

AGENDA

**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, June 15, 2015 - 6:00 P.M.**

Persons desiring disability-related accommodations should contact the City Clerk no later than ten days prior to the need for the accommodation. A copy of any writing that is a public record relating to an open session item of this meeting is available at City Hall, 115 South Robinson Street, Tehachapi, California, 93561.

CALL TO ORDER

ROLL CALL

INVOCATION

Participation in the invocation is strictly voluntary. Each City Councilmember, city employee, and each person in attendance may participate or not participate as he or she chooses.

PLEDGE TO FLAG

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT

All items listed with an asterisk (*) are considered to be routine and non-controversial by city staff. Consent items will be considered first and may be approved by one motion if no member of the council or audience wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in listed sequence with an opportunity for any member of the public to address the city council concerning the item before action is taken. Staff recommendations are shown in caps. Please turn all cellular phones off during the meeting.

AUDIENCE ORAL AND WRITTEN COMMUNICATIONS

The City Council welcomes public comments on any items within the subject matter jurisdiction of the Council. We respectfully request that this public forum be utilized in a positive and constructive manner. Persons addressing the Council should first state their name and area of residence, the matter of City business to be discussed, and the organization or persons represented, if any. To ensure accuracy in the minutes, please fill out a speaker's card at the podium. Comments directed to an item on the agenda should be made at the time the item is called for discussion by the Mayor. Questions on non-agenda items directed to the Council or staff should be first submitted to the City Clerk in written form no later than 12:00 p.m. on the Wednesday preceding the Council meeting; otherwise response to the question may be carried over to the next City Council meeting. No action can be taken by the Council on matters not listed on the agenda except in certain specified circumstances. The Council reserves the right to limit the speaking time of individual speakers and the time allotted for public presentations.

1. General public comments regarding matters not listed as an agenda item.

**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, June 15, 2015- 6:00 P.M. - PG. 2

CITY CLERK REPORTS

Tehachapi City Council Unassigned Res. No. 39-15
Tehachapi City Council Unassigned Ord. No. 15-07-726
Tehachapi Redevelopment Successor Agency Unassigned Res. No. 02-15
Tehachapi Public Financing Authority Unassigned Res. No. 01-15

- *2. ALL ORDINANCES SCHEDULED FOR INTRODUCTION OR ADOPTION AT THIS MEETING SHALL BE READ BY TITLE ONLY**

- *3. Minutes for the Tehachapi City Council, Tehachapi Redevelopment Successor Agency, Tehachapi Public Financing Authority, and the Tehachapi City Financing Corporation regular and special meetings on May 18, 2015 – APPROVE AND FILE**

- *4. Special Event Application for Tehachapi Valley Recreation & Parks Districts 4th of July Kids Parade 2015 on July 4, 2015 – APPROVE THE 4th OF JULY KIDS PARADE SPECIAL EVENT APPLICATION AND ASSOCIATED STREET CLOSURES SUBJECT TO APPROVAL OF INSURANCE BY CITY ATTORNEY**

- *5. Special Event Application and associated agreement for RV Peddler RV Show in Capital Hills – APPROVE THE RV PEDDLER SPECIAL EVENT APPLICATION AND ASSOCIATED STREET CLOSURES SUBJECT TO APPROVAL OF INSURANCE BY THE CITY ATTORNEY AND AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED AGREEMENT**

FINANCE DIRECTOR REPORTS

- *6. Disbursements, bills, and claims for May 28, 2015 through June 3, 2015 – AUTHORIZE PAYMENTS**

COMMUNITY DEVELOPMENT DIRECTOR

- 7. Annexation No. 84 and associated pre-zone request – APPROVE ANNEXATION NO. 84 AS RECOMMENDED BY STAFF TO ANNEX (2) CONTIGUOUS PARCELS UNDER SEPARATE OWNERSHIP TOTALING 4.2 ACRES.**

CITY MANAGER REPORTS

- 8. Part-time, Temporary, Provisional and Seasonal Paid Sick Leave Policy – ADOPT A RESOLUTION REVISING THE PAID SICK LEAVE POLICY PURSUANT TO AB 1522 FOR PART-TIME EMPLOYEES BY REVISING SECTION 4D, TO EMPLOYEE PERSONNEL MANUAL**

- 9. PUBLIC HEARING - An action to order the levy of assessments within the Landscaping and Lighting District No. 1 for fiscal year 2015/2016 – OPEN HEARING; NOTICE OF PUBLIC HEARING AND CORRESPONDENCE; STAFF REPORT; RECEIVE PUBLIC COMMENT; CLOSE HEARING; STAFF RECOMMENDATION; ADOPT A RESOLUTION APPROVING THE ANNUAL ENGINEER’S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO 1 FOR FISCAL YEAR 2015/2016**

**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, June 15, 2015- 6:00 P.M. - PG. 3

10. **PUBLIC HEARING** - An action to order the levy of assessments within the Landscaping and Lighting District No. 2014-1 for fiscal year 2015/2016 – **OPEN HEARING; NOTICE OF PUBLIC HEARING AND CORRESPONDENCE; STAFF REPORT; RECEIVE PUBLIC COMMENT; CLOSE HEARING; STAFF RECOMMENDATION; ADOPT A RESOLUTION APPROVING THE ANNUAL ENGINEER’S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE DRAINAGE BENEFIT ASSESSMENT DISTRICT NO 1 FOR FISCAL YEAR 2015/2016, PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982**

11. **PUBLIC HEARING** - An action to order the levy of assessments within the Drainage Benefit Assessment District No. 1 for fiscal year 2015/2016- **OPEN HEARING; NOTICE OF PUBLIC HEARING AND CORRESPONDENCE; STAFF REPORT; RECEIVE PUBLIC COMMENT; CLOSE HEARING; STAFF RECOMMENDATION; ADOPT A RESOLUTION APPROVING THE ANNUAL ENGINEER’S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE DRAINAGE BENEFIT ASSESSMENT DISTRICT NO 2014-1 FOR FISCAL YEAR 2015/2016, PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982**

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

On their own initiative, a Councilmember may ask a question for clarification, make a brief announcement, provide a reference to staff or other resources for factual information, take action to have staff place a matter of business on a future agenda, request staff to report back at a subsequent meeting concerning any matter, or make a brief report on his or her own activities. (Per Gov’t. Code §54954.2(a))

CLOSED SESSION

1. Conference with legal counsel regarding Air Pollution Control District grant application per Government Code Section 54956.9(d)(2),(e)(2).

ADJOURNMENT

MINUTES

TEHACHAPI CITY COUNCIL SPECIAL MEETING, TEHACHAPI REDEVELOPMENT SUCCESSOR AGENCY SPECIAL MEETING, TEHACHAPI PUBLIC FINANCING AUTHORITY SPECIAL MEETING, AND TEHACHAPI CITY FINANCING CORPORATION SPECIAL MEETING

WELLS EDUCATION CENTER
300 SOUTH ROBINSON STREET
MONDAY, JUNE 1, 2015 – 4:00 P.M.

NOTE: Sm, Gr, Wi, Ni and Wa are abbreviations for Council Members Smith, Grimes, Wiggins, Nixon and Wahlstrom, 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

<p><u>CALL TO ORDER</u></p> <p>Meeting called to order by Mayor Wiggins at 4:00 p.m.</p> <p><u>ROLL CALL</u></p> <p>Roll call by Deputy City Clerk Ashley Whitmore</p> <p>Present: Mayor Wiggins, Mayor Pro-Tem Nixon, Councilmembers Grimes, Smith and Wahlstrom</p> <p>Absent: None</p> <p><u>PLEDGE TO THE FLAG</u></p> <p>Led by Councilmember Grimes</p> <p><u>AUDIENCE COMMUNICATIONS</u></p> <p>1. General public comments regarding matters listed as an agenda item were received from:</p> <p style="padding-left: 20px;">a. No comments received</p> <p><u>BUSINESS</u></p> <p><u>CITY MANAGER REPORTS/FINANCE DIRECTOR REPORTS</u></p> <p>1. Presentation on the five-year budget for Fiscal-Years 2015/16 through 2019/20 – CITY MANAGER, GREG GARRETT & FINANCE DIRECTOR, HANNAH</p>	<p style="text-align: center;">Adopted Resolution No. 33-15 Approving And Adopting The City Of Tehachapi's Budget For</p>
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ACTION TAKEN

CHUNG GAVE REPORT; ADOPTED RESOLUTION NO. 33-15 APPROVING AND ADOPTING THE CITY OF TEHACHAPI'S BUDGET FOR THE FISCAL YEAR 2015/16 AND PRELIMINARY BUDGET FOR FISCAL YEARS 2016/17, 2017/18, 2018/19 AND 2019/20

The Fiscal Year 2015/16 And Preliminary Budget For Fiscal Years 2016/17, 2017/18, 2018/19 And 2019/20
 Sm/Ni All Ayes

2. **Appropriation Limit for the fiscal year 2015/16 – FINANCE DIRECTOR HANNAH CHUNG GAVE REPORT; ADOPTED RESOLUTION NO. 34-15 ESTABLISHING AN APPROPRIATION LIMIT FOR THE FISCAL YEAR 2015/16**

Adopted Resolution No. 34-15 Establishing An Appropriation Limit For The Fiscal Year 2015/16
 Sm/Ni All Ayes

3. **Employees' contribution rate change for California Public Employees' Retirement System – CITY MANAGER GREG GARRETT GAVE REPORT; ADOPTED RESOLUTION NOS. 35-15 & 36-15 LOWERING THE EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MISCELLANEOUS AND PUBLIC SAFETY EMPLOYEES'**

Adopted Resolution Nos. 35-15 & 36-15 Lowering The Employer Paid Member Contributions For Miscellaneous And Public Safety Employees'
 Gr/Sm All Ayes

4. **Classification Plan – ASSISTANT CITY MANAGER CHRIS KIRK GAVE REPORT; ADOPTED THE CITY EMPLOYEE CLASSIFICATION PLAN TO TAKE EFFECT JULY 11, 2015, SUBJECT TO MOU'S BEING ADOPTED WITH THE PUBLIC WORKS BARGAINING UNIT AND THE POLICE OFFICERS' ASSOCIATION**

Adopted The City Employee Classification Plan To Take Effect July 11, 2015, Subject To MOU'S Being Adopted With The Public Works Bargaining Unit And The Police Officer's Association
 Sm/Gr All Ayes

5. **Salary Plan for each position classification in City service as required by CalPERS – ASSISTANT CITY MANAGER CHRIS KIRK & CITY MANAGER GREG GARRETT GAVE REPORT; ADOPTED RESOLUTION NO. 37-15 ESTABLISHING THE SALARY PLAN FOR EACH POSITION CLASSIFICATION IN CITY SERVICE AND REPEALING RESOLUTION NO. 84-14**

Adopted Resolution No. 37-15 Establishing The Salary Plan For Each Position Classification In City Service And Repealing Resolution No. 84-14
 Gr/Sm Motion Carried
 No: Wa

ADJOURNMENT

 TORI MARSH
 City Clerk
 City of Tehachapi

Approved this 15th day
 Of June, 2015.

 SUSAN WIGGINS
 Mayor, City of Tehachapi

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, June 1, 2015 – 6:00 P.M.**

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

ROLL CALL

Roll call by City Clerk Tori Marsh

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

Absent: None

INVOCATION

By Wes Clare Pastor, St. Jude's in the Mountains

PLEDGE TO THE FLAG

Led by Mayor Pro-Tem Nixon

CONSENT AGENDA

Approved consent agenda

Approved Consent Agenda
Ni/Gr All Ayes

AUDIENCE ORAL COMMUNICATIONS

1. General public comments regarding matters not listed as an agenda item were received from:
 - a. Kim Cummings, City Resident asked the Police Chief about military training exercises in the area.

CITY CLERK REPORTS

***2. ALL ORDINANCES SCHEDULED FOR INTRODUCTION OR ADOPTION AT THIS**

All Ord. Read By Title Only

MEETING SHALL BE READ BY TITLE ONLY.

- *3. Minutes for the Tehachapi City Council, Tehachapi Redevelopment Successor Agency, Tehachapi Public Financing Authority, and the Tehachapi City Financing Corporation regular meeting on May 18, 2015 - **APPROVED AND FILED.**
- 4. The Tehachapi City Council will need to appoint one member to the City of Tehachapi Planning Commission to fill the vacancy created by Commissioner Sonja Wilson's expiration of term which is set to expire on June 30, 2015 – **DEPUTY CITY CLERK ASHLEY WHITMORE GAVE REPORT; DIRECTED STAFF TO ADVERTISE FOR THE APPOINTMENT OF ONE PLANNING COMMISSIONER WITH A TERM TO EXPIRE ON JUNE 30, 2019**

Approved & Filed
 Ni/Gr All Ayes

Directed Staff To Advertise For The Appointment Of One Planning Commissioner With A Term To Expire On June 30, 2019
 Gr/Ni All Ayes

FINANCE DIRECTOR REPORTS

- *5. Disbursements, bills and claims for May 14, 2015 through May 27, 2015 – **AUTHORIZED PAYMENTS**
- 6. Removal of delinquent installment of special assessment from Kern County tax roll – **FINANCE DIRECTOR HANNAH CHUNG GAVE REPORT; ADOPTED RESOLUTION NO. 38-15 ORDERING REMOVAL OF DELINQUENT INSTALLMENTS OF SPECIAL ASSESSMENTS FROM THE KERN COUNTY TAX ROLL AND ORDERING FORECLOSURE ACTIONS**

Authorized Payments
 Ni/Gr All Ayes

Adopted Resolution No. 38-15 Ordering Removal Of Delinquent Installments Of Special Assessments From The Kern County Tax Roll And Ordering Foreclosure Actions
 Ni/Gr All Ayes

COMMUNITY OUTREACH COORDINATOR REPORTS

- *7. Agreement with Kiddie Amusements for entertainment at the 4th of July Hotdog Festival - **APPROVED AND AUTHORIZED THE MAYOR TO SIGN AN AGREEMENT WITH KIDDIE AMUSEMENTS**
- *8. Agreement with Chris Fulton for entertainment at the July 4th Hotdog Festival - **APPROVED AND AUTHORIZED THE MAYOR TO SIGN AN AGREEMENT WITH CHRIS FULTON**
- *9. Agreement with the Blue Mountain Tribe for entertainment at the July 4th Hotdog Festival - **APPROVED AND AUTHORIZED THE MAYOR TO SIGN AN AGREEMENT WITH BLUE MOUNTAIN TRIBE**
- *10. Agreement with T-Pops for entertainment at the July 4th Hotdog Festival – **APPROVED AND AUTHORIZED THE MAYOR TO SIGN AN AGREEMENT WITH T-POPS**
- *11. Agreement with Tehachapi Community Orchestra for entertainment at the July 4th Hotdog Festival – **APPROVED AND AUTHORIZED THE MAYOR TO SIGN AN AGREEMENT WITH TEHACHAPI COMMUNITY ORCHESTRA**

Approved And Authorized The Mayor To Sign An Agreement With Kiddie Amusements
 Ni/Gr All Ayes

Approved And Authorized The Mayor To Sign An Agreement With Chris Fulton
 Ni/Gr All Ayes

Approved And Authorized The Mayor To Sign An Agreement With Blue Mountain Tribe
 Ni/Gr All Ayes

Approved And Authorized The Mayor To Sign An Agreement With T-Pops
 Ni/Gr All Ayes

Approved And Authorized The Mayor To Sign An Agreement With Tehachapi Community Orchestra
 Ni/Gr All Ayes

CITY ENGINEER REPORTS

12. Curry Street Median and Pinon Street Improvements Project bid award – **CITY ENGINEER JAY SCHLOSSER GAVE REPORT; RECEIVED COMMENTS FROM WES CLARE, CITY RESIDENT, MARY ANN HESTER, VOLUNTEER POLICE AND DAVID BUTLER, CITY RESIDENT. APPROVED THE REQUEST FROM STURGEON SERVICES INTERNATIONAL TO BE RELIEVED FROM THEIR BID DUE TO CLERICAL ERROR PURSUANT TO PUBLIC CONTRACT CODE SECTION 5101; AWARDED THE CURRY STREET MEDIAN AND PINION STREET IMPROVEMENTS PROJECT TO R.C. BECKER & SON, INCORPORATED IN THE AMOUNT OF \$330,390.43 AND AUTHORIZED THE CITY MANAGER TO APPROVE ANY NECESSARY CHANGE ORDERS UP TO A MAXIMUM OF 5% OF THE ORIGINAL CONTRACT (OR \$16,519.52).**

Approved The Request From Sturgeon Services International To Be Relieved From Their Bid Due To Clerical Error Pursuant To Public Contract Code Section 5101; Awarded The Curry Street Median And Pinlon Street Improvements Project To R.C. Becker & Son, Incorporated In The Amount Of \$330,390.43 And Authorized The City Manager To Approve Any Necessary Change Orders Up To A Maximum Of 5% Of The Original Contract (Or \$16,519.52)
 Ni/Wa All Ayes

ASSISTANT CITY MANAGER REPORTS

*13. Non-commercial Hangar Ground Lease Agreement – **APPROVED THE NON-COMMERCIAL HANGAR GROUND LEASE AGREEMENT FOR HANGAR 09E BETWEEN THE CITY OF TEHACHAPI AND JOSEPH AND ZANYA BIVIANO**

Approved The Non-Commercial Hangar Ground Lease Agreement For Hangar 09e Between The City Of Tehachapi And Joseph And Zanya Biviano
 Ni/Gr All Ayes

CITY MANAGER REPORTS

14. Tehachapi Police Officers Association Memorandum of Understanding – **CITY MANAGER GREG GARRETT GAVE STAFF REPORT; APPROVED THE MOU BETWEEN THE CITY OF TEHACHAPI AND THE TEHACHAPI POLICE OFFICERS ASSOCIATION**

Approved The Mou Between The City Of Tehachapi And The Tehachapi Police Officers Association
 Gr/Sm All Ayes

15. PERS Industrial disability retirement of Police Office Palmateer – **CITY MANAGER GREG GARRETT GAVE REPORT; ADOPTED RESOLUTION NO. 39-15 CONCERNING THE INDUSTRIAL DISABILITY RETIREMENT OF POLICE OFFICER PALMATEER**

Adopted Resolution No. 39-15 Concerning The Industrial Disability Retirement Of Police Officer Palmateer
 Ni/Sm All Ayes

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

COUNCIL MEMBER ANNOUNCEMENTS OR REPORTS

1. Mayor Pro Tem Nixon would like the City to recognize local kids for good deeds at future Council Meetings.
2. Councilmember Grimes announced the Farmer's Market starting this Thursday and THS Football players will be selling tickets at the Farmer's Market for the Fourth of July Pancake Breakfast.

CLOSED SESSION

1. Approval of closed session minutes for May 18, 2015.
2. Public Employee Release Per Government Code Section 54957(b)(1).

NAT

NAT

3. Conference with legal counsel regarding potential litigation per Government Code Section 54956.9(d)2,(e)(1).

NAT

ADJOURNMENT

The City Council/Boards adjourned at 6:45pm 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, June 15, 2015, at 6:00p.m.

TORI MARSH
City Clerk, City of Tehachapi

Approved this 15 day
Of June, 2015.

SUSAN WIGGINS
Mayor, City of Tehachapi



APPROVED
DEPARTMENT HEAD: _____
CITY MANAGER: _____

COUNCIL REPORTS

MEETING DATE: JUNE 15, 2015

AGENDA SECTION: CITY CLERK

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: ASHLEY WHITMORE, DEPUTY CITY CLERK

DATE: JUNE 11, 2015

SUBJECT: TEHACHAPI VALLEY RECREATION & PARKS DISTRICT CHILDREN'S PARADE

APPLICANT AND ORGANIZATION

LeAnn Williams, Tehachapi Valley Recreation & Parks District

EVENT DESCRIPTION

Annual 4th of July Children's Parade downtown 7:30am – 9:30am. This event is open to the public.

APPLICANT REQUESTS

- Closure of E Street from S. Robinson Street to S. Mojave Street 7/4/15
- Closure of Mojave Street from E Street to F Street 7/4/15
- Closure of C Street from Central Park to Robinson Street 7/4/15
- Closure of Robinson Street from C Street to E Street 7/4/15

STAFF CONDITIONS

Administration: 1) Event applicant will be responsible for making sure city property is properly cleaned after the close of the event.

