

MINUTES

**TEHACHAPI CITY COUNCIL REGULAR MEETING,
TEHACHAPI REDEVELOPMENT AGENCY REGULAR MEETING,
TEHACHAPI PUBLIC FINANCING AUTHORITY REGULAR MEETING, AND
TEHACHAPI CITY FINANCING CORPORATION REGULAR MEETING**

**BeeKay Theatre
110 South Green Street**

Monday, December 6, 2010 – 6:00 P.M.

NOTE: Sm, Ve, Gr, Re and Wi are abbreviations for Council Members Smith, Vernon, Grimes, Reed and Wiggins, respectively. For example, Gr/Sm denotes Council Member Grimes 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

CALL TO ORDER

Meeting called to order by Mayor Vernon at 6:00 p.m.

ROLL CALL

Roll call by City Clerk Denise Jones.

Present: Mayor Vernon, Mayor Pro-Tem Smith, Councilmembers Reed & Grimes

Absent: Councilmember Beckham

PLEDGE TO THE FLAG

Led by Chief Kermode

INVOCATION

By Pastor Ron Barker from First Baptist Church

CITY CLERK REPORTS

1. CITY COUNCIL INSTALLATION CEREMONY TO THE OFFICES OF THE CITY THAT WERE ELECTED ON TUESDAY NOVEMBER 2, 2010.

A) A Resolution declaring the result of the General Municipal Election held November 2, 2010. – **ADOPTED RESOLUTION NUMBER 34-10 RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.**

Adopted Res. No. 34-10
Reciting The Fact Of The
General Municipal Election
Held On November 2, 2010,
Declaring The Result & Such
Other Matters As Provided
By Law
Gr/Sm Motion Carried
Ab: Beckham

ACTION TAKEN

<p>B) Oath of Allegiance & Certificate of Election – CITY CLERK DENISE JONES ADMINISTERED THE OATH OF ALLEGIANCE AND PRESENTED THE CERTIFICATES OF ELECTION TO COUNCIL MEMBERS LINDA VERNON, PHIL SMITH AND SUSAN WIGGINS.</p>	<p>City Clerk Denise Jones Administered The Oath Of Allegiance & Presented The Certificates Of Election To Council Members Linda Vernon, Phil Smith & Susan Wiggins</p>
<p>Councilmember Wiggins took her seat at the Council table.</p>	
<p>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 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"</p>	
<p>CITY CLERK DENISE JONES DECLARED NOMINATIONS FOR MAYOR OPEN:</p>	<p>Opened Nominations For Mayor</p>
<p>COUNCILMEMBER SMITH NOMINATED COUNCILMEMBER GRIMES FOR THE OFFICE OF MAYOR.</p>	<p>Smith Nominated Grimes</p>
<p>WITHOUT OBJECTION, CITY CLERK DENISE JONES DECLARED THE NOMINATIONS CLOSED AND PROCEEDED WITH THE VOTE:</p>	<p>Declared The Nominations Closed</p>
<p>COUNCIL UNANIMOUSLY ELECTED COUNCIL MEMBER GRIMES TO THE OFFICE OF MAYOR.</p>	<p>Elected Grimes To The Office Of Mayor Ayes All</p>
<p>COUNCILMEMBER GRIMES WAS DECLARED MAYOR FOR A TWO-YEAR PERIOD, EXPIRING DECEMBER 2012.</p>	
<p>MAYOR GRIMES DECLARED NOMINATIONS FOR MAYOR PRO-TEMPORE OPEN:</p>	<p>Opened Nominations For Mayor Pro Tem</p>
<p>COUNCILMEMBER WIGGINS NOMINATED COUNCILMEMBER SMITH FOR THE OFFICE OF MAYOR PRO-TEMPORE.</p>	<p>Wiggins Nominated Smith</p>
<p>WITHOUT OBJECTION, MAYOR GRIMES DECLARED THE NOMINATIONS CLOSED AND PROCEEDED WITH THE VOTE:</p>	<p>Declared The Nominations Closed</p>
<p>COUNCIL UNANIMOUSLY ELECTED COUNCILMEMBER SMITH TO THE OFFICE AS MAYOR PRO-TEMPORE.</p>	<p>Elected Smith To The Office Of Mayor Pro Tem Ayes All</p>

ACTION TAKEN

3. Mayor Grimes presented a plaque to outgoing Mayor Vernon and Mayor Pro-Tem Smith.

A moment of silence was held in memory of Paul Smith and Officer Horning's wife, Lisa.

