

CITY OF RIDGECREST

AN OASIS IN THE INDIAN WELLS VALLEY



Photo from: www.ridgecrest-ca.gov/

PREFACE:

There is a “bright light” of an oasis in the northeast portion of Kern County, the City of Ridgecrest (City). Unlike some other small cities in Kern County, the City seems to be heading in a positive direction. New shopping centers, hotels, and businesses have come into the City, and are serving surrounding communities in Inyo and San Bernardino Counties. Since 2016, an additional one percent sales tax was added to previously generated funds, to be used to operate and maintain a strong Police Department, and for needed road repairs. A local Indian tribe is also proposing to open a casino – hotel complex that will also add to the City’s revenue. The 2017-2018 Kern County Grand Jury (Grand Jury) found the City to be functioning efficiently and financially sound.

PURPOSE OF INQUIRY:

After receiving several citizen Complaints, the Cities and Joint Powers Committee (Committee) of the Grand Jury, pursuant to Penal Code §925(a), conducted an inquiry into the operation and management of the City of Ridgecrest.

PROCESS:

On April 18, 2018, the Committee met with the City Manager and City Attorney, conducted interviews, and attended the City Council meeting that evening. The purpose of the interviews and visit was to receive current information concerning the management and building expansions within the City. Past Kern County Grand Jury reports and internet searches were also used to prepare this report.

BACKGROUND and FACTS:

The City, formerly known as Crumville, began as a farming community in 1912, honoring two local dairymen. The first post office in the area opened in 1941. By 1943, the community had grown to 196 residents. The Naval Ordnance Test Station was established in November 1943, providing a strong job base for years to come. The City was incorporated in 1963, as a General Law City.

The City is located in the southern end of the Indian Wells Valley in northern Kern County, and is surrounded by four mountain ranges: the Sierra Nevada on the west, the Cosos on the north, the Argus Range on the east, and the El Paso Mountains on the south. The City is within a two-hour drive of the highest and lowest points in the conterminous United States.

According to the United States Census Bureau, the City has a total area of 21.4 square miles. The 2010 United States Census reported a population of 27,616, with the 2016 estimate being 28,701 (3.9% growth).

The largest employer in the area is the Naval Air Weapons Station China Lake (NAWS China Lake). This is an airborne weapons testing and training range, adjacent to the City, operated by the United States Navy and its contractors.

The City has its own Police Department, as well as a Kern County Sheriff's Office regional sub-station. The Kern County Fire Department provides fire protection and emergency medical services, along with the Ridgecrest Regional Hospital, and two medical clinics.

The Ridgecrest Branch Library, of the Kern County Library system, serves the City, Inyokern, China Lake, Trona, and other surrounding communities. Cerro Coso Community College, established in 1973, has an enrollment of approximately 2,500 full-time students. This college is a part of the Kern Community College District, and serves the surrounding communities.

The City is approximately 115 miles from the cities of Bakersfield and San Bernardino, and 82 miles from Lancaster or Palmdale. Limited air travel in and out of the City is provided through the Inyokern Airport. The Ridgerunner Transit (a flex-route bus system covering the City) is working with Kern Transit (operator of mass transportation in Kern County) to operate an intercity public transit service between the City to California City and Mojave. The Eastern Sierra Transit Authority offers the Inyo-Mono County Bus service, which also connects with Kern Transit.

FINDINGS:

- F1. In 1978, the United States Congress enacted the Indian Self-Determination Act, 25 U.S.C. §450, *et seq.*, to encourage tribal self-sufficiency and self-determination, and in 1988, Congress enacted the Indian Gaming Regulatory Act, 25 U.S.C. §2701, *et seq.*, to provide for tribal gaming, again emphasizing the federal priority of tribes becoming self-sufficient.
- F2. On June 1, 2016, the City entered into a Municipal Service Agreement with the Timbisha Shoshone Tribe (Tribe) to acquire land in a trust, in order for the Tribe to build a casino and entertainment center to achieve economic self-sufficiency.
- F3. In the Municipal Service Agreement with the Tribe:
- a. The City will support the Tribe's request with the Bureau of Indian Affairs to take the land into a trust.
 - b. The Tribe's action is not a City project.
 - c. The City is capable of, and willing to provide a full range of municipal services, for use on the Tribe's trust land.
 - d. The Tribe will use the land exclusively for the operation of a facility for Class II and Class III Gaming, and other gaming related uses.
 - e. The Tribe agrees to contract with the City to provide planning, building and safety, fire prevention, and public works personnel to review construction plans, and inspect construction improvements on the land, to ensure compliance with adopted codes.
- F4. Payments for Critical Municipal Services to the City from the Tribe:
- a. The City and Tribe recognize the gaming facility will necessitate an increase of critical municipal services. The Tribe shall make the following payments to the City:
 - i. One-time payment of \$80,000 for a new police patrol car
 - ii. Annual fees of \$128,000 for additional critical municipal services
 1. Increased to \$260,000 per year upon completion of the construction of a hotel and/or arena
 2. Increased to \$388,000 per year upon the completion of the construction of an entertainment complex
 - b. It is estimated that when operating at full capacity, this project could generate at least \$1.2 million per year for the City.
- F5. Exhibit B of the Municipal Service Agreement with the Tribe lists other activities, which may be developed on the land. (See Appendix A)
- F6. On August 22, 2016, the City's Planning Commission Staff approved a resolution amending Tentative Parcel Map No. 11790, Wal-Mart Stores, Inc., as follows:

