



**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**

**April 20, 2016
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 solely for the purpose of preparation of minutes.

CALL TO ORDER – 5:30 p.m.

ROLL CALL

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

Council Absent: Mayor Pro Tempore James Sanders

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

APPROVAL OF AGENDA

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

PUBLIC COMMENT (Closed Session)

- None Presented

CLOSED SESSION

GC54956.8 Local Agency Real Property Negotiations – Negotiation For Sale – Ridgecrest Business Park Lot Nos. 1, 2, 3, 28, 29, 30, 31, 32, 33, 34, 35, And 36 – Agency Negotiators Economic Development Program Manager Gary Parsons And City Manager Dennis Speer

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

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORT

- Closed Session
 - Undisclosed potential litigation – information received, - no reportable action
 - Real property negotiation – no action taken, to be placed on future council agenda for action.
- Other
 - none

PRESENTATIONS

1. **Presentation Of Awards For The Animal Shelter Solar Park** **Strand**
 - Chief Ron Strand presented recognition awards to citizens donating funds and labor to the Animal Shelter Solar Park Project
2. **Presentation of A Proclamation Recognizing May 1 through May 7, 2016 as National Municipal Clerk Week** **Council**
 - Council presented proclamation to City Clerk recognizing National Municipal Clerk Week
3. **A Presentation On The Development Of The East Kern County Diversification Plan By The Consultant TIP Strategies Inc.** **Parsons**
 - Tom Stellman of TIP Strategies Inc. gave PowerPoint presentation of the East Kern County Diversification plan

PUBLIC COMMENT (*Regular Session*)

Paul Valovich and Azel Aldridge

- Provided update on efforts to bring airline service to Inyokern.
- Information will be available on their website and published in the newspaper.
- Airport applying for grant which requires matching funds from the service area.
- Application deadline is May 3 so requesting donations from local businesses and community representatives to pledge the matching funds.

Mike Neel

- Commented on Dale Howard receivership letter noticing sale of property.
- Expressed dissatisfaction with City for allowing Mr. Howard to lose his property.

COUNCIL ANNOUNCEMENTS

Eddie Thomas

- May 5, 2016 open house at 6:00 p.m. recognizing Ridgecrest police department.

Peggy Breeden

- April 30 cleanup at the fairgrounds with RidgeProject.

CONSENT CALENDAR

4. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Financing Authority/Housing Authority Meeting Dated April 6, 2016 Ford
5. Adopt A Resolution Approving A Proclamation Recognizing Parental Alienation Awareness Day And Authorizing The City Clerk To Mail The Proclamation To The Requestor Ford
6. A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The Establishment Of A New Fund And Requesting Assessment Collection Services For The Drainage Benefit Assessment District No. 2016-1 And Authorizing the City Manager to Sign a Letter to Establish the Fund Speer
7. Adoption Of Resolutions (1) Declaring The City's Intention To Form The Drainage Benefit Assessment District And Initiating Proceedings To Form The Drainage Benefit Assessment District No 2016-1, And To Levy Assessments Commencing In Fiscal Year 2016-2017; And (2) The Preparation And Filing Of The Engineer's Report Regarding The Formation Of The Drainage Benefit Assessment District No 2016-1, And To Conduct A Property Owner Protest Ballot Proceeding For The Assessments And Set The Time And Place For The Public Hearing Culp
8. Adoption of Resolutions (1) The City's Intention To Annex Territory To The Ridgecrest Landscaping And Lighting District No. 2012-1; And To Levy And Collect Annual Assessments Related Thereto Commencing Fiscal Year 2016/2017; And (2) Approving A Preliminary Engineer's Report In Connection With The Annexation; And Declaring The City's Intention To Levy Assessments, Conduct The Required Protest Ballot Proceeding And Setting A Time And Place For The Public Hearing Culp

9. A Resolution Of The Ridgecrest City Council Accepting A Grant of Easement Deed for Additional Street Right of Way for North Warner Street Improvements From Mr. Robert Jennings and Mrs. Guadalupe Lopez Jennings for Valuable Consideration of Four Thousand Five Hundred Eighty Seven Dollars, (\$4,587.00); And Authorizing The City Manager To Sign the Acquisition of Easement Agreement and The Mayor To Sign The Certificate Of Acceptance Culp