Other: 2) Due to late filing of application not all conditions have been received.

RECOMMENDATION

APPROVE THE TEHACHAPI VALLEY RECREATION & PARKS DISTRICT CHILDREN'S PARADE SPECIAL EVENT APPLICATION, ASSOCIATED STREET CLOSURES AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT BETWEEN THE CITY OF TEHACHAPI AND THE GREATER TEHACHAPI CHAMBER OF COMMERCE, SUBJECT TO CITY CONDITIONS.



RECEIVED
JUN 02 2015
CITY OF TEHACHAPI

SPECIAL USE/EVENT APPLICATION

Organization Tehachapi Valley Recreation & Park District

Event Contact LeAnn Williams Phone Number 822-3228

Address 490 West D Street

City Tehachapi State CA Zip Code 93561

E-mail Address I.williams@tvrpd.org or recreation@tvrpd.org

Event Name Children's Parade

Event Location Central Park

Event Date(s) 4 July 2015 Event Time(s) 7:30 AM - 9:30 AM

Describe Event: (Street Closures, Activities, Participation, Etc.)

Will meet with Jon Curry, public works director, to confirm route and where cones/barricades etc. are needed

Parade will wrap around central park

please see attached map for route

Is the event open to the Public? Yes No

Is event for money raising purposes? Yes No

If Yes, what will the proceeds be used for? _____

Will alcoholic beverages be served? Yes No

Will alcoholic beverages be sold? Yes No

If Yes, what is A.B.C. Permit No? _____

Event Name Children's Parade

Event Date(s) 4 July 2015

Please Describe How The Following Will Be Accomplished:

Street Barricades All streets around Central Park

Traffic Control Tehachapi VIPs and Warrior Football team

Crowd Control _____

Utility Services: Water, Sewer, Electric n/a

Lights n/a

Dust Control n/a

Site Clean-up & Maintenance TVRPD Staff and volunteers

Security n/a

Site Facilities n/a

Health Dept. n/a

I understand that if I am utilizing a city-owned facility I am responsible to clean the above requested facility, by removing all rubbish, debris, etc., and restore the grounds/facility back to a clean and orderly condition. I further understand I may be required to pay a deposit, at the cities discretion, for clean-up of the grounds/facility, and upon inspection of the grounds/facility, the deposit, may be fully or partially refunded, depending upon the condition the facility is left in by the user.

I also understand that this application is not a guarantee of event approval.

I, the undersigned, have read the above statements, general regulations and insurance requirements attached to this contract, and understand them and agree fully.

Applicant Signature _____

Date _____

Office Use Only

Insurance Certificate

List Of Vendors

Meeting

Deposit

Plot Plan

Date _____

Time _____

<input type="checkbox"/> CM	<input type="checkbox"/> PW	<input type="checkbox"/> A	<input type="checkbox"/> HD
<input type="checkbox"/> CPM	<input type="checkbox"/> CD	<input type="checkbox"/> P	<input type="checkbox"/> BL
<input type="checkbox"/> LC	<input type="checkbox"/> BI	<input type="checkbox"/> F	<input type="checkbox"/> C

Notes _____

GENERAL REGULATIONS

Facility use agreements are issued in accordance with the policies outlined below as established by the City of Tehachapi. All reservation forms must be signed and returned, along with fees and deposits, before consideration of use approval. SUBMISSION OF RESERVATION REQUEST DOES NOT CONSTITUTE APPROVAL.

1. Any authorization and usage is understood to be at the City's discretion. The City will not be responsible for special condition, accommodations or other improvements for any granted request for use. Any special needs are the responsibility of the user with prior approval of the Public Works Director.
2. Groups or persons using a facility are responsible to pay for any damage to property or loss of property.
3. The City of Tehachapi is not liable for accidental injury to persons or loss or damage of group or individual property. The City requires proof of insurance coverage.
4. When, in the opinion of the City, activity conditions warrant the presence of one or more security personnel, the cost of such service shall be borne by the group or organization sponsoring the activity.
5. Permission to use City of Tehachapi facilities is granted subject to observance of regulations, and permits may be revoked for violation of regulations.
6. Permits may not be transferred, assigned or sublet.
7. Users of the facilities shall observe, obey and comply with all applicable City, County, State and Federal Laws, rules and regulations.

FOOD AND ALCOHOL REGULATIONS

1. The use of alcoholic beverages is by written permit only and must be requested at the time the facility use application is made. The City reserves the right to place restrictions on the use of alcoholic beverages in accordance with State Law.
2. The alcoholic beverage permittee will remove all beverages from the premises immediately following the approved function.
3. Food and refreshments, including alcoholic beverages, may be permitted in certain designated areas as determined by the City, or the designated representative.
4. Any function that is to be catered will be catered by an approved licensed caterer. All caterer's names and addresses will be provided upon request.
5. Any function where alcoholic beverages will be permitted shall require an additional (\$50.00) deposit.

ANY EXCEPTION TO THE ABOVE POLICIES WILL BE REFERRED TO THE CITY MANAGER.

FEE AND DEPOSIT SCHEDULE

The following guidelines and rules will govern the costs and procedures for City approvals.

1. Any part of an hour will be considered a full hour in determining City costs.
2. All fees must be paid to the City of Tehachapi located at 115 South Robinson Street.
3. All refunds will be mailed as soon as possible following conclusion of the activity.
4. No arrangements can be made for a time extension with personnel on duty the day of the activity.

SECURITY PERSONNEL

If, in the opinion of the City Manager or a designated representative an activity condition warrants the presence of one or more security personnel, the cost of such service shall be borne by the group or person sponsoring the activity. Proof of obtaining the required security personnel must be in the City Hall no later than ten (10) working days prior to the activity. Proof should be in the form of a receipt and/or contract from a bonded security agency. If proof is not in the City Hall by the required date, use of the facility may be denied.

IF AFTER PROOF OF SECURITY HAS BEEN SUBMITTED TO CITY, SAID SECURITY IS NOT PRESENT ON DATE OF ACTIVITY, THE CITY EMPLOYEE IN CHARGE MAY REQUEST THE GROUP TO DISCONTINUE ACTIVITY AND ASK THE GROUP TO LEAVE THE AREA.

LIABILITY INSURANCE REQUIREMENTS

Insurance requirements for persons or organizations wishing to use City facilities should be as follows:

The party requesting to use the facility ("applicant") shall secure and keep in force during the entire term of applicant's use of the facility and covering all of applicant's activities with respect to the facility a comprehensive general liability insurance policy with bodily injury, property damage, and contractual coverage of not less than \$1 million per occurrence and including a comprehensive coverage form, and coverages for premises/operation, operations hazard, complete operations, and products liability, and containing special endorsements providing substantially the following:

(1) That the City of Tehachapi, its agents, officers, employees and governing body and each member thereof are declared to be an additional named insured under the terms of the policy with reference to the activity described in the policy, whether such additional insured be actively or passively negligent or liable by operation of law;

(2) Contractual liability coverage underwriting the obligations of applicant to hold harmless, indemnify and defend each of the insureds provided herein;

(3) "Cross liability" or "Severability of Interest" coverage for all named insureds;

(4) That such insurance is primary, and that any other insurance maintained by the additional named insureds is excess and not contributing insurance with respect to the subject insurance policy;

(5) That the insurer waives all rights of subrogation against the additional named insureds;

(6) That the coverage afforded by such policy to the additional named insureds shall not be prejudiced in any way by any failure of the principal insured to comply with any notice requirements of such policy; and

(7) That such policy may not be canceled, coverage reduced or terms altered in any manner detrimental to the coverage except after delivery to the City of written notice not less than 15 days prior to the effective date of such cancellation, reduction or alteration. No such cancellation provisions in any such insurance policy shall be construed in derogation of the continuous duty of applicant to furnish insurance during the term of applicant's use of the facility. The lapse for any reason of insurance as required herein shall constitute breach of this requirement.

The facility shall not be used until applicant has provided City with a duly certificated certificate of insurance issued by an insurance company approved by City and evidencing that the policy has been issued, is effective, and complies with the foregoing requirements. Applicant must also provide City with a facsimile of the insurance policy and no use of the facility can be made until City has approved the policy.

INDEMNIFICATION

Applicant hereby agrees to indemnify, defend, and hold harmless the City, its Councilpersons, boards, commissions, officers, employees and agents from any and all claims, demands, suits, judgements, liability, damages, costs, and expenses arising out of or related to applicant's use or occupation of City's streets or facilities, including but not limited to, any act or omission to act on the part of City, its Councilpersons, boards, commissions, officers, employees, or agents, whether active or passive.



Applicant Signature
2 June 2015

Date



mapmyrun

4th of July Children's Parade 2015

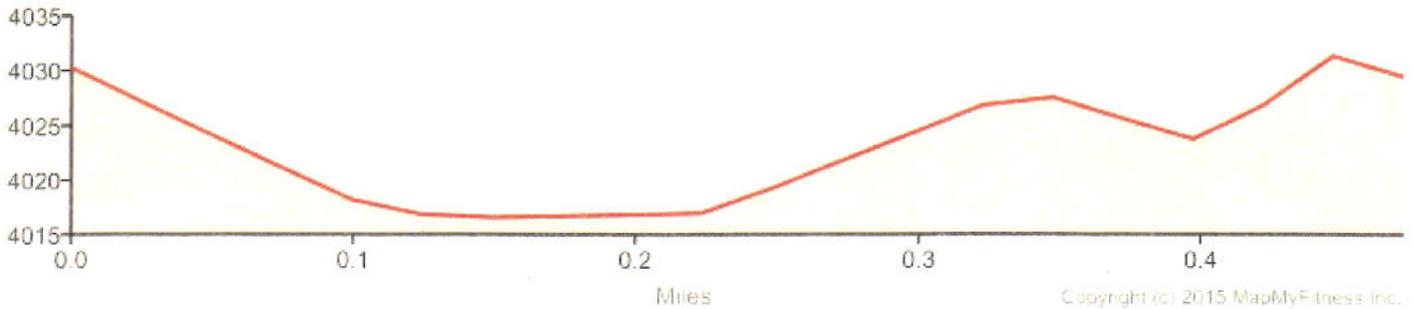
Distance: 0.47 mi

Elevation: 9.06 ft (Max: 4,031.53 ft)



Map data ©2015 Google

ELEVATION (ft)



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COUNCIL REPORTS

MEETING DATE: JUNE 15, 2015

AGENDA SECTION: CITY CLERK

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: ASHLEY WHITMORE, DEPUTY CITY CLERK

DATE: JUNE 11, 2015

SUBJECT: SPECIAL EVENT APPLICATION – RV PEDDLER

APPLICANT AND ORGANIZATION

Liz Epstein, RV Peddler

EVENT DESCRIPTION

RV show and sales event for 21 days between July 6, 2015 and July 26, 2015 from 8:00 am until dusk daily. This event is open to the public.

APPLICANT REQUESTS

- Closure of Challenger Drive from Athens Street to Zurich Street
- Closure of Capital Hills Pkwy from Magellan Drive to Challenger Drive.
- Street barricades from the Public Works Department

STAFF CONDITIONS

Administration: Applicant must obtain DMV permit prior to the event.
Applicant must obtain appropriate sellers permit for event.
Applicant must pay all fees prior to the event.
Applicant must identify the City of Tehachapi as the point of sale.

Business License: Applicant must renew their business license prior to the event.

Engineering: The intersection at Capital Hills Pkwy and Magellan Drive must remain open.

RECOMMENDATION

APPROVE THE RV PEDDLER SPECIAL EVENT APPLICATION, ASSOCIATED STREET CLOSURES SUBJECT TO CITY CONDITIONS AND APPROVAL OF INSURANCE BY CITY ATTORNEY AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT

LICENSE AGREEMENT

THIS LICENSE AGREEMENT made this _____ day of _____, 2015 by and between the CITY OF TEHACHAPI ("City") and R. V. PEDDLER, INC., a California Corporation ("Licensee"),

WITNESSETH:

WHEREAS, Licensee has requested the use of the following City streets described in Exhibit "A" hereto and by this reference made a part hereof (the "Premises") for the sole purpose of displaying and selling recreational vehicles (the "Approved Use"); and

WHEREAS, City is agreeable to Licensee's use of the Premises for the Approved Use under the terms and conditions described hereinafter and Licensee is agreeable to same.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth hereinafter, the parties agree as follows:

1. The parties incorporate the foregoing recitals as if fully set forth herein verbatim.

2. City hereby grants to Licensee a revocable license to use the Premises for the Approved Use subject to the terms and conditions described hereinafter. The term of this Agreement shall be for twenty-one (21) consecutive days commencing on July 6, 2015 and ending on July 26, 2015 (the "Term") and between the hours of 8:00 a.m. – 8:00 p.m. each day unless sooner terminated as hereinafter described. Prior to Licensee using the Premises for the Approved Use, Licensee shall pay City Three Thousand One Hundred Fifty Dollars (\$3,150) which shall represent a nonrefundable fee (the "Fee") for the use of the Premises. In the event City terminates this Agreement due to a breach by Licensee of its obligations hereunder, no part of the Fee shall be refundable. If City terminates this Agreement without cause, then City shall refund a prorated share of the Fee based on the number of days still remaining on the Term at the time of termination and based on an amount of One Hundred Fifty Dollars (\$150) per day.

3. Licensee acknowledges that it has investigated the Premises and fully understands that the Premises are not maintained for the Approved Use, that they may be dangerous to use, and that there are significant hazards on the Premises which make injury or damage to persons and property likely to occur. Licensee agrees to assume the full and complete risk of the use of the Premises. Licensee agrees to accept the Premises "AS IS".

4. Licensee may use the Premises only for the Approved Use. With regard to same, Licensee's use shall be limited to displaying no more than 150 vehicles on any given

day. Licensee shall be solely responsible for its vehicles and all other personal property brought on to the Premises by Licensee or those acting on its behalf. Except as described herein, Licensee shall make no other use of the Premises without the express written consent of City. Licensee shall not bring on to the Premises, use, or authorize or allow the use of any hazardous material on the Premises. In addition to the foregoing, Licensee shall be responsible and liable for the following:

(a) No representatives of Licensee nor persons acting through it or under its control nor any customers or potential customers or visitors or guests shall trespass on to or otherwise use the real property or facilities adjoining the Premises and no part of same shall be disturbed or damaged in any way; and

(b) Licensee shall cause barricades, signs, security services, and other similar devices to be installed in appropriate locations along the Premises for the purpose of blocking off the Premises from vehicular traffic or other traffic to insure safety of Licensee, its employees, contractors, customers, guests, and others visiting the Premises and same shall be to City specifications and at Licensee's sole cost and expense; and

(c) Licensee shall provide appropriate sanitary facilities at Licensee's sole cost and expense; and

(d) Licensee shall not allow alcoholic beverages on the Premises; and

(e) Licensee shall not damage the Premises and shall immediately remove any personal property directed to be removed by the City Manager or his representative; and

(f) Licensee shall provide an area on the Premises for adequate parking for anticipated customers and guests and for its employees, salespersons, and contractors; and

(g) Licensee shall not erect any signage except with City's prior approval; and

(h) Licensee shall not obstruct any signs on adjacent properties including, without limitation, "For Sale" signs, nor interfere with persons wishing to access such properties in order to inspect them or otherwise pursue lawful activities on them; and

(i) Licensee shall fully comply with and abide by all conditions imposed on Licensee's use of the Premises set forth in the Special Use Permit issued by the City of Tehachapi.

5. Licensee, for itself and its respective officers, directors, shareholders, partners, employees, contracts, agents, investors, and representatives (hereinafter "Licensee and Others") hereby releases City, its officers, Councilmembers, employees, agents, and

representatives (hereinafter "City and Others") from any and all claims, rights, demands, liabilities, obligations, judgments, injuries, damages, attorney's fees, actions, and causes of action, in law, equity, or otherwise ("Claims"), relating to or arising out of Licensee's use of the Premises, and the foregoing shall also apply to any Claims attributable in whole or in part or in any way to any act or omission to act or any negligence or intentional act whatsoever of City. Licensee hereby expressly waives the benefits of the provisions of Section 1542 of the California Civil Code which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

6. Licensee shall acquire and maintain a policy of comprehensive general public liability insurance covering Licensee's acts and omissions on the Premises. The policy shall be in amounts not less than \$1 million per occurrence and shall name City and Others as additional insured's. The policy shall not be cancelable nor may coverage be reduced without 10 days prior written notice to City. The policy shall be primary insurance and City's insurance shall not be called upon to pay any Claims related thereto until the full amount of Licensee's policy has been used. The policy shall designate the Premises as covered by the policy. Licensee shall provide City with a certificate of insurance and appropriate endorsements showing compliance with the foregoing, which certificate and endorsements shall be provided to City prior to Licensee entering on or utilizing the Premises. Licensee shall provide City with a copy of Licensee's insurance policy, including declarations page and all endorsements and exclusions, and Licensee shall not utilize the Premises until City has approved the contents of the policy in writing.

7. Licensee and Others hereby indemnify, agree to defend (at City's option), and hold harmless City and Others from any and all Claims arising out of or related to Licensee's use of the Premises and the foregoing shall also apply to any Claims attributable in whole or in part or in any way whatsoever to any act or omission to act or any negligence or any intentional act whatsoever of City.

8. Licensee shall not damage the Premises, any fixtures thereon, or any personal property contained thereon or any other part of the Premises or adjoining properties. If City, in City's sole discretion, determines that Licensee has caused damage, City shall notify Licensee within 30 days of its discovery of the damage and City may make the repairs or cause the repairs to be made at the sole and exclusive expense of Licensee. Licensee shall thereafter reimburse City within 10 days of receipt of City's invoice for the repair of the damage. The amount of the damage shall accrue interest at the rate of 10% simple interest per annum after 10 days from the date of the invoice if reimbursement has not then been made. Licensee shall not interfere with other uses of the Premises whether by City or others

authorized by City or users of the adjoining properties and shall take instruction and orders from City representatives to prevent such interruption.

9. City may terminate this Agreement due to a breach by Licensee of this Agreement or a failure by Licensee to perform any of the obligations required hereunder and such termination shall be effective immediately upon notification of any representative of Licensee on the Premises either in writing or verbally, in City's sole discretion, and if no representative is available, by notification to any salesperson or other person on the Premises on behalf of Licensee or if none, then without notice. In the event of a termination based on the foregoing, no part of the Fee shall be refundable. City may terminate this Agreement at any time without cause upon twenty-four (24) hours notice, which may be either written or verbal in the City's sole discretion, to the person designated in Paragraph 14 hereof and in the event of such termination, City shall refund the prorated share of the Fee based on One Hundred Fifty Dollars (\$150.00) per day for each day of the Term which would have been remaining but for termination. **IN THE EVENT CITY TERMINATES THIS LICENSE AT ANY TIME WITHOUT CAUSE AT CITY'S SOLE AND EXCLUSIVE DISCRETION, LICENSEE SHALL IMMEDIATELY CEASE ALL ACTIVITIES ON THE PREMISES AND VACATE THE PREMISES.** In the event of such a termination, Licensee agrees that City shall have and incur no liability, including without limitation, for injuries or damages to Licensee.

10. Licensee shall comply with all requirements with all governmental authorities, enforce either now or in the future, affecting the Premises or the Approved Use, and shall faithfully observe in its use all laws, rules and regulations of those authorities, in force either now or in the future including, but not limited to, all such laws, statutes, rules, regulations, ordinances, resolutions, and minute orders of all federal, state, and local authorities, and of the City of Tehachapi.

11. The covenants and agreements herein contained are binding on Licensee and its respective officers, directors, shareholders, partners, employees, contractors, agents, investors, representatives, successors, and assigns.

12. In the event either party commences suit or action in any court of competent jurisdiction which arises out of, relates to, or is to interpret or enforce any condition, term, or provision of this Agreement, the prevailing party shall be entitled to its reasonable attorney's fees and costs.

13. This Agreement shall be governed by the laws of the State of California. Venue for any legal action or other proceeding with regard to this Agreement shall be in Kern County, California.

14. Any notice which may be given during the term of this Agreement shall be deemed received when deposited in the United States mail, postage prepaid, first class mail, addressed as follows: City – Greg Garrett, 115 South Robinson Street, Tehachapi, CA 93561; and R. V. Peddler, Inc., 19637 Industry Parkway, Bakersfield, California 93308. Any party's address may be changed by giving notice thereof to the other party in the manner described herein.