- a. In 2009, approved Tentative Parcel Map No. 11790 for 29.28 acres divided into four parcels for commercial use.
 - i. Parcel 1 (approximately 21.24 acres) for Wal-Mart store and parking
 - ii. Parcel 2 (approximately 1.68 acres) for a proposed gasoline dispensing station
 - iii. Parcels 3 and 4 (approximately 4.06 acres) developed as commercial land uses at a later time

 - b. Parcel 1 is complete and open for business. Development of the other parcels is on hold pending redrawing of parcel boundaries and approval of the tract map by the City Council.
- F7. As a General Law City, the City Council hires the City Manager and City Attorney. The City Manager hires, disciplines, dismisses City employees, and oversees the operation and management of the City, under the policies and guidelines of the City Council, as follows:
- The current City Manager e-mails the Council as a whole on the activities and concerns of the City
 - The City Mayor is elected for a two year term
 - The City Council Members are elected to a four year term on a staggered basis
 - To verify residency for the City Council Members and City Mayor, California Driver's License are used with a declaration of "penalty of perjury under the law" that statements are true and correct
 - City Elections are conducted, under the State Elections Code, in conjunction with the Kern County Elections Office
- F8. Total Revenue for the City is approximately \$15.8 million per year from the following sources:
- Sales Taxes and Measure V Tax
 - Transit Occupancy Tax – TOT (hotel tax of 10%)
 - Property Taxes
- F9. The City has spent approximately \$2.3 million to install a "Smart Irrigation System" that will automatically control the irrigation in the parks. The system will only water when the soil moisture reaches the desired level. The system controllers estimate soil moisture, or specific water needs of plants, so excess water use is minimized.
- F10. The City provides the following services for the residents:
- Police protection services
 - Waste Water and treatment plant
 - Located on NAWS China Lake
 - Operated by the City
 - Services the NAWS China Lake's needs

- Public Works
 - Road maintenance and improvements
 - Transportation (bus service, Dial-a-Ride)

- F11. The City does not appear to have a visible graffiti problem. Graffiti is mitigated by a group of volunteers who remove graffiti weekly; approximately 300-500 sites per year are removed.
- F12. The City is experiencing a growth in population, with today's estimates exceeding 30,000 residents. NAWA China Lake is projecting to add 700 new contracted engineers in the next two years, who will need civilian housing. Current available City housing is very limited.
- F13. The City is a member of the Indian Wells Valley Groundwater Authority. The City Manager is also the General Manager for this agency.
- F14. The City voters passed Measure L in 2012 and Measure V in 2016. Measure V extended Measure L for 8 years, and increased the sales tax within the City an additional one percent. The revenues generated are to be used for police protection and road maintenance.
- F15. The Committee attended the City Council - Redevelopment Successor Agency - Housing Authority - Financing Authority Meeting, held Wednesday April 18, 2018. On the meeting's agenda, *Item 1. Fiscal Year 2018-2019 Road Program*, was a presentation and discussion to prepare a final draft to spend approximately \$1.5 million for road improvements and maintenance. The Council Members discussed several plans with the Public Works Department, and allowed public input on how to allocate the Measure V Funds.
- F16. The Police Department utilizes NIXLE®, which is a new technology information program to inform the community of issues and alerts, using social media.

COMMENTS:

The Committee thanks the City Manager and the City Attorney, for their input and cooperation. The City is a thriving "Oasis" and a major business hub for the Indian Wells Valley. People travel from neighboring communities such as Bishop, Independence, Lone Pine, Big Pine, Trona, and other communities in eastern Kern County, to shop within the City, thus contributing to the economy.

RECOMMENDATIONS:

None

NOTES:

- The City of Ridgecrest should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: www.kerncounty.com/grandjury.
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.kerncounty.com/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS TO:

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**

APPENDIX A

EXHIBIT B

The following uses may be developed in conjunction with the gaming facility specifically authorized under this agreement. All uses shall be supportive uses to the gaming facility and shall include but are not limited to:

- Hotel
- Small-scale Amusement Park, including video arcades and miniature golf
- Bowling Center
- Restaurants/Coffee Shops/Snack Bars
- Night Clubs or Bars (includes live entertainment)
- Entertainment Venue
- Tribal Gaming Commission Offices
- Tribal Government Offices

The following uses are expressly prohibited at the Tribal Lands, unless otherwise consented to in writing by the Ridgecrest City Council:

- Gas stations
- Retail establishments
- Residential housing
- Other uses not related to or furthering Tribe's gambling activities at the Tribal Lands

FROM: Municipal Service Agreement, June 1, 2016, City of Ridgecrest and Timbisha Shoshone Tribe