Council took a recess at 6:15 p.m. where refreshments were served. Council reconvened the meeting at 6:23 p.m.

Recess

CONSENT AGENDA

Approved consent agenda subject to removal of items *7 & *9 by Ken Hetge.

Approved Consent Agenda
Subject To Removal Of Item
*7 &*9
Sm/Ve Ayes All

AUDIENCE ORAL COMMUNICATIONS

4. General public comments regarding matters not listed as an agenda item were received from:

- a. Ken Hetge, city business owner, asked what TEAM stands for, what they do and who they report to.
- b. George Sandy, city resident, asked about night lighting regulations for businesses and residences.

5. Mayor Grimes presented a Certificate of Recognition to Alice Jukes.

6. Mayor Grimes presented a Certificate of Recognition to Fernando Gonzalez, retiring Warden of CCI.

CITY CLERK REPORTS

***7. ALL ORDINANCES SCHEDULED FOR INTRODUCTION OR ADOPTION AT THIS MEETING SHALL BE READ BY TITLE ONLY. THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA BY KEN HETGE FOR CLARIFICATION.**

All Ord. Read By Title Only
Sm/Wi Ayes All

***8. Minutes for the Tehachapi City Council, Tehachapi Redevelopment Agency, Tehachapi Public Financing Authority, and the Tehachapi City Financing Authority regular meeting on November 15, 2010 and special meeting on November 30, 2010- APPROVED AND FILED.**

Approved & Filed
Sm/Ve Ayes All

FINANCE DIRECTOR REPORTS

*9. Disbursements, bills, and claims for 11/16/10-11/30/10 –**THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA BY KEN HETGE TO ASK ABOUT A CENTENNIAL PLAZA EXPENDITURE, A WIND TURBINES EXPENDITURE, AND FOR ADDITIONAL INFORMATION ON BOND PAYMENTS; AUTHORIZED PAYMENTS.**

Authorized Payments
 Ve/Sm Ayes All

UTILITY MANAGER REPORTS

10. The City has four (4) wind turbines located at our Waste Water Treatment Plant. One (1) turbine was constructed in 2003 and the next three (3) were constructed in 2005. The City had entered into two (2) separate agreements for the maintenance of the turbines with Oak Creek Energy Systems Inc. The 2003 agreement expired in 2006 and the City has been operating under this previous agreement since December 15, 2006. The 2005 agreement is open ended with a thirty (30) day termination notice clause – **JON CURRY GAVE REPORT; TERMINATED THE AGREEMENT BETWEEN CITY OF TEHACHAPI AND OAK CREEK ENERGY SYSTEMS INC.**

Terminated The Agreement
 Between C.O.T. & Oak Creek
 Energy Systems Inc.
 Ve/WI Ayes All

11. Consideration of an agreement with Airstreams Renewables Inc. to perform the maintenance of the four (4) wind turbines located at the City's Waste Water Treatment Plant. The cost to the City would be as follows; \$250.00 per year per turbine for a total of \$1,000.00 per year. This would cover the maintenance, supplies and operations of the turbines. Unscheduled maintenance would also be covered, with the City covering the cost of replacement components. This is a savings to the City of approximately \$6700.00 per year – **JON CURRY GAVE REPORT; KEN HETGE ASKED ABOUT LIABILITY ISSUE; APPROVED MAINTENANCE AGREEMENT BETWEEN AIRSTREAMS RENEWABLES INC. AND THE CITY OF TEHACHAPI REGARDING FOUR WIND TURBINES AT THE WASTE WATER TREATMENT PLANT SUBJECT TO TERMINATION OF THE OAK CREEK ENERGY SYSTEMS, INC. AGREEMENTS.**

Approved Maintenance
 Agreement Between
 Airstreams Renewables Inc.
 & C.O.T. Regarding Four
 Wind Turbines At The Waste
 Water Treatment Plant
 Subject To Termination Of
 The Oak Creek Energy
 Systems, Inc. Agreements
 Sm/Ve Ayes All

