management strategies that provide for balancing the needs of natural resources with the interests and needs of residents and constituents. It also recognizes and advocates the interests of local government as a partner in providing services and infrastructure to the region. It fully supports science-based resource management and conservation. The Authority supports constructive dialogue among the Federal and State land and wildlife management agencies to ensure sensitivity to regulatory impacts upon local government.

In addition to the basic representation of the Authority on regional issues, the Authority's staff also represents the three counties bordering the Lower Colorado River, under the Authority's name, on the Steering Committee for implementing the Lower Colorado River Multi-Species Conservation Plan.

City of Ridgecrest has been an Associate Member of Quad State Local Government Authority for several years with Steven Morgan representing the agency at board meetings. At this time, Jim Sanders has been appointed to the committee but scheduling conflicts have prevented active participation. This item is brought before Council to review the benefits and accomplishments realized by the organization and to consider whether this agency will continue to be an active participant in the Quad State Local Government Authority. Gerald Hillier, Executive Director of Quad State Local Government Authority will be present to provide information and respond to questions.

FISCAL IMPACT:

Annual Associate Membership fee of \$1,000.00 plus an undetermined cost for travel of the appointed representative.

Reviewed by Finance Director

ACTION REQUESTED:

Discussion and minute motion for participation.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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

SUBJECT:
OCTOBER FINANCIAL REPORT

PRESENTED BY:

Tyrell Staheli, Finance Director

BACKGROUND:

Staff will present an overview of the October fiscal-year-to-date financials.

This is an informational item only

FISCAL IMPACT: 0

Reviewed by Finance Director

ACTION REQUESTED:

N/A

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

Submitted by: Tyrell Staheli Finance Director

Action Date: 12/16/2015

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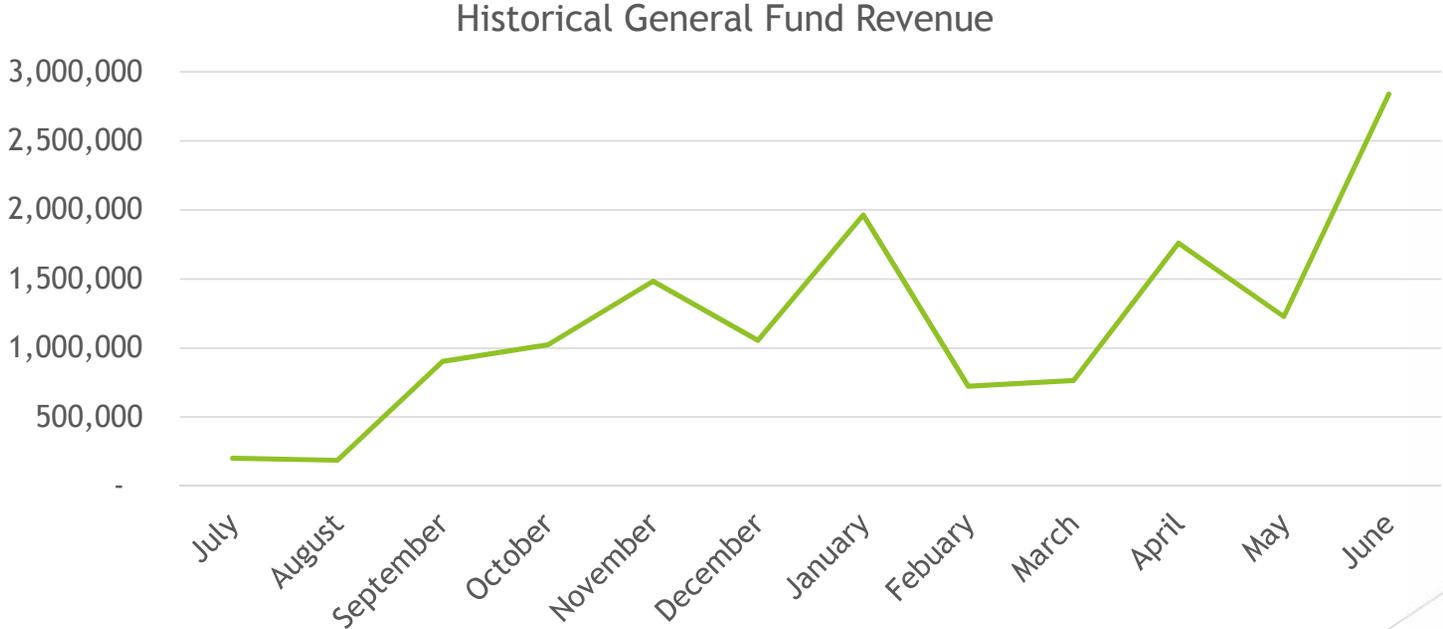
October Budget Review

