



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

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

**November 8, 2012
5:30 p.m.**

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

CALL TO ORDER at 5:30pm

ROLL CALL

Council Present: Mayor Ronald H. Carter; Vice-Mayor Jerry D. Taylor; Council Members Steven P. Morgan and Jason Patin
Council Absent: Council Member Chip Holloway
Staff Present: Interim City Manager Dennis Speer, Deputy City Clerk Ricca Charlon, City Attorney Michael Silander, and other staff

APPROVAL OF AGENDA

Motion To Approve Agenda Was Made By Council Member Steve Morgan, Second By Vice Mayor Jerry Taylor. Motion Carried By Voice Vote Of 4 Ayes, 0 Nays, 1 Absent, 0 Abstain.

PUBLIC COMMENT – CLOSED SESSION - None

CLOSED SESSION – 5:30 p.m.

GC54957.6 Labor Negotiations – United Food and Commercial Workers Local 8 Golden State; Unrepresented Employee Groups Confidential; Mid-Management; and Management. Agency Negotiator Interim City Manager Dennis Speer

SPECIAL SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
 - City Council gave direction to City Manager to make a final offer to UFCW

PUBLIC COMMENT

- Lori Acton – Has been discussing with the senior citizens an issue with the new transit system. She met with Interim City Manager Speer earlier today and they have come to a reasonable agreement that everyone is satisfied with. City staff will now provide a ‘tram’ to get from the sidewalk bus stop to the front door of the Senior Center. She will be exploring grant opportunities to help with the issue.
- Howard Auld – Appreciates the service that outgoing Council members have put in.
- Youth Advisory Council (YAC) Vice President gave an update.
 - Working on Toys for Tots project for this Christmas. They have donation boxes located at Monroe, KMCC, City Hall, BHS, and Mesquite.
 - RidgeProject – YAC is participating in city cleanup in conjunction with the Charlon cleanup volunteers.
 - Currently planning 3 on 3 basketball tournament for the community and are planning to use CCCC gym for the function – possibly a fundraiser for CCCC or YAC – but for the most part a community event.
- Paul Vanderwerf – ‘pumpkin recycler’ – knocked on doors and picked up pumpkins for compost recycling. Will come and pick up your pumpkins if you give him a call. Waste Management provided 3 dumpsters for this project. This is his second year spear heading this project.

PRESENTATIONS

1. Presentation Of A Proclamation For AbilityOne Week 2012 To Representatives Of D.A.R.T. Ford
 - Steve Morgan presented the proclamation to Jinny DeAngeles of DART
2. Presentation Of A Proclamation To PACT Organization Strand
 - Jason Patin presented the proclamation to PACT volunteers

CONSENT CALENDAR

3. Quarterly Investment Report Sloan
4. Quarterly Financial Report Sloan
5. Adopt A Resolution Requesting The State Department Of Finance To Approve A Cooperative Work Agreement With The City Of Ridgecrest For A Time Extension Of The Funding For Cycle 8 Safe Routes To School Project Speer
6. Adopt A Resolution Rescinding And Amending Resolution 12-74, A Resolution Authorizing The Examination Of Sales Or Transactions And Use Tax Records Sloan

7. Adopt A Resolution To Approve A Professional Services Agreement With, Willdan Engineering For The Preparation And Provision Of Environmental Studies, Permits, Plans, Specifications And Engineering For The Resurfacing, Rehabilitation And Reconstruction Of Downs Street From Ridgcrest Boulevard To Upjohn Avenue And Authorize The Interim City Manager To Execute This Agreement Speer
8. Adopt A Resolution Of The City Council Of The City Of Ridgcrest Approving A Waiver For Americans with Disabilities Act (ADA) Non-Compliant Drive Approaches In Tract 6635 Speer
9. Adopt A Resolution Authorizing A Proclamation For Native American Heritage Month And Setting Date And Time For Presentation Ford
10. Approve Draft Minutes Of The Special City Council Meeting Of October 3, 2012 Ford

ITEMS PULLED – #4, Jerry Taylor

Motion To Approve Consent Calendar As Amended With Item 4 Pulled Was Made By Council Member Jerry Taylor, Second By Council Member Steve Morgan. Motion Carried By Voice Vote Of 4 Ayes, 0 Nays, 1 Absent, 0 Abstain.

Items pulled – #4

Jerry Taylor – Reminded public this is the first quarter report. Would like to talk about the report and the five bullets listed as concerns. What issues do we see and what do we need to do and/or change to balance the budget?

Speer – Yes, there were obligations never included in the budget. These are in fact continuing obligations and they need to be included. As soon as we receive the 620K settlement check from the County we intend to return to council with a budget amendment to include these items. At that time council should be aware that there are revenue components that were based on one time monies and will probably not materialize and need to be addressed for the second half of this year. This potentially could include cuts for the second half of this budget cycle in order to balance the budget.

Sloan – This settlement was not due to come in last fiscal year so it was not included in the budget as an item to help us balance.

Taylor – What is our projected corrections to the revenues at this time?

Speer - I don't want to speculate those amounts and would like to wait till we come back to Council and discuss when we have a source of funds and can present the amendment.

Taylor – I only want to leave this meeting knowing the number we are going to be talking about when it comes back.

Patin – When the money comes in we will then know what we can do with it and what holes we would have to fill at that time.

Taylor – One would hope with reserves at zero we would not touch this money. I would hope that future council members would not touch this money to take care of lost

revenue. We have very few meetings left and we will be in the second quarter before we know anything.

Patin – I understand your concern but the staff does not know at this time what we are going to do with that money at that time.

