



Measure L Oversight Committee
1st Floor City Council Conference Room Area ‘B’
Monday, January 14, 2013

MINUTES

COMMITTEE MEMBERS

George ‘Andy’ Anderson, Lance ‘Scott’ Garver,
Michael Petersen, Phil Salvatore, Eddie Thomas

Regular Meeting – 5:30 p.m.

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

CALL TO ORDER

1731 PM

ROLL CALL

All committee members present, Mr. Thomas will need to leave around 1815.

Staff Present: Chief of Police R. Strand, Mr. Speer (Acting City Manager)

APPROVAL OF AGENDA

Agenda Approved

- A. Review Budget Report – Phil Salvatore*
- B. Discuss Quarterly Report*
- C. Re-visioning Expectations*

APPROVAL OF MINUTES

Minutes for Measure L Meeting on December, 2012

PUBLIC COMMENT OF ITEMS NOT ON AGENDA (5 min each, 30 min total)

Al Huey

- Opposed to replacing Measure L committee members

Michael Neel

- Prepared statement regarding council perspective regarding Measure L committee and independence
- Copy of Measure L advertising website

Robert Eierman

- Re-emphasized the necessity of independence of the committee

- Recommended excluding council members from meetings, as they are city council members at the city meeting

Jim Fallgetter

- Disagree with council member exclusion
- Troubled by conversation with mayor. Recommended that staff support of committee meetings should be funded.

Sharon Paxton

- Here in response to a Daily Independent article that suggested the direction of funding may change. Vehemently opposed.

Jim Fallgetter

- Opinion that public disagrees with council and may repeal Measure L.

Scott Leahy

- Concerned about re-visioning expectations
- Approve of council presence
- Independence and freedom to fact-find
- Public fund have a right to know how the money is being spent

Barbara Auld

- Worked on Measure L, will take action if things change.

Jerry Taylor

- Walked door-to-door for Measure L. Advised council members to watch body language
- Reminder to oversight committee: was added to sell the tax to the public by increasing confidence in the

Ronald Porter

- Augment police and streets, not replacing them

Al Huey

- Council should not be present to “intimidate” the committee.

Howard Auld

- First council meeting after passage of measure L: “advisory” committee. Need to clarify name vs. duty

Al Huey

- Committee name cannot be changed after the vote.

Tom Wicknick

- Committee should be independent and have access to all public information.

Public comments closed at 1800

Response to public comments

Mr. Thomas

- *Unaware of the rumors to*

Mr. Anderson

- *Rehabilitate Boys and Girls club*
- *Councilwoman Acton promoted the funds, but has a conflict of interest, as she is on the Boys and Girls club board*
- *Appointed for 1 year.*

- *Committee has no “police powers”*

Mr. Garver

- *During reappointment of various council committees, measure L committee members could be replaced, according to the Measure L charter. Councilman Holloway: “useless information”.*

Mr. Salvatore

- *Council discussed possibility to permanently close committees*
- *Measure L expenditures caused concern. Boys and Girls club, Americans with Disabilities Act, and Street Art. Concern was that other projects would be indirectly backfilled with Measure L funds.*

DISCUSSION AND OTHER ACTION ITEMS

A. Review Budget Report – Phil Salvatore

Mr. Salvatore

- *Cost analyst for Navy.*
- *Need budget baseline for comparison.*
- *Everything on paper should be reproducible by the public. Unfortunately not possible, as reports were incomplete. Reliant on Tess Sloan. Wanted to treat the report as a peer-reviewed scientific paper.*
- *Public works spent on streets?*
 - o *No*
- *Gas Tax Fund Revenue*
 - o *TDA (Article 8) – Can go into gas tax fund for*
 - o *Traffic Congestion Relief Fund*
 - *Matching funds from state*
 - o *Substandard Street Funding*
 - *Only applied in 2010*
 - o *General fund transfer*
 - *Consistent until 2011*
 - *Measure L compensate for the lack?*
- *Gas Tax Budget*
 - o *Public Safety (street lights)*
- *Gas Tax Fund Revenue Check*
 - o *Fairly close*
- *Constant-year dollars*
 - o *DoD inflation table*
- *Reserve*
- *Measure L Anticipated Funds*
 - o *\$1135000*

Mr. Thomas departed the meeting.