City of Ridgecrest

Summary

- ▶ FY 2015-2016 General Fund YTD Revenue
- ▶ FY 2015-2016 General Fund YTD Department Budgets
- ▶ FY 2015-2016 Other Funds

General Fund Revenue

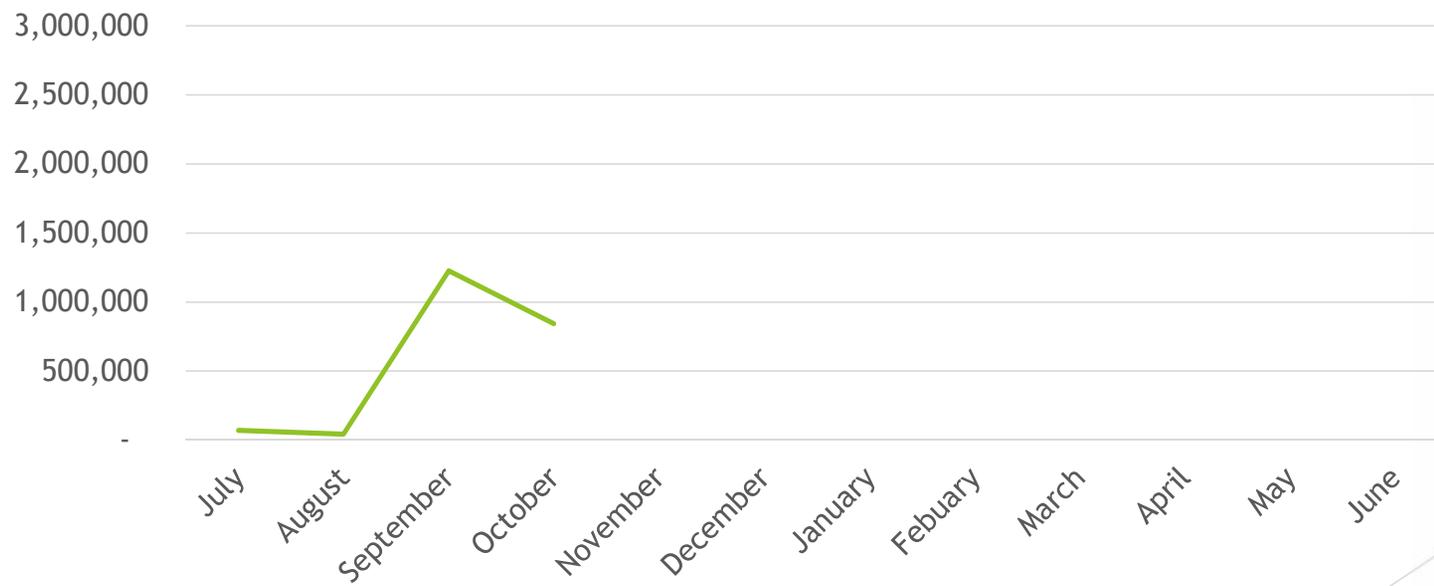


Year-to-Date Revenue

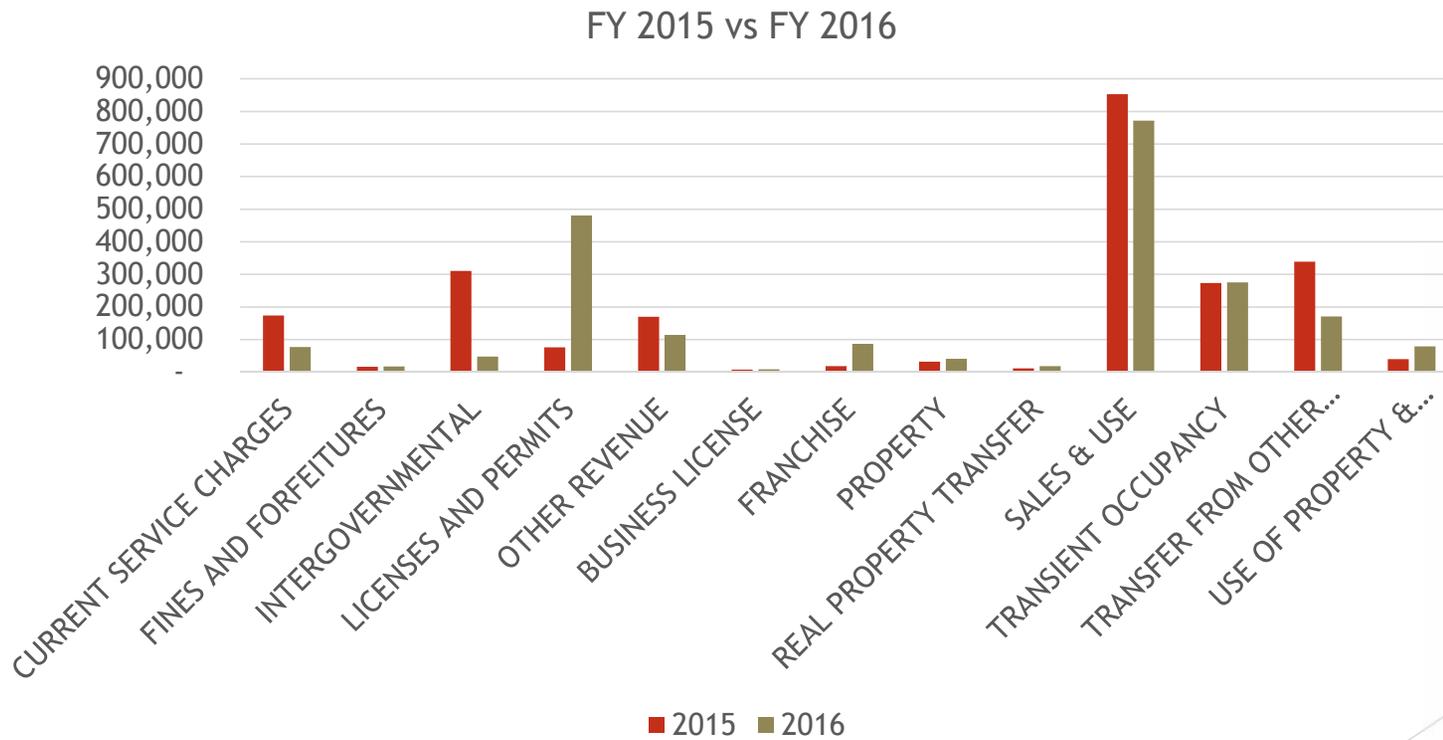
Revenue Type	FY 2014-2015			FY 2015-2016		
	Budget	Actual	%	Budget	Actual	%
CURRENT SERVICE CHARGES	514,381	173,096	34%	443,930	76,829	17%
FINES AND FORFEITURES	66,300	15,819	24%	59,300	16,398	28%
INTERGOVERNMENTAL	807,217	309,778	38%	556,091	47,147	8%
LICENSES AND PERMITS	168,300	75,373	45%	759,803	480,361	63%
OTHER REVENUE	247,900	169,036	68%	298,200	113,429	38%
BUSINESS LICENSE	136,000	7,070	5%	160,000	7,703	5%
FRANCHISE	704,692	17,662	3%	689,500	86,225	13%
PROPERTY	2,146,692	31,229	1%	1,562,000	40,283	3%
REAL PROPERTY TRANSFER	40,865	10,643	26%	47,000	18,061	38%
SALES & USE	5,769,782	852,363	15%	5,775,000	771,564	13%
TRANSIENT OCCUPANCY	1,140,000	272,662	24%	1,280,000	274,738	21%
TRANSFER FROM OTHER FUNDS	2,116,543	338,528	16%	1,838,500	170,389	9%
USE OF PROPERTY & MONEY	203,030	39,713	20%	314,046	78,380	25%
	14,061,702	2,312,972	16%	13,783,370	2,181,507	16%