15. Licensee represents and warrants as follows:

(a) That it is a Corporation duly organized and validly existing under the laws of the State of California and in good standing in the State of California;

(b) That it is solvent and has not filed a petition in bankruptcy nor has one been filed against it nor does it contemplate the filing of same;

(c) That the person signing this Agreement on behalf of Licensee is authorized, by his or her signature alone, to do so and to thereby bind Licensee to same; and

(d) That it has the skill, training, and expertise to conduct safely and without undue risk of injury or damage to others or things the Approved Use.

16. The parties agree that this Agreement has been the product of negotiation between the parties and that any interpretation of a provision or provisions of this Agreement shall be made without regard to which of the parties drafted this Agreement and shall not create a rebuttable presumption against the party who drafted same.

17. This Agreement represents the final expression of the agreement between the parties with regard to the subject matter herein and a complete and exclusive statement of the terms thereof. This Agreement supersedes, extinguishes, and is in lieu of any and all other agreements, negotiations, understandings and representations which may have been made or entered into by and between the parties.

18. The waiver by either party of any breach of this Agreement shall not be construed to be a continuing waiver or a waiver of any subsequent breach.

19. If any portion of this Agreement shall be considered invalid by a court of competent jurisdiction, said invalid portion shall not affect the validity of the remainder of the Agreement and said Agreement shall continue in full force and effect as if the invalid portion had not been included therein.

20. All amendments to this Agreement shall be in writing and must be signed by all parties.

21. Licensee may not assign, sublet, license, encumber, or otherwise transfer, either voluntarily or involuntarily, its rights, interests, or obligations, or any part thereof, hereunder without the prior written consent of City which consent may be given or denied at the sole and exclusive discretion of City.

22. City does not represent or warrant the condition of the Premises nor its usability for the purposes for which Licensee is authorized to use it.

23. Upon termination of this Agreement, Licensee shall return the Premises to City in the same condition as Licensee received it or better, reasonable wear and tear accepted. Licensee shall be liable for any and all damages caused to the Premises and for the cleanup of any hazardous material or hazardous waste left on the Premises as of Licensee's use thereof.

24. This Agreement may be executed in counterparts each of which shall be deemed an original but all of which when taken together shall constitute but one and the same agreement.

WHEREFORE, the parties have executed this Agreement on the date first hereinabove written.

SUSAN WIGGINS, Mayor of the City of
Tehachapi, California

R. V. PEDDLER, INC., a California
Corporation, **Licensee**

By: _____
Faye Morero

RECEIVED

(661) 822-2200
Fax: (661) 822-8559



115 South Robinson Street
Tehachapi, CA 93561-1722
www.tehachapicityhall.com

SPECIAL USE/EVENT APPLICATION

Organization RV PEDDLER INC

Event Contact LIZ EPSTEIN Phone Number 6613927400

Address 19637 INDUSTRY PARKWAY DRIVE

City BAKERSFIELD State CA Zip Code 93308

E-mail Address LIZ@RVPEDDLER.NET

Event Name RV PEDDLER SHOW AND SALE

Event Location CAPITAL HILLS OR RODEO GROUNDS OR THE JUNIOR HIGH SCHOOL PARKLING LOT

Event Date(s) 07/08 TO 07/24/2015 ^{10 26} _{7/16/15} *7/16/15* Event Time(s) 08 TO DUSK

Describe Event: (Street Closures, Activities, Participation, Etc.)

IF ON CAPITAL HILLS - STREETS OF DEVELOPMENT, RV'S LINING THE STREETS - SECURITY AND STREET CLOSURE

IF RODEO GROUNDS - ON THE GROUNDS WITH WATER TRUCKS FOR DUST CONTROL

IF ON THE PARKING LOT AT JR HIGH - RV'S ON THE PARKING LOT

- charges

Is the event open to the Public? Yes No

Is event for money raising purposes? Yes No

If Yes, what will the proceeds be used for? _____

Will alcoholic beverages be served? Yes No

Will alcoholic beverages be sold? Yes No

If Yes, what is A.B.C. Permit No? _____

Event Name RV PEDDLER INC

Event Date(s) 07/03 TO 07/24

Please Describe How The Following Will Be Accomplished:

Street Barricades CLOSING OFF THE STREETS FOR PARKING AND RV'S

Traffic Control _____

Crowd Control _____

Utility Services: Water, Sewer, Electric _____

Lights RENTAL OF LIGHTS

Dust Control WATER TRUCKS

Site Clean-up & Maintenance DAILY CLEAN UP OF AREA

Security SECURITY WILL BE PROVIDED BY RV PEDDLER

Site Facilities _____

Health Dept. _____

I understand that if I am utilizing a city-owned facility I am responsible to clean the above requested facility, by removing all rubbish, debris, etc., and restore the grounds/facility back to a clean and orderly condition. I further understand I may be required to pay a deposit, at the cities discretion, for clean-up of the grounds/facility, and upon inspection of the grounds/facility, the deposit, may be fully or partially refunded, depending upon the condition the facility is left in by the user.

I also understand that this application is not a guarantee of event approval.

I, the undersigned, have read the above statements, general regulations and insurance requirements attached to this contract, and understand them and agree fully.

Applicant Signature



Date 02/25/2015

Office Use Only

Insurance Certificate

List Of Vendors

Meeting

Deposit

Plot Plan

Date

Time

- | | | | |
|------------------------------|-----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> CM | <input type="checkbox"/> PW | <input type="checkbox"/> A | <input type="checkbox"/> HD |
| <input type="checkbox"/> CPM | <input type="checkbox"/> CD | <input type="checkbox"/> P | <input type="checkbox"/> BL |
| <input type="checkbox"/> LC | <input type="checkbox"/> BI | <input type="checkbox"/> F | <input type="checkbox"/> C |

Notes _____



GENERAL REGULATIONS

Facility use agreements are issued in accordance with the policies outlined below as established by the City of Tehachapi. All reservation forms must be signed and returned, along with fees and deposits, before consideration of use approval. **SUBMISSION OF RESERVATION REQUEST DOES NOT CONSTITUTE APPROVAL.**

1. Any authorization and usage is understood to be at the City's discretion. The City will not be responsible for special condition, accommodations or other improvements for any granted request for use. Any special needs are the responsibility of the user with prior approval of the Public Works Director.
2. Groups or persons using a facility are responsible to pay for any damage to property or loss of property.
3. The City of Tehachapi is not liable for accidental injury to persons or loss or damage of group or individual property. The City requires proof of insurance coverage.
4. When, in the opinion of the City, activity conditions warrant the presence of one or more security personnel, the cost of such service shall be borne by the group or organization sponsoring the activity.
5. Permission to use City of Tehachapi facilities is granted subject to observance of regulations, and permits may be revoked for violation of regulations.
6. Permits may not be transferred, assigned or sublet.
7. Users of the facilities shall observe, obey and comply with all applicable City, County, State and Federal Laws, rules and regulations.

FOOD AND ALCOHOL REGULATIONS

1. The use of alcoholic beverages is by written permit only and must be requested at the time the facility use application is made. The City reserves the right to place restrictions on the use of alcoholic beverages in accordance with State Law.
2. The alcoholic beverage permittee will remove all beverages from the premises immediately following the approved function.
3. Food and refreshments, including alcoholic beverages, may be permitted in certain designated areas as determined by the City, or the designated representative.
4. Any function that is to be catered will be catered by an approved licensed caterer. All caterer's names and addresses will be provided upon request.
5. Any function where alcoholic beverages will be permitted shall require an additional (\$50.00) deposit.

ANY EXCEPTION TO THE ABOVE POLICIES WILL BE REFERRED TO THE CITY MANAGER.

FEE AND DEPOSIT SCHEDULE

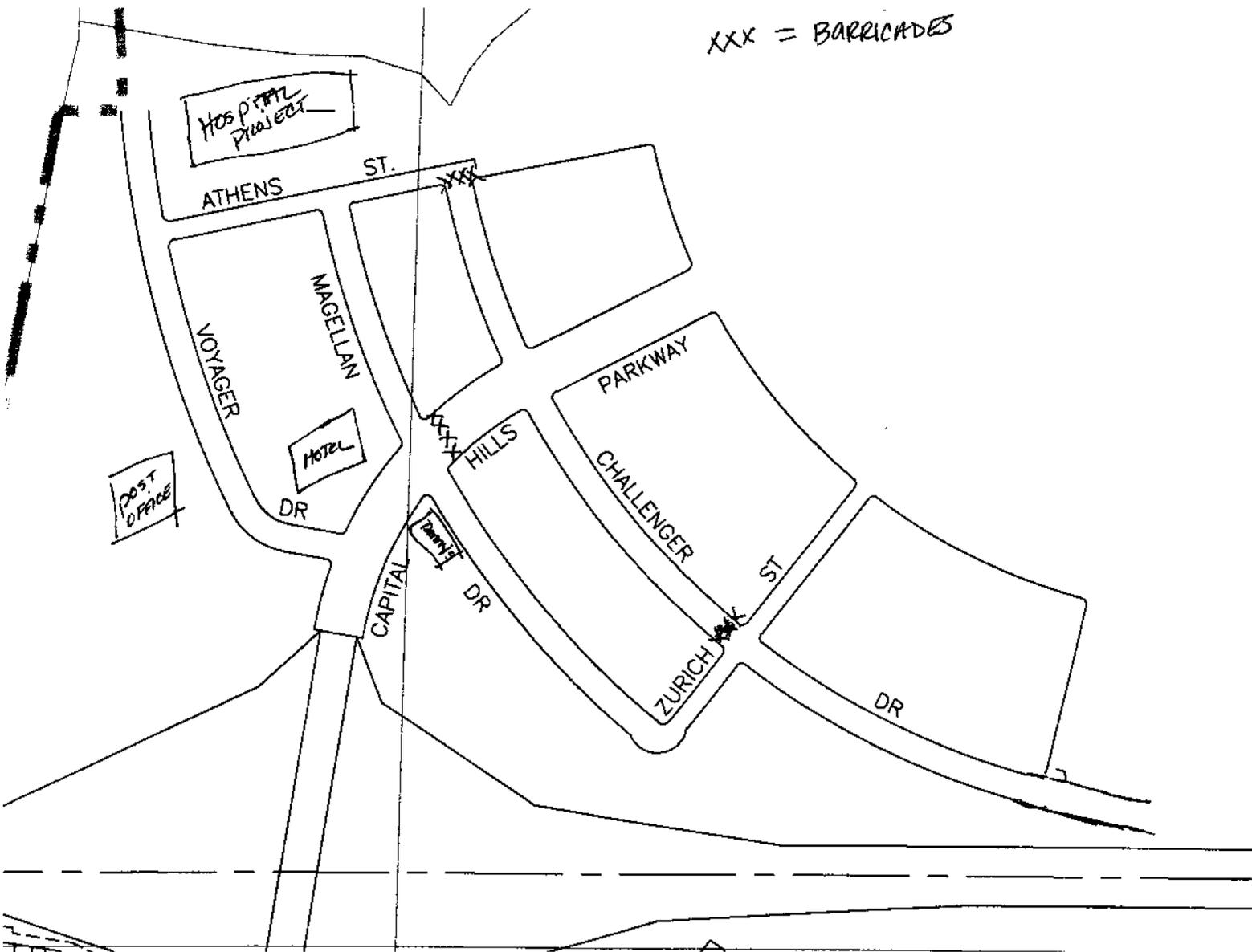
The following guidelines and rules will govern the costs and procedures for City approvals.

1. Any part of an hour will be considered a full hour in determining City costs.
2. All fees must be paid to the City of Tehachapi located at 115 South Robinson Street.
3. All refunds will be mailed as soon as possible following conclusion of the activity.
4. No arrangements can be made for a time extension with personnel on duty the day of the activity.

SECURITY PERSONNEL

If, in the opinion of the City Manager or a designated representative an activity condition warrants the presence of one or more security personnel, the cost of such service shall be borne by the group or person sponsoring the activity. Proof of obtaining the required security personnel must be in the City Hall no later than ten (10) working days prior to the activity. Proof should be in the form of a receipt and/or contract from a bonded security agency. If proof is not in the City Hall by the required date, use of the facility may be denied.

IF AFTER PROOF OF SECURITY HAS BEEN SUBMITTED TO CITY, SAID SECURITY IS NOT PRESENT ON DATE OF ACTIVITY, THE CITY EMPLOYEE IN CHARGE MAY REQUEST THE GROUP TO DISCONTINUE ACTIVITY AND ASK THE GROUP TO LEAVE THE AREA.



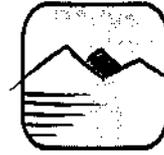
XXX = BARRICADES

PLOT PLAN FOR RV PEDDLER RV SHOW

Accounts Payable

Checks by Date - Detail By Vendor Number

User: HThomas
 Printed: 6/10/2015 - 10:30 AM



CITY OF
TEHACHAPI
 CALIFORNIA

Vendor	Invoice No	Line Description	Check Amount
0015	211 Praxair Distribution Inc.		
Check No:	0	Check Date:	
	52686710	PW/Industrial Acetylene/Ind High press>100cf/	135.15
		Check Total:	135.15
		Vendor Total:	135.15
0017	American Business Machines		
Check No:	0	Check Date:	
	236714	GG/Shipping-GPR-30 Cyan/GPR-30 yellow ton	8.00
		Check Total:	8.00
		Vendor Total:	8.00
0035	BC Laboratories Inc.		
Check No:	0	Check Date:	
	B203323-1	Wtr/Samples/Dennison & Wahlstrom Wells	50.00
	B203323-2	Wtr/Samples/Hayes/Fairoak/Alder	36.00
	B203600	Wtr/Samples/Curry Resv	15.00
	B203601	Wtr/Samples/Dennison & Mojave Wells	30.00
	B203854	Swr/Samples/Influent & Effluent	325.00
	B204345	Wtr/Samples/Dennison & Mojave Wells	30.00
	B204346	Wtr/Samples/Curry Resv	15.00
	B204359	Swr/Samples/Influent & Effluent	325.00
		Check Total:	826.00
		Vendor Total:	826.00
0041	Benz Propane Company Inc.		
Check No:	0	Check Date:	
	238333419	PW/Acct#1228101/800 Enterprise May 2015	31.73
	238333420-1	Wtr/Acct#1228102/750 Enterprise May 2015	25.54
	238333420-2	Land/Acct#1228102/750 Enterprise May 2015	2.84
		Check Total:	60.11
		Vendor Total:	60.11
0127	State of California Department of Justice		
Check No:	0	Check Date:	
	102763	GG/Cust#143859/Fingerprints-D Corbin	32.00
		Check Total:	32.00
		Vendor Total:	32.00
0182	P&J Electric Inc.		
Check No:	0	Check Date:	
	4958-1	Swr/Labor-Electrician Foreman trouble shoot W	477.36

Vendor	Invoice No	Line Description	Check Amount
	4958-2	Swr/time delay relay & base/#14 wire/misc parts	155.66
		Check Total:	633.02
		Vendor Total:	633.02
0223	Kern County Auditors Office		
Check No:	0	Check Date:	
	06012015	Parking Citation Revenue 03/15	33.00
		Check Total:	33.00
		Vendor Total:	33.00
0241	Kern Bros. Trucking Inc.		
Check No:	0	Check Date:	
	306	Wtr/washed concrete sand/trucking hours	645.04
		Check Total:	645.04
		Vendor Total:	645.04
0263	Lebeau Thelen LLP		
Check No:	0	Check Date:	
	32	GG/Broome Family Trust v City of Tehachapi M	315.00
	48	GG/Walmart CEQA Litigation May 2015	7,014.00
		Check Total:	7,329.00
		Vendor Total:	7,329.00
0300	Mission Linen & Uniform Service		
Check No:	0	Check Date:	
	500154575	PW/#2-3x4mats/Linen Maintenance	99.10
	500200715	PW/#2-3x4mats/Linen Maintenance	104.52
	500200716	Swr/#1-dust mop/#2-2-3x4mats/#3-3x10 mats	44.46
	500247254	PW/#2-3x4mats/Linen Maintenance	99.10
	500247255	Swr/#1-dust mop/#2-2-3x4mats/#3-3x10 mats	44.46
		Check Total:	391.64
		Vendor Total:	391.64
0304	Mojave Sanitation		
Check No:	0	Check Date:	
	2531285	Swr/Acct#965528800/800 Enterprise/3yd bin/ga	132.23
	2531711	Swr/Acct#975428801/800 Enterprise/storage cor	85.00
	2533811	Strts/Acct#975570700/Valley Blvd/roll off rental	200.58
		Check Total:	417.81
		Vendor Total:	417.81
0347	Quinn Company		
Check No:	0	Check Date:	
	PC080356754	PW/#3-bearings/#2-Rod-Ties-for CAT backhoe	780.80
		Check Total:	780.80
		Vendor Total:	780.80
0362	RSI Petroleum Products		
Check No:	0	Check Date:	
	0283304	PW/Unleaded gas & diesel fuel	746.94

Vendor	Invoice No	Line Description	Check Amount
	0283491	PW/Unleaded gas & diesel fuel	619.09
		Check Total:	1,366.03
		Vendor Total:	1,366.03
0441	Vulcan Materials Company Western D		
Check No:	0	Check Date:	
	70776860	Wtr/ST 3/8" PG64-10	349.99
		Check Total:	349.99
		Vendor Total:	349.99
0476	WITTS Everything for the Office		
Check No:	0	Check Date:	
	137424-0	GG/HP blk ink/9x12 brn envelopes/#2 rm gn lett	78.52
	137433-0	GG/Pkg 12-calculator roll tape/Pad-dual-ltr 3-HI	33.53
	137476-0	Eng/trimmer/stapler/cash box/#2-containers/scal	1,115.88
	137483-0	Eng/#1-bx 9x12 & #1 bx 10x13 clasp envelopes	20.51
	137488-0	Fin/#2-Tape dryline asst .8/CD/#10-index folder	127.80
	137508-0	GG/1/2" 2pk labels/#1-ct paper/#1-rm GRD papr	85.67
	137533-0	GG/#12-Roll 3"x16S	31.61
	137578-0	GG/paper/ink crt/KP108IN WHT-passport photo	39.76
	137579-0	GG/#1-Rm 8 1/2x14 copy paper/#1-Rm 11x17 c	53.67
	694817-0	Air/1dz blk gel pens	16.65
	C137433-0	GG/return/Pkg 12-calculator roll tape	-25.67
		Check Total:	1,577.93
		Vendor Total:	1,577.93
0478	Zee Medical Service		
Check No:	0	Check Date:	
	34-221780	PW/alcohol swabs/eye drops/bandage/TB tabs/ai	106.75
	34-221782-1	Air/Pept-eez/hnd mois pkt/eye wash/splinter out	40.21
	34-221782-2	Constr/Pept-eez/hnd mois pkt/eye wash/splinter	40.20
	34-221783	GG/alcohol swabs/eye drops/bandage/unaspirin	66.33
	34-221784	CH Anx/First Aid Cabinet Medium Full/Bodily f	265.42
	34-221785	PD/eye drops/pain-aid/TB/antacid/burn jel/inst ic	110.83
		Check Total:	629.74
		Vendor Total:	629.74
0503	Coastline Equipment		
Check No:	0	Check Date:	
	242118	PW/Hose Fit/Elbow fit/Hydraulic hoses/#2-Hosc	101.42
		Check Total:	101.42
		Vendor Total:	101.42
0560	Kern Machinery		
Check No:	0	Check Date:	
	101-259345	PW/#2-JDC-Shoc	74.33
		Check Total:	74.33
		Vendor Total:	74.33
0610	Abate-A-Weed Inc.		
Check No:	0	Check Date:	