Mr. Salvatore

- *Questions?*

Mr. Anderson

- *What about the delta?*

- *Support to other funds? Mr. Salvatore: “General Fund Transfer” includes some percentage of “Support to Other Funds”*

Mr. Salvatore

- *\$200k could not be accounted for, as it showed up in the budget, but not outlay.*
- *Comprehensive annual report*

Barbara Auld

- *Question: Funding going to General Fund, can the Measure L funding be tracked? Mr. Salvatore: It does. Mr. Anderson: It is its own line-item.*

Mr. Anderson

- *So I should be able to come up with a number.*

Mr. Taylor

- *~43% of sales tax comes in as Measure L*
- *FY 2012-2013 projection only includes 9 months.*
- *City has \$1.2M problem*

Robert Eierman

- *Street Maintenance vs. Street Construction*

Mr. Speer

- *Construction: Half to full-streets, new construction from Capital Projects*
- *Maintenance: Micropaver, internally*

Al Huey

- *Question using Measure L to maintain existing police force.*

Mr. Garver

- *How fluid are the funds? What was the purpose.*

Mr. Salvatore

- *Keep the same format, look forward to each year to increase/decrease street funding.*

Barbara Auld

- *Where does the “oversight” term come in?*

Mr. Salvatore

- *After the fact.*

Mr. Garver

- *Will come up later.*

Mr. Taylor

- *Budget should be approved, then followed*

B. Discuss Quarterly Report

Mr. Petersen

- *Background*
- *Budget Analysis*
- *Actions*

Mr Anderson

- *Instructions on how to obtain the information.*

Mr. Petersen

- *Budget primer is needed*

Open for Public Comments

Barbara Auld

- *Non-electronic distribution?*

Rebekah Neipp

- *Executive summary can be published in the papers.*
- *Budgetary explanation is vital.*

Mr. Anderson

- *Paper copies at City Hall*

Ms. Harker

- *Put paper copy at library*

Scott Leahy

- *Summary*

Jim Fallgetter

- *Outlay is disturbing. Only a little streets.*

Mr. Salvatore

- *The distribution summary was unexpected. The total amount available had been reduced.*
- *Budget shortfall: \$361k from general fund and backfill with Measure L.*

Scott Leahy

- *Spending is determined by council (Dec 19 meeting)*

Jim Fallgetter

- *Distribution?*

Mr. Garver

- *Measure L Oversight committee has no authority regarding distribution.*

Mr. Salvatore

- *My intent was to generate baseline and provide budget to information to public.*

Mr. Taylor

- *June 20th council meeting \$1.135M original budget favored streets.*

Mr. Anderson needed to leave.

Mr. Petersen and Mr. Salvatore will work on a rough draft.

C. Re-visioning Expectations, presented by Mr. Speer

Mr. Speer

- *Prepared statement from Mayor Clark*
 - o *Apologies for lack of direction*
 - o *Thank committee for efforts*
 - o *Renewed accountability and transparency*
- *Council view of Measure L*
 - o *Little direction was provided to Measure L committee*
 - o *Measure L notes distributed to committee*
 - *Job description:*
 - *Track revenue in from Measure L, as presented by Finance and Expenditures out, as the Council appropriates.*

- *Council decisions must be true to the two categories: Public Safety and Streets.*
 - *City manager must approve all staff reports & presentations*
 - *Reports on Measure L revenue funds relative to expenditures as soon as they are made, and or received*
 - *Reappointed each*

Mr. Salvatore

- *Who wrote this? Was there a council meeting?*
- *Was this voted on in a city council meeting?*

Mr. Speer

- *Prepared by the mayor with input from the city attorney.*
- *Not aware of council’s opinion on the document.*