General Fund Revenue

2016 General Fund Revenue

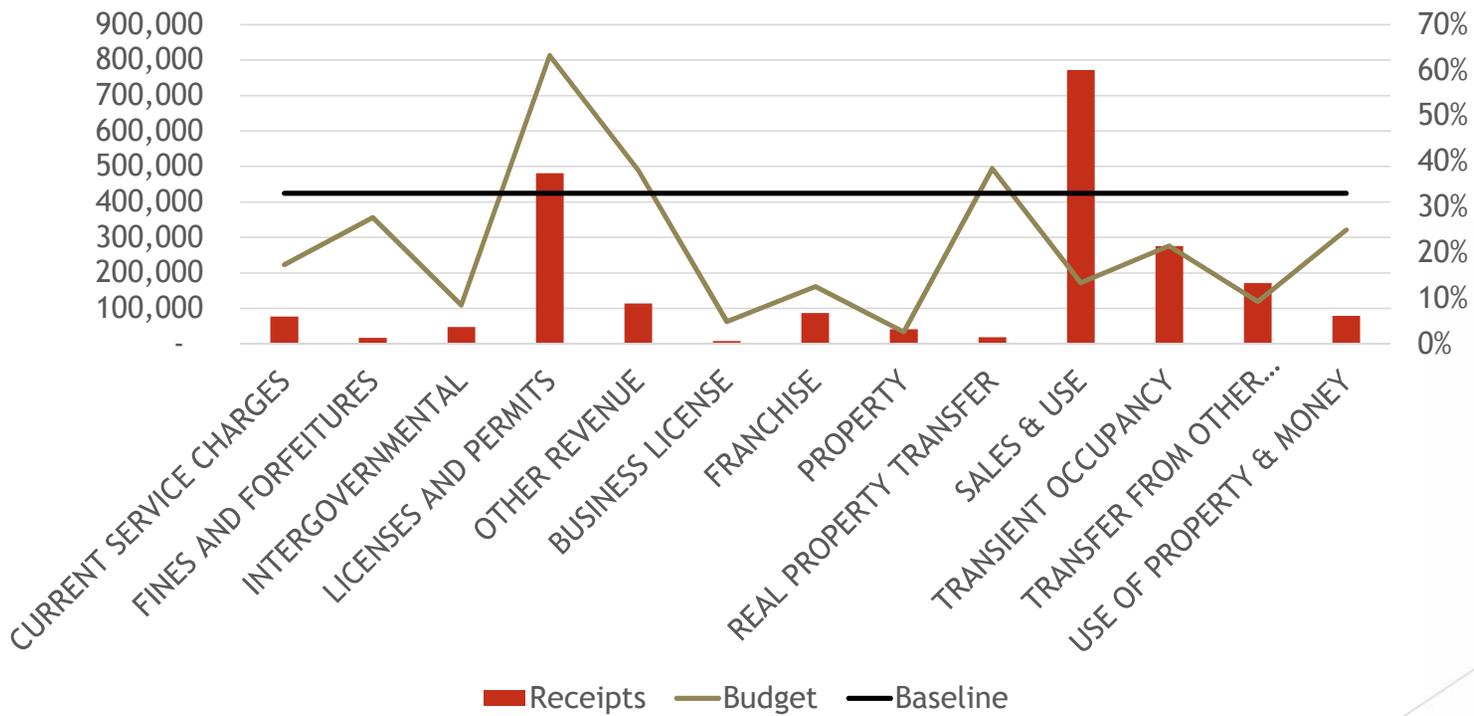


Year-to-Date Revenue



Year-to-Date Revenue

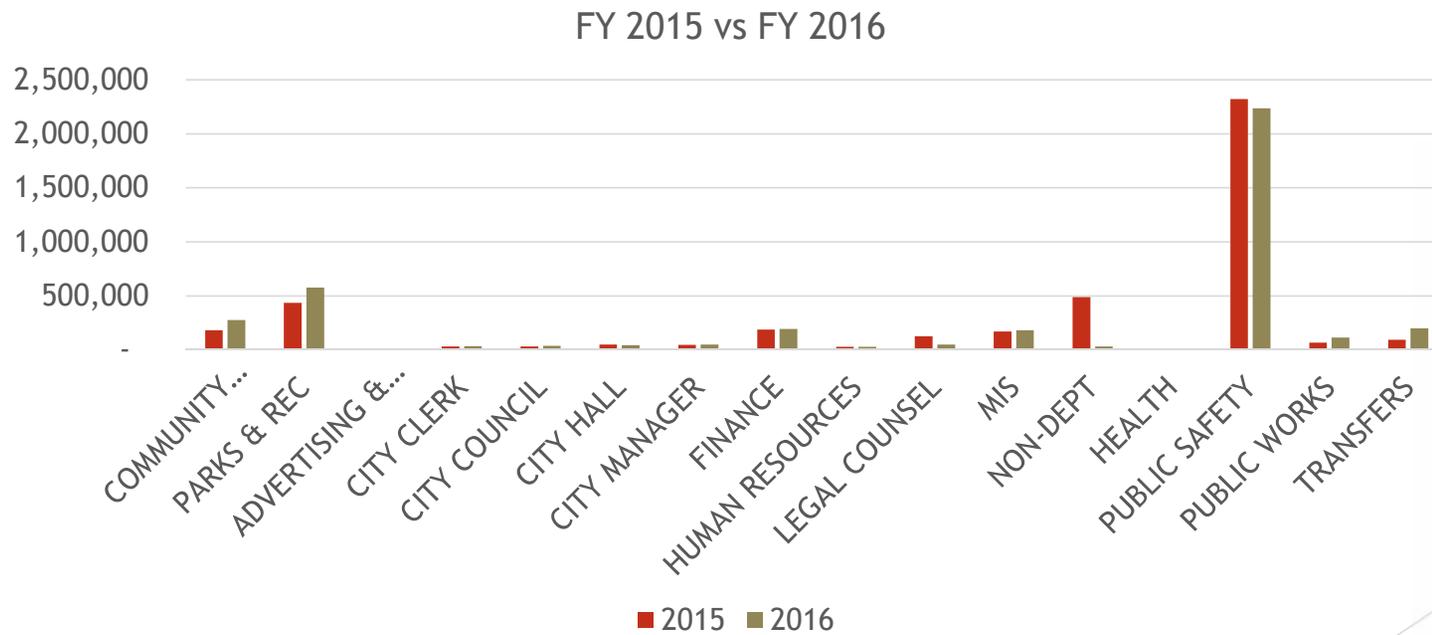
FY 2016 Revenue



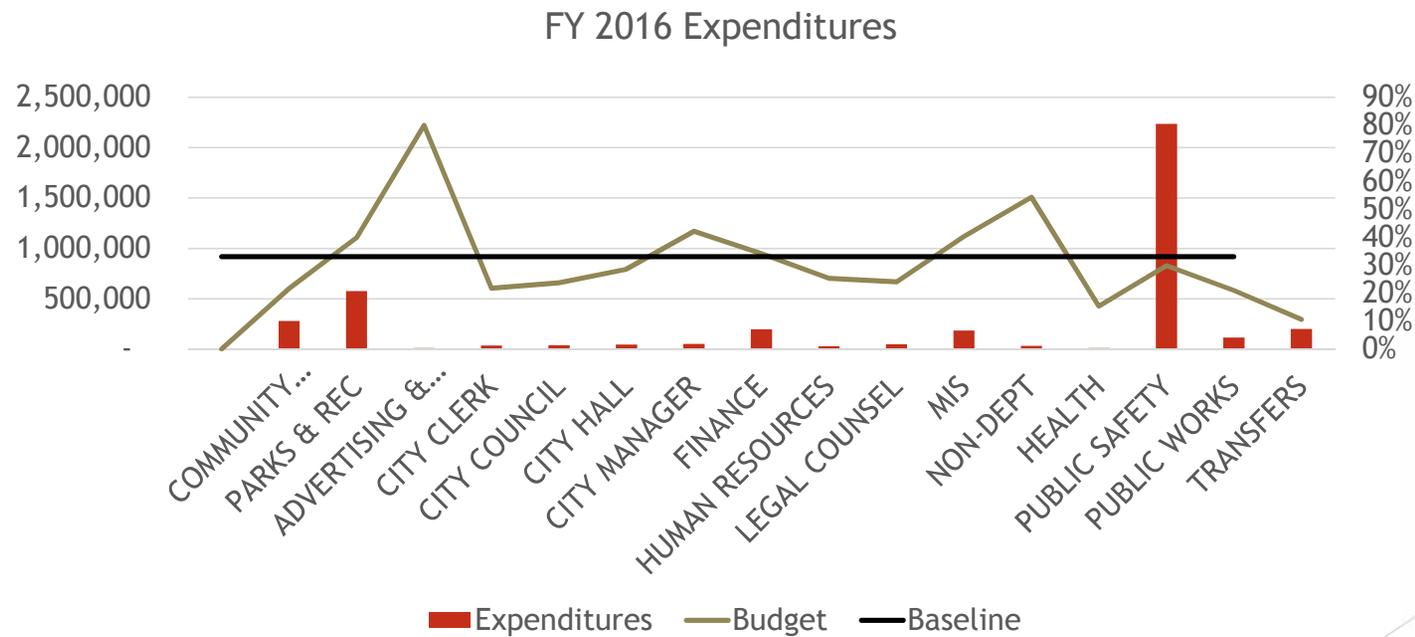
Year-to-Date Department Budgets

Department Name	FY 2014-2015			FY 2015-2016		
	Budget	Actual	%	Budget	Actual	%
COMMUNITY DEVELOPMENT	658,313	181,451	28%	1,282,474	276,728	22%
PARKS & REC	1,286,059	436,111	34%	1,442,383	574,789	40%
ADVERTISING & PROMOTION	10,000	10,000	100%	10,000	8,000	80%
CITY CLERK	145,032	31,111	21%	151,999	33,096	22%
CITY COUNCIL	134,630	31,982	24%	153,771	36,404	24%
CITY HALL	243,603	47,645	20%	153,390	43,743	29%
CITY MANAGER	126,816	46,699	37%	115,068	48,407	42%
FINANCE	589,592	187,527	32%	568,999	194,307	34%
HUMAN RESOURCES	139,608	29,059	21%	112,456	28,402	25%
LEGAL COUNSEL	150,000	126,684	84%	200,000	48,091	24%
MIS	469,497	170,315	36%	449,870	181,356	40%
NON-DEPT	541,703	489,305	90%	59,885	32,474	54%
HEALTH	68,140	4,147	6%	51,817	7,927	15%
PUBLIC SAFETY	7,547,499	2,319,084	31%	7,516,546	2,236,053	30%
PUBLIC WORKS	385,209	65,960	17%	546,565	114,345	21%
TRANSFERS	1,405,194	93,430	7%	1,873,907	198,513	11%
	13,900,895	4,270,510	31%	14,689,130	4,062,635	28%