Vendor	Invoice No	Line Description	Check Amount
	654686	Swr/Sod cutter 4-wh dr 5.5 Honda/power source.	5,448.11
		Check Total:	5,448.11
		Vendor Total:	5,448.11
0817	Kimball Midwest		
Check No:	0	Check Date:	
	4251110	PW/screws/rivets/pins/terminals/tube/bulb/brass	675.59
		Check Total:	675.59
		Vendor Total:	675.59
0832	ACWA/JPIA		
Check No:	0	Check Date:	
	0354968-1	Medical/July 2015	79,523.44
	0354968-2	Dental/July 2015	8,525.09
	0354968-3	Vision/July 2015	1,167.96
	0354968-4	Life/July 2015	1,566.31
	0354968-5	Life/Adjustment July 2015	48.91
		Check Total:	90,831.71
		Vendor Total:	90,831.71
0972	The Tire Store		
Check No:	0	Check Date:	
	85074	Wtr/#2-Dunlop tires-front/07 GMC 2500 V-21	290.00
	85132	Wtr/#2-Dunlop tires-rear/07 GMC 2500 V-21	290.00
		Check Total:	580.00
		Vendor Total:	580.00
1005	Quad Knopf Inc.		
Check No:	0	Check Date:	
	80114	Cycle 6 HSIP Tehachapi Blvd/Prof Svcs 3/15-4/1	2,784.24
	80432	Cycle 6 HSIP Tehachapi Blvd/Prof Svcs 4/12-5/1	5,676.12
	80433	Valley Blvd Bikeway Facilities Proj Ph II/Prof S	11,666.46
		Check Total:	20,126.82
		Vendor Total:	20,126.82
1032	Jack Davenport Sweeping Services Inc		
Check No:	0	Check Date:	
	108873	Strts/Broom Sweeping Service May 2015	8,640.00
		Check Total:	8,640.00
		Vendor Total:	8,640.00
1034	Hinderliter deLlamas & Associates		
Check No:	0	Check Date:	
	0023917-IN	GG/Contract & Audit Svcs-Sales Tax 2nd Quarte	1,339.56
		Check Total:	1,339.56
		Vendor Total:	1,339.56
1055	Mercury Graphics		
Check No:	0	Check Date:	
	4644	GG/#1000-2 color window Envelopes-for Bus L	130.08

Vendor	Invoice No	Line Description	Check Amount
	4645-1	Air/#1000 Door hangers-Wtr Conserv/#1000 Wt	243.76
	4645-2	Wtr/#1000-Door hangers-Wtr Conserv/#1000-W	97.50
	4645-3	Swr/#1000-Door hangers-Wtr Conserv/#1000 W	97.50
	4645-4	Ref/#1000-Door hangers-Wtr Conserv/#1000-W	48.75
		Check Total:	617.59
		Vendor Total:	617.59
1286	M&M's Sports Uniforms & Embroide:		
Check No:	0	Check Date:	
	33982	PD/#2-Metal Nametag Engraving-D Brn	21.50
		Check Total:	21.50
		Vendor Total:	21.50
1413	Kern Turf Supply Inc.		
Check No:	0	Check Date:	
	892172	Strts/#2-TBOS potted latching soleniod	54.18
		Check Total:	54.18
		Vendor Total:	54.18
1505	Benz Construction Services		
Check No:	0	Check Date:	
	2533266	CH Anx/Acct#976693400/wash stand & toilet re	126.50
	2533861	Swr/Acct#58021002/800 Enterprise/roll off rent:	200.58
	2533863	PW/Acct#300421000/800 Enterprise/rolloff svc/	460.31
		Check Total:	787.39
		Vendor Total:	787.39
1506	San Joaquin Safety Shoes		
Check No:	0	Check Date:	
	65946	Wtr/work boots/D Miller	171.99
		Check Total:	171.99
		Vendor Total:	171.99
1658	Accela Inc #774375		
Check No:	0	Check Date:	
	INV31055	GG/Monthly Web Payments May 2015	289.30
		Check Total:	289.30
		Vendor Total:	289.30
1724	Banks Pest Control Inc.		
Check No:	0	Check Date:	
	445927-1	Air/bimonthly service/314 N Hayes St	92.50
	445927-2	Constr/bimonthly service/100 Commercial Way	92.50
		Check Total:	185.00
		Vendor Total:	185.00
1729	Alpha Landscape Maintenance		
Check No:	0	Check Date:	
	12359-1	GG/City Offices June 2015	48.02
	12359-10	Strts/South Curry June 2015	222.50

Vendor	Invoice No	Line Description	Check Amount
	12359-11	LLD/Heritage Oak June 2015	843.12
	12359-12	LLD/KB Tract/Dennison June 2015	3,524.54
	12359-13	Strts/Street Trees June 2015	10.09
	12359-14	Strts/Dennison Street June 2015	704.20
	12359-15	LLD/Clear View June 2015	314.65
	12359-16	Land/Pioneer Park June 2015	541.45
	12359-17	GG/Old Town Planters June 2015	80.15
	12359-18	LLD/Mill Street Cottages June 2015	24.09
	12359-19	Land/Robinson Park June 2015	493.30
	12359-2	GG/Market Place & Union Pacific June 2015	215.91
	12359-20	GG/Taco Samich & Wall June 2015	27.48
	12359-21	GG/Senior Center June 2015	102.57
	12359-22	Depot/Railroad June 2015	124.59
	12359-23	GG/Phase 4 Downtown Planters June 2015	33.95
	12359-24	LLD/Red Barn June 2015	86.22
	12359-25	LLD/Red Barn 2 June 2015	7.00
	12359-26	GG/Robinson parking lot June 2015	24.45
	12359-26	LLD/Alta/Warrior Park June 2015	1,564.62
	12359-27	PD/Police Station June 2015	33.75
	12359-3	Strts/Mill Street Islands June 2015	415.98
	12359-4	Strts/Capitol Hills (South Island) June 2015	263.91
	12359-5	LLD/Manzanita Park June 2015	706.41
	12359-6	LLD/KB Tract-Highline LMD June 2015	500.85
	12359-7	LLD/Alta Tract/Warrior Park June 2015	4,367.95
	12359-8	LLD/Alt Planters-Highline & tract June 2015	1,534.02
	12359-9	LLD/Alta Parkway Lawns June 2015	171.51
		Check Total:	16,987.28
		Vendor Total:	16,987.28
1759	State Water Resources Control Board		
Check No:	0	Check Date:	
	05282015-1	WWTP/Contract #11807-550-0/AR #11807-15-2	85,978.95
	05282015-2	WWTP/Contract #11807-550-0/AR #11807-15-2	50,493.38
		Check Total:	136,472.33
		Vendor Total:	136,472.33
1801	HD Supply Waterworks LTD		
Check No:	0	Check Date:	
	D959698	Wtr/#24-Insta-tite no lead/#100-PE tubing 200 P	568.33
	D964143	Wtr/#200-1x100' CTS PE tubing 200 PSI	88.15
	D969758	Wtr/#12-ANG BNV FIPXMN LL no lead	1,235.95
		Check Total:	1,892.43
		Vendor Total:	1,892.43
1855	Gemini Group L.L.C.		
Check No:	0	Check Date:	
	115-12272	Wtr/CCR Management & mailing svcs/Design V	2,649.70
		Check Total:	2,649.70
		Vendor Total:	2,649.70
1947	Tehachapi Lawn and Garden Equipme		
Check No:	0	Check Date:	
	12191-1	Air/Labor-John Deer riding mower tune-up & re	126.45
	12191-2	Air/Parts-blades/fuel pump/2-sp plgs/filters/oil/t	209.03

Vendor	Invoice No	Line Description	Check Amount
	12486	Strts/gator trimmer line .105	18.26
	12487	Strts/gator trimmer line .105	18.26
	12491	Strts/gator trimmer line .105	18.26
	12505	Land/.095 3lb gatorline	48.36
	12513	PW/KWIK loader trimmer head/fixcd line	47.29
		Check Total:	485.91
		Vendor Total:	485.91
1981	Duke's Root Control Inc.		
Check No:	0	Check Date:	
	10977	Swr/#425 feet-6" & #7761 feet 8" pipe sewer rox	13,015.74
		Check Total:	13,015.74
		Vendor Total:	13,015.74
2111	Swift Napa Auto Parts		
Check No:	0	Check Date:	
	052815	Strts/Svc Chgs/Inv#83439 late payment/#2-Adj *	9.59
	843132-1	Wtr/#4-Def Fluid/#5-FLS-40 Fuse	37.85
	843132-2	PW/#4-Def Fluid/#5-FLS-40 Fuse	37.84
		Check Total:	85.28
		Vendor Total:	85.28
2113	Fuel Controls Inc.		
Check No:	0	Check Date:	
	84091	Air/100 Octane Wholesale Fuel	21,360.89
	84108	Air/Surcharge-Inv#84091-100 Octane Wholesak	117.00
		Check Total:	21,477.89
		Vendor Total:	21,477.89
2200	Argo Chemical		
Check No:	0	Check Date:	
	1505108	Wtr/#600g-Chlor Sol 12.5% NSF/Freight	1,053.85
		Check Total:	1,053.85
		Vendor Total:	1,053.85
2531	Bottle Your Brand		
Check No:	0	Check Date:	
	200017614	GG/#84 cases-Custom Label Bottled Water	1,438.64
		Check Total:	1,438.64
		Vendor Total:	1,438.64
2599	CPCA		
Check No:	0	Check Date:	
	599	PD/Annual CPCA Membership Dues 7/1/15-6/31	315.00
		Check Total:	315.00
		Vendor Total:	315.00
2634	Bakersfield Electric Motor Repair Inc		
Check No:	0	Check Date:	
	L67651	Swr/Baldor 25HP 230/460 Volt motor/freight	3,296.55

Vendor	Invoice No	Line Description	Check Amount
		Check Total:	3,296.55
		Vendor Total:	3,296.55
2707	MailFinance		
Check No:	0	Check Date:	
	H5343646	GG/Postage Meter Lease #H11061830	454.50
		Check Total:	454.50
		Vendor Total:	454.50
2752	Fastenal Company		
Check No:	0	Check Date:	
	CATEH7687	Wtr/1/2-14 NPT Tpr Tap/Nickelanti-SZ1LBBRS	72.75
		Check Total:	72.75
		Vendor Total:	72.75
2914	CivicPlus		
Check No:	0	Check Date:	
	154694	Quarterly Fee Hosting & Support 7/1/15-6/30/16	2,127.32
		Check Total:	2,127.32
		Vendor Total:	2,127.32
2937	Carney's Business Technology		
Check No:	0	Check Date:	
	INV72033	Fin/Xerox Drum Cartridge for Phaser 5500	429.99
		Check Total:	429.99
		Vendor Total:	429.99
2989	My Fleet Center.com		
Check No:	0	Check Date:	
	23274002	Wtr/transmission fluid exchange/07 GMC Sierra	192.84
		Check Total:	192.84
		Vendor Total:	192.84
3062	Municipal Code Corporation		
Check No:	0	Check Date:	
	00255731	CC/#90-Supplement pages-Codification of Code	1,935.00
		Check Total:	1,935.00
		Vendor Total:	1,935.00
3083	Hub International Services Inc.		
Check No:	0	Check Date:	
	06082015	Special Event Insurance-Memorial Day Parade	162.10
		Check Total:	162.10
		Vendor Total:	162.10
3264	Tehachapi's Own Western & Work We		
Check No:	0	Check Date:	
	1202	PW/Work boots-D Carbin	155.33

Vendor	Invoice No	Line Description	Check Amount
		Check Total:	155.33
		Vendor Total:	155.33
3278	Hub Construction Specialties Inc.		
Check No:	0	Check Date:	
	A03004593	Air/24" Form tube-parking lot light	137.06
		Check Total:	137.06
		Vendor Total:	137.06
3281	Statewide Traffic Safety & Signs Inc.		
Check No:	0	Check Date:	
	12000914	Strts/Tehach Willow Sprgs/2-Cimmaron CT & S	215.00
		Check Total:	215.00
		Vendor Total:	215.00
3355	Got Weeds?		
Check No:	0	Check Date:	
	0839-1	Air/Mowing & weed control April 2015	1,000.00
	0839-2	Air/Mowing & weed control May 2015	1,000.00
		Check Total:	2,000.00
		Vendor Total:	2,000.00
3645	Blueprint Service		
Check No:	0	Check Date:	
	842598	Valley Bl Bikeway Ph II/write to CD include disl	22.04
		Check Total:	22.04
		Vendor Total:	22.04
3674	Secure On-Site Shredding		
Check No:	0	Check Date:	
	2530377	GG/Acct#300421002/115 S Robinson May 2015	135.00
	2530378	Swr/Acct#300421004/750 Enterprise May 2015	35.00
		Check Total:	170.00
		Vendor Total:	170.00
3708	Customized Custodial Services		
Check No:	0	Check Date:	
	COTC0615-1	GG/Janitorial Service/City Hall June 2015	890.00
	COTC0615-2	GG/Janitorial Service/Senior Center June 2015	450.00
	COTC0615-3	PD/Janitorial Service June 2015	1,950.00
	COTC0615-4	Air/Janitorial Service/Lounge June 2015	280.00
	COTC0615-5	Air/Janitorial Service/Office June 2015	140.00
	COTC0615-6	Const/Janitorial Service June 2015	140.00
	COTC0615-7	Swr/Janitorial Service June 2015	530.00
	COTC0615-8	Depot/Janitorial Service June 2015	250.00
		Check Total:	4,630.00
		Vendor Total:	4,630.00
3716	Ruettggers & Schuler Civil Engineers		
Check No:	0	Check Date:	

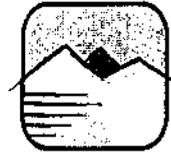
Vendor	Invoice No	Line Description	Check Amount
	05132015	Sirts/Tehachapi Blvd Rehab Proj Ph 3/Prof Svcs	4,350.00
		Check Total:	4,350.00
		Vendor Total:	4,350.00
3723	Community Clean Sweep		
Check No:	0	Check Date:	
	05102015	GG/Design-Tehachapi Clean Up Day Poster Apr	120.00
		Check Total:	120.00
		Vendor Total:	120.00
3725	Powerstride Battery Co. Inc.		
Check No:	0	Check Date:	
	84465	PW/#2-Batteries for sanders V30 & V5	169.85
		Check Total:	169.85
		Vendor Total:	169.85
3808	Sprint		
Check No:	0	Check Date:	
	LC1-233978	PD/Subpoena Compliance/L-Site GPS 4/20-5/20	30.00
		Check Total:	30.00
		Vendor Total:	30.00
3810	Stahl Companies Inc		
Check No:	0	Check Date:	
	35769	Eng/OSHPD 3-IOR/Prof Svcs 4/1-4/30/15	125.00
		Check Total:	125.00
		Vendor Total:	125.00
3837	CEMEX Construction Materials Pac L		
Check No:	0	Check Date:	
	9430836736	PW/Concrete/min load-fuel & misc charges/Oak	395.37
	9430880873	Wtr/Concrete/min load-fuel & misc charges/Wilt	312.00
	9430888882	PW/6 SK PM/fuel & misc charges/800 Enterpris	732.86
	9430936320	Air/Buckeye-Ultra 500/SSK 50/PM AE	567.10
		Check Total:	2,007.33
		Vendor Total:	2,007.33
3850	Rivera's Lath & Plaster		
Check No:	0	Check Date:	
	G14011-D-3	CH Anx/Drywall Progress Pay Est #3	937.75
		Check Total:	937.75
		Vendor Total:	937.75
3855	Central Valley Occupational Med Grp		
Check No:	0	Check Date:	
	5717-1-1	Wtr/Pre-placement Exam-D Corbin	59.33
	5717-1-2	Swr/Pre-placement Exam-D Corbin	59.33
	5717-1-3	PW/Pre-placement Exam-D Corbin	59.34
		Check Total:	178.00

Vendor	Invoice No	Line Description	Check Amount
		Vendor Total:	178.00
3871	Asbestos Services Inc		
Check No:	0	Check Date:	
	G14011-H-2	CH Anx/Remove Hazardous Materials/Progress	620.00
		Check Total:	620.00
		Vendor Total:	620.00
3873	Matthew Harrison		
Check No:	0	Check Date:	
	05272015	G Fondo/Refund-moving to MedioFonda from C	24.00
		Check Total:	24.00
		Vendor Total:	24.00
3876	Capital Accounting Partners LLC		
Check No:	0	Check Date:	
	80608	Eng/Cost Allocation Plan & Travel Exp/User Fee	8,504.31
		Check Total:	8,504.31
		Vendor Total:	8,504.31
3879	ABM Electrical & Lighting Solutions		
Check No:	0	Check Date:	
	PINVI1118463	GG/Install Charge Point dual EVSE/3yr software	27,630.46
		Check Total:	27,630.46
		Vendor Total:	27,630.46
3880	Joel Beckman		
Check No:	0	Check Date:	
	06082015	Security Dep Refund 15-07 Intermediate Space C	200.00
		Check Total:	200.00
		Vendor Total:	200.00
		Report Total:	401,930.98

Accounts Payable

Checks by Date - Detail By Check Date

User: HThomas
 Printed: 6/2/2015 - 8:48 AM



CITY OF
TEHACHAPI
 CALIFORNIA

			Check Amount
Check No:	42683	Check Date: 05/28/2015	
Vendor:	3874	Christopher Boston	
05282015		PD/meals/Orange Co Sheriff-FTO Update Traini	130.00
			130.00
Check No:	42684	Check Date: 05/28/2015	
Vendor:	2807	Denise Brown	
05282015-1		PD/meals/Glendale PD-Public Records Training	90.00
05282015-2		PD/mileage/Glendale PD-Public Records Trainir	75.80
			165.80
Check No:	42685	Check Date: 05/28/2015	
Vendor:	1292	CRWA	
05202015-1		Wtr/Registr/Drinking Wtr Sys Security 5/27-28/	250.00
05202015-2		Swr/Registr/Drinking Wtr Sys Security 5/27-28/	250.00
			500.00
Check No:	42686	Check Date: 05/28/2015	
Vendor:	2972	Matthew D. Goe	
05282015		PD/meals/Orange Co Sheriff-FTO Update class	130.00
			130.00
Check No:	42687	Check Date: 05/28/2015	
Vendor:	3032	Peter Graff	
05282015		PD/Reimburse mileage-Post Incident Eval	47.15
			47.15
Check No:	42688	Check Date: 05/28/2015	
Vendor:	3604	Ryan Montgomery	
461413		CH Anx/Re-imburse/HD#2-10pk 4ft light bulb/p	133.31
530553		CH Anx/Re-imburse/Home Depo-measure for ca	49.00
532198		CH Anx/Re-imburse/Home Depo-ground rod/#3	34.22
561152		CH Anx/Re-imburse/HD-#2-10pk 4ft light bulbs	73.04
F20017		CH Anx/Re-imburse/KC Fire Dept Plan Review	205.00
			494.57
Check No:	42689	Check Date: 05/28/2015	
Vendor:	3019	Orange County Sheriff's Department	
05282015-1		PD/Field Training Officer Update 6/2-6/4/15-C E	55.00
			55.00
Check No:	42690	Check Date: 05/28/2015	
Vendor:	3019	Orange County Sheriff's Department	
05282015-2		PD/Field Training Officer Update 6/2-6/4/15-M	55.00
			55.00
Check No:	42691	Check Date: 05/28/2015	

Vendor:	3875 Maria Stout	
05282015-1	PD/meals/Glendale PD-Public Records Training	90.00
05282015-2	PD/mileage/Glendale PD-Public Records Trainin	130.89
		<hr/>
		220.89
		<hr/>
	Date Totals:	1,798.41
		<hr/>
	Report Total:	1,798.41
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Accounts Payable

Checks by Date - Detail By Check Date

User: HThomas
 Printed: 6/3/2015 - 4:04 PM



			Check Amount
Check No:	42741	Check Date: 06/03/2015	
Vendor:	1658	Accela Inc #774375	
INV30816		Springbrook Annual Maintenance 7/1/15-6/30/16	16,809.54
			16,809.54
Check No:	42742	Check Date: 06/03/2015	
Vendor:	1729	Alpha Landscape Maintenance	
12312		Air/Park lawns-renovations of existing lawn area	2,500.00
			2,500.00
Check No:	42743	Check Date: 06/03/2015	
Vendor:	2963	AT&T	
6557407		PD/BAN#9391040069/telephone 4/6-5/5/15	409.13
6557776		PD/BAN#9391009314/long distance 4/6-5/5/15	19.80
			428.93
Check No:	42744	Check Date: 06/03/2015	
Vendor:	3274	Bright House Networks	
1052215-1		GG/Internet-Prorated changes 5/20-6/10/15 & 5/	-145.07
1052215-2		GG/Internet Service 5/21-6/20/15	217.07
			72.00
Check No:	42745	Check Date: 06/03/2015	
Vendor:	3844	Franchise Tax Board	
05282015		CD/#312613192904136373/Inv#2134 25% of \$:	76.67
			76.67
Check No:	42746	Check Date: 06/03/2015	
Vendor:	1822	Ed Grimes	
05272015		Coun/Reimburse-mileage/Board Dir E Kern Air	86.83
			86.83
Check No:	42747	Check Date: 06/03/2015	
Vendor:	0994	Office of the Auditor Controller-County of Kern	
06032015		County Fee for Tax Roll Removal Tower	61.95
			61.95
Check No:	42748	Check Date: 06/03/2015	
Vendor:	3199	Slick Fish Marketing Co.	
2134-1		CD/Graphics-General plan updates/EIFD invite	306.66
2134-2		CD/-25% withholding/Franchise Tax Board-Stat	-76.67
			229.99
Check No:	42749	Check Date: 06/03/2015	
Vendor:	3878	Marie Taillon-Duquette	
05212015		Refund-Recycling Overcharge since April 2011	557.85

