

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**

**BeeKay Theatre
110 South Green Street**

Monday, September 17, 2012 – 6:00 P.M.

NOTE: Sm, Gr, Wi, Ni and Va are abbreviations for Council Members Smith, Grimes, Wiggins, Nixon and Vachon, 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 Grimes at 6:00 p.m.

ROLL CALL

Roll call by City Clerk Denise Jones.

Present: Mayor Grimes, Mayor Pro-Tem Smith, Councilmembers, Wiggins and Vachon

Absent: Councilmember Nixon

INVOCATION

By Andy Walker from Country Oaks Baptist Church.

PLEDGE TO THE FLAG

Led by Councilmember Wiggins.

CONSENT AGENDA

Approved consent agenda

Approved Consent Agenda
Sm/Wi Motion Carried
Ab: Ni

AUDIENCE ORAL COMMUNICATIONS

1. General public comments regarding matters not listed as an agenda item were received from:
 - a. Liz Fox, city resident, thanked City for improvements at rodeo grounds.

ACTION TAKEN

- b. Tom Anderson, Tehachapi Car Club, thanked City for cooperation in putting on their events.
- c. Stan Beckham, city resident, spoke about due process regarding weed abatement.

- 2. Mayor Grimes presented a proclamation for Constitution Week.
- 3. Mayor Grimes presented a proclamation for AKC Responsible Dog Ownership Day.

CITY CLERK REPORTS

- *4. **ALL ORDINANCES SCHEDULED FOR INTRODUCTION OR ADOPTION AT THIS MEETING SHALL BE READ BY TITLE ONLY.**
- *5. Minutes for the Tehachapi City Council, Tehachapi Redevelopment Successor Agency, Tehachapi Public Financing Authority, and the Tehachapi City Financing Corporation regular meeting on August 20, 2012 - **APPROVED AND FILED.**
- 6. City Council will need to appoint one member to the Tehachapi Valley Recreation and Parks District Board to fill the vacancy created by Board Member Ernie Muro's resignation. This appointment will fill a four year term which expires on February 3, 2013. The City Clerk's office received applications from two qualified applicants, Laurel Janssen and Paul Press – **DEPUTY CITY CLERK ASHLEY WHITMORE GAVE REPORT; BOTH APPLICANTS INTRODUCED THEMSELVES; RECEIVED PUBLIC COMMENT FROM WILLIAM NELSON AND LIZ FOX.**

MAYOR GRIMES OPENED NOMINATIONS AT 6:26 PM.

COUNCILMEMBER WIGGINS NOMINATED PAUL PRESS.

MAYOR GRIMES CLOSED NOMINATIONS AT 6:27 PM.

MAYOR GRIMES, MAYOR PRO TEM SMITH, COUNCILMEMBERS WIGGINS AND VACHON VOTED FOR PAUL PRESS.

APPOINTED PAUL PRESS TO THE TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT BOARD TO COMPLETE A FOUR YEAR TERM TO EXPIRE ON FEBRUARY 3, 2013.

All Ord. Read By Title Only
Sm/Wi Motion Carried
Ab: Ni

Approved & Filed
Sm/Wi Motion Carried
Ab: Ni

Gr Opened Nominations

Wi Nominated Paul Press

Gr Closed Nominations

Gr, Sm, Wi & Ni Voted For
Paul Press (4 Votes)

Appointed Paul Press To
The TVRPD Board

FINANCE DIRECTOR REPORTS

*7. Disbursements, bills, and claims for August 16, 2012 through September 11, 2012 – **AUTHORIZED PAYMENTS.**

Authorized Payments
Sm/Wi Motion Carried
Ab: Ni

AIRPORT MANAGER REPORTS

*8. Mr. Norman Hanson requests the rental and use of City of Tehachapi owner Hangar 27W on month to month rental basis – **APPROVED THE NON-COMMERCIAL HANGAR RENTAL AGREEMENT FOR HANGAR 27W BETWEEN NORMAN HANSON AND THE CITY OF TEHACHAPI.**

Approved The Non-Commercial Hangar Rental Agreement For Hangar 27W Between Norman Hanson & C.O.T.
Sm/Wi Motion Carried
Ab: Ni

COMMUNITY DEVELOPMENT DIRECTOR REPORTS

9. Present staff's initial findings relative to the review of the Tehachapi Rail Improvement Project Draft Environmental Impact Report (DEIR) document as staff prepares the City's official response to Caltrans – **COMMUNITY DEVELOPMENT DIRECTOR DAVID JAMES GAVE REPORT; CARL GEHRICKE, LIZ FOX, AND SOCORRO SCHMIDT SPOKE ABOUT IMPACT OF TRAINS IN TEHACHAPI AND GIVING RESIDENTS AN ALTERNATE ACCESS; WILLIAM NELSON SPOKE ABOUT DEIR ISSUES; STAN BECKHAM SPOKE ABOUT WORKING WITH RAILROAD; CHARLES WHITE SPOKE ABOUT ASKING FOR MITIGATING FACTORS; MAYOR PRO TEM PHIL SMITH ASKED ABOUT PROPOSED NUMBER OF TRAINS AND SPOKE ABOUT TRAIN IMPACT ON TEHACHAPI AND MITIGATION OPTIONS; MAYOR GRIMES SPOKE ABOUT FIGHTING A BIG ENTITY AND ASKED RESIDENTS TO PUT THEIR CONCERNS IN WRITING; RECEIVED AND FILED REPORT ON THE TEHACHAPI RAIL IMPROVEMENT PROJECT DEIR AND DIRECTED STAFF TO ENGAGE WITH LEBEAU THELEN ATTORNEYS AT LAW TO ASSIST STAFF IN THIS AND ALL PHASES OF THE EIR PROCESS RELATIVE TO THE PROJECT.**