Year-to-Date Department Budgets



Year-to-Date Department Budgets



General Fund YTD - Cash Flow

Beginning Balance		1,632,350
Operations Inflow	3,796,769	
Operations Outflow	<u>4,366,022</u>	
Operations Net Cash		-569,253
Net Cash Other Activities		80,196
Ending Balance		1,143,293

Other Funds

Fund Name	REVENUE			EXPENDITURES		
	Budget	YTD		Budget	YTD	
GAS TAX	4,095,200	399,500	10%	3,470,044	421,637	12%
TRANSIT	2,784,762	15,899	1%	1,888,995	313,220	17%
WASTEWATER	3,416,800	663,756	19%	7,253,674	546,778	8%
SELF-INSURANCE	1,045,000	278,027	27%	1,381,053	597,440	43%
FLEET	482,800	135,116	28%	623,460	130,633	21%
GRANT OPERATIONS	770,806	22,345	3%	820,227	-	0%

Questions?



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

SUBJECT:

Second Reading And Adoption, Ordinance No. 15-04, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities.

PRESENTED BY:

Ronald N. Strand – Chief of Police

SUMMARY:

Recently, Governor Brown signed into law the Medical Marijuana Regulation and Safety Act (MMRSA). MMRSA will require that all medical marijuana businesses (dispensaries, delivery services and cultivation) have a dual license (State and City) in the future to operate. Under MMRSA, cities may prohibit medical marijuana dispensaries, delivery services and cultivation within their jurisdictions, but must do so by March 1, 2016. If cities do not have ordinances prohibiting or regulating these activities by this date then the sole licensing authority in these jurisdictions will be the State.

Currently, Ridgecrest Municipal Code section 4-24 prohibits medical marijuana dispensaries and delivery services, but does not prohibit cultivation for commercial purposes. This ordinance amendment would prohibit the commercial cultivation of medical marijuana within the City of Ridgecrest.

Note: Medical marijuana patients and caregivers will still be allowed to possess and cultivate marijuana for their personal use within the City under current State law.

These changes have been reviewed and approved to form by the City Attorney

The ordinance was presented at the City Council meeting of December 2, 2015 and approved for Introduction and First Reading. A summary of the ordinance has been duly published and the ordinance is brought before Council for Second Reading and Adoption by the following two motions:

Recommended Motions:

Motion To Waive Reading In Full And To Adopt By Title Only, Ordinance No. 15-04, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities

Requires A Second

Motion To Adopt, By Title Only, Ordinance No. 15-04, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Medical Marijuana Cultivation Facilities

Requires A Second

FISCAL IMPACT:

None.

ACTION REQUESTED:

Approve recommended motions

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve recommended motions

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ORDINANCE NO. 15-04

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST
AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO
MEDICAL MARIJUANA CULTIVATION FACILITIES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST
as follows:**

Section 1. Purpose.

The Municipal Code of the City of Ridgecrest currently regulates medical marijuana dispensaries, but not medical marijuana cultivation facilities. This ordinance amends the Municipal Code by prohibiting medical marijuana cultivation facilities to be established, located, or operated in the City of Ridgecrest.

Section 2. Amendments.

Section 4-24.101 of Chapter IV of the Ridgecrest Municipal Code is hereby amended and reenacted to read in its entirety as follows:

**"4-24.101. - Medical Marijuana Dispensaries and Cultivation Facilities
Prohibited.**

(a) No medical marijuana dispensary or cultivation facility shall be established or located or operated within the City of Ridgecrest, nor shall any building permit, use permit, zoning, clearance, business tax receipt, or other entitlement for use be issued for any medical marijuana dispensary or cultivation facility, nor shall any existing uses be modified to add a medical marijuana dispensary or cultivation facility.

(b) No person shall establish, operate, or permit to be operated a medical marijuana dispensary or cultivation facility in or upon any premises in the City, nor operate such a dispensary or cultivation facility as a mobile vendor. It is a violation of this Article for any person to knowingly allow property of which he or she is the tenant or owner to be used as a medical marijuana dispensary or cultivation facility."

Section 4-24.102 of Chapter IV of the Ridgecrest Municipal Code is hereby amended and reenacted to read in its entirety as follows:

"4-24.102. - Definitions.