Check No:	42750	Check Date:	06/03/2015	
Vendor:	2676	USPS-Hasler		557.85
05282015		GG/Postage Acct #216528/Agr #400086982		1,000.00

1,000.00

Check No:	42751	Check Date:	06/03/2015	
Vendor:	3011	Verizon Wireless		
9745858745-1		Eng/Mobile Broadband/R Montgomery		38.01
9745858745-10		Wtr/Mobile Broadband/J Curry		15.01
9745858745-11		Swr/Mobile Broadband/J Curry		15.01
9745858745-2		Air/Mobile Broadband/G Patterson		38.01
9745858745-3		Eng/Mobile Broadband/C Arbout		38.01
9745858745-4		GG/Mobile Broadband/G Garrett		38.01
9745858745-5		Air/Mobile Broadband/G Patterson Toughbook		38.01
9745858745-6		Air/Mobile Broadband/T Glasgow		29.65
9745858745-7		GG/Mobile Broadband/M Vance		29.65
9745858745-8		Eng/Mobile Broadband/J Schlosser		29.65
9745858745-9		CD/Mobile Broadband/D James		38.01
9745955722-1		Wtr/Mobile Broadband/J Curry		15.01
9745955722-2		Swr/Mobile Broadband/J Curry		15.01

377.05

Date Totals: 22,200.81

Report Total: 22,200.81



COUNCIL REPORTS

APPROVED	
DEPARTMENT HEAD:	
CITY MANAGER:	

MEETING DATE: JUNE 15, 2015 AGENDA SECTION: COMMUNITY DEVELOPMENT

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: DAVID A. JAMES, COMMUNITY DEVELOPMENT DIRECTOR

DATE: JUNE 1, 2015

SUBJECT: ANNEXATION NO. 84 AND ASSOCIATED PRE-ZONE REQUEST

BACKGROUND:

The Planning Commission on June 8, 2015 recommended to the City Council the approval of Annexation No. 84, a request to annex two (2) contiguous parcels under separate ownership totaling 4.2 acres. The two (2) participating property owners are Paul and Joan Benz and Allyson Wallace. This multi property owner annexation was initiated by Paul and Joan Benz. The two properties in question collectively represents an unincorporated County island. As such once the Benz annexation request was formally made Staff also approached the adjacent property owner to ascertain their interest in participating in the annexation so as not to leave an even smaller County island at the conclusion of the Benz Annexation. The adjacent property owner did elect to participate and filed a separate annexation request. Given that the two (2) parcels are contiguous it was appropriate and expeditious to annex them concurrently rather than sequentially. The annexation request in Staff's opinion can be considered an infill annexation which is always encouraged by the Local Area Formation Commission (LAFCO) who oversees annexations for the County of KERN.

ANNEXATION FINDINGS AND CRITERIA:

With respect to the annexation in and of itself there are findings and criteria that must be met in support of the annexation as enumerated below:

1. The City is able to extend its municipal services to serve the area.
2. The subject property is within the City of Tehachapi adopted sphere of influence.
3. A CEQA document was prepared in conjunction with Annexation No. 84 to determine the environmental consequences of the development and said CEQA document can be relied upon to initiate and complete the annexation process.
4. The annexation represents a logical extension of the City's legal boundary in that the subject site is contiguous to the City limits.

Staff and the Planning Commission are of the collective opinion that the subject annexation request meets the above referenced prerequisites for annexation.

PRE-ZONE:

The annexation includes a pre-zone request to M-1 (Light Industrial) establishing a zoning designation that is internally consistent with the subject sites underlying General Plan designation of Special District 1 (Freeway Corridor) and the areas established pattern of zoning and development. The pre-zone request will set the stage for future requests to develop the site into yet to be determined light industrial and/or commercial uses.

OPTIONS:

- Approve Annexation No. 84 as recommended by Staff.
- Deny Annexation No. 84 with findings.
- Send Annexation No. 84 back to the Planning Commission with a request to modify the annexation boundary and/or pre-zone request.

RECOMMENDATION:

Staff and the Planning Commission recommend that the City Council adopt of a Negative Declaration and recommend approval of associated pre-zone designation of M-1 (Light Industrial) per attached Resolution and approval of Annexation No. 84 per attached Resolution.

**City of Tehachapi
115 South Robinson Street
Tehachapi, California 93561**

TO WHOM IT MAY CONCERN:

Pursuant to California Environmental Quality Act of 1970 (CEQA), State EIR Guidelines, and the Regulations Governing the Evaluation of Project and the Preparation of Environmental Statements in the City of Tehachapi, the Responsible Official has made an Initial Study of possible environmental impacts of the following described project:

APPLICANT: Paul M. and Joan N. Benz
22850 Pheasant Court
Tehachapi, CA 93561

Allyson Wallace
22701 Camp Drive
Tehachapi, CA 93561

PROJECT DESCRIPTION: A request to annex two (2) parcels totaling 4.2 acres into the City limits and a pre-zone request of M-1.

LOCATION: The sites are located at the southeast corner of Tehachapi Boulevard and Dennison Road.

APN: 223-190-02 (1.69 acre parcel) and 223-190-18 (2.51 acre parcel).

MITIGATION MEASURES: Traffic/Circulation
At the development stage, the applicant will be subject to Regional Traffic Impact Fees in contributing to various regional improvements such as signal lights and road improvements.

Public Services
At the development stage, the applicant or successors will pay water and sewer connection fees to offset the incremental impacts to the City of Tehachapi's water distribution system and waste water treatment system per Resolution No. 38-04. In addition the applicant or successors will be required to pay school impact mitigation fees.

Public Facilities
At the development stage, to mitigate/off-set the incremental impact/demand on the City of Tehachapi's public safety provider, i.e. police and Kern County Fire Department, the project proponent or successors will be required to pay a Public Facilities Impact fee at the development stage.

LOCATION MAP



Legend

223-190-02
1.69 acre parcel

223-190-18
2.51 acre parcel

1: 7,288



Notes

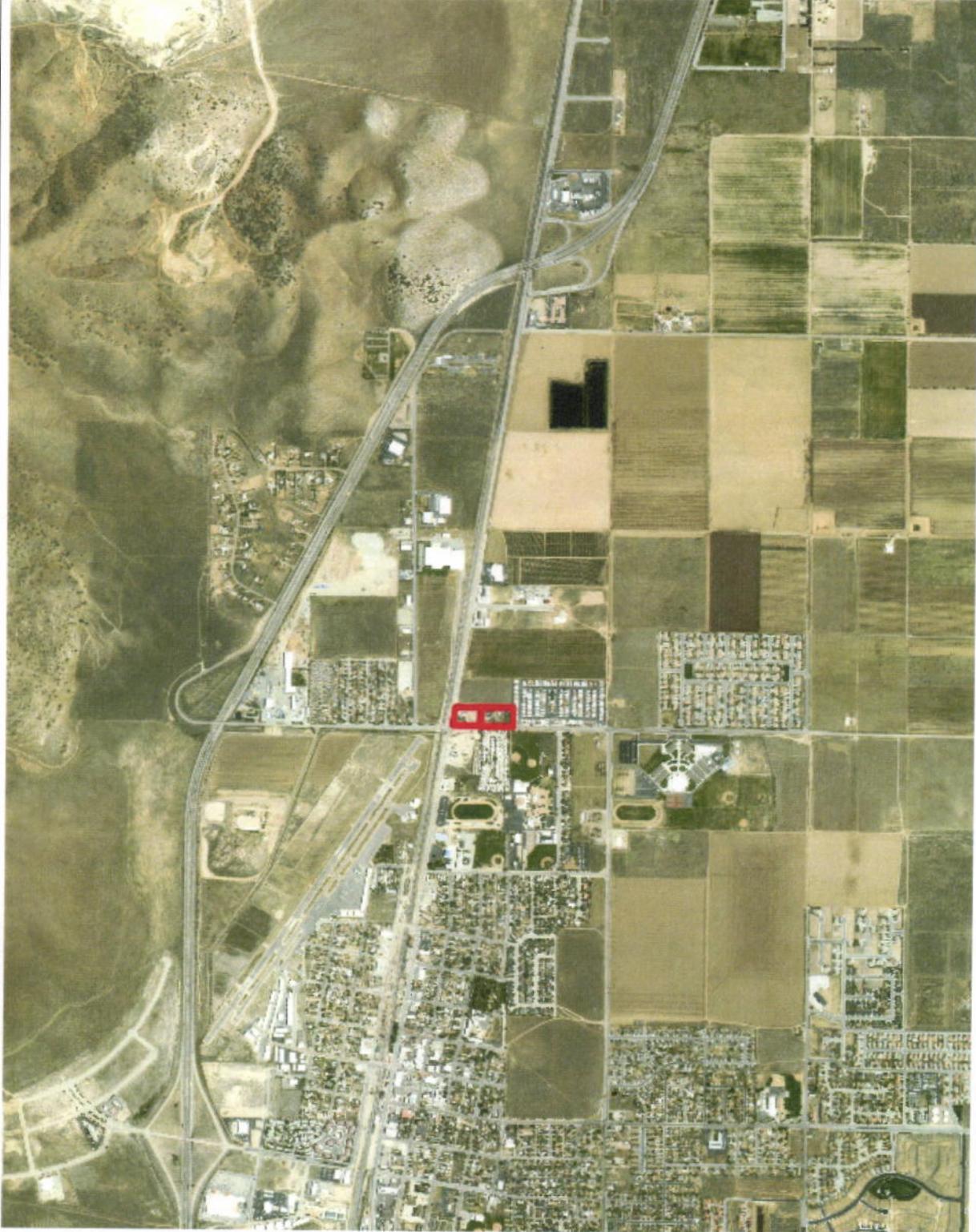
This map is a user generated static output from an Internet mapping site and is for general reference only. The County of Kern assumes no liability for damages, incurred by the user of this information, which occur directly or indirectly as a result of errors, omissions or discrepancies in the information.

0.2 Miles

0 0.12

0.2

VICINITY MAP



Legend

1:29,152



Notes

This map is a user generated static output from an Internet mapping site and is for general reference only. The County of Kern assumes no liability for damages, incurred by the user of this information, which occur directly or indirectly as a result of errors, omissions or discrepancies in the information.

0.9 Miles

0 0.46

0

Environmental Checklist Form

1. Project Title: Annexation No. 84 and pre-zone to M-1.
2. Lead Agency Name and Address: City of Tehachapi
115 South Robinson Street
Tehachapi, CA 93561
3. Contact Person and Phone Number: David James
(661) 822-2200 ext. 119
4. Project Location: The two (2) properties are located at the southeast corner of Tehachapi Boulevard and Dennison Road.
5. Applicant: Paul M. and Joan N. Benz
22850 Pheasant Court
Tehachapi, CA 93561

Allyson Wallace
22701 Camp Drive
Tehachapi, CA 93561
6. General Plan Designation: SD-1 (Special District 1)
7. Zoning: M-1 Light Industrial
8. Project Description: A request to annex two (2) parcels totaling 4.2 acres into the City limits and a pre-zone of M-1.
9. Existing Land Use: The northern most parcel identified as APN 223-190-02 supports a single family residential structure that has been adaptively reused for commercial purposes along with a smattering of temporary metal storage containers. The southernmost parcel identified as APN 223-190-18 supports two (2) occupiable single family residential structures, a non-habitable single family residential structure and a barn.
9. Surrounding Land Uses and Setting: North: Union Pacific Railroad
South: Mobile Home Park
West: Wade Trucking and Mobile Home Park
East: Vacant M-1 (Light Industrial)
10. Other agencies whose approval is required: City Building Department, City Engineer, Tehachapi Airport Manager, City Public Works Department

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Geophysical | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input checked="" type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input checked="" type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Airport Compatibility | <input type="checkbox"/> Mandatory Findings of Significance | |

Determination:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.



Signature of Community Development Director

3/25/15

Date Sent Out For Review

Issues:	Potentially Significant Impact	Negative Declaration Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the proposal result in potential impacts involving: Land or Mudslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I. LAND USE AND PLANNING.				
Would the proposal:				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. POPULATION AND HOUSING.				
Would the proposal:				
a) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. GEOLOGICAL PROBLEMS.				
Would the proposal result in or expose people to potential impacts involving:				
a) Fault rupture?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Seich, Tsumani, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Negative Declaration Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Subsidence of the land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. WATER.				
Would the proposal result in:				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface water or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
V. AIR QUALITY.				
Would the proposal:				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Negative Declaration Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. TRANSPORTATION/CIRCULATION.				
Would the proposal result in:				
a) Increased vehicle trips or traffic congestion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Inadequate emergency access or access to nearby users?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. BIOLOGICAL RESOURCES.				
Would the proposal result in impacts to:				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Locally designated species (e.g. heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g. marsh, riparian and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. ENERGY AND MINERAL RESOURCES.				
Would the proposal:				
a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Negative Declaration Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Use non-renewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HAZARDS.				
Would the proposal involve:				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. NOISE.				
Would the proposal result in:				
a) Increases in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. PUBLIC SERVICES.				
Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues:	Potentially Significant Impact	Negative Declaration Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. UTILITIES AND SERVICE SYSTEM.				
Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XIII. AESTHETICS.				
Would the proposal:				
a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. CULTURAL RESOURCES.				
Would the proposal.				
a) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Affect historical resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION.				
Would the proposal.				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Affect Existing recreational opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Negative Declaration Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

- c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**NARRATIVE DISCUSSION OF ENVIRONMENTAL IMPACTS REGARDING
ANNEXATION NO. 84 AND PRE-ZONE TO M-1**

A. EARTH

The soil underlying the annexation area is predominately Havala Sandy Loam. This soil type is commonly found in the Tehachapi region and can be characterized as a very deep well-drained alluvial soil. It is a brown and grayish brown, sandy loam underlain by dark brown and yellowish brown sandy clay loam subsoil. Permeability of the Havala Sandy Loam soil is moderately slow and erosion potential is characterized as slight. The Havala Sandy Loam soil has low to moderate shrink/swell properties and its erosion hazard is moderate. The applicant or successors in interest of this annexation shall be required to submit a geologic report at the development stage. Based on the results of future soil studies and of the geotechnical considerations at the development stage the subject site may require some degree of over excavation and re-compaction particularly if liquefiable and/or expansive soil conditions are present. Other than the above, the project area does not appear to exhibit any unique geological features or topographic relief that would deter the properties from developing to their highest and best use. Furthermore, subsequent projects will not create unstable earth conditions or changes in geological structures.

B. TRAFFIC/CIRCULATION

The proposed annexation is located at the southeast corner of Tehachapi Boulevard and Dennison Road. (Please see Location Map as Attachment A). The two parcels total 4.2 acres having a pre-zone of M-1 for future light industrial/commercial development of the sites, concurrently or independently, will not have a direct impact to traffic circulation within the proposed area. However the approval and eventual recordation of the annexation will set the stage for potential future development. Future light industrial/commercial development on site may generate approximately 365 vehicle trips per day based on the Institute of Transportation Engineers (ITE) manual and on the assumption of 25% of each site will be developed with a single story light industrial/commercial structure as projected below.

APN 223-190-02 is a 1.69 acre lot.

1.69 acres x 43,560 square feet = 73,616 square feet

73,616 square feet x 25% developable area = 18,404 square feet potential commercial/light industrial development

APN 223-190-18 is a 2.51 acre lot

2.51 acres x 43,560 square feet = 109,335 square feet

109,335 square feet x 25% developable area = 27,334 square feet potential commercial/light industrial development

The Mobility Element of the General Plan has Tehachapi Boulevard and Dennison Road designated as major arterials, designed to carry the anticipated number of light industrial/commercial related vehicles at full build out. In terms of future development and traffic mitigation fees, the developers or project proponents will be required to pay into the Regional Transportation Impact Fee mechanism to offset the future projects fare share or pro-rata contribution with regard to project mitigation. The potential additional trips generated by the build out of the annexation and parcels in question can be absorbed by the area circulation network. All intersections within the area will continue to operate at a Level of Service (LOS C) or better providing the mitigation measures and improvements included in the regional fee study are implemented. It should be noted that LOS C represents an acceptable threshold per the City of Tehachapi Mobility Element and CEQA thresholds of significance.

C. AIR

The approval and recordation of the annexation in and of itself will not have an impact on air quality. However, the approval and eventual recordation of the two (2) lots will set the stage for potential development of light industrial/commercial type uses. The development of the project areas will temporarily increase the level of "fugitive

dust" (particulate matter) in the air primarily during the grading phase of the projects. This impact associated with particulate matter is commonly referred to as P.M. 10. In accordance with East Kern Air Pollution Control Board the project proponents at the development stage will be required as a condition of approval to "water down" the site and/or use soil binders to reduce dust emission and implement the District's policies. Additionally, grading shall be halted when winds reach 20 mph or greater in a two (2) or more hour time period.

D. WATER

The annexation and pre-zone request in and of itself will not have an impact on issues associated with water quality and/or availability of domestic water. However, the approval and eventual recordation of the proposed annexation will set the stage for future light industrial/commercial land uses. The precise mix of land uses cannot be predicted at this time. However, assuming build-out of 25% of each site, the parcels could theoretically support a total of 18,404 square feet of light industrial/commercial structures on APN 223-190-02 and 27,334 square feet of light industrial/commercial structures on APN 223-190-18. (These figures assume all structures will be single story). Build-out of these light industrial/commercial structures could consume approximately 5,214 gallons per day (GPD) as calculated below:

(APN: 223-190-02) 18,404 square feet of structure x 114 gallons/day/1,000 square feet = 2,098 gallons/day.

(APN: 223-190-18) 27,334 square feet of structure x 114 gallons/day/1,000 square feet = 3,116 gallons/day.

The amount of water anticipated to be consumed by the project at build out will not have a significant impact on the availability of domestic water to the public. The "safe yield" of the adjudicated ground water basin underlying the Tehachapi region has been established at 5,500 – acre feet per year (AFY). As indicated the basin has been adjudicated and the City currently has a base right/pumping right of approximately 1,847–acre feet (AF) exclusive of any carry over from previous years and/or exchange pool resources. The City of Tehachapi typically uses approximately 2,182 AFY. Based on a projected 2% growth rate and General Plan build out scenarios the City should have long term adequate access to domestic water to facilitate the build out of the parcels in question. In the event of a sewer and/or water capacity issue, the City reserves the right to withhold all building permits or otherwise limit the issuance of building permits until such time as the sewer and/or water system have been expanded or additional pumping activity has been achieved to accommodate the existing and anticipated demand for these services. To mitigate/offset the cost of expanding the City of Tehachapi municipal system in terms of constructing new wells, additional storage facilities, etc. the developer(s) will be required to pay an impact per Resolution No. 38-04 at the development stage.

In terms of water supply the project proponents or their successors at the development stage, will be required to connect to the existing 16" inch water line on Dennison Road or the 12" water line on Tehachapi Blvd. The City Engineer will ultimately determine the size and placement of future water lines.

With respect to water conservation practices, future light industrial/commercial uses within the project area will be required to comply with Title 20 and Title 245 of the California Administration Code relative to appliance efficiency standards such as water-conservation water closets, flow restricted heads, etc. In addition, the project will be conditioned to utilize drought tolerant and native landscaping to the greatest extent possible pursuant to AB 325 and the City of Tehachapi Landscape Guidelines.

With respect to water quality related issues, impacts can be broken down into three (3) categories; grading, construction and project occupancy. At the development stage any non-point pollution and storm water discharge associated with grading activity and/or construction activity will be regulated under the Federal Clean Water Act Section 402. In addition future-grading activity must comply with the State Water Resources Control Board, Notice of Intent (NOI). Additionally, any permit level grading activity will necessitate a National Pollution Discharge Elimination System (NPDES) permit relative to non-profit pollution associated with construction activity, processed through the Regional Water Quality Control Board (Central Valley Region). This permit will require preparing a Storm Water Pollution Prevention Program (SWPPP) employed "best management practices" (BMPs) relative to the long and short term control of erosion

and sedimentation, and construction staging activity. In terms of drainage, increased run-off resulting from the proposed development will drain into an outlet approved by the City Engineer.

