



**MINUTES OF THE SPECIAL JOINT SESSION MEETING
OF THE CITY COUNCIL / RIDGECREST REDEVELOPMENT
AGENCY / FINANCING AUTHORITY**

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

**January 11, 2012
6:00 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 – 6:00pm

ROLL CALL

PRESENT: Mayor Ronald H. Carter, Mayor Pro-Tem Marshall 'Chip' Holloway, Vice Mayor Jerry D. Taylor, Council Member Steven P. Morgan and Council Member Jason Patin

ABSENT: None

STAFF: Kurt Wilson City Manager; Keith Lemieux City Attorney; Dave McEwen RDA Attorney; Ricca Charlon Deputy City Clerk; and other personnel

APPROVAL OF AGENDA

Motion To Approve Agenda Made By Council Member Patin, Second By Mayor Pro Tem Holloway Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

SPECIAL JOINT SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

PRESENTATION

1. QuadState Local Governments Authority Briefing Presented By Gerald Hillier, Executive Director **Morgan**

Mr. Hillier reported on the Ground Squirrel population and other issues within the District. The end of August 2011 the Fish and Wildlife Services (FWS) issued revised Recovery plan for the desert tortoise. The 2011 plan made little change from the 1994 Recovery plan. Pending is a renewable energy chapter to Recovery plan. New in the revised Recovery plan and involves the City is the plan does provide Recovery info teams. They would meet and advise the BLM on measures that could be taken and implemented locally to issues deemed to be important. *Provided a copy of the Dec. 8, 2011 report which is attached.

PUBLIC COMMENT - None

CONSENT CALENDAR

2. Resolution Scheduling The Public Hearing For Transit Unmet Needs Speer
3. Approval Of And Authorization for the Mayor to execute an indemnification agreement with Wal-Mart related to drainage design Wilson
4. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of November 7, 2011 Ford
5. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of November 16, 2011 Ford
6. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 7, 2011 Ford
7. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 21, 2011 Ford

Motion To Approve The Consent Calendar Made By Vice Mayor Taylor, Second By Council Member Morgan. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

DISCUSSION AND OTHER ACTION ITEMS

8. Discussion And Adoption Of Items Related To The Dissolution Of The Ridgcrest Redevelopment Agency Including The Adoption Of An Enforceable Obligations Payment Schedule, Expenditure Of Existing Tax Allocation Bonds, Declarations Of Successor Agency And Fiscal Emergency, And Creation Of A Housing Authority Wilson

If we choose not to be the successor agency the first agency to step up gets it and then if no one steps up the governor comes in. McEwen recommends we step up as liability is minimal. There are also issues we want to keep in our control.

Holloway – Will some funds go to successor agency? Yes, per McEwen there would be 5% of tax revenues allocated to successor agency for first year, then 3% each year after.

Taylor – What are the risks in liability? McEwen stated the provisions in statute say that liabilities are limited to the revenues you receive.

Patin – Is there a time limit to expend liquidation? McEwen states no set time limit and statute states as expeditiously as possible. After 2016 the oversight board will be one oversight board for the county which would make it more difficult to get things passed so sooner is better than later in liquidating.

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Taylor – So any action the successor agency wants to do have to go to the oversight board for approval? McEwen stated yes.

Patin – Regarding City land – is there a way to move assets from the Agency to the City. McEwen stated yes it can be sold to the City but don't do anything too soon.

Taylor – Can we transfer at no cost? If the agreement says so then yes. If no agreement in place than the oversight committee might make us pay market value.

Tom Wiknich – Clarified his understanding of what the bill means.

Mike Neel – Asked if County Auditor is going to pay for everything on the debt schedule what is the Successor Agency for?

McEwen stated two reasons: 1. Take money from county and pay debts. 2. Assets get transferred Feb. 1 and the successor agency will be responsible to sell. Successor agency is the pass through agency.

Rene Westaluck – General Fund – what is the risk of the successor agency on the general fund. McEwen stated there is no risk.

Motion To Adopt A Resolution In Support Of The City Of Ridgecrest Becoming The 'Successor Agency' Of The Ridgecrest Redevelopment Agency Made By, Council Member Patin, Second By Vice Mayor Taylor. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

Current unencumbered balances in the housing fund get transferred to the auditor/controller and we do not retain those. If current legislation passes and if we as a city assume those functions than the general fund is open to exposure. To avoid general fund exposure McEwen recommends we form the housing authority to protect those funds.

Morgan - fair to say even though the housing authority can be seen as controversial as it is, it is still better for the city to create this authority and try willfully to maintain control.

McEwen - No increase in the already existing housing duties with the creation the authority so yes.

Patin – change of resolution wording? Not necessary per Lemieux.

Taylor – can we dissolve by vote the authority if necessary?

McEwen - yes

Mike Neel – Contests section 1 of resolution is incorrect referring to Drummond and Norma project.

Motion To Adopt A Resolution Creating The Ridgecrest Housing Authority Made By Vice Mayor Taylor, Second By Mayor Pro Tem Holloway. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

Taylor – 24M of TAB is line 7 'other projects and exp not identified' vulnerable to having the funds taken? McEwen said yes it should be clearer. **McEwen recommends delete items referred to on the letter and insert the letter in their place for clarity purposes. The original list made at the time of bond purchase is the list that should be included with the EOS. McEwen recommends moving line 7 to line 3.**

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Tom Wiknich – Date of bond sale summer of 2010 and a list of projects was included so regardless of last June Council actions the letter should be what is held up to for the bond holder's accountability. The list has changed in his opinion.