For purposes of this Article, unless otherwise apparent from the context, the following definitions apply:

(a) "Marijuana" means all parts of organically grown Cannabis plants, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed, or its resin. "Marijuana" does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(b) "Medicinal marijuana" is marijuana authorized in strict compliance with California Health and Safety Code Sections 11362.5—11362.9.

(c) "Medical marijuana dispensary," "medicinal marijuana dispensary," "dispensary," "medical marijuana client" and "clinic" means any facility, site, location or mobile vending vehicle where medical marijuana is distributed, sold, exchanged, given away, distributed, or made available to three (3) or more persons in the following categories: primary caregiver, qualified patient, or person with a valid identification card, in strict accordance with California Health and Safety Code Sections 11362.5—11362.9, but does not include the following uses, so long as such uses and the location of such uses comply with applicable laws, including but not limited to California Health and Safety Code Sections 11362—11362.9 and the Ridgecrest Municipal Code:

1. A clinic licensed pursuant to Chapter 1 of Division 2 (Sections 1200 et seq.) of the Health and Safety Code;
2. A health facility licensed pursuant to Chapter 2 of Division 2 (Section 1250 et seq.) of the California Health and Safety Code;
3. A residential care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 of Division 2 (Sections 1568.01 et seq.) of the California Health and Safety Code;
4. A residential care facility for the elderly, licensed pursuant to Chapter 3.2 of Division 2 (Sections 1569.2 et seq.) of the California Health and Safety Code;
5. A residential hospice or a home health agency, licensed pursuant to Chapter 8 of Division 2 (Sections 1725 et seq.) of the California Health and Safety Code.

(d) "Primary Caregiver" means the individual (or individuals) older than eighteen (18) years of age, designated by a qualified patient, who has consistently assumed responsibility for the housing, health, or safety of that qualified patient.

(e) "Qualified patient" means a seriously ill person who obtains a recommendation from a physician, licensed to practice medicine in the State of California, to use marijuana for personal medical purposes. In addition, persons currently under the care of a physician for certain medical conditions including, but not limited to, HIV/AIDS, cancer, glaucoma, epilepsy or other spasticity related illness, migraine, anorexia, sever nausea are presumed to be "qualified patients."

(f) "Identification card" means a document issued by the California Department of Health Services, or by a county in the state of California, that identifies a person authorized to engage in the medical use of marijuana and that person's primary caregiver, if any.

(g) "Cultivation facility" means any facility, site, location or mobile vending vehicle where one or more cannabis plants are cultivated, raised, grown, or maintained for commercial purposes."

Section 3. Other.

Except as otherwise provided, the Ridgecrest Municipal Code is reaffirmed and readopted.

PASSED, APPROVED, AND ADOPTED at a regular meeting of said City Council held on _____, 2015, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peggy Breeden, Mayor

ATTEST:

Rachel J. Ford, City Clerk

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CITY OF RIDGECREST

PUBLIC NOTICE

SUMMARY OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO MEDICAL MARIJUANA CULTIVATION FACILITIES

INTRODUCTION:

Under Government Code Section 36933 (c) (1), the City may publish a summary of a proposed ordinance or a proposed amendment to an ordinance provided that a summary of the proposal is prepared by the person designated by the City Council and provided further that the summary is published at least five (5) days prior to adoption of the proposal and within fifteen (15) days after the adoption with the names of the Council Members voting for and against the proposal. This summary of a proposed amendment to the Ridgecrest Municipal Code is pursuant to Government Code Section 36933 (c) (1). A CERTIFIED COPY OF THE FULL TEXT OF THE PROPOSAL IS AVAILABLE FOR INSPECTION IN THE OFFICE OF THE CITY CLERK, CITY HALL, 100 WEST CALIFORNIA AVENUE, RIDGECREST, CA.

TITLE:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO MEDICAL MARIJUANA CULTIVATION FACILITIES"

At their regular meeting on December 2, 2015, the City Council approved this ordinance on first reading and authorized and instructed the City Clerk to prepare a summary for publication. Approval on 2nd reading, by title only, will be considered at the Regular City Council meeting to be held on December 16, 2015

GENERAL SUMMARY:

The Municipal Code of the City of Ridgecrest currently regulates medical marijuana dispensaries, but not medical marijuana cultivation facilities. This ordinance amends the Municipal Code by prohibiting medical marijuana cultivation facilities to be established, located, or operated in the City of Ridgecrest

City of Ridgecrest

Rachel J. Ford, CMC
City Clerk

Dated: December 7, 2015

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

SUBJECT:

Discussion of the Kern County Council recommendation to form a Joint Powers Authority for the purpose of establishing the Indian Wells Valley Groundwater Sustainability Agency.