F. SEWER

The proposed annexation and pre-zone request in and of itself will not have an impact on the City of Tehachapi's municipal wastewater treatment system in terms of existing trunk lines and/or treatment capacity. However, completion of the annexation and pre-zone process will set the stage for future light industrial/commercial development that will require connection to a municipal system as opposed to the individual septic tank alternative.

Given the two (2) subject sites General Plan designation of SD-1 (Special District 1), the project areas could theoretically support approximately 18,404 square feet of light industrial/commercial structures on APN 223-190-02 and 27,334 square feet of light industrial/commercial structures on APN 223-190-18. However, taken the aggregate of this basic land use designation the project area at build out could generate up to 4,757 gallons/day of waste water per day as calculated below:

18,404 square feet x 104 gallons wastewater/day/1,000 square feet of structure = 1,914 gallons/day.

27,334 square feet x 104 gallons wastewater/day/1,000 square feet of structure = 2,843 gallons/day.

The quantity of wastewater anticipated to be generated by the project at build-out would not have a significant effect on the Wastewater Treatment Plant. The Wastewater Treatment Plant is designed with a capacity to process up to 1.25 million gallons per day (MGD) and is currently operating at 80% capacity of .25 MGD available for future growth. At the development stage, the project proponents will be required to pay a sewer connection/mitigation fee per Resolution No. 38-04 to mitigate/offset the incremental increase in wastewater. Additionally, subsequent projects will be conditioned to provide the individual parcels with a domestic sewer service. To achieve this, the project(s) shall connect to the existing 8 inch sewer line on Tehachapi Blvd and the existing 12 inch sewer line on Dennison Road as determined by the City Engineer.

G. GEOLOGY/SEISMICITY

The subject site is considered seismically active, as is most of Kern County. All proposed structures and utility installations anticipated to occur at the development stage would be designed to withstand anticipated ground acceleration within an acceptable level of risk. It is assumed that the Garlock Fault located approximately 10 miles southeast of the project area will be the design fault by which construction parameters will be established in conjunction with other Uniform Building Code (UBC) seismic standards applicable to the project site and future development proposals. The Garlock Fault shows the characteristic features of high-angle faults with major strike-slip component. The Garlock Fault has a Richter Magnitude potential of 8.0 and a Peak Excretion range of .409 (g) to .904 (g). A geotechnical report will be required at the development stage.

H. CULTURAL RESOURCES

The proposed annexation is located within the ancestral home of the Kawaiisu cultural group also known as Nuooah who are linguistically related to the Shoshonean language family. The subject sites are disturbed with existing residential style structures and surrounding urban development. It is not likely that there area any surface artifacts present on the subject site that would warrant and/or justify the expense of a field investigation by an archeologist. If, however, resources are excavated during the construction phase at build out, the project(s) will be conditioned to cease grading and other construction activity until such time as the resources can be recovered and properly documented.

I. PLANT LIFE/WILDLIFE

The subject sites currently support a commercial structure and residential structures and are located within an area having an established pattern of urban development. There are several plant and animal species in the Tehachapi region that are of special concern, however given the urban infill condition of the subject site it is not practical that the site can support biological resources of any significance.

J. DRAINAGE/HYDROLOGY

With respect to drainage, development of the subject site(s) will increase the amount of impervious surfaces and as such create a corresponding increase in storm water run-off. At the development stage, the applicant(s) will be required to convey the storm water run-off into a catch basin at the corner of Tehachapi Blvd and Dennison Rd that the City of Tehachapi will be installing this spring as a Capital Improvement project. The run-off will flow from the catch basin to the existing concrete lined channel on the west side of Dennison Road, under Tehachapi Boulevard within the existing channel, to the unlined channel across airport property, ultimately the water will outlet into the Tehachapi channel. As such, there will be no need and/or requirement to retain the subject sites incremental increase in run-off associated with the creation of impervious surfaces to be collected and retained on site. While hydrology/drainage is an issue it can be mitigated by design and storm water can be conveyed through the subject site and in a manner that will not impact down stream properties and/or cause an increase of surface flows on public streets. The applicant(s) shall submit a drainage study for review and approval by the City Engineer prior to site grading at the development stage.

K. PUBLIC SERVICES

The annexation and pre-zone in and of itself will not have an impact on law enforcement and fire protection facilities. However, completion of the annexation process will set the stage for future development to occur in the project area regarding light industrial/commercial land use intensities that will require an increase in public services. This incremental level of need is not significant in relation to the overall population growth in the region and will be partially offset by the increase in sales tax and property tax revenue to the City of Tehachapi produced by the future development of the sites. Future development will place an incremental increase demand on water and sewer facilities and at the development stage, the project proponents will be required to pay an impact fee per Resolution No. 38-04 to mitigate/off-set the incremental impact/demand on the City of Tehachapi's municipal water and sewer system.

L. AIRPORT

The approval and recordation of the annexation in and of itself will not have an impact on the Tehachapi Municipal Airport. However, the approval and eventual recordation of the two (2) lots will set the stage for potential development of light industrial/commercial type uses. The subject site is located within Flight Zone B1 as reflected on the Flight Zone overlay map as Attachment B. The Airport Land Use Compatibility Plan (ALUCP) lists uses that would be considered compatible within the different Flight Zones (A, B1/B2, C and D) Flight Zone A being the most restrictive, Flight Zone D being the most permissive. All future proposed uses on the properties must comply with the ALUCP and project proponents will be required to submit Form 7460-1 to the Federal Aviation Administration for review and approval prior to issuance of any building permits. A standard condition of approval of all projects is non-reflective materials are required on all building surfaces and lighting on site shall be shielded and directed downward so as not to cause glare onto pilots arriving or departing from the Tehachapi Municipal Airport.

**Annexation No. 84 and Pre-Zone Request to M-1
Summary of Potential Impacts and Proposed Mitigation Measures
And Mitigation Monitoring Program**

Impact	Mitigation Measure	Level of Significance After Mitigation	Monitoring Program Agency Responsibility
<p>LAND USE AND PLANNING</p> <p>Potential conflict with applicable land use plan, policy or regulation of the City of Tehachapi.</p>	<p>The project is consistent with the policies of the General Plan which provide for orderly growth and development in the City in a manner that prevents this impact.</p>	<p>Less than significant</p>	<p>City of Tehachapi Community Development Department in conjunction with the development review process.</p>
<p>GEOLOGY/SEISMIC/SAFETY</p> <p>The subject is located in a seismically active area. The Garlock Fault is the design fault by which construction parameters are established in conjunction with the Uniform Building Code.</p>	<p>The project proponent is required to submit a geotechnical report for review by the City Engineer at the project submittal phase.</p>	<p>Less than significant</p>	<p>City of Tehachapi, City Engineer and City of Tehachapi Building Department.</p>

Impact	Mitigation Measure	Level of Significance After Mitigation	Monitoring Program Agency Responsibility
<p>WATER</p> <p>The annexation in and of itself will not have an impact on issues associated with water quality and/or availability of domestic water. However, the approval and eventual recordation of the proposed annexation will set the stage for future light industrial/commercial development. Build-out of these theoretical commercial uses could consume 5,214 gallons per day. The project individually or collectively when considered in conjunction with other known projects will exceed the City of Tehachapi's pumping rights of 1,847 af/year. However in addition to pumping rights, the City also has banked water reserves, carry overs and water transfers that when taken in the aggregate will provide sufficient water resources to accommodate future developments.</p>	<p>The applicant will be required to pay water connection fees per Resolution No. 38-04 to offset the cost of providing domestic water service and pay an equivalent in-lieu fee to offset water pumping right. Common areas will be irrigated using non-potable water and the use of drought tolerant and/or native plant species. The use of drought tolerant landscaping per the City standards will reduce water consumption related to irrigation.</p>	<p>Less than significant</p>	<p>City of Tehachapi Community Development Department. Payment of water connection fees at the building permit stage. Staff will review and approve landscape plans. City Staff to review all landscape plans for common area landscaping to confirm that appropriate plant materials are utilized. City of Tehachapi Building Department to enforce Title 24 regulations in conjunction with the building permit process to insure the use of low flush toilets and low flow showerheads.</p>

Impact	Mitigation Measure	Level of Significance After Mitigation	Monitoring Program Agency Responsibility
<p>SEWER</p> <p>The annexation in and of itself will not have an impact on issues associated with the generation of wastewater. However, the approval and eventual recordation of the proposed annexation will set the stage for future commercial development. Build-out of these theoretical uses could generate an estimated 4,757 gallons of wastewater per day. Treatment capacity is 1.25 million gallons per day advance secondly.</p>	<p>The applicant will pay a sewer connection fee per Resolution No. 38-04 to offset the incremental increase in wastewater generation at the building permit stage. In the event of a sewer and/or water capacity issue, the City reserves the right to withhold all building permits or otherwise limit the issuance of building permits until such time as its sewer and/or water system have been expanded to accommodate the existing and anticipated demand for those services.</p>	<p>Less than significant</p>	<p>City of Tehachapi Community Development Department. Sewer connection fees to be paid at the building permit stage. Plant operator to monitor plant capacity on an ongoing basis. In the event of a sewer and/or water capacity issue, the City reserves the right to withhold all building permits.</p>
TRANSPORTATION AND CIRCULATION			
<p>The annexation request will not in and of itself impact traffic circulation within the proposed area. However the approval of the annexation will set the stage for future commercial development. At full build out the project may generate approximately 365 vehicle trips per day.</p>	<p>The applicant will be subject to Regional Traffic Impact Fees in contributing to various regional improvements such as signal lights and road improvements at the development stage.</p>	<p>Less than significant</p>	<p>City of Tehachapi Community Development Department.</p>

Impact	Mitigation Measure	Level of Significance After Mitigation	Monitoring Program Agency Responsibility
BIOLOGICAL RESOURCES			
The proposed project could have an impact on known sensitive flora and fauna species in the region.	The sites are disturbed with existing commercial and residential structures and it is not practical that the site can support biological resources of any significance.	No mitigation required	No monitoring required
PUBLIC SERVICES			
Future growth associated with the annexation could exceed the ability of the City to fund urban service and facilities such as fire, law enforcement, water and sewer demand and school facilities.	Impacts to fire and law will be mitigated through the payment of fees per Resolution No. 01-05. Impacts to sewer and water will be mitigated through the payment of fees per Resolution No. 38-04. Impacts to area schools will be paid through school impact fees in the amount to be determined by the Tehachapi Unified School District. Public Service mitigation fees are applicable at the development stage.	Less than significant	City of Tehachapi Community Development Department, City of Tehachapi Building Department and Tehachapi Unified School District.

Impact	Mitigation Measure	Level of Significance After Mitigation	Monitoring Program Agency Responsibility
CULTURAL RESOURCES			
<p>The subject site is located within the ancestral home of the Kawaiisu cultural group. The development of the site could impact archaeological resources.</p>	<p>The sites are disturbed with an existing residential style structures. It is not likely that any artifacts will be found at this location. If, however, resources are excavated during the construction phase, the project would be conditioned to cease grading and other construction activity until such time as the resources can be recovered and properly documented.</p>	<p>Less than significant</p>	<p>City of Tehachapi Community Development Department and Native American Heritage Commission if subsurface resources are discovered.</p>
STORM WATER			
<p>The annexation request will not impact the ground water. However, the approval of the annexation request will set the stage for future light industrial/commercial related land uses. Long term impacts associated with grading and the creation of impervious surfaces will increase the quantity of run off and potentially decrease water quality associated with urban pollutants.</p>	<p>In conjunction with the grading plan the applicant will be required to procure a National Pollution Discharge Elimination System Permit from the Regional Water Quality Control Board. The permit will require Storm Water Pollution Prevention Program (SWPP) for the control of erosion and sedimentation. Techniques to control erosion are often temporary sumps, sand bags and other devices that check and hold runoff. Excess run-off shall be conveyed to a regional storm drain system.</p>	<p>Less than significant</p>	<p>City of Tehachapi Community Development Director, Regional Water Quality Control Board and City Engineer.</p>

Impact	Mitigation Measure	Level of Significance After Mitigation	Monitoring Program Agency Responsibility
<p>AIR QUALITY</p> <p>The future development of the subject site for commercial uses may cause a temporary increase in dust during grading activity. Long term air quality issues are associated with the incremental increase in traffic generation.</p>	<p>The project proponents will be required to water the sites down during the grading activity to keep fugitive dust to a minimum. The project proponents shall abide by the East Kern Air Pollution Control District requirements.</p>	<p>Less than significant</p>	<p>Future grading approval will be conditioned to keep site watered down during grading activity. City Engineer will monitor in conjunction with grading management.</p>

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TEHACHAPI RECOMMENDING
PROCEEDINGS FOR ANNEXATION OF
TERRITORY TO THE CITY OF TEHACHAPI
IDENTIFIED AS ANNEXATION NO. 84**

WHEREAS, the City Council of the City of Tehachapi held a public hearing on June 15, 2015 to consider annexation of certain property to the City of Tehachapi more particularly described in Exhibits "A" and "B" attached hereto and by this reference made a part hereof; and

WHEREAS, by resolution, the City Council of the City of Tehachapi approved and adopted pre-zoning for the territory to be annexed:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tehachapi as follows:

1. That the forgoing recitals are true and correct.
2. That the City Council of the City of Tehachapi hereby proposes to commence annexation proceedings of the territory identified in Exhibit "A" and Exhibit "B" attached hereto and made a part of this resolution as though fully set forth herein.
3. That there is a plan for providing municipal services within the affected territory of the proposed annexation in accordance with the provisions of Section 56653 of the Government Code and that said plan is consistent with the City's public facilities element of the General Plan.
4. That this proposal for annexation is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and it is requested that proceedings be authorized for annexation in accordance therewith.
5. That the territory proposed for annexation is uninhabited.
6. That the reason for the proposed annexation is that the owner of the affected territory desires to receive municipal services from the City and the City desires to receive tax revenues for benefits given and to be given to the territory proposed to be annexed.
7. That for this proposed annexation, and pre-zoning thereof, resolutions were adopted and an Initial Study was conducted and it was determined that the

proposed project would not have a significant effect on the environment. A Mitigated Negative Declaration was prepared and circulated for public review and comment on March 25, 2015.

8. That the laws and regulations relating to the preparation and adoption of Negative Declarations as set forth in the California Environmental Quality Act have been duly followed and the Negative Declaration for this proposed annexation is hereby approved and adopted.
9. That the property owners of the annexed territory have consented to the annexation.
10. That the annexed territory is within the City of Tehachapi sphere of influence boundary.
11. That the Local Agency Formation Commission is requested to waive the protest hearing proceedings pursuant to Part 4, commencing with Section 57000 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
12. That the annexation be conditioned as described in the last recital above which is incorporated herein by this reference.
13. That the appropriate City officials shall file the appropriate number of copies of this Resolution, with Exhibits, with the Executive Officer of the Local Agency Formation Commission of Kern County at 5300 Lennox, Bakersfield, California 93301.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Tehachapi at a regular meeting this 15th day of June 2015.

SUSAN WIGGINS, Mayor
of the City of Tehachapi, California

ATTEST:

VICTORIA MARSH, City Clerk
of the City of Tehachapi, California

EXHIBIT "A"
Annexation No. 84
Description for a Parcel of Land for
Annexation to the City of Tehachapi

That certain parcel of land in the Southwest Quarter of Section 22, Township 32 South, Range 33 East, Mount Diablo Meridian, in the County of Kern, State of California, more particularly described as follows;

Beginning at an angle point in the corporate boundary of the City of Tehachapi, said point being the intersection of the East line of Dennison Road (40 feet wide) with the South line of Tehachapi Boulevard being a 60.00 foot wide parcel of land granted to the County of Kern, per the document recorded December 28, 1888 in Book 28, at Pages 202, 203, and 204 of Deeds in the office of the County Recorder of said county.

thence (1) S80°22'15"E along said South line and said corporate boundary a distance of 245.87 feet to an angle point in said corporate boundary, said point also being the most Northerly corner of Parcel 1 of Parcel Map No. 2372 recorded August 9, 1974 in Book 11, of Parcel Maps at Page 34 in said Recorders Office;

thence (2) S00°52'00"W along said corporate boundary and the West line of said Parcel 1 a distance of 771.11 feet to an angle point in said corporate boundary and said Parcel 1;

thence (3) N89°08'00"W along said corporate boundary and the Northerly line of said Parcel 1 a distance of 243.00 feet to an angle point in said corporate boundary, said point lies on the East line of said Dennison Road;

thence (4) N00°52'00"E along said corporate boundary and said East line a distance of 808.56 feet to the point of beginning.

Containing 4.41 Acres more or less.

CHECKED by
KERN COUNTY SURVEYORS OFFICE

Date 5/27/15

Approved by

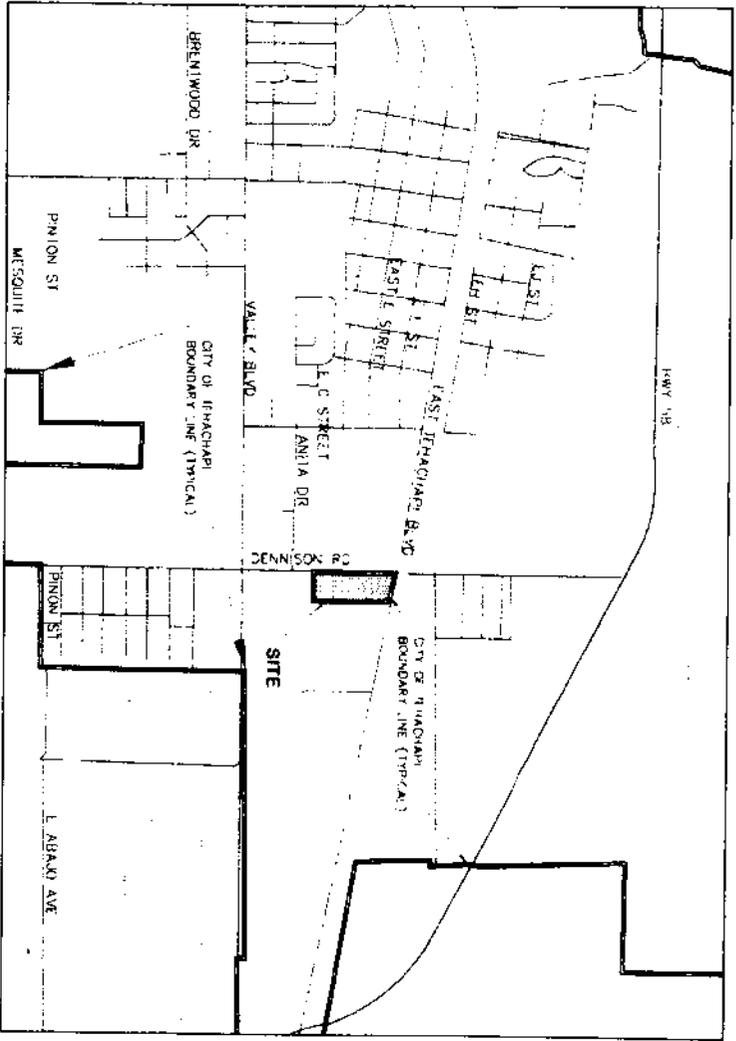
Donna Stephens



Wiley D. Hughes
Wiley D. Hughes, LS 3779 Exp. 6-30-2016

5/22/15
Date

VICINITY MAP

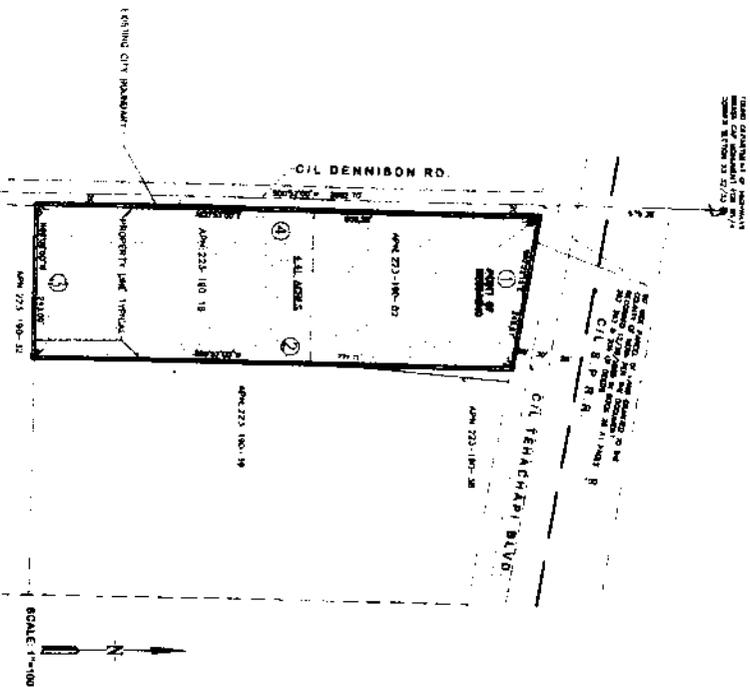


LEGEND

- (---) EXISTING CITY BOUNDARY
- (---) AREA OF ANNEXATION
- (---) NUMBERED COURSE PER UTMAL DESCRIPTION

EXHIBIT 'B'