Dan Clark – Due diligence is important; 4 or 5 lists have been made trying to spend the money. We need to incorporate the lists to show we have an agenda and a vision. We are running out of time and need to do them expeditiously.

Mike Neel – has confusion in comparing the EOS in the agenda with the original letter.

Motion To Adopt A New 'Enforceable Obligations Payment Schedule' As Amended Above Made By Vice Mayor Taylor, Second By Council Member Morgan. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

With the RDA hit, declaring a fiscal emergency puts us in a place to trigger the staff to go back and work up some quick solutions to solve the short fall gap in expenditures.

Patin – will the implemented measures requested by staff come back to council?

Wilson – Yes

Howard Auld – The city is in trouble and finally there is a document that can be taken to K. McCarthy and more importance has been placed on what Mr. and Mrs. Auld have been trying to do. Wants copy of signed resolution sent to him.

Jim Sanders – likes to see the tax increased

Dave Mathews – suggests that this resolution be sent to our governor in Sacramento allowing him to see the cause and effect.

Mike Neel – What changes under this declaration?

Wilson – It authorizes staff to prioritize this in front of anything else on our plate.

Motion To Adopt A Resolution Declaring A Fiscal Emergency Made By Council Member Morgan Second By Vice Mayor Taylor. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

PUBLIC COMMENT

Dave Matthews – Gave remembrance of former Mayor Mr. Hockett

Barbara Auld – Air Pollution East Kern meets in Tehachapi tomorrow – will decide on whether to put us in the San Joaquin Valley district.

DEPARTMENT AND COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders
Meeting: 2nd Wednesday of the month at 5:00 p.m., Council Conference Room
Next Meeting: January 11, 2012
Approved funding for RSTP and CMAC money at today's meeting.

Quality of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meetings: 1st Thursday of every even month at 12:00 p.m.; Kerr-McGee Ctr
Next Meeting: February 2, 2012
Not met since last meeting.

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City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 3rd Tuesday of the month at 5:00 p.m.; Council Conference Room
Next meeting: January 17, 2012
Met Monday and talked about leash law issue, discussed budget process, discussed veteran's advisory committee.

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders
Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room
Next Meeting: February 2, 2012
Not met since last meeting.

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

Members: Ron Carter, Chip Holloway, Ron Strand
Meetings: 2nd Monday of odd numbered months at 4:00 p.m., Kerr-McGee Center
Next Meeting: March 13, 2012
Last meeting discussion with Teen Court – it is working in our community. Talked about Neighborhood watch programs.

Ridgecrest Area Convention and Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday of the month, 8:00 a.m.
Next meeting: February 1, 2012 and location to be announced
Have not met since last meeting.

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Morgan – traveling for subcommittees to hire new executive director for Kern COG
Holloway & Patin – met with Brandon Egan, Kevin McCarthy's military liaison. Kevin is aware of what is happening in our community.
Taylor – January 17th special Kern COG bicycle master plan meeting in Chambers

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

1. No meeting on the 18th
2. Artwork in lobby curiosity of Kern COG
3. Acknowledge and thank Captain Dodson

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MAYOR AND COUNCIL COMMENTS

Carter – It is obvious tonight that due to our State we are in a bad spot. The fighting, the name calling, the blaming game has to stop now. Both parties are responsible and should do the job and take care of our country. Elected officials need to take care of business.

Holloway – State legislatures are mad at the state passing of Prop 22 and he would not be surprised if they took these resolutions as victory flags. Spoke to Howard and Barbara Auld saying he will be voting on the Air Pollution Board and on their side. Would like to have Mayor and staff move public comment to once at the beginning of the meeting.

Taylor – Tough times and appreciate the Auld's and their effort. Would like to recommend himself be considered for the oversight committee.

Morgan – The loss of Mr. Hockett was tough to the community. He is glad to continue to hear the well wishes in his regards. Captain Dodson has been a wonderful advocate and partner and he is going to miss the interaction. This council does not toot its own horn on the work that goes on between the base and the City. This RDA 'theft' is going to hurt us more than most will understand. To maintain essential city services is going to be difficult and we need the communities help. We need to seriously discuss a tax increase and help ourselves. State legislature officials need to get to work and work for the citizens. In regards to the air district Mr. Carter, Mr. Holloway, and Mr. Morgan fought the battle and will continue to fight the battle. To fellow council members – he wants to pay his respects to each for their efforts and appreciates them.

Patin – Doesn't see that the federal government is going to help. We have to do it ourselves and believes in what Mr. Morgan said about the tax increase. We are going to fight that fight and that is why we have hired a lobbyist, grant writers, and consultants. Proud of fellow Council Members and their efforts. Appreciated work with Captain Dodson. Teen Court was such a success and commends Chief Strand for being a driving force. In regards to the First District Race- remember when voting who has been loyal to the community... loyalty, loyalty, loyalty.

ADJOURNMENT – 9:00 pm

PUBLIC COMMENT – CLOSED SESSION

CLOSED SESSION

GC54956.9 (B) Conference With Legal Counsel, Potential Litigation. Public Disclosure Of Litigant Would Prejudice The City Of Ridgecrest.

GC54956.9 (A) Conference With Legal Counsel, Existing Litigation. City of Ridgecrest v. Benz Sanitation Inc.

CITY ATTORNEY REPORT

- Closed Session
- Other

ADJOURNMENT – 9:33pm

Rachel J. Ford, CMC
City Clerk