



**MINUTES**

**TEHACHAPI CITY COUNCIL REGULAR MEETING,  
TEHACHAPI REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING,  
TEHACHAPI PUBLIC FINANCING AUTHORITY REGULAR MEETING, AND  
TEHACHAPI CITY FINANCING CORPORATION REGULAR MEETING  
MONDAY, JANUARY 7, 2019 – 6:00 P.M.**

**NOTE:** Wi, He, Sm, Da and Po are abbreviations for Council Members Wiggins, Hetge, Davies and Pogon-Cord, respectively. For example, Wi/Sm denotes Council Member Wiggins made the motion and Council Member Smith seconded it. The abbreviation Ab means absent, Abd abstained, Ns noes, and NAT no action taken.

**ACTION TAKEN**

<p><b><u>CALL TO ORDER</u></b></p> <p>Meeting called to order by Mayor Pro Tem Wiggins at 6:00 p.m.</p> <p><b><u>ROLL CALL</u></b></p> <p>Roll call by City Clerk Tori Marsh</p> <p>Present: Mayor Pro Tem Wiggins, Councilmembers Hetge, Smith, Davies and Pogon-Cord</p> <p>Absent: None</p> <p><b><u>INVOCATION</u></b></p> <p>By Pastor Henry Schaeffer, Roots Christian Fellowship</p> <p><b><u>PLEDGE TO THE FLAG</u></b></p> <p>Led by Councilmember Smith</p> <p><b><u>CITY CLERK REPORTS</u></b></p> <ol style="list-style-type: none"><li>1. Swearing in of new officer, Joan Pogon-Cord and presentation of Certificate of Election by City Clerk Tori Marsh – <b>PRESENTATION AND BRIEF INTERMISSION</b></li><li>2. According to Tehachapi Municipal Code Section 2.08.040, "The presiding officer of the council shall be the Mayor, who shall be elected biannually at the first meeting of each even-numbered year, by the Council Members, from among their membership except that the outgoing Mayor may not succeed himself or herself; provided, however, that should the Mayor be subject to reelection during his or her term as the Mayor and either not seek reelection or otherwise fail to</li></ol>	
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**ACTION TAKEN**

<p>be reelected, then the Council shall elect a new Mayor following the election and, thereafter, the Mayor shall be elected biannually at the first meeting following an election of Council Members and shall be so elected by the Council Members from among their membership except that the outgoing Mayor may not succeed himself or herself” - <b>ELECTION OF MAYOR FOR A TWO YEAR TERM CALLED BY DEPUTY CITY CLERK</b></p>	
<p><b>DEPUTY CITY CLERK ASHLEY WHITMORE DECLARED NOMINATIONS FOR THE OFFICE OF MAYOR OPEN</b></p>	<p>Opened Nominations For Mayor</p>
<p><b>COUNCILMEMBER HETGE NOMINATED COUNCILMEMBER WIGGINS FOR THE OFFICE OF MAYOR</b></p>	<p>Councilmember Hetge Nominated Councilmember Wiggins For The Office Of Mayor</p>
<p><b>COUNCILMEMBER POGON-CORD NOMINATED COUNCILMEMBER SMITH</b></p>	<p>Councilmember Pogon-Cord Nominated Councilmember Smith For The Office Of Mayor</p>
<p><b>COUNCILMEMBER SMITH DECLINED THE NOMINATION</b></p>	<p>Councilmember Smith Declined The Nomination</p>
<p><b>WITHOUT OBJECTION, DEPUTY CITY CLERK ASHLEY WHITMORE DECLARED THE NOMINATIONS CLOSED AND PROCEEDED WITH THE VOTE</b></p>	<p>Declared The Nominations Closed</p>
<p><b>COUNCIL UNANIMOUSLY ELECTED COUNCILMEMBER WIGGINS TO THE OFFICE OF MAYOR</b></p>	<p>Elected Councilmember Wiggins To The Office Of Mayor</p>
<p>3. <b>Election of Mayor Pro-tempore called by Mayor Wiggins – MAYOR WIGGINS DECLARED NOMINATIONS FOR THE OFFICE OF MAYOR PRO-TEMPORE OPEN</b></p>	<p>Opened Nominations For Mayor Pro Tempore</p>
<p><b>COUNCILMEMBER DAVIES NOMINATED COUNCILMEMBER SMITH FOR THE OFFICE OF MAYOR PRO TEMPORE</b></p>	<p>Councilmember Davies Nominated Councilmember Smith For The Office Of Mayor Pro Tempore</p>
<p><b>WITHOUT OBJECTION, MAYOR WIGGINS DECLARED THE NOMINATIONS CLOSED AND PROCEEDED WITH THE VOTE</b></p>	<p>Declared The Nominations Closed</p>
<p><b>COUNCIL UNANIMOUSLY ELECTED COUNCILMEMBER SMITH TO THE OFFICE OF MAYOR PRO TEMPORE</b></p>	<p>Elected Councilmember Smith To The Office Of Mayor Pro Tempore</p>
<p><b><u>CONSENT AGENDA</u></b></p> <p>Approved consent agenda</p>	<p>Approved Sm/Da Ayes All</p>
<p><b><u>AUDIENCE ORAL COMMUNICATIONS</u></b></p> <p>4. Comments received</p>	