10. A Resolution Approving The Program Supplement Agreement No. 039-N1 With The State Of California, Department Of Transportation, Under Master Agreement No. 09-5385R And Authorize Tax Allocation Bonds In The Amount of Seventy-Four Thousand One Hundred and Fifty-Nine Dollars (\$74,159.00) Be Used For Matching Funds And Authorize The City Manager, Dennis Speer, To Sign The Program Supplement Agreement For Construction Of The South China Lake Boulevard Project from Bowman Road to College Heights Boulevard Speer

Items Pulled From Consent Calendar:

- Item Nos. 6, 7, and 8

Motion To Approve Consent Calendar Item Nos. 4, 5, 9, and 10 Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders)

Item Nos. 6, 7, and 8 Discussion

Dave Matthews

- Asked where the drainage district is located and why it is needed.

Dennis Speer

- Outlined the existing district and renewal.

Motion To Approve Consent Calendar Item Nos. 6, 7, and 8 Made By Council Member Mower, Second By Council Member Thomas. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders)

DISCUSSION AND OTHER ACTION ITEMS

11. Nomination And Appointment To The City Of Ridgecrest Personnel Commission Ford

Lori Acton

- Nominated Jess Chacon as her representative to the Personnel Commission

Item No. 11 *(continued)*

- No further comments made by Council or Public

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

12. Approve a Resolution to Authorize the City Manager, or his designee, to execute a Municipal Service Agreement (MSA) with the Timbisha Shoshone Tribe **Parsons**

Gary Parsons

- Presented staff report

Public Comment

Scott Leahy

- Thanked Council and Timbisha Tribe for coming here.
- Spoke in general support for the project
- Questioned if City and Tribe could develop a beautiful, attractive facility that is beneficial to the community and tribe.
- Hope we can reach a fair accord and urged people to be forward thinking.

Mike Neel

- Highlighted items in the agenda supporting documents.
- Referenced past discussions of casino.
- Commented on funds for additional police equating to more crime.
- Noted water situation and requirement to cut water.

Lindsey Stevens

- Distributed information to Council regarding planning and traffic studies for casinos.
- Commented on increases to substance abuse, larceny, and crime which equates to additional expenses to citizens.
- Commented on decreased property values and increases in divorce, prostitution, and other moral values.

Lynn Whitcom

- Relayed personal story of elderly father with dementia traveling to Pechanga regularly and spending livelihood.

Brian Bunce

- Questioned plans for the money.
 - Mike Mower – General Fund
- Questioned hiring for the facility, will it be strictly tribal members or open to local residents
 - Gary Parsons – Tribal first and others as needed

Bill Logan

- Immanuel Baptist Church opposes casino
- Shared experiences from San Manuel casino
- Commented the Casino as a detriment to families of the community.

Denny Roberts

- Asked about agreements with tribe to adhere to city ordinances with regard to appearances, signs and building codes.
 - Gary Parsons – explained NEPA review and MSA agreement tribe agrees to utilize Ridgecrest building codes.

Tim Singleton

- Opposes casino and location is a few blocks from neighborhood
- Commented on crime rate increases and household incomes being reduced by gambling.
- Encouraged Council to find other venues to increase City revenues.

Wayne Porter

- Pastor of local church and questioned risking the displeasure of God for a few dollars.
- Mentioned various 'sins' that fuel gambling.
- Read prepared statement.

Tim Fox

- Noted military compatibility concerns regarding the chosen location.

Steve Foster

- Commented on being offended the council has not offered time for community input on this issue.
 - Peggy Breeden – Council Member Sanders was unable to be here and Council wants public to have more time to consider. Am going to ask council to continue this item to next Wednesday.

Brian Danielson

- Opposed to casino and the location.
- Exemplified citizens spending income at the casino rather than in other local businesses.
- Discouraged idea of having the location in front of the base.

Melanie Bunce

- Read letter to editor from 2001 regarding casino.

Marilyn Neel

- Referenced the Blinken Report by the Rockefeller Foundation regarding negative income in gambling communities and concluding it is a detriment to society.
- Encouraged Council to reject the MSA

Francis DeRosa

- Requested location description.
 - Gary Parsons – reviewed the property lines.
- Asked about the impact to the Base.
 - Gary Parsons – under the NEPA process the Base will have opportunity to comment on the impacts.