Mr. Salvatore

- *Quarterly meeting is not sufficient*
- *Restriction on data flow will hamper the ability to do our job*
- *Unless the city council votes to amend the ordinance*

Mr. Speer

- *Staff attendance*
- *Data flow: not intended to restrict data flow. Intended to provide one point of contact.*

Mr. Salvatore

- *Concerned that the council and city manager will be dictating what information is necessary*

Mr. Garver

- *Regarding “unfortunate lack of direction”, why would direction be given to the committee?*
- *Real-time duty to review appropriations*
- *Post-event analysis*
- *Quarterly availability of staff, when council meetings occur twice each month, is unrealistic*
- *Lack of funding for staff participation, staff funding through measure L may be a solution*
- *Troubling that the council, through the mayor, think that they need to guide us.*
- *The Notes document cannot be interpreted that the mayor can be seen to be operating “in good faith”. The public participation here demonstrates the interest.*

Mr. Salvatore

- *Restriction on number of meetings*
- *Restriction on flow of information*
- *Member appointment*

Public Comments

Al Huey

- *Disturbed that this document came from the mayor and city attorney. Should be published, if possible, and put forward in a council meeting*
- *Would sign up for a recall and removal of Measure L*

- Didn't vote for Measure L, expected recent events
- Will speak at city council meeting

Mr. Salvatore

- Mr. Speer: Is it possible to get a cost estimate for staff support.

Scott Leahy

- Staff support of other committees

Mr. Speer

- Other committees are supported by city budget.
- Measure L is not funded

Mr. Fallgetter

- Echo Mr. Garver
- Committee and tax were voted for by the citizens of Ridgecrest.
- Don't know about the funding.
- Suggest that we ask the council and mayor to provide funding to ensure the funds are spent responsibly
- Assume the council members were not aware of this

Mr. Neel

- This is the City Council's understanding of the Measure L ordinance
- To the council members: Was this
 - o Mr. Patin – Not participating in this meeting.
 - o Mr. Sanders – No meeting or consensus.
- The introductory statement was therefore "a lie", as there was no consensus.
- The council must make their decisions in public.

Sharon Paxton

- The statement is unethical

Scott Leahy

- Disturbed by the action of the mayor independent of the council
- Worried that the mayor would start to act as an executive instead of as one of five
- Expense cannot be that great

Barbara Auld

- Can this become an agenda item?

Mr. Salvatore

- Can we suggest agenda items?

Mr. Taylor

- Can make a recommendation with a committee vote.

Robert Auld

- Chapter

Mr. Taylor

- Dec 19th meeting, discussion occurred about 29 minutes into the meeting regarding
- Startup cost. Committee was included to get public buy-in. This budgetary analysis will not need to be repeated.
- Measure L adds 10% of budget

- Police budget will be “devastated” without the Measure L funding in the 6th year and beyond
- \$100k waste management surcharge

COMMITTEE MEMBER COMMENTS

Mr. Petersen

- Impressed by participation.
- Hopefully anger will turn into productive discussion

Mr. Garver

- Using Measure L funding to self-fund.
- Concerned about the apparent intent to “neuter” the committee.
- Need “Town hall” style discussion of views to air both sides of the issue, the 45% who voted against and 55% who voted for Measure L.
- Have the responsibility to review in real-time.
- Back and forth with public, presume more people would be interested.
- Attorney comfort may be disturbed.

Mr. Salvatore

- Public participation
- Mr. Fallgetter
- Grand jury format
- Applaud Mr. Garver for public forum
- Suggest two agenda items to City Council

Suggested Agenda Items

- A. Report draft
- B. Budget review
- C. Funding Measure L staff time
- D. Vote on 5 points the mayor proposed in the “Measure L Notes for Committee Members”

SUPPORT STAFF COMMENTS

Mr. Speer

- All commented out.

Date of next meeting

Jan 28 @ 1730

ADJOURNMENT

1941 PM