COMMUNITY DEVELOPMENT MANAGER REPORTS

12. On July 19, 2010, staff presented Ordinance No. 10-03-705 regarding amendments to the Sign Ordinance, regarding signage located outside of the Downtown, to Council. The introduction was tabled at that time to allow staff opportunity to address two issues that surfaced in the course of the presentation regarding Main Street's sign/banner, as well as the potential public safety ramification of allowing sign walkers – **COMMUNITY**

Introduced Ord. 10-03-705
 Amending Chapters 18.83 &
 18.84 Of The Tehachapi
 Municipal Code & Ord. Nos.
 572, 610, & 667 Relating To
 Signs
 Sm/Ve Ayes All

ACTION TAKEN

DEVELOPMENT MANAGER DAVE JAMES GAVE REPORT; KEN HEGTE EXPRESSED HIS CONCERNS REGARDING ORDINANCE; WILLIAM NELSON, CITY RESIDENT, ASKED ABOUT PERMITS FOR SIGN WALKERS AND EXPRESSED HIS CONCERNS REGARDING ORDINANCE; CRIAG BRITTON WANTS TO KEEP ORDINANCE AS IT IS AND ASKED WHO CAN USE BANNER RACKS; HENRY SCHAFFER, CITY RESIDENT EXPRESSED HIS OPINION ON SIGN WALKERS; COUNCILMEMBER SMITH ASKED STAFF TO LOOK INTO A PERMIT PROCESS FOR SIGN WALKERS; INTRODUCED ORDINANCE 10-03-705 AMENDING CHAPTERS 18.83 AND 18.84 OF THE TEHACHAPI MUNICIPAL CODE AND ORDINANCE NOS. 572, 610, AND 667 RELATING TO SIGNS.

CAPITAL PROJECTS REPORTS

13. The city has been allocated funding and has received an Authorization to Proceed with Preliminary Engineering, from the California Department of Transportation (Cal Trans) for the Highway Safety Improvement Program on Valley Boulevard. The grant funding for this project totals \$5,760.00 with a required \$640.00 match – **CAPITAL PROJECTS MANAGER CHRIS KIRK GAVE REPORT; CRAIG BRITTON, CITY RESIDENT ASKED FOR CLARIFICATION ON SCOPE OF PROJECT; COUNCILMEMBER SMITH ASKED HOW MUCH TO DO OTHER SIDE OF STREET AS WELL; ADOPTED RESOLUTION, AUTHORIZING THE MAYOR TO SIGN AND EXECUTE PROGRAM SUPPLEMENT AGREEMENT NO. 012-N TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS, AGREEMENT NO. 09-5184R, PROJECT NO. HSIPL-5184(015) SUBJECT TO APPROVAL OF THE CITY ATTORNEY.**

Adopted Res. No.,
Authorizing The Mayor To
Sign & Execute Program
Supplement Agreement No.
012-N To Administering
Agency-State Agreement For
Federal-Aid Projects,
Agreement No. 09-5184R,
Project No. HSIPI-5184(015)
Subject To Approval Of The
City Attorney
Wi/Sm Ayes All

14. The city entered into a contract with Burtch Construction for the Valley Boulevard Rehabilitation Project. All contract items have been successfully completed and at this time a Notice of completion must be filed in order to close the contract – **CAPITAL PROJECTS MANAGER CHRIS KIRK GAVE REPORT; HENRY SCHAFFER, CITY RESIDENT, EXPRESSED CONCERNS OVER CHIP SEAL PROCESS; APPROVED THE NOTICE OF COMPLETION FOR THE VALLEY BOULEVARD REHABILITATION PROJECT AND DIRECT STAFF TO RECORD SAME.**

Approved The Notice Of
Completion For The Valley
Blvd Rehabilitation Project &
Direct Staff To Record Same
Ve/Wi Ayes All

15. The Tehachapi Redevelopment Agency (RDA) has nearly \$4 million that must be spent on developing or providing low-to-moderate income housing as defined by the State. If this money is not expended in a timely manner, the State reserves the option to audit those funds and to force the RDA to spend them in a manner determined by the State. Rather than lose local control of the funds,

Authorized Staff To
Investigate The Properties &
Potentially Negotiate Price &
Terms Of Payment
Wi/Sm Motion Carried
Ab: Re