Mary Boster

- Owner of Pack Wrap and is directly impacted by the sale.
- Expressed concern about original intent of the business park and a casino does not fit the criteria
- Encouraged Council to review this further
 - Gary Parsons – this item is not real estate, only the MSA. With regard to the original restrictions, the State did away with them when they shut down the redevelopment agency.

Jessica Roberts

- Referenced experience in Alabama and reviewed a report from that state.
- Highlighted mental health concerns and current difficulty in transporting patients to Bakersfield.

Dave Matthews

- Reviewed Exhibit B and suggested items currently in Ridgecrest be removed from the suggested uses.
- Commented on light pollution and requested low light or night sky lighting.
- Read quote from Sam Adams.

Shawn King

- Expressed concern about casino, jail closure, potential defunding of Measure 'L', traffic congestion, sustainable businesses.
- Asked about other economic development opportunities.

Pat Ferris

- Commented about this being sprung on the community.
- Referenced the location next to the base, loss of jail and increased demand on police department, schools and health care.
- Questioned the rush to make a decision and referenced past discussions on a prison proposed for the community.
- Requested community leaders be brought together to discuss the impact to schools and other community businesses.
- Commented on the community values and branding the community.

Ryan Ziegler

- Spoke on experience growing up around casinos and good experiences with family activities.
- Questioned personal accountability.
- Encouraged Council to move forward with the project and hope council can separate religious considerations from civic considerations.

Cabria Davies

- Expressed concern about the teenagers in the community that don't always make the best decisions.

Paul Valor

- Questioned council on how this got to this level before community was involved.

Brian Bunce

- Opposed to the casino. Commented on location of a casino 70 miles away and anyone is able to go there.

Jason Stowe

- Commented on community being treated like a mushroom and not being informed.
- Logistically the location is close to several schools.
- Against the casino

Al Huey

- Expressed disappointment the council declined to let the public hear where they stood on this subject.
- Referenced last council meeting presentation which did not include this project.
- Asked if other staff would be commenting
- Commented on no other business having to pay to compensate for additional law enforcement or other municipal services.
- Commented on the moral climate of the community and stated his opinion that it would be a bad decision to move forward.

Patrice Cubie

- Son is working on Eagle Scout project. This is serendipity as he is working on citizenship badge.
- Had heard rumors but not aware it had reached this level.
- Commented on concerns and happy son is able to hear both sides of the argument.

Marilyn Neel

- Commented on disappointment with Council and encouraged public to pay attention.

Speaker

- Explained NEPA process happens after the property sale and decisions are made. Concerns are mitigated but do not mean the casino would go away.

Michael Cando

- Projects like this have been shot down in the past and believe project was intentionally kept quiet to keep public voice out the transaction.
- Suggested an ethical review of Council.

Axel Aldridge

- Commented that attended this meeting to speak for the airport but had no clue this item was going on.
- Urged council to not make a decision today.
- Community needs more information and suggested looking the issues in Lemoore

Elaine Mead

- Suggested Tribe give a presentation on what they are proposing.
- Not for or against the project at this time.
- Suggested if community understood what was being proposed rather than bits and pieces sprung on us so rapidly might get more support.

Speaker

- Prison was on the ballot and this is similar so should be voted on rather than Council make the decision.

Jim Hoover

- Spoke on unintended consequences.
- Does not believe city leaders intended to deceive but haste to make a decision made it appear like deception.
- Asked council to consider unintended consequences of gaming.

Jason Stowe

- Commented on Police open house and Council being voted in by the people.

Peggy Breeden

- Responded to the comments regarding Council.
- We brought this up so we could hear from you. I am not ready to make a decision tonight.
- To think we would try to pull the cloak over your eyes, shame on you.
- Tonight was our opportunity to hear your concerns and we will have other opportunities.
- We have one opportunity to do this right and don't want to throw it away.

Ron Strand

- Spoke to Lemoore Casino and Kings County Sheriff department. Have had minor issues with theft and drugs from the Fresno area and made suggestions on the MSA to make sure they have a cooperative relationship with Casino security.
- Reached out to Bishop who have minor issues with alcohol and drug use.
- Common suggestion was have police work together with security.
- Is a law enforcement issue that can be mitigated with a good relationship between police and security
- Concern with 18 years of age gambling limit and suggested this be revised to age 21.
- Public law 280 our municipal code does not apply so language should be amended to allow us to enforce our local laws.