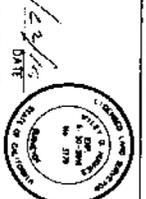
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, T.32S., R.35E., M.D.M. CITY OF TEHACHAPI, COUNTY OF KERN, STATE OF CALIFORNIA



ANNEXATION NO. 84
CITY OF TEHACHAPI

THE COUNTY OF KERN, CALIFORNIA
COUNTY CLERK'S OFFICE
DATE: 5/22/15
By: [Signature]
Deputy County Clerk

WILEY D. ANDERSON, Esq. 3789
DATE: 5/22/15



RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEHACHAPI APPROVING A PRE-ZONE DESIGNATION OF M-1 (LIGHT INDUSTRIAL)

WHEREAS, the City Council of the City of Tehachapi in accordance with the provisions of Section 65353 of the Government Code, held a public hearing on July 15, 2015, on a pre-zoning of the proposed annexation of certain property to the City of Tehachapi, notice of the time and place of hearing were published in the *Tehachapi News*, a local newspaper of general circulation and posted on the subject site-; and

WHEREAS, the City of Tehachapi adopted Zoning Ordinance No. 14-03-717 which includes a Zoning Map; and

WHEREAS, a pre-zoning request was submitted towards establishing internal consistency between the requested pre-zone designation and the existing General Plan designation of Special District 1 (Freeway Corridor); and

WHEREAS, the applicant is requesting a pre-zone designation of Light Industrial to be applied over the entire subject site in order to facilitate the orderly development of the property; and

WHEREAS, a Negative Declaration was adopted by the Planning Commission and mitigation measures were included with the Negative Declaration and findings were adopted in accordance with the requirements of the California Environmental Quality Act; and

WHEREAS, by the Resolution No. 2015-03 on June 8, 2015 the Planning Commission recommended approval of the pre-zone to the City Council based on the findings made by the Planning Commission as set forth in this Resolution as follows:

1. The M-1 (Light Industrial) zoning district is appropriate to maintain consistency and compatibility within the established pattern of development in the area.
2. Municipal facilities are or can reasonably be extended to provide services to this site.
3. The subject parcel is located within the City's sphere of influence north of and contiguous to the existing City limit line, South of Tehachapi Boulevard and east of Dennison Road.

4. The topography, parcel size, configuration and surrounding uses are appropriate for the proposed M-1 zone to be applied to this site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tehachapi as follows:

1. That the foregoing recitals are true and correct.
2. That the subject parcels located adjacent and south of Tehachapi Boulevard and east of Dennison Road is hereby pre-zoned to reflect the M-1 Zoning designation.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Tehachapi at a regular meeting this 15th day of June 2015.

SUSAN WIGGINS, Mayor
of the City of Tehachapi, California

ATTEST:

VICTORIA MARSH, City Clerk
of the City of Tehachapi, California

LOCATION MAP



Legend

223-190-02
1.69 acre parcel

223-190-18
2.51 acre parcel

1:7,288

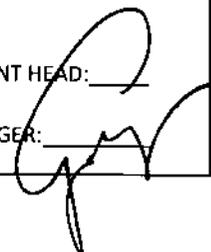


Notes

This map is a user generated static output from an Internet mapping site and is for general reference only. The County of Kern assumes no liability for damages, incurred by the user of this information, which occur directly or indirectly as a result of errors, omissions or discrepancies in the information.



APPROVED
DEPARTMENT HEAD: _____
CITY MANAGER: _____



COUNCIL REPORTS

MEETING DATE: JUNE 15, 2015 AGENDA SECTION: CITY MANAGER

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: GREG GARRETT, CITY MANAGER

DATE: JUNE 4, 2015

SUBJECT: AB 1522 – Part-time, Temporary, Provisional and Seasonal Paid Sick Leave Policy

BACKGROUND:

On September 10, 2014 Governor Brown signed AB 1522 enacting the Healthy Workplaces, Healthy Families Act of 2014 to provide paid sick leave to employees who work in California for 30 or more days within a year and who are not covered by a valid collective bargaining agreement. This law authorizes an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each year of employment. Currently part-time employees are not under a collective bargaining group and are not provided paid sick-leave.

By enacting this paid sick leave policy for part-time employees, the City defines a specific method of accrual and use of this time. Adopting this resolution will give the City a set method to apply AB 1522 consistently to all current and future employees that fall under AB 1522.

An employee is not eligible to begin using any accrued paid sick leave until after 90 days of employment with the City.

FISCAL IMPACT:

The financial impact of implementing AB 1522 is unknown at this time; however any additional costs would be limited to covering services performed by part-time staff during sick leave absences.

RECOMMENDATION:

Adopt the Resolution approving a paid sick leave policy for part-time, temporary, provisional or seasonal employees pursuant to AB 1522.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEHACHAPI REVISING THE PAID SICK LEAVE POLICY PURSUANT TO AB 1522 FOR PART-TIME EMPLOYEES BY REVISING SECTION 4D, TO EMPLOYEE PERSONNEL MANUAL

WHEREAS, on September 10, 2014 the Governor of the State of California signed the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522) providing paid sick leave for covered employees effective January 1, 2015; and

WHEREAS, the AB 1522 paid sick leave provisions are to take effect July 1, 2015; and

WHEREAS, the City Council of the City of Tehachapi wishes to establish a paid sick leave policy pursuant to AB 1522 for part-time, temporary, provisional and seasonal employees and modify its current policy for full-time and FLSA exempt employees to comply with AB 1522;

WHEREAS, part-time, temporary, provisional and seasonal employees are not provided any form of paid sick leave by the existing Personnel Manual or any Memorandum of Understanding.

WHEREAS, AB 1522 allows the City to establish the accrual method for paid sick leave to provide paid sick leave to part-time, temporary, provisional and seasonal employees ; and

WHEREAS, the City Council of the City of Tehachapi (the "City Council") adopted Resolution No. 11-14 which established rules and regulations for the administration of the personnel system (the "Personnel Manual"); and

WHEREAS, City Council wishes to amend the City's Personnel Manual as hereinafter set forth; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEHACHAPI AS FOLLOWS:

1. That the recitals and findings are true and correct and are hereby incorporated by reference herein.
2. Section 4 (Attendance and Leaves), Subsection D (Sick Leave) of the City's Personnel Manual is hereby revised as attached in Exhibit "A" to this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Tehachapi held on the 15th day of June 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SUSAN WIGGINS, Mayor,
City of Tehachapi, California

ATTEST:

VICTORIA MARSH,
Deputy City Clerk of the City of Tehachapi, California

I hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Tehachapi at a regular meeting thereof held on 15th day of June 2015.

VICTORIA MARSH,
Deputy City Clerk of the City of Tehachapi, California

D. **Sick Leave**

Sick leave is defined as absence because of illness, injury, care of a sick member of the employee's immediate family, or doctor and dental appointments when it is not feasible to schedule them on the employee's own time. An employee's immediate family member for the purpose of sick leave includes the following:

- current spouse
- registered domestic partner
- children, including adopted and stepchildren
- parents
- parents of his/her current spouse
- grandparents
- grandchildren
- siblings

Sick leave can also be used to obtain any relief or services to being a victim of domestic violence, sexual assault or stalking with appropriate certification of the need for such services.

The City Manager has discretionary authority to extend sick leave coverage because of the illness, injury or care of a person other than the immediate family members of the employee listed above, when he/she determines the relationship of such person to the employee warrants use of sick leave.

1. Regular Full-Time and FLSA Exempt Employees

a) **Accrual**

Regular full-time and FLSA Exempt employees receive up to 96 hours of sick leave annually at the rate of four (4) hours per pay period. Employees may take up to half of their annual accrual (48 hours) of sick leave in any year for the care of a sick family member. (California Kin Care law)

b) **No Future Draws**

An employee may not draw on future unearned sick leave benefits.

c) **Reinstated Employees**

Former City of Tehachapi employees who are reinstated to full-time employment within six (6) months of separation will have their unused sick leave balance restored. Employees who are reinstated to full-time employment between six (6) months and twelve (12) months of separation will have up to 6 days or 48 hours of their unused sick leave balance reinstated.

d) **Notification**

An employee who is ill or injured and unable to report to work must notify his/her supervisor prior to the beginning of his/her work shift. If this is not possible, the employee must contact the supervisor at the beginning of the work shift. If conditions make it impossible for the employee to call the supervisor personally, the employee must make arrangements for someone to call for him/her. Employees using any sick leave beyond the first 3 days or 24 hours in a 12-month period may be asked to furnish a doctor's statement to their supervisor. Employees' using more than forty (40) hours consecutive sick leave must furnish a statement from their doctor.

e) **Recording Sick Time**

Employees will not be permitted to use vacation, floating holiday or comp time in lieu of sick leave unless approved by their Department Head.

f) **Illness while on Vacation**

Employees who become sick while on vacation may use sick leave time instead of vacation time if he/she furnishes his/her supervisor with a doctor's statement.

g) **Forfeiture of Unused Sick Leave at Termination**

Except as otherwise provided herein, employees leaving the City's employ shall forfeit all unused sick leave benefits as of the termination date.

h) **Compensation at Retirement**

An employee retiring from the City of Tehachapi, and having been accepted by the Public Employee's Retirement System (PERS) for service or disability retirement benefits, may be compensated for unused accrued sick leave at 50% of its value on his/her retirement date.

2. **Part-Time, Temporary, Provisional and Seasonal Employees**

a) **Accrual**

Current Part-Time, Temporary, Provisional or Seasonal employees will be provided upfront thirty (30) hours of paid sick leave on July 1, 2015 and each subsequent 12-month period thereafter. New Part-Time, Temporary, Provisional or Seasonal employees hired after July 1, 2015 will be provided thirty (30) hours of sick leave at the date of hire and each subsequent 12-month period thereafter. Thirty (30) hours shall be the maximum amount of paid sick leave provided per 12-month employment period. No unused sick leave accrual shall be carried over to the following fiscal year.

b) **Eligibility to Use Sick Leave**

Part-Time, Temporary, Provisional or Seasonal Employees will not be allowed to use any paid sick leave until the 90th day of employment with the City.

c) **Minimum Increment**

A Part-Time, Temporary, Provisional or Seasonal employee who uses paid sick leave must do so with a minimum increment of two hours of sick leave.

d) **No Future Draws**

Part-Time, Temporary, Provisional or Seasonal employees may not draw on future unearned sick leave benefits.

e) **Reinstated Employees**

A Part-Time, Temporary, Provisional or Seasonal employee who separates from City employment and is re-hired by the City within twelve (12) months of the date of separation will have previously accrued and unused paid sick leave hours reinstated to the extent required by law. However, if a re-hired employee had not yet worked the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the City before any sick leave can be used.

f) **Notification**

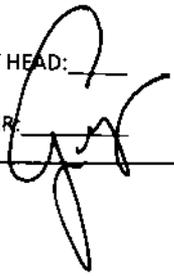
A Part-Time, Temporary, Provisional or Seasonal employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance). An employee who is ill or injured and unable to report to work must notify his/her supervisor prior to the beginning of his/her work shift. If this is not possible, the employee must contact the supervisor at the beginning of the work shift. If conditions make it impossible for the employee to call the supervisor personally, the employee must make arrangements for someone to call for him/her.

g) **Forfeiture of Unused Sick Leave at Termination**

Part-Time, Temporary, Provisional or Seasonal employees leaving the City's employ shall forfeit all unused sick leave benefits as of the termination date.

COUNCIL REPORTS

APPROVED
DEPARTMENT HEAD: _____
CITY MANAGER: _____



MEETING DATE: JUNE 15, 2015 AGENDA SECTION: CITY MANAGER

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: GREG GARRETT, CITY MANAGER

DATE: JUNE 11, 2015

SUBJECT: CITY OF TEHACHAPI DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 1

BACKGROUND

This action by the City Council orders the levy of assessments within the Drainage Benefit Assessment District No. 1 for fiscal year 2015/2016.

At the May 18, 2015 City Council meeting, City Council adopted Resolution No. 26-15 Initiating proceedings, Resolution 27-15 approving the preliminary Engineer's Report, and Resolution 28-15 declaring its intent to levy assessments for the Drainage Benefit Assessment District No. 1 for fiscal year 2015/2016.

The total annual maintenance cost to the District is \$10,319.32. Annual maintenance costs are funded through the assessments placed on the property tax bills.

OPTIONS

There are no alternate options for this item.

RECOMMENDATION

It is recommended that the City Council adopt a resolution amending and/or approving the Final Engineer's Report and ordering the levy and collection of assessments within the City of Tehachapi Drainage Benefit Assessment District No.1 for Fiscal Year 2015/2016.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEHACHAPI APPROVING THE ANNUAL ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TEHACHAPI DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 1, FOR FISCAL YEAR 2015/2016, PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, The City Council of the City of Tehachapi (hereafter referred to as the "City Council") has, by previous Resolutions declared its intention to levy assessments for the City of Tehachapi Drainage Benefit Assessment District No.1 (hereinafter referred to as the "District"); and

WHEREAS, The Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer's Annual Levy Report (hereafter referred to as the "Engineer's Report") that describes the assessments against the parcels of land within the Assessment District for the fiscal year commencing July 1, 2015 and ending June 30, 2016 to pay for the maintenance, operation and servicing of improvements and facilities related thereto; and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said the Engineer's Report;

WHEREAS, The City Council and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Article XIII D of the California State Constitution; and

WHEREAS, The City Council desires to levy and collect assessments against parcels of land within Assessment District for the Fiscal Year commencing July 1, 2015 and ending June 30, 2016, to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities located within the District..

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Engineer's Report prepared in connection therewith, and considered any oral and written statements, protests and communications made or filed by interested persons regarding these matters.

Section 2 The City Council finds the record owners of property within the District previously approved the continued levy and collections of assessments through property owner balloting proceedings, and that the proposed assessment for Fiscal Year 2015/2016 is consistent with the assessment so approved.

Section 3 Based upon the Engineer's Report, which is here by approved and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection, the City Council hereby finds and determines that:

- a) The land and eligible parcels within the boundaries of the District will receive a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large from the operation, maintenance and servicing of the improvements and appurtenant facilities identified in the Engineer's Report (hereinafter referred to as "Special benefit"); and,
- b) The District includes the lands and parcels receiving such Special Benefit; and
- c) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2015 and ending June 30, 2016.

Section 4 The Engineer's Report and assessment as presented to the City Council and on file in the office of the City Clerk comply with the applicable provisions of the California State Constitution Article XIII D and are hereby confirmed as filed.

Section 5 The maintenance, operation and servicing of the improvements shall be performed pursuant to the provisions of the *Benefit Assessment Act of 1982, Title 5, Division 2, Part 1, Chapter 6.4 of the Government Code of the State of California Commencing with section 54703* (hereafter referred to as the "Act"). The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the operation, maintenance, servicing and administration of the improvements, and incidental expenses related thereto for the District located within the boundary of the City of Tehachapi, and the jurisdiction of the City Council. A more detailed description of the improvements is contained within the Report, but the improvements and facilities can be classified within the following general categories:

- Installation, construction or maintenance of any authorized improvements under Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

Section 6 The County Auditor of Kern County shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to the provisions provided in the Act. After collection by the County, the net amount of the levy shall be paid to the Treasurer of the City of Tehachapi.

Section 7 The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the City of Tehachapi Drainage Benefit Assessment District No.1, and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in section 5.

Section 8 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2015 and ending June 30, 2016.

Section 9 The City Clerk, or their designate, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

Section 10 A copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Tehachapi at a regular meeting this 15th day of June, 2015.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Susan Wiggins, Mayor
City of Tehachapi, California

ATTEST:

Tori Marsh
City Clerk, City of Tehachapi, California

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Tehachapi at a regular meeting thereof held on June 15, 2015.

Tori Marsh
City Clerk, City of Tehachapi, California



TEHACHAPI
CALIFORNIA
Live Up.

City of Tehachapi

Tehachapi Drainage Benefit Assessment District No. 1

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 18, 2015
Public Hearing: June 15, 2015

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ENGINEER'S REPORT AFFIDAVIT

DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 1,

(PARCEL MAP 11353)

City of Tehachapi,
County of Kern, State of California

This Report describes the improvements, budgets, parcels and assessments to be levied for fiscal year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Kern County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 14th day of May, 2015.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Tehachapi

By: Josephine Perez-Moses
Josephine Perez-Moses, Senior Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R. C. E. # 16742



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I. INTRODUCTION

The special assessment district described in this report contains parcels of land within a non-residential development (Parcel Map 11353) (hereinafter referred to as the “Development”). The City of Tehachapi (“City”) has established the City of Tehachapi Drainage Benefit Assessment District No. 1 (Parcel Map 11353), (hereinafter referred to as the “District”) in order to provide annual maintenance for drainage improvements in the development.

The City annually levies and collects special assessments to continue the maintenance of the improvements within the District. The assessments levied annually on the territory in the District are pursuant to the provisions of the *Benefit Assessment Act of 1982 being Chapter 6.4 of Part 1 of division 2, commencing with Section 54703, of the Government Code of the State of California (hereinafter referred to as the “Act”), and as provided by Proposition 218, “The Right to Vote on Taxes Act”, Article XIII D, Section 4, of the 1982 California Constitution.*

This Engineer’s Report (hereinafter referred to as the “Report”) describes the District and the proposed assessments for fiscal year 2015/2016. The annual budget for the maintenance and operation of the improvements is based on estimated expenses for the upcoming fiscal year. Parcels within the District are assessed proportionately for only those improvements and services that are a direct and special benefit to each property in the District.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessment Parcel Number by the Kern County (“County”) Assessor’s Office. The Kern County Auditor/Controller uses Assessment Parcel Numbers and specific Fund Numbers to identify on the tax roll properties assessed for special district benefit assessments.

Pursuant to the 1982 Act, the City Council conducted the required public hearings necessary to accept property owner protests, public comments and testimony regarding the formation of the District and the proposed annual levy of assessments. In conjunction with the required 1982 Act formation proceedings (public hearing), the City conducted property owner protest ballot proceedings for the annual assessments and assessment range formula described in the Original Report in compliance with the substantive and procedural requirements of the California Constitution Article XIID. The proposed formations and annual assessments for each District were approved and established at the public hearing for the District, and pursuant to the 1982 Act.

The City Council may annually determine the cost of the services that are financed by the assessments and by ordinance or resolution order the levy of the annual assessments. However in accordance with the provisions of the California Constitution Article XIID, no annual assessment shall exceed the maximum assessment amount

established in the Original Report without additional approval of the affected property owners. The assessment information approved would be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel.

II. DESCRIPTION OF THE DISTRICT

A. General Description of the District

The District consists of a subdivision for non-residential purposes known as Parcel Map 11353.

The purpose of the District is to ensure the ongoing maintenance, operation, and servicing of drainage improvements installed in connection with development of properties within the District. This District provides the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements are funded.

The District structure, improvements, method of apportionment and assessments described in this Report are based on current development and improvement plans including all estimated direct expenditures, incidental expenses, and reserves associated with the maintenance and servicing of the improvements.

The District is located within the boundaries of the City of Tehachapi, generally situated north of the Southern Pacific Railroad, and easterly of Dennison Road.