PRESENTED BY:

Peggy Breeden – Mayor

SUMMARY:

The Office Of County Counsel for the County of Kern has provided a memorandum regarding a recommendation that a Joint Powers Authority (JPA) be used rather than a Memorandum of Agreement (MOA) to form the Indian Wells Valley GSA

This item is brought for discussion and possible minute motion to formulate City of Ridgecrest response to the recommendation and direct staff to forward a response letter to the County Counsel.

FISCAL IMPACT:

None

Reviewed by Finance Director

ACTION REQUESTED:

Discussion and Minute Motion formulating the City of Ridgecrest response to the County Counsel recommendation for a Joint Powers Authority AND direct staff to draft and send the response.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

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OFFICE OF COUNTY COUNSEL
COUNTY OF KERN
MEMORANDUM

Theresa A. Goldner
County Counsel

Phillip W. Hall
Deputy County Counsel

TO: Supervisor Mick Gleason

FROM: Theresa A. Goldner, County Counsel
Phillip W. Hall, Deputy County Counsel

DATE: December 8, 2015

SUBJECT: Recommendation for JPA Indian Wells Valley GSA

The following briefly memorialize this office's recommendation that a Joint Powers Authority (JPA) be used rather than a Memorandum of Agreement (MOA) to form the Indian Wells Valley GSA. A primary factor in forming our recommendation is the current consensus which favors a single GSA/GSP approach for the basin and the desire to leave open the possibility for the future inclusion of regulated public water companies and mutual water companies in the GSA.

General Comparison of MOA and JPA:

On the chart below, we have provided a general comparison chart showing some of the more significant differences between an MOA and a JPA. As evidenced by the comparison chart, an MOA can be effectively summarized as nothing more than an agreement between the parties and as such its structure, purpose and content can vary extensively and it is governed by common law and state contract law. In contrast, a JPA is a much more formalized agreement that is governed in large part by the provisions of the California Joint Exercise of Powers Act (Government Code sections 6500 *et seq.*) and generally speaking it can create a public entity that is separate from its member agencies.

Current Consensus Effectively Forecloses An MOA:

The desire for a single GSA adopting a single GSP effectively forecloses the use of the MOA because an MOA cannot create a separate legally recognizable entity with its own board of directors. This impossibility would at a minimum significantly complicate, and in some instances completely prohibit, the GSA from among other

things: hiring consultants for the required studies; hiring employees to provide administration services; buying property for a land retirement plan; buying water rights for importation and supplemental supplies; and, implementing funding mechanisms such as issuing bonds. Importantly, this would also mean that the basin's GSP would have to be individually adopted by each of the eligible agencies. As a result of these and other factors, the MOA approach is effectively limited to those situations where the eligible agencies desire to be their own GSAs and the MOA is the vehicle used to coordinate the development of the GSP, or GSPs, for the basin.

Likewise, the desire to leave open the possibility for future inclusion of regulated public water companies and mutual water companies effectively forecloses the use of an MOA because practicality and the majority of the language in SGMA strongly suggest that a GSA must be a legally recognizable public entity that can regulate water use by the public within its boundaries. On this point, we recognize that recent statutory additions to SGMA provide that regulated public water companies and mutual water companies may "participate in a [GSA] through a [MOA]" but we also take note of that statute's express pronouncement that "[t]he authority provided by this subdivision does not confer any additional powers to a nongovernmental entity." (Water Code section 10723.6) This express limitation would foreclose a regulated public water company and a mutual water company from exercising any regulatory authority within its service area to prevent a violation of the GSP and that requirement would then necessarily fall to another member of the MOA.

Conclusion:

In conclusion, given the current consensus favoring a single GSA/GSP and the desire to leave open the possibility of including regulated public water companies and/or mutual water companies in the GSA, we recommend the use of a JPA for the formation of the GSA because the use of an MOA will create significant legal hurdles some of which may not be overcome by artful drafting of the MOA.

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COMPARISON CHART

The following chart briefly illustrates the differences between the powers of an MOA versus a JPA that has been formed as a separate public entity.

	Joint Powers Authority	Memorandum of Agreement
Governing Law	Government Code § 6500 <i>et seq.</i>	Common and Contract Law
Primary Use	Joint Exercise of Common Powers through a separate entity	Agreement to act separately in a coordinated manner
New Entity	Yes	No
Power to Issue Bonds	Yes	No
Statute Required Audits	Yes	No
Brown Act Applies	Yes	No
Public Records Act Applies	Yes	No
Contracting Power	Yes	No
Hire Employees	Yes	No
Buy Property	Yes	No
Buy Water Rights	Yes	No
PRA Form 700s	Yes	No
Allows Member Withdrawal	Yes	Yes
Allows Member Termination	Yes	Yes
Adopt GSP	Yes	No

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