



**MINUTES OF THE SPECIAL MEETING OF THE
RIDGECREST CITY COUNCIL AND
REDEVELOPMENT SUCCESSOR AGENCY AND
HOUSING AUTHORITY AND
FINANCING AUTHORITY**

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

**January 23, 2013
5:30 p.m.**

This meeting was recorded and will be on file in the Office of the City Clerk for a certain period 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 Daniel O. Clark; Mayor Pro-Tem Jason Patin; Vice-Mayor Marshall 'Chip' Holloway; Council Members Jim Sanders and Lori Acton

Staff Present: Interim City Manager Dennis Speer, Deputy City Clerk Ricca Charlon, City Attorney Keith Lemieux, and other staff

APPROVAL OF AGENDA

Item No. 5 pulled from the agenda.

Motion To Approve Agenda As Amended Was Made By Council Member Holloway, Second By Council Member Clark, Motion Carried By Voice Vote Of 3 Ayes, 2 Nays, (Council Members Sanders And Patin) 0 Absent, 0 Abstain.

PUBLIC COMMENT – CLOSED SESSION

CLOSED SESSION – 5:30 p.m.

GC54956.9 (B) Conference with Legal Counsel - Potential Litigation – Public Disclosure Of Potential Litigant Would Prejudice The City Of Ridgecrest And The Ridgecrest Redevelopment Successor Agency. Agency Negotiators Interim City Manager Dennis Speer, Redevelopment Consultant Jim McRea, Economic Development Program Manager Gary Parsons

SPECIAL SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

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CITY ATTORNEY REPORT

- Closed Session
 - Met with Redevelopment Successor Agency legal counsel - Received report, no reportable action taken.
- Other
 - none

PUBLIC COMMENT

Sharon Paxton

- After reading articles in the newspaper was very upset regarding the retooling of the Measure 'L' committee and discussion of use of the funds.
- Did vote for Measure 'L' and asks Council to think about how staff went door to door and encouraged public to vote for funds to go toward streets and public safety, not special interest groups.
- Expectation is for Council to represent what people voted for and asked Council to be ethical in their decisions.

Jim Fallgatter

- Congratulated Council for pulling Measure 'L' Re-Visioning item and assumes it is for positive reason.
- Misguided and sent a wrong message to the City and hopes damage is repairable.
- Asked for the healing will begin tonight, worried Council wants to visit the re-visioning later.
- From attending oversight committee meeting, the members are doing an outstanding job and doing exactly what ordinance required.
- Members provided their capabilities on application forms; members are doing a very good job.
- This is the opinion of everyone who attended that and other meetings. Spreadsheets and reports prepared for Council is new information this City did not see during the budget process and is excellent insight into past expenditures and budgets.
- Information provided will be huge help in managing money during this economic crisis.
- Hard work by volunteers who are expert and professional at their jobs.
- Asked Council to not discount their (committee members) work and be happy for what they accomplished.
- Council should get the reports.
- Referenced service of both he and the Mayor on the Ridgecrest Redevelopment Successor Agency Oversight Committee and recommendations made to fund the budget requirements of staff within the City.
- Suggested the City fund staff to assist the Committee with their job rather than pulling the rug out from beneath them.
- Referenced Mayor and Council Member Acton's campaign literature pertaining to trust and transparency.

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Christina Whitt

- Disturbed by the mention of re-visioning.
- Commended Phil Salvatore for work performed on budget report.
- Believes the base line is important and is pointing to a balanced budget without Measure 'L' funds.
- Stated that Measure 'L' should augment what is already there.
- Stated that the City does not currently have a balanced budget.
- Mentioned that Military Base travelers are decreasing therefore TOT will be decreasing.
- Re-stated that Measure 'L' funds were to augment streets and police.
- Referenced friends who visit and comments of not moving here because of the condition of streets.
- Very happy with the reports the committee prepared which give a better understanding of the budget.
- Referenced articles in the local newspapers and how opponents of the trash issue are now opponents of Measure 'L'.
- Stated her hope that the Mayor and Council do not hold the same disdain and contempt for the public as the previous Mayor has shown in recent interviews.
- Affirmed that the Ordinance states the committee obligations.