Received & Filed Report On The Tehachapi Rail Improvement Project DEIR & Directed Staff To Engage With Lebeau Thelen Attorneys At Law To Assist Staff In This & All Phases Of The EIR Process Relative To The Project
Sm/Wi Motion Carried
Ab: Ni

ASSISTANT CITY MANAGER REPORTS

10. Recent changes by Caltrans and the Federal Highway Administration necessitate a change in the way in which the City currently inspects public works projects. To accommodate these changes, and to reduce costs overall, Staff recommends hiring an Assistant Engineer/Engineering Aide to act as an inspector for all public works construction and to provide assistance to the Engineering Department – **ASSISTANT CITY MANAGER CHRIS KIRK GAVE REPORT; CHARLES WHITE, CITY RESIDENT, ASKED ABOUT ERROR AND OMISSIONS INSURANCE; WILLIAM NELSON DISCUSSED HIS OBSERVATIONS; STAN**

Approved The Job Description & Salary Range For The Position Of Assistant Engineer/Engineering Aide
Sm/Va Motion Carried
Ab: Ni

ACTION TAKEN

BECKHAM, CITY RESIDENT, SPOKE AGAINST POSITION; MAYOR PRO TEM SMITH CLARIFIED POSITION; COUNCILMEMBER WIGGINS ASKED ABOUT SALARY RANGE; APPROVED THE JOB DESCRIPTION AND SALARY RANGE FOR THE POSITION OF ASSISTANT ENGINEER/ENGINEERING AIDE

11. In the past, the City hired Emergency Management Consultants to create and update the City's Emergency Operations Plan. Due to community changes and regulatory changes, the City's Plan needs to be updated – **ASSISTANT CITY MANAGER CHRIS KIRK GAVE REPORT; COUNCILMEMBER WIGGINS ASKED IF THIS PLAN IS NIMS COMPLIANT; APPROVED AND AUTHORIZED THE MAYOR TO SIGN THE AGREEMENT BETWEEN THE CITY OF TEHACHAPI AND EMERGENCY MANAGEMENT CONSULTANTS, INC.**

Approved & Authorized The Mayor To Sign The Agreement Between C.O.T. & Emergency Management Consultants, Inc.
Wi/Sm Motion Carried
Ab: Ni

*12. The Americans With Disabilities Act (ADA) places certain regulations on the City in a variety of subject areas. One of the requirements of Title II of the ADA is that a public agency must have an adopted ADA Grievance Procedure which outlines the process one can follow who has an ADA related complaint – **APPROVED THE CITY OF TEHACHAPI GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT**

Approved C.O.T. Grievance Procedure Under The Americans With Disabilities Act
Sm/Wi Motion Carried
Ab: Ni

CITY MANAGER REPORTS

13. City Staff has been working with the California Public Employees' Retirement System (CalPERS) to create a second-tier pension program for all future City employees in order to reduce long-term pension obligations associated with City employment. This second-tier will not affect current employees and existing obligations – **CITY MANAGER GREG GARRETT GAVE REPORT; CARL GEHRICKE ASKED WHAT PERCENTAGE EMPLOYEES PAY AND WHAT PERCENTAGE THE CITY PAYS; MAYOR PRO TEM ASKED WHO THIS WILL AFFECT; MAYOR GRIMES IS GLAD THE CITY IS BEING PROACTIVE ON THIS ISSUE; ADOPTED RESOLUTION NO. 30-12 AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF TEHACHAPI; INTRODUCED ORDINANCE NO. 12-01-709 OF THE CITY COUNCIL OF THE CITY OF TEHACHAPI AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF TEHACHAPI AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

Adopted Res. No. 30-12 Of An Amendment To The Contract Between The Board Of Administration Of The California Public Employees' Retirement System & The City Council Of C.O.T.; Introduced Ord. No. 12-01-709 Of The City Council Of C.O.T. Authorizing An Amendment To The Contract Between C.O.T. & The Board Of Administration Of The California Public Employees' Retirement System
Wi/Sm Motion Carried
Ab: Ni

ACTION TAKEN

14. Report to Council regarding current activities and programs –
VERBAL REPORT.

Gave Report

COUNCIL MEMBER ANNOUNCEMENTS OR REPORTS

1. Councilmember Wiggins spoke about Tehachapi's good reputation.
2. Mayor Pro Tem spoke about new Edison Regional Manager and lighting in Tehachapi.
3. Councilmember Vachon asked about City getting a key to thermostat box at Beekay Theater.
4. Mayor Grimes commented on Historic Downtown Area being one of the 13 finalists for the "Prettiest Painted Places in California" contest. Also commented on Public Safety Policy Committee meeting he attended.

CLOSED SESSION

1. Conference with real property negotiator (City Manager) regarding first right of refusal of Airport property described as Hangar 19E, per Government Code Section 54956.8.
2. Conference with legal counsel regarding possible litigation from the Broome Family Trust per Government Code Section 54956.9(c).

ADJOURNMENT

The City Council/Boards adjourned at 8:20 p.m. to a Tehachapi City Council, Tehachapi Redevelopment Successor Agency, Tehachapi Public Financing Authority and Tehachapi City Financing Corporation Regular Meeting to be held on Monday, October 1, 2012, at 6:00 p.m.


 DENISE JONES, CMC
 City Clerk, City of Tehachapi

Approved this 1st day
Of October, 2012.


 ED GRIMES
 Mayor, City of Tehachapi