Mike Mower

- In all fairness to the Mayor it has been expressed we want to put off decision at least a week to gather more input.

Eddie Thomas

- Commented the community needs to look beyond past council actions and statements we deliberately tried to deceive you is not good. We are a part of this community as well and we do not want to make decision tonight because we want to hear how you feel, not be ridiculed by you. You are displeased, I am hurt too.

Lori Acton

- We put this on the agenda so we can hear from you.
- We may have an opinion but ours may change after we hear what you have to say. Don't beat us up until we are done. We are here to have open discussion.
- I have lived near gaming community and have burned up the phone lines to gather facts from these communities in order to make a better informed decision.
- I ask the community give us time to hear your concerns and gather the facts.

Nigel White

- Thanked the mayor, council, residents and Tribe.
- Ridgecrest is not different from other cities that a tribe or corporate company wanted to build a casino. We always see push back from various segments of the community. Sometimes these are justified and not based on fact.
- Tribe will be a good neighbor. This is a small neighborhood casino in a pristine location, near the base and commercial area, not in a neighborhood.
- In July of last year after consultation with Washington DC who identified Ridgecrest as being within the aboriginal territory for a small casino.
- Explained the process and recommendations.
- Scope of the project is small, similar to Bishop, with restaurant and entertainment area.
- Will abide by all building codes and a rendering of the appearance will fit as part of the community.
- Some tribes have developed a bad rap and have had issues with community leaders.
- Referenced issue with Thunder Valley.
- Tribe will do and want to do the right thing.
- Referenced casino boat in Baton Rouge Louisiana. Commented on facts and myths about gaming communities.
- Spoke on property taxes and economic growth. The MSA was designed to ensure that all the money paid by the casino and tribe would go directly to the City of Ridgecrest, not divided between the county or state.
- Reviewed study issued by the US Treasury regarding the connection between gambling and bankruptcy which shows no effect regarding bankruptcy rates.

Speaker questions

- Asked about study of vehicles being drawn from Hwy. 395 to visit the casino.
 - Nigel White – reviewed the study parameters but numbers are not completed but official study will be done for the project
- Asked about the cost of increased police presence.
- Asked about the anticipated need for police presence if there is no anticipated increase to crime.
 - Nigel White – any increase to visitors can mean an increase to crime regardless of the venue. Exemplified Disney World and Branson Missouri.

Motion To table item and schedule special meeting next Wednesday at 6:00 p.m. Made By Mayor Breeden, Second By Council Member Acton. Motion Carried By Roll Call Vote Of 4 Ayes (Mayor Breeden, Council Members Acton, Thomas, And Mower); 0 Noes; 0 Abstain; And 1 Absent (Council Member Sanders)

Peggy Breeden

- Asked staff to address the process to this point at the special meeting.

13. Approve A Resolution To Allocate \$25,000 From The Wastewater Fund To Partially Fund The Preparation Of The Salt & Nutrient Management Plan
Council

Mike Mower

- Presented Staff Report
- Lahontan is requiring the report and water district is taking the lead

Lori Acton

- Excited to see this report.

Public Comment

Stan Rajtora

- Identified other agencies that should be approached to help cover the cost of the report as they also utilize the same water basin.
- Questioned whether the Navy had been approached to help with cost.

Mike Mower

- Navy has participated in preparing the initial report, this is for the final
- LAHONTAN has been specific about the sewer plant and wastewater treatment.

Stan Rajtora

- Commented the sewer plant is located on Navy property and is owned by the navy, operated by the City.
- Stated the Water District money would be refunded through various grants and questioned whether the City planned on pursuing grants from LAHONTAN?
- Questioned what would happen if we did not give the money.
- Questioned whether there was a legal issue requiring this report

Mike Mower

- Commented that several years ago LAHONTAN gave us (the City) a cease and desist order for not complying, do not want that to happen again. We are out of time.

Stan Rajtora

- Stated people are supposed to get a vote before being taxed.
- Expressed concern that the wastewater fund is specific to treatment of waste.
- Commented on increased fees for a new plant and the report LAHONTAN wants, they should pay for it themselves.
- Commented that money is being put into the fund to pay for a new plant so if the City wants to throw money away it should come out of general fund.
- Does not believe LAHONTAN has a right to tax us, if they want the report they can fund the report.

