135th KZGN News Talking Points Editorial

Today’s topic was suggested by a viewer.

Should the city approve the agreement for a new Indian casino in Ridgecrest?

As this editorial gets published and circulated independently of the regular news segment of the program, I’ll briefly go over what I reported earlier in the news. I have to say, the quietness that this major project emerges is surprising.

Long-time residents should remember that about 25 years ago another casino was proposed. A large part of the residents rose up in opposition. Keeping this project so secret until it absolutely had to be made public was very strategic.

Anyway, here’s the project. The Timbisha Shoshone tribe wishes to develop an Indian gaming casino within the city of Ridgecrest and wants to utilize certain city services in the operation of this entertainment venue. This agreement would provide the city general fund a currently estimated $400,000 per year, plus a one-time payment of $80,000. These payments are to offset the city costs for providing city services to the Timbisha project. The tribe has also agreed to payments at 2% of appraised value of the development and will provide annual payment of $128,000 per year for police and fire protection, as well as problem gaming programs. Both of these amounts will increase as future phases of the proposed development are completed. The agreement also calls for the tribe to provide a 10% payment to the city for any future hotel development, as well as joining the RACVB –

tourism business district and paying its assessments.

The agreement is for a period of 20 years from the commencement of casino operations. The payments will offset the city for lost property and sales taxes due to the federal status of the land upon which the development will sit. There are a lot more details in the actual agreement, which appear very fair to the city. The project is to be built along North China Lake Blvd. In the city business park, about a half mile south of the China Lake main entrance, the tribe will purchase the large parcel. The details are that with the purchase, the land then becomes federal land, owned by the Indian tribe, and will, legally, no longer under the control of the city.

However (and this is a big however), the agreement states that the tribe agrees to waiver almost all the sovereignty of federal lands, and agrees to subject the entire project to be under the legal control of the city for planning, and building, essentially, waiving their sovereignty. The entire project will be designed and built under the cities usual control. This is a major concession of the tribe. This is in addition to the fees they have agreed to pay the city for various costs.

The fees they have offered to pay include:

$128,000 per year for municipal services

$400,000 per year for police and fire services

A one-time payment of $80,000 to the police department for equipment

Plus, they have agreed to pay 2% of the project costs for city costs.

Here’s an excerpt from the agreement: The tribe shall enact laws applicable to the trust lands and shall require that the trust lands be used and developed in a manner that complies with all applicable city general, specific and community plans, zoning ordinances, and design guidelines in effect at the time of development. The tribe shall adopt the building standards set out in the city's adopted building codes, and prior to the use of any structure constructed on the trust lands, provide the city, at the tribe's expense, with written certification from the project architect that said structures have been constructed in accordance with said standards.

To ensure that tribal laws are adequately enforced, the tribe agrees to contract with the city to provide, planning, building, safety, fire prevention, and public works personnel to review construction plans and inspect construction of improvements on the trust lands, to insure compliance with adopted codes. Said review and inspection services shall be provided at the city’s normal rates for such services.

Here’s more: The tribe agrees to pay the city all service fees and impact fees established by city. How about police authority on federal land you may ask? Here’s what is in the agreement: The city shall have authority to enforce state and local criminal laws on the trust lands to the extent authorized by public law 280. How about employment and new jobs?

Here’s what’s in the agreement: The tribe shall work in good faith with the city, to employ qualified residents at the gaming facility. While the initial project is to build and operate a new casino, they have provided possible future development ideas.

They include:

1. Hotel

2. Small-scale amusement park, including video arcades and miniature golf

3. Bowling center

4. Restaurants/coffee shops/snack bars

5. Night clubs or bars (includes live entertainment)

6. Entertainment venue

7. Tribal gaming commission offices

8. 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.

So, that’s a quick rundown of the project.

It looks like this agreement would be good for the city, as they desperately need to increase revenue. Of course, there will be moral concerns brought up, and some will imply questions of possible increases in a criminal element. That is an argument that you folks can bring to the council. For this editorial, I just focused on the legal and economic standards of the project.

In conclusion, the agreement basically almost provides that it will come under regular city control for services and costs associated the city will incur for a project like this. I have no problem with them approving this project and agreement.

I’m Tom Wiknich, and that’s what I think. I’d like to know what you think. If you have any comments about this editorial, or would like to discuss or recommend a topic, I’d like to hear from you. Please email them to info@kzgn.net.