	<p><b>ALL ORDINANCES SCHEDULED FOR INTRODUCTION OR ADOPTION AT THIS MEETING SHALL BE READ BY TITLE ONLY</b></p> <p><b><u>CITY CLERKS REPORTS (CONT.)</u></b></p> <p>* 5. Minutes for the Tehachapi City Council, Tehachapi Redevelopment Successor Agency, Tehachapi Public Financing Authority, and the Tehachapi City Financing Corporation regular meeting December 17, 2018 – <b>APPROVED AND FILED</b></p> <p>6. The Tehachapi City Council will appoint one member to the City of Tehachapi Planning Commission to fill a vacancy to expire on June 30, 2022. The City Clerk’s office received applications from two qualified applicants: Mariana Teel and Kim Nixon – <b>APPOINTED KIM NIXON TO THE CITY OF TEHACHAPI PLANNING COMMISSION TO COMPLETE A TERM TO EXPIRE ON JUNE 30, 2022</b></p> <p><b>COUNCILMEMBER DAVIES NOMINATED KIM NIXON FOR THE TEHACHAPI PLANNING COMMISSION</b></p> <p><b>COUNCILMEMBER HETGE NOMINATED MARIANA TEEL FOR THE TEHACHAPI PLANNING COMMISSION</b></p> <p><b>MAYOR WIGGINS CALLED FOR VOTE</b></p> <p><b><u>FINANCE DIRECTOR REPORTS</u></b></p> <p>* 7. Disbursements, bills and claims for December 13, 2018 through January 2, 2019 – <b>AUTHORIZED PAYMENTS</b></p> <p>8. Disbursements and bills for RSI Petroleum for December 13, 2018 through January 2, 2019 – <b>AUTHORIZED PAYMENTS</b></p> <p><b><u>ASSISTANT TO THE CITY MANAGER</u></b></p> <p>9. Second reading and adoption of an Ordinance amending Ordinance No. 343 and Tehachapi Municipal Code 8.04.09 relating to refuse container requirements for commercial or multi-family dwellings subject to AB 1826 and requiring the diversion of their organic waste in accordance with the law – <b>ASSISTANT TO THE CITY MANAGER COREY COSTELLOE GAVE STAFF REPORT; ADOPTED ORDINANCE NO. 19-01-748 AMENDING ORDINANCE NO. 343 AND TEHACHAPI MUNICIPAL CODE 8.04.09 RELATING TO DIVERSION OF ORGANIC WASTE</b></p>	<p>All Ord. Read By Title Only</p> <p>Approved And Filed Sm/Da Ayes All</p> <p>Councilmember Davies Nominated Kim Nixon For The Tehachapi Planning Commission</p> <p>Councilmember Hetge Nominated Mariana Teel For The Tehachapi Planning Commission</p> <p>Appointed Kim Nixon To The City Of Tehachapi Planning Commission To Complete A Term To Expire On June 30, 2022 Po/He Voted For Teel Sm/Da/Wi Voted For Nixon</p> <p>Authorized Payments Sm/Da Ayes All</p> <p>Councilmember Davies Recused Himself And Left The Room Due To A Potential Conflict Of Interest. He Is An Employee At RSI Petroleum.</p> <p>Authorized Payments Sm/He Motion Carried Abd Da</p> <p>Adopted Ordinance No. 19-01-748 Amending Ordinance No. 343 And Tehachapi Municipal Code 8.04.09 Relating To Diversion Of Organic Waste. Correction To Typo In Ordinance. Sm/He Ayes All</p>
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**ACTION TAKEN**