Stan Rajtora *(continued)*

- Commented on GSA meeting last Friday. Need to stop putting up with giving money they don't deserve.
- Disagree with this voluntary donation to the State.

Dave Matthews

- Agrees with Mr. Rajtora's comments and asked what the study is for.
 - Mike Mower – salt nutrients being put back into the water. City was targeted because we run the sewer plant.

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

14. Approve A Resolution Creating An Ad Hoc Budget Review Committee

Lemieux

Keith Lemieux

- Presented staff report

Mike Mower

- Questioned 16-17 limitation
 - Michael Silander – Ad Hoc language makes it temporary.
- Request this be a standing committee
- Requested Dennis Speer review his changes

Dennis Speer

- Powers and authority change to 'assign staff' in order to provide the most knowledgeable staff to answer questions
- Change attendance which gives flexibility to assign the best staff members and does not conflict with other portions of the code.
- Suggest if approached as a standing committee then could conduct quarterly meetings to monitor the budget

Mike Mower

- Agrees with Mr. Speer's recommendations to make this a standing committee.

Keith Lemieux

- Suggested under attendance portion it says 'if any' so the ordinance does not have to be revised at a later date.

Public Comment

Tom Wiknich

- City Org committee was also the budget committee. Understand the City Manager interaction with Council.
 - Mike Mower – looking to have a committee with only 2 Council Members and no Planning Commissioners.

Stan Rajtora

- Appreciate comments of Council from original proposal.
- Stated it is critical to reconcile the budget at the end of the year. CAFR is too late to do anything useful so Council should be involved in end of year reconciliation.
- True-up should be done in July or August.
- Commented there is no mention of public attendance at the meeting, public is important and should be allowed to be involved. Having members of the public on the committee would be beneficial. Important for public to attend but also need to have a couple members of the public as committee members.
- Commented on lack of public input as a result of public not seeing what is really in the budget.
- Commented on new software system which should allow more access for the public.

Peggy Breeden

- Do not disagree with public attendance.

Lori Acton

- Commented on Ad Hoc having the ability to sit with Finance Director and City Manager without having Brown Act issues. Designed to help City staff develop a budget and not carry the full burden.
- Doing an Ad Hoc for a year may be all that is needed with the new computer software.

Peggy Breeden

- Affirmed a desire to have Council involved in the budget process for better understanding.

Keith Lemieux

- If you want this to be a standing committee then will come back with resolution
- Ad Hoc has to be related to specific topic and go away at a specific time.

Mike Mower

- Ok with Ad Hoc

Stan Rajtora

- Commented on no guarantee that new software system will give more transparency. Stated it appears public is being cut out. Last 4 budget hearings, public gets told less and less about how the budget is coming together. It is time for whole budget process to be more transparent and public is included more.

Mike Mower

- Proposed the item be tabled to next agenda.

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: 4th Thursday each month at 5:00 p.m. as needed
Location: Council Conference Room B

- No report

❖ **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

- No report

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

Members: Eddie Thomas; Lori Acton
Meeting: Biannually, 3rd Tuesday of the 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

- No report

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Mike Mower

- Kern COG tomorrow

Peggy Breeden

- GSA meeting available on media vault

CITY MANAGER REPORT

Dennis Speer

- Council has received EIR for proposed wastewater treatment plant.
- Met with Jim Falk at District 6 regarding transportation grants program. Since new components have been implemented we have not been getting grants. Disadvantaged communities received over 80% of available grant funding so do not anticipate resolving the issues this grant funding cycle.

MAYOR AND COUNCIL COMMENTS

Lori Acton

- Thanked Council for allowing time to deal with personal issues
- Thanked citizens for their input
- Thanked staff for their work on our behalf

Peggy Breeden

- Thanked the public for their input

Eddie Thomas

- Justin O'Neill invoice sent to Council with report
- Thanked staff and community for sharing their concerns

Mike Mower

- Council is caught between rock and hard place because we discuss negotiations in closed session then get beat up when we don't disclose those negotiations.

ADJOURNMENT at 9:52 p.m.



Rachel J. Ford, cmc
City Clerk