PUBLIC COMMENT

Mike Neel – Looking at the pie charts for the spending of general fund dollars and the pie chart for paying into the internal service funds (ISF) he does not understand and is asking for clarity. Two points of interest - spending for Parks/Rec at 18% and Public works at 1% but then paying into the ISF is public services at 7 % and Parks/Rec paying in at 6%. Why is the spending such that it is more than being paid in?

Morgan – when is staff planning on bringing forward the information to the council in regards to the amendment?

Speer – We plan to bring it forward when we actually have the funds we will be discussing the shortage and use of funds.

*Motion To Approve Consent Calendar **Item 4** Was Made By Council Member Jerry Taylor, Second By Council Member Jason Patin. Motion Carried By Voice Vote Of 4 Ayes, 0 Nays, 1 Absent, 0 Abstain.*

DISCUSSION AND OTHER ACTION ITEMS

11. Adopt A Resolution Authorizing The Interim City Manager To Sign An Amended Development Agreement With Wal-Mart **Parsons**

38:00

- G. Parsons – Request to have Speer sign the Jan 13, 2010 Wal-mart development agreement modification in the disbursement of funds in the form of a construction escrow agreement for the City's TAB funds already authorized by the Council to be used for Public Works projects associated with the development of the new Wal-mart approved July 18, 2012. No additional funds will be requested or considered in the development of this agreement. Other modifications have been reviewed and adopted by the City Engineer. This agreement is the next step in the process and once executed will be the next step toward ground breaking. None of the funds will be used on the actual Wal-mart project they will be used for public work improvements established early in the process.
- Taylor – Can I see the actual development agreement?
- Parsons – The actual development agreement from 2010 I can provide you if that is the one you are speaking about.
- Patin – the Development agreement hasn't changed, correct?
- Parsons – No, it hasn't changed. This is the construction and escrow agreement and it is basically a written projection of how funds would be dispersed.
- Taylor – So they are doing everything that is in the 2010 agreement?
- Parsons – That is correct. In the original agreement Wal-mart is providing over 4 million in public works improvements and 1.1 million in development fees and this is still in place and a backup in case the TAB funds do not come to fruition. This is the streets, flood control channel, lights, and other off sites. The city is putting

is 2.8 million. If TAB funds do not come in, the City would use the 1.1 million development fees and we would either reduce the project size and/or we have the option of borrowing the funds from Wal-mart and we would have to pay that over what I believe is a five year period. At that point we would bring it back to Council as to which route we would use to cover the funds.

- Taylor – What assumptions did you make in the escrow flow based on TAB funds?
- Parsons –In the negotiations of the deal we have in the agreement that no disbursements from the City would take place till May 2013 so we would know at the point how much and if any TAB funds we would have to use.
- Patin – This has been a long process and there were a lot of comments that the city was holding up the project. The holdup has actually been Wal-Mart engineers. Thank you to staff for the work on this project.

*Motion To Approve A Resolution Authorizing The Interim City Manager To Sign An Amended Development Agreement With Wal-Mart **As Amended** Was Made By Council Member Jerry Taylor, Second By Council Member Jason Patin. Motion Carried By Voice Vote Of 4 Ayes, 0 Nays, 1 Absent, 0 Abstain.*

COMMITTEE REPORTS

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: November 20, 2012

- Has not met

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: December 6, 2012

- Has not met

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: November 14, 2012

- Will not be meeting next week. Staff has been directed to give an update to committee members and it will be available to the public as well.

Quality Of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meeting: 2nd Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center
Next Meeting: November 15, 2012 (Dark in June, July, December, and January)

- Meeting today cancelled.

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: November 12, 2012

- Did not meet. Next scheduled meeting Mayor cancelled till new appointments are made.

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: December 5, 2012 at location to be announced

- No report

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- Taylor – Went to Desert Mtn Division – topics included synthetic drug issues. Would like to put under city direction to consider ordinances in relation to this topic. For future councils this is something to look into with Chief of Police.

CITY MANAGER REPORT

- Updates – Final filing for Finance Director will be Nov 16, 2012. The RFQ for City Manager due end of month.
- Read a letter from Dept of Transportation dated Oct 22 stating 4 projects submitted as part of the highway safety improvement program were selected for implementation and approved – 1. Install signs and markings at 12 different intersections; 2. Installation of new traffic signal at China Lake and Bowman which is a \$440,000 grant; 3. Upgrade traffic signals at several separate intersections which is a \$426,000 grant; 4. Widening and linement of west side of Downs - amounts total over 1 million dollars.
- Cancellation of Nov 21, 2012 council meeting due to Thanksgiving – All Council members agreed so long as not holding anything up.

MAYOR AND COUNCIL COMMENTS

- Patin – Congratulated winners across all Boards in regards to the election. Will miss the 3 outgoing council members and enjoyed working with them.
- Morgan – The election is over - Let's all get back to working as team as it should be. The difficulties and challenges ahead are no different than any other Council. The difference is technology and the use of it. More arrows and slings are thrown and it is harder for the Council to dodge and do their jobs. This incoming Council deserves 100 % of everyone's support. No one will ever know how much time and effort goes into this position and events you miss because you are doing the public's work and you get no credit for it. To fellow Council members you are a 100% great group of individuals and he is proud to be a part.
- Taylor – At this point in time he respects the will of the voters. He will be moving from this side of the podium to out in the room. I have a passion about many

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things and get misread/misunderstood on many occasions. It was tough reading the lies about him and it is very frustrating that the local paper, the Daily Independent, published letters to the editor without verifying the information. He plans to continue to support the town as best he can and be present in issues going forward.

- Carter – Been a public servant since he was 18 years old and enjoyed every year but family is thankful for his retirement. Would like to see the council moving forward working together and getting support from the community.

ADJOURNMENT – 7:30pm



Ricca Charlon – Deputy City Clerk