Dave Matthews

- Grandson is visiting from San Diego.
- Spoke on the word re-visoring which means restructuring of society.
- Did not make it to the last Measure 'L' meeting but was concerned with what was read in the papers and heard from individuals.
- Tax comes into general fund, think people are overlooking something and that is putting a line item in the general fund that says Measure 'L' with income and outgo.

Jerry Taylor

- Referenced an email sent to Council that day.
- Talked about the City incorporation for 50 years.
- Stated he walked for and voted for Measure 'L' and strongly feels it is necessary.
- City needs to think about future Measures and building credibility.
- Only passed by 500 votes and asked what the count would be next time.
- Took an Unofficial poll of persons who voted for the Measure and whether they would vote for it again and there was a 90% drop in votes.
- Committee is trying to do things ethically and strongly suggest Council does a draft budget without Measure 'L' funds.
- Asked Council to develop two budgets, the first showing a balanced budget without Measure 'L' funds and the second with Measure 'L' augmenting the budget.
- Understands that police officers would need to be cut but can show how those officers can be saved with Measure 'L' funding.
- Asking Council to live without Measure 'L' and make the hard cuts now.

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- Suggested this process would take the responsibility out of the committee's hands.
- Asked Council do the right thing.

Unknown Speaker

- Concerned about what is happening in the Community.
- Has children in this Community and concerned about the potential or pending cuts to parks and recreation.
- Feels Parks and Recreation is a big part of City government and should be supported.
- Current crisis exceeds those faced in the past and realizes Council and staff is looking for programs that will serve this Community.
- Very concerned about the closure of the pool and feel this would be a great loss to the Community.
- Asked Council to seek desperate measures to fund the pool.
- Community needs the pool and is willing to take part in the fight to keep the pool open.
- Ridgecrest is unique and she does not want to live in a Community where equal opportunities are not available for children to participate.
- Needs should not be ignored and is willing to work with Council to find a solution.
- History of parks and recreation should not be lost in this Community.

Tom Wiknich

- Mentioned Christina Whitt's reference to newspaper article.
- Commented that perception is reality to many people and the current perception is that things are going on behind the scenes that public is not seeing.
- Words such as 'We' infers that Council has spoken on this subject but it was not discussed at public meetings.
- Transparency issue, whether true or not, the perception is there.
- Tonight item was pulled from agenda for legal reason. Wants to know why.
 - Keith Lemieux responded that he wanted the opportunity to speak with the committee, appears this issue might be diffused by open communication about the City's expectations of the committee. Would like to meet with some of the members.
- Commented that the Community wants transparency and want this issue discussed in public.
- Asked Council to submit a balanced budget without Measure 'L' and then show what it looks like with Measure 'L'.
- Mentioned he had a number of people ask, as the person who ran the initiative, if the election changed anything with regard to the responsibilities of the Mayor.
- The Mayor is just one vote, same as the rest of Council. No additional duties or responsibilities added by the initiative.

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George 'Andy' Anderson

- Stated that he does not like the sound of what the attorney said
- Meeting with specific members is not in an open forum.
- Sounds like going behind our back.
- Agree with Mr. Wiknich that a balanced budget without Measure 'L' is the way to go then augment the balanced budget with Measure 'L' money.
- Mayor says we work at the pleasure of City Council, which is true, but our orders come from the ordinance and campaign literature.
- Please make this right and make it work.

Phil Salvatore

- City provides an amenity in parks that is used by the valley but people are not paying for it.
- Referenced admission fees and discussion of parks and recreation district.
- How Council deals with Measure 'L' will determine the ability of Council to go to public with a parks district.
- Unless county and City share facilities and cost, or comes up with a joint district where the tax burden is spread across the valley, then might have to come up with a membership card with higher costs for those coming from other regions.
- Measure 'L' funding needs to use it for road repairs, referenced the pavement management plan and would like to see that plan happen.