ACTION TAKEN

staff has been working to identify an appropriate project to pursue. Five existing apartment buildings located on the south side of Valley Boulevard between Kelton and Mulberry Streets provide the opportunity for the city to acquire and renovate and make site improvements to eliminate the blight that currently exists – **CAPITAL PROJECTS MANAGER CHRIS KIRK GAVE REPORT; HENRY SCHAFFER, CITY RESIDENT, SPOKE AGAINST LOW INCOME HOUSING, HE WANTS MORE SENIOR HOUSING; CRAIG BRITTON, CITY RESIDENT, QUESTIONED WHY CITY WOULD GO INTO COMPETITION WITH PRIVATE SECTOR; WILLIAM NELSON, CITY RESIDENT, WANTED TO KNOW ABOUT “TIME FRAME” AND SPOKE AGAINST PROJECT; KEN HETGE ASKED ABOUT PURCHASE PRICE AND SPOKE AGAINST PURCHASE OF BUILDINGS; SCOTT BAKER SPOKE AGAINST CITY RETAINING OWNERSHIP OF APARTMENTS; STAN BECKHAM, CITY RESIDENT, WANTS MORE SENIOR HOUSING; DEBRA HAND, GLENN BAUMANN AND SOCORRO SCHMIDT, CITY RESIDENTS, SPOKE IN FAVOR OF PROJECT; MICHELLE VANCE ASKED IF IT IS LEGAL TO RESTRICT RESIDENTS BY AGE; COUNCILMEMBER WIGGINS THINKS THIS IS A WONDERFUL SOLUTION; COUNCILMEMBER VERNON BELIEVES THIS IS A PRIME PROJECT BUT CITY SHOULD NOT RETAIN OWNERSHIP; COUNCILMEMBER SMITH SPOKE IN FAVOR OF INVESTIGATING PROJECT; AUTHORIZED STAFF TO INVESTIGATE THE PROPERTIES AND POTENTIALLY NEGOTIATE PRICE AND TERMS OF PAYMENT.**

During report for item 15 Councilmember Reed left the meeting.

CITY MANAGER REPORTS

16. Consideration of an agreement between KERO and the City of Tehachapi for the purpose of a fixed WeatherVision camera – **GREG GARRETT GAVE REPORT; WILLIAM NELSON, CITY RESIDENT, SPOKE IN SUPPORT; CRAIG BRITTON ASKED HOW MUCH AIR TIME TEHACHAPI WILL HAVE ON THE NEWS; KEN HETGE WANTED ASSURANCE THE THAT CAMERA WILL NOT SHOW HIS HANGER; COUNCILMEMBER VERNON SPOKE REGARDING THE CITY PARTNERSHIP WITH KERO; APPROVED AGREEMENT BETWEEN KERO AND THE CITY OF TEHACHAPI SUBJECT TO APPROVAL BY THE CITY MANAGER AND CITY ATTORNEY**

Approved Agreement
Between KERO & C.O.T.
Subject To Approval By The
City Manager & City
Attorney
Ve/Sm Motion Carried
Ab: Re

COUNCIL MEMBER REQUESTS

17. Following the change in City Council membership, the Council may wish to modify the current assignments to groups, organizations and committees – **MODIFY COUNCIL ASSIGNMENTS TO GROUPS**

Tabled Until Next Meeting

ACTION TAKEN

AND ORGANIZATIONS

COUNCIL MEMBER ANNOUNCEMENTS OR REPORTS

1. Councilmember Wiggins thanked community for their support and expressed her enjoyment on being a councilmember.
2. Mayor Grimes spoke regarding the Tehachapi High School football game in Fresno this Friday.
3. Councilmember Smith thanked everyone for their support and updated everyone on the status of Highway 58 becoming a scenic highway.

CLOSED SESSION

1. Approval of closed session minutes of November 15, 2010.

Tabled Until Next Meeting

ADJOURNMENT

The City Council/Boards adjourned at 8:05 pm to a Tehachapi City Council, Tehachapi Redevelopment Agency, Tehachapi Public Financing Authority and Tehachapi City Financing Corporation Regular Meeting to be held on Monday, December 20, 2010, at 6:00p.m.


DENISE JONES
City Clerk, City of Tehachapi

Approved this 20th day
Of December, 2010.


ED GRIMES
Mayor, City of Tehachapi