<p>10. Urgency Ordinance regulating small-cell wireless telecommunications facilities – <b>ASSISTANT TO THE CITY MANAGER COREY COSTELLOE GAVE STAFF REPORT; ADOPTED URGENCY ORDINANCE NO. 19-02-749 REGARDING WIRELESS TELECOMMUNICATION FACILITIES AND AMENDING THE CITY OF TEHACHAPI ZONING CODE</b></p>	<p>Adopted Urgency Ordinance No. 19-02-749 Regarding Wireless Telecommunication Facilities And Amending The City Of Tehachapi Zoning Code Da/He Ayes All</p>
<p><b><u>DEVELOPMENT SERVICES DIRECTOR REPORTS</u></b></p>	
<p>11. Approval of Tentative Parcel Map No. 12320 (Red Apple Pavilion Project) as recommended by the City of Tehachapi Planning Commission – <b>DEVELOPMENT SERVICES DIRECTOR JAY SCHLOSSER GAVE STAFF REPORT; APPROVED TENTATIVE PARCEL MAP NO. 12320</b></p>	<p>Councilmember Davies Recused Himself And Left The Room Due To A Potential Conflict Of Interest. The Developer Is Considering A Gas Station On The Development And Councilmember Davies Works For RSI Petroleum.</p>
<p>12. First Reading of an ordinance adopting the Capital Hills Specific Plan (Revised) – <b>DEVELOPMENT SERVICES DIRECTOR JAY SCHLOSSER GAVE STAFF REPORT; APPROVED THE FIRST READING OF AN ORDINANCE ADOPTING THE CAPITAL HILLS SPECIFIC PLAN (REVISED) AND ADDING SECTION 6.20.170 TO THE TEHACHAPI ZONING CODE</b></p>	<p>Approved Tentative Parcel Map No. 12320 Sm/Po Motion Carried Abd Da</p> <p>Approved The First Reading Of An Ordinance Adopting The Capital Hills Specific Plan (Revised) And Adding Section 6.20.170 To The Tehachapi Zoning Code Sm/He Ayes All</p>
<p><b><u>CITY ATTORNEY REPORTS</u></b></p>	
<p>13. At your last meeting, there was a question regarding whether Councilmember Hetge had a conflict of interest under Government Code Section 1090 in voting on matters related to the airport taxiway relocation project. The Fair Political Practices Commission will provide a formal advice letter on such matters if requested. Opinions on Section 1090 require that the request must be submitted in writing from the public agency -- <b>CITY ATTORNEY TOM SCHROETER GAVE REPORT; AUTHORIZED THE CITY ATTORNEY TO REQUEST A FORMAL ADVICE LETTER FROM THE FPPC RELATING TO WHETHER COUNCIL MEMBER HETGE HAS A CONFLICT OF INTEREST RELATING TO THE TAXIWAY RELOCATION PROJECT</b></p>	<p>Councilmember Hetge Recused Himself And Left The Room Due To A Potential Conflict Of Interest. He Owns A Business At The Airport.</p> <p>Authorized The City Attorney To Request A Formal Advice Letter From The FPPC Relating To Whether Council Member Hetge Has A Conflict Of Interest Relating To The Taxiway Relocation Project Da/Sm Motion Carried Abd He</p>
<p><b><u>CITY MANAGER REPORTS</u></b></p>	
<p>14. Report to Council regarding current activities and programs – <b>VERBAL REPORT</b></p>	
<p><b><u>COUNCIL MEMBER REPORTS</u></b></p>	
<p>15. <b>Councilmember Hetge - City Staff and City Attorney to provide a full summary of the SB 54 ("Sanctuary State")related work that has been done, to date, and how the efforts to oppose this legislation benefit the safety of our Citizens and our City</b></p>	<p>City Attorney Tom Schroeter Gave A Brief History And Update On The Status Of The Case.</p>

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (3) of subdivision (e) of Government Code Section 54956.9 (1 potential case) (claim filed by Kenneth Hetge).

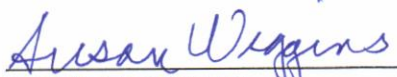
ADJOURNMENT

The City Council/Boards adjourned at 7:55 pm to a Tehachapi City Council, Tehachapi Redevelopment Successor Agency, Tehachapi Public Financing Authority and Tehachapi City Financing Corporation Regular Meeting to be held on Tuesday, January 22, 2019, at 6:00p.m.



TORI MARSH, City Clerk  
City of Tehachapi

Approved this 22<sup>nd</sup> day  
Of January, 2019.



SUSAN WIGGINS, Mayor  
City of Tehachapi