Jim Fallgatter

- City needs to generate revenue.
- City is working on digital 395, from economic development, view would like to see a high profile move to help our budget and see the possibilities available for businesses to utilize a high capacity internet.
- Would like to see Council to give direction to Economic Development to pursue options like Digital 395.

Barbara Auld

- Carefully read the ordinance again and recommend public get the ordinance from City Clerk, which outlines what the duties of the committee.
- Compare what was handed out at the committee meeting.
- The handout was not dated nor was the author identified, anything coming from Council should be dated and the author identified.
- Do not agree with duties listed in the Lemieux letter, they do not match the ordinance.
- Encouraged the public to read the Ordinance.
- Want City Council and committee to do what is expected from the public.
- Mentioned Kurt Wilson and read an email given to her by Jan Bennett.
- Kurt was questioned about how the audit and oversight committee was going to be paid for.
- This is an oversight committee and not an advisory committee.

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- Answer from Kurt is committee is not expected to have notable expenses; the audit would be paid for by the Measure, which is a couple thousand dollars of the million dollar proceeds of the tax.

Jim Rachels

- Credibility crisis is upon us.
- Did not support Measure 'L' because believed the money would be spent in ways other than advertised.
- City has less credibility now.
- Unless budget is balanced without the Measure may not be a renewal of the funding.
- Big fan of passing a proposed budget absent Measure 'L' money which will go miles toward credibility.
- Also fan of the oversight committee because they are putting forth more effort than originally thought, doing excellent work and trying to bring credibility back to Measure 'L'.
- Committee is more of a friend than what Council is giving credit for.
- Backdoor meetings and off-line meetings is only adding fuel to the fire and destroys credibility.
- Plead to Council is to jealously protect the credibility you still have.

Ronald Porter

- Frightened by the word 'we' and going to take care of it outside public opinion.

Howard Auld

- Barbara made mention of the ordinance and how people may acquire it.
- Read ordinance section of duties of committee.
- Duties are clear; if you want to re-vision or change it then you have to do it thru legal Measure.
- When Measure 'L' was approved, immediately a group of people began blogging that the Measure will not work and will not be used the way it was intended.
- No fool like an old fool, which applies to me.

Al Huey

- When Measure 'L' was discussed in Council, I was not a supporter because of what is going on right now.
- At last week's meeting was insulted by a document that the Mayor had City manager read to committee.
- Document had no date or names and City manager stated was a product of meeting between Mayor and City attorney.
- Remember Mayor wanted transparency in government but was not displayed last week and again tonight mention of meeting with some committee members in private.
- This is part of the frustration the Community is displaying to Council. Recommend a balanced budget without Measure 'L', then plug in Measure 'L' and see what it looks like.

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- Does away with backdoor investigations of what happened to the money, committee could then report on how it was spent.
- Would like to request discussion of the issue in a joint public meeting between Council and committee, which will bring transparency the Mayor talked about.
- Was appalled with the language in the ordinance, in the initiative the City will provide a secretary for the committee and now the minutes are being done by a committee member.
- Would like to see this resolved, even though I did not participate in supporting it I believe it will be a benefit for the City.

Jack Noyer

- To those who don't know Jack, the group is growing.
- Quoted article from daily independent regarding Dan Clark.
- Not implying Mr. Clark is lacking integrity; believe he is a man of high integrity.
- Referenced another article where Mayor Clark was quoted as wanting to be sure Measure 'L' funds are spent in the way intended.
- Don't have to make something difficult, balanced budget without Measure 'L' funds.
- Spoke on revenue options such as Kosmont.
- Counted 5 smoke shops in town that sell hookahs and didn't know they were in such demand in Ridgecrest.
- Support recommendations in pursuing positive development.
- China Garden is closed; need things to be positive, hotel vacancies have increased.
- Don't have an answer but am in support of police.
- Thanked Chip for hot dog stand.

Carol Wilson

- Added support asking Council to put forth a balanced budget without Measure 'L' funds.
- Good representation of where we stand.

Dave Matthews

- Support transparency.
- With or without Measure 'L', the City still has a budget problem.
- Reminded public this problem started with the rascals in Sacramento and Washington DC and encouraged Community to vote those who started this problem.

CONSENT CALENDAR

1. Approve A Resolution Setting A Date And Time For A Public Hearing For Unmet Transit Needs Speer
2. Ridgecrest Redevelopment Successor Agency Annual Report and Status Update Parsons

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3. Approve Draft Minutes Of The Regular City Council Meeting Dated December 19, 2012 Ford

None removed

Motion To Approve Consent Calendar As Amended Was Made By Council Member Acton, Second By Council Member Patin, Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Absent, 0 Abstain.

DISCUSSION AND OTHER ACTION ITEMS

4. Appointments to Council Boards and Commissions Clark

- Chip Holloway – nominated Mike Avery to Construction Appeals Board
- Jim Sanders – Ryan Hunter nominated for Handicap Appeals Board
- Dan Clark – Will complete nomination process on February 6.

5. Consideration and Discussion of Measure 'L' Committee Re-visioning Clark

Pulled prior to approval of the agenda.

COMMITTEE REPORTS

City Organization

Members: Dan Clark, Jim Sanders
Meeting: 2nd Tuesday Of The Month At 5:00 P.M.; Council Conference Room
Next Meeting: February 12, 2013

- Dan Clark – February 10 next meeting date to discuss finance and Measure 'L' as discussion item. Will discuss Measure 'L' funding projects.

Community Development Committee

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

- Jason Patin – no items, meeting cancelled

Infrastructure Committee

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

- Dan Clark – no items, meeting cancelled
 - Tom Wiknich requested a report on road projects.

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Quality Of Life

Members: Chip Holloway, Lori Acton
Meeting: 2nd Thursday Of The Month At 5:00 P.M.; Kerr-McGee Center
Next Meeting: February 14, 2013 (Dark in June, July, December, and January)

- Chip Holloway – will confirm meeting on February 6

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

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

- Jason Patin – March meeting, will discuss schedule.

Veterans Advisory Committee

Members: Jason Patin, Lori Acton
Meetings: To Be Announced
Next Meeting: To Be Announced

- Lori Acton – will be sending out notice, first public meeting will be February 4. Confirmed City hall meeting location. September 27 next military stand-down.

Ridgecrest Area Convention And Visitors Bureau (RACVB)

Members: Jason Patin, Chip Holloway
Meetings: 1st Wednesday Of The Month, 8:00 A.M.
Next Meeting: February 6, 2013 at location to be announced

- Chip Holloway – Next meeting at Best Western on February 6.

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

- Acton – IWW coop mgmt meeting last Thursday. Nothing to report, third Thursday each month at water district offices
- Holloway – desert mountain division meeting Friday and policy committees meeting.

CITY MANAGER REPORT

Dennis Speer

- Reported on Kern COG resolution reallocation of fund 2.3 million to Ridgecrest and combined with current funding should be able to proceed with repaving downs. Council authorized Willdan to do surveys and plans, once completed will come to Council to form a district and can then submit plans to utility district office of SCE for approval. Thanked McQuiston and staff for their involvement, this reallocation moves up the time line.
- Letter of support for NAWS China Lake for proposed wastewater plant to be built on navy property.

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- Received notice that were awarded TDA bike route project to complete loop of bowman bike path along Richmond road to hwy. 178.

MAYOR AND COUNCIL COMMENTS

- Lori Acton – no comment
- Jim Sanders – urged Keith Lemieux to meet with oversight committee in public forum. Read the ordinance and think we are moving in wrong direction to revision the committee, they are doing what was intended. Some discussion of staffing needs and feel that will die down now that baseline is established. If we believe committee is using additional staff time, feel the path we are going down is unwise and are losing credibility.
- Chip Holloway – spent time in Sacramento at the revenue and taxation committee. Positive tone since budget projections are coming in better than projected. Overall tone was more positive than the past 14 years. More responsibility. Meeting on Friday to review reports from all the policy committees. AB109 continues to be a terrible outcome for every Community involved. No database available of who is being released to our communities. Devastated court system by voting in the 3 strike law which is retroactive and requires past cases to be re-tried. Could see additional 800 to 1000 prisoners released to kern county. Voted no to take off agenda, feel Mayor Clark's intentions were honorable and both sides have been blown out of proportion. Level of information has been needed in this Community for a long time, is a valuable tool and appreciate the amount of time put into the document by Mr. Anderson. Think committee could be the greatest advocates for the Council. no reason we can't move forward in a positive direction, is a concern about staff time but feel this is not going to be a problem in the future. Don't see any reason why Council and committee can't work together to move forward and prepare to extend this tax in five years. Have to do the best we can to fix the credibility problem. No distinction to public between Council, state assembly, representative, senators. All part of the problem. Nothing more important that getting Measure 'L' passed again in five years. Will be a philosophical debate in future, level of detail and information and trust will be important. Will be putting members to work on other projects. Mr. Salvatore thanked Tess Sloan and Mr. Speer for getting the information to him. Need to work on getting our new computer system to make it easier for finance to get the information for us.
- Jason Patin – voted to keep the item on the agenda because public comment is valuable for the public. Scope of committee responsibilities is in the ordinance and don't mind they are willing to go beyond and we should provide staff to them. Job of Council is to spend the money the way we feel is should be spent, job of the committee is to tell us what is right and at the end of the day as long as they are tracking and reporting what is done then is no business of our to tell them how to do it. Have not heard one person on Council or staff say the revisioning is so we can spend the money differently than what was promised. We gave our

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word how the money would be used and that has not changed and do not believe any member of Council would vote for that. Heard all the misconceptions and don't know where it is coming from. It has never been discussed publicly or behind closed doors. I desire to do what is right with the funds. Want the people to decide and they have and our job is to do exactly what was said. Discussion tonight implied we want to change the ordinance and that has never been discussed; don't know where that is coming from. Thanked those who contacted him directly to find out what really was discussed. All need to be on the same page, state is not going to come in and hand us a pile of money. Have to take care of ourselves.

- Lori Acton – was too angry to speak and so originally chose not to say anything. Still angry and frustrated. Asked members if any money has been spent.
 - Dan Clark – some funds were borrowed from other funds to facilitate public safety, have just begun making appropriations. Nothing for streets yet and will begin focusing on those.Have not spent any funds on parks, art or plumbing. Misconception of eliminating committee. Angry because there is no respect. Did not say we were going to dissolve the committee, but that is what people are saying. Very frustrating when things are being misconstrued. While I believe someone's heart was in the right place it came across differently. We have a job to do. Committees job is to monitor Measure 'L' funds. Council job is to decide how the money is spent. Nobody has said that we are not going to listen or take advice from the committee.
- Dan Clark – blessing that we get to deal with this issue even if it hurts. Thanked public for the comments and we are going to make this work. Am positive the committee will work hand-in-hand with the Council to do the independent audit. Heard a lot of distrust today and will work hard to resolve the lack of trust. The re-visioning came from Mayor and will work toward a common goal to make Measure 'L' successful. Difficult not to be able to comment back on what we have heard.
- Jason Patin – best thing from public comment is the suggestion of the two budgets. This will give complete transparency and suggest we move forward with that idea. Asked the newspapers to call Council for clarity before things are printed.

ADJOURNMENT at 8:05pm


Rachel J. Ford, CMC
City Clerk