B. Improvements and Services within the District

The purpose of the District is to ensure the ongoing maintenance, operation, and servicing of drainage improvements installed in connection with the development of parcels within the District. These improvements may include, but are not limited to, all materials, equipment, utilities, labor and appurtenant facilities related to those improvements. The improvements installed as part of the development will be maintained and partially or entirely funded through the District assessments.

For Parcel Map 11353, the drainage improvements and services as permitted pursuant to the 1982 Act are as follows:

- Basin Maintenance (Parcel 8 or Parcel Map 11353)
- All appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements.
- Maintenance and operations of drainage facilities.

The estimated annual cost to provide and maintain the improvements within the District shall be allocated to each property in proportion to the special benefits received. The Method of Apportionment described in this Report utilizes commonly accepted assessment engineering practices and has been established pursuant to the 1982 Act and the provisions of Proposition 218.

III. METHOD OF APPORTIONMENT

A. Methodology

The 1982 Act permits the establishment of a maintenance assessment district by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public drainage improvements and appurtenant facilities. The 1982 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments reflects the composition of the parcels and the improvements and services provided within the District to fairly apportion the costs based on estimated benefit to each parcel.

B. Benefit Analysis

Each of the improvements, the associated costs and assessments within the District have been reviewed, identified and allocated based on special benefit pursuant to the provisions of the California Constitution and 1982 Act. All improvements associated with this District have been identified as necessary, required and/or desired for the orderly development of the property within the District to its full potential, consistent with the development plans. As such, these improvements would be necessary and required of any property owner for the development of such property, and the ongoing operation, servicing, and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of maintenance and operation of the improvements are of direct and special benefit to the property.

The method of apportionment (method of assessment) is based on the premise that the assessed parcel within the District receives benefit from the improvements. The desirability and security of properties is enhanced by the presence of drainage facilities to handle storm water runoff.

The special benefits associated with the drainage improvements are specifically:

- Enhanced desirability of the property through association with the improvements;
- Environmental enhancement through improved erosion resistance, dust and debris control;
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties;
- Enhanced environmental quality of the parcels by eliminating standing water.

For the drainage improvements the special benefits contribute to a specific enhancement and desirability of the assessed parcel within the District. Although the improvements may include drainage improvements and other amenities available or visible to the public at large, the construction and installation of these improvements are only necessary for the development of the property within the District and are not required nor necessarily desired by any properties or developments outside the District boundary. Therefore, any public access or use of the improvements by others is incidental and there is no measurable general benefit to properties outside the District or to the public at large.

C. Assessment Methodology

The method of apportionment for the District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The special benefit received by each lot or parcel is equated to the overall land use of the parcel based on the parcel's actual land use or proposed planned development, and is reliant upon the special benefit received from the improvements planned within the District.

To identify and determine the special benefit to be received by each parcel, it is necessary to consider the entire scope of the District improvements as well as individual property development within the District. The costs associated with the improvements shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with Article XIII D Section 4 of the California Constitution, the parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the land use of each property as compared to other parcels that benefit from those specific improvements.

Equivalent Benefit Units

To assess benefits equitably, it is necessary to relate the different type of parcel improvements to each other. The Equivalent Benefit Unit (EBU) method of assessment apportionment uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU). Every other land use is converted to EBUs based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

The EBU method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1982 Act, as the benefit to each parcel from the improvements are apportioned as a function of land use type, size and development.

EBU Application by Land Use:

Single-Family Residential — This land use is defined as a fully subdivided residential home site with or without a structure or planned single-family residential lot as identified by a submitted or approved tentative tract map or final tract map. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that all other land use types are compared and weighted against (i.e. Equivalent Benefit Unit or EBU).

Multi-Family Residential — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property or planned residential lot as identified by a submitted or approved tentative tract map or final tract map. This land use is assessed 1.0 EBU per dwelling unit.

Developed Commercial — This land use is defined as property developed for either commercial or industrial use. This type of property receives greater benefit than Single Family or Multi-family property due to typically larger lot sizes in relation to residential properties. With typical SFR lot sizes at .25 acres, Developed Commercial land use type is assessed at 4.0 EBU per gross acre. Parcels less than .25 acres are assigned a minimum of 1.0 EBU and there is no maximum acreage cap, as is the case with Vacant Non-Residential Property.

Non-Profit Parcels — This land use is defined as property developed for non-profit activities such as Churches or Lodges. This type of property does receive benefit from the District improvements but at a rate that coincides with the sporadic intensity of people use for the parcel. Non-Profit land use type is assessed at 0.25 EBU per gross acre. Parcels less than 1.00 gross acres are assigned a minimum of 0.25 EBU.

Vacant Residential — This land use is defined as property currently zoned for residential development, but a tentative or final tract map has not been submitted and/or approved. This land use is assessed at 0.5 EBU per parcel.

Vacant Non-Residential — This land use is defined as property currently zoned for any non-residential use, but a tentative or final tract map has not been submitted and/or approved. This land use is assessed at 1.0 EBU per gross acre. Parcels less

than 1 gross acre are assigned a minimum of 1.0 EBU. Parcels over 50 gross acres are assigned a maximum of 50 EBU.

Exempt Parcels — This land use identifies properties that are not assessed and are assigned 0.0 EBU. This land use classification may include, but is not limited to, lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and right-of-ways including greenbelts and parkways; utility right-of-ways; common areas, sliver parcels and bifurcated lots or any other property that cannot be developed; publicly owned properties that are part of the District improvements or that have little or no improvement value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

The following table provides a listing of land use types, land use code designations, the Equivalent Benefit Unit factor applied to that land use type, and the multiplying factor used to calculate each parcel’s individual EBU.

Land Use Codes and Equivalent Benefit Units

Property Type	Land Use Code	Equivalent Benefit Units	Multiplier
Single Family Residential	SFR	1.00	Lot/Parcel
Multi Family Residential	MFR	1.00	Unit
Developed Commercial	COM	4.00	Gross Acre
Non-Profit Parcel	NP	0.25	Gross Acre
Vacant Residential	RV	0.50	Lot/Parcel
Vacant Non-Residential	NRV	1.00	Gross Acre
Exempt Parcel	XMT	0.00	Parcel

The benefit formula applied to parcels within the District is based on the preceding Equivalent Benefit Unit (EBU) table. Each parcel's EBU correlates the parcel's special benefit received as compared to all other parcels benefiting from the improvements.

The following formula is used to calculate each parcel’s EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acreage/Dwelling Units/Parcel/Lot} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBUs) is the sum of all individual EBUs applied to parcels that receive a special benefit from the improvement. An

assessment amount per EBU (Rate) for each improvement is established by taking the total cost of the improvement and dividing that amount by the total number of EBUs of all parcels benefiting from the improvement. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for that improvement.

$$\text{Total Balance to Levy} / \text{Total EBU} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

D. Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (*California Constitution Articles XIII C and XIII D*), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. Commencing with fiscal year 2015/2016, the amount of the assessment for the District is proposed to increase each year, based upon the Consumer Price Index, All Urban Consumers, for the Los Angeles-Orange-Riverside County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. There was no increase in CPI this year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living.

The Assessment Range Formula shall be applied to all future assessments within the District. Generally, if the proposed annual assessment (levy per EBU) for the current fiscal year is less than or equal to the calculated Maximum Assessment, then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment (approved by property owners within the District) adjusted annually by the CPI.

The Maximum Assessment is adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual

assessment (rate per EBU less than or equal to this Maximum Assessment) is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

Although the Maximum Assessment will increase each year, the actual assessment may remain unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessment for the fiscal year do not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment, then the assessment is considered an increased assessment and would be subject to balloting.

IV. DISTRICT BUDGET

City of Tehachapi	
2015/2016 Budget Worksheet	
DRAINAGE BENEFIT ASSESSMENT DISTRICT No. 1 (PARCEL MAP 11353)	
Fund Number 20634	
Levy Components	Budget
DIRECT COSTS (Basin Maintenance)	
Basin prep for rainy season	\$290.50
Weekly maintenance during rainy season	472.00
Weekly maintenance during non-rainy season	472.00
Pump station service visits (2/year)	981.00
Misc. equipment fees	395.00
Total Maintenance Costs	\$2,610.50
DIRECT COSTS (Power Costs)	
Power Consumption	\$2,520.00
Pumps	0.00
Total Power Costs	\$2,520.00
DIRECT COSTS (Pump Replacement)	
Pump and Motors (\$30,000 every 15 years)	\$500.00
Electrical Equipment (\$10,000 every 30 years)	250.00
Total Replacement Cost per year	\$750.00
ADMINISTRATION COSTS	
Levy Administration and Professional Services	\$2,566.73
County Collection Fee	15.91
City Overhead and Administration	1,856.22
Total Administration Costs	\$4,438.86
COLLECTIONS/(CREDITS) APPLIED TO LEVY	
TOTAL DIRECT AND ADMIN COSTS	\$10,319.36
Balance to Levy (Budgeted)	\$10,319.36
DISTRICT STATISTICS	
Total Parcels	15
Total Parcels Levied	14
Total EBU's	92.40
Proposed Levy per Benefit Unit	\$111.68
Applied Levy per Benefit Unit	\$111.68
Maximum Levy per Benefit Unit (Prior Fiscal Year)	\$195.06
Maximum Levy per Benefit Unit (FY 2015/2016)	\$195.25

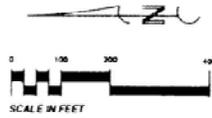
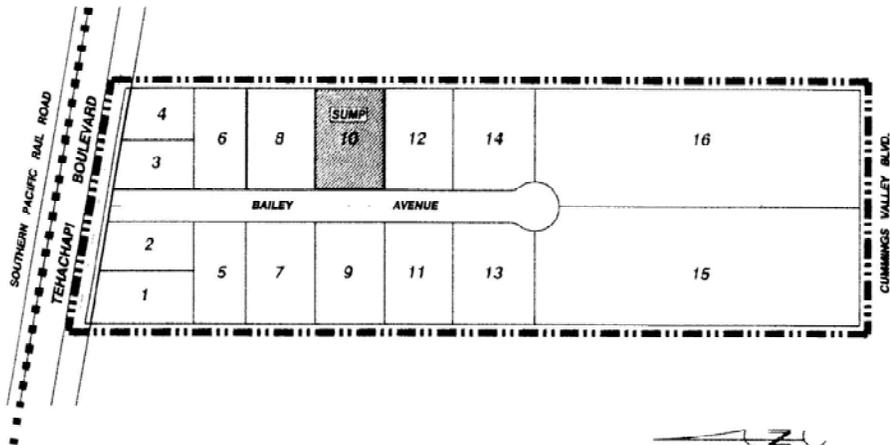
APPENDIX A – DISTRICT DIAGRAM

The parcels within the City of Tehachapi Drainage Benefit Assessment District No. 1 (Parcel Map 11353), consist of all lots, parcels and subdivisions of land located in Parcel Map 11353. The District includes Kern County Assessor's Parcel Map Book 223, Page 190, Parcel 15. This County Assessor's Parcel Map, the Assessment Roll, and Exhibit 1 constitute the District Assessment Diagram. A copy of the County Assessor's Parcel Map is shown on the following page.



Respecting Our Past Planning Our Future

Tehachapi Drainage Benefit Assessment District No. 1
(Parcel Map 11353)



APN 223-190-15
PROPOSED NO. OF ASSESSABLE PARCELS 15
ASSESSABLE ACREAGE 23.95

LEGEND

- ▬▬▬▬▬▬ DISTRIC T BOUNDARY
- ▨ SUMP

NOTE: The quantities identified on this map are subject to change. For details, refer to the approved Developer plans on file in the Office of the City Engineer. For parcel detail, please refer to the latest Kern County Assessor's Map.

DATE: DECEMBER 1, 2008

APPENDIX B - ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Kern County Assessor's map for the year in which this Report is prepared.

Non-assessable lots or parcels may include areas of public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and rights-of-ways including public greenbelts and parkways; utility rights-of-ways; common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment. Properties outside the District boundary receive no direct or special benefits from the improvements provided by the District and are not assessed.

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Kern County Assessor's map for the year in which this Report is prepared. The land use classification for each parcel is based on the Kern County Assessor's Roll. A listing of parcels assessed within this District, along with the proposed assessment amounts, shall be submitted to the City Clerk, under a separate cover, and by reference is made part of this Report.

Approval of this Report (as submitted or as modified) confirms the method of apportionment and the maximum assessment rate to be levied against each eligible parcel and thereby constitutes the approved levy and collection of assessments for the fiscal year. The parcels and the amount of assessment to be levied shall be submitted to the County Auditor/Controller and included on the property tax roll for the fiscal year.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.



APPROVED
DEPARTMENT HEAD: _____
CITY MANAGER: _____

[Handwritten signature]

COUNCIL REPORTS

MEETING DATE: JUNE 15, 2015 AGENDA SECTION: CITY MANAGER

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: GREG GARRETT, CITY MANAGER

DATE: JUNE 11, 2015

SUBJECT: CITY OF TEHACHAPI DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 2014-1

BACKGROUND

This action by the City Council orders the levy of assessments within the Drainage Benefit Assessment District No. 2014-1 for fiscal year 2015/2016.

At the May 18, 2015 City Council meeting, City Council adopted Resolution No. 23-15 Initiating proceedings, Resolution 24-15 approving the preliminary Engineer's Report, and Resolution 25-15 declaring its intent to levy assessments for the Drainage Benefit Assessment District No. 1 for fiscal year 2015/2016.

The total annual maintenance cost to the District is \$11,889.31. Annual maintenance costs are funded through the assessments placed on the property tax bills.

OPTIONS

There are no alternate options for this item.

RECOMMENDATION

It is recommended that the City Council adopt a resolution amending and/or approving the Final Engineer's Report and ordering the levy and collection of assessments within the City of Tehachapi Drainage Benefit Assessment District No.1 for Fiscal Year 2015/2016.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEHACHAPI APPROVING THE ANNUAL ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TEHACHAPI DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 2014-1, FOR FISCAL YEAR 2015/2016, PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, The City Council of the City of Tehachapi (hereafter referred to as the "City Council") has, by previous Resolutions declared its intention to levy assessments for the City of Tehachapi Drainage Benefit Assessment District No. 2014-1 (hereinafter referred to as the "District"); and

WHEREAS, The Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer's Annual Levy Report (hereafter referred to as the "Engineer's Report") that describes the assessments against the parcels of land within the Assessment District for the fiscal year commencing July 1, 2015 and ending June 30, 2016 to pay for the maintenance, operation and servicing of improvements and facilities related thereto; and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said the Engineer's Report;

WHEREAS, The City Council and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Article XIII D of the California State Constitution; and

WHEREAS, The City Council desires to levy and collect assessments against parcels of land within Assessment District for the Fiscal Year commencing July 1, 2015 and ending June 30, 2016, to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities located within the District..

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Engineer's Report prepared in connection therewith, and considered any oral and written statements, protests and communications made or filed by interested persons regarding these matters.

Section 2 The City Council finds the record owners of property within the District previously approved the continued levy and collections of assessments through property owner balloting proceedings, and that the proposed assessment for Fiscal Year 2015/2016 is consistent with the assessment so approved.

Section 3 Based upon the Engineer's Report, which is here by approved and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection, the City Council hereby finds and determines that:

- a) The land and eligible parcels within the boundaries of the District will receive a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large from the operation, maintenance and servicing of the improvements and appurtenant facilities identified in the Engineer's Report (hereinafter referred to as "Special benefit"); and,
- b) The District includes the lands and parcels receiving such Special Benefit; and
- c) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2015 and ending June 30, 2016.

Section 4 The Engineer's Report and assessment as presented to the City Council and on file in the office of the City Clerk comply with the applicable provisions of the California State Constitution Article XIII D and are hereby confirmed as filed.

Section 5 The maintenance, operation and servicing of the improvements shall be performed pursuant to the provisions of the *Benefit Assessment Act of 1982, Title 5, Division 2, Part 1, Chapter 6.4 of the Government Code of the State of California Commencing with section 54703* (hereafter referred to as the "Act"). The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the operation, maintenance, servicing and administration of the improvements, and incidental expenses related thereto for the District located within the boundary of the City of Tehachapi, and the jurisdiction of the City Council. A more detailed description of the improvements is contained within the Report, but the improvements and facilities can be classified within the following general categories:

- Installation, construction or maintenance of any authorized improvements under Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

Section 6 The County Auditor of Kern County shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to the provisions provided in the Act. After collection by the County, the net amount of the levy shall be paid to the Treasurer of the City of Tehachapi.

Section 7 The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the City of Tehachapi Drainage Benefit Assessment District No.1, and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in section 5.

Section 8 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2015 and ending June 30, 2016.

Section 9 The City Clerk, or their designate, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

Section 10 A copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Tehachapi at a regular meeting this 15th day of June, 2015.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Susan Wiggins, Mayor
City of Tehachapi, California

ATTEST:

Tori Marsh
City Clerk, City of Tehachapi, California

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Tehachapi at a regular meeting thereof held on June 15, 2015.

Tori Marsh
City Clerk, City of Tehachapi, California



TEHACHAPI
CALIFORNIA
Live Up.

City of Tehachapi

Drainage Benefit Assessment District No. 2014-1 (Parcel Map 10997)

Intent Meeting: May 18, 2015
Public Hearing: June 15, 2015

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ASSESSMENT ENGINEER'S AFFIDAVIT

TEHACHAPI DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 2014-1 (Parcel Map 10997)

City of Tehachapi
Kern County, State of California

This Report describes the improvements, budgets, parcels and assessments to be levied for fiscal year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Kern County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 14th day of May, 2015.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Tehachapi

By: Josephine Perez-Moses

Josephine Perez-Moses, Senior Project Manager
District Administration Services

By: Richard Kopecky

Richard Kopecky
R. C. E. # 16742



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INTRODUCTION

Pursuant to the provisions of the *Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703* (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the *California State Constitution Article XIID* (hereafter referred to as the “California Constitution”), the City Council of the City of Tehachapi, County of Kern, State of California (hereafter referred to as “City”), propose to levy special benefit assessments for the district to be designated as:

Drainage Benefit Assessment District No. 2014-1 (Parcel Map 10997)

(hereafter referred to as “District”), which includes all lots and parcels of land within Parcel Map 10997 that will receive special benefit from the drainage improvements installed and maintenance in connection with the development of this non-residential subdivision within the City limits of Tehachapi. This Engineer’s Report (hereafter referred to as “Report”) describes the District and the proposed assessments for fiscal year 2015/2016. The annual budget for the maintenance and operation of the improvements is based on estimated expenses for the upcoming fiscal year. Parcels within the District are assessed proportionately for only those improvements and services that are a direct and special benefit to each property in the District.

The City Council proposes to levy and collect annual assessments on the County tax roll to provide ongoing funding for the costs and expenses required to service and maintain drainage improvements and appurtenant facilities that are necessary and essential requirements for the development of the properties within the District to cause the protection of those properties and the surrounding ecological environment from flooding. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1982 Act and the substantive and procedural provisions of the California Constitution.

The District and the assessments described herein for fiscal year 2015/2016 will provide a funding source for the continued operation and maintenance of the drainage improvements that are directly associated with the development of properties within the District and for the special benefit of those properties.

The budgets and assessments described in this Report are based on the planned improvements and development requirements associated with Parcel Map 10997. The budgets described herein, represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to ensure proper maintenance, servicing and funding needs to support the drainage improvements that provide special benefit to properties within the District.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the Kern County Assessor’s Office. The Kern County Auditor-Controller uses Assessor’s Parcel Numbers and

specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

Pursuant to the 1982 Act, the City Council conducted the required public hearings necessary to accept property owner protests, public comments and testimony regarding the formation of the District and the proposed annual levy of assessments. In conjunction with the required 1982 Act formation proceedings (public hearing), the City conducted property owner protest ballot proceedings for the annual assessments and assessment range formula described in the Original Report in compliance with the substantive and procedural requirements of the California Constitution Article XIII D. The proposed formations and annual assessments for each District were approved and established at the public hearing for the District, and pursuant to the 1982 Act.

Each subsequent fiscal year, a Report shall be prepared and presented to the City Council describing any changes to the improvements, the proposed services, the annual budget and assessments for that fiscal year, and the City Council shall hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments.

This Report consists of five (5) parts:

Part I

Plans and Specifications: A description of the District boundaries and the proposed improvements associated with the District. The District is being formed with a single benefit zone encompassing all properties within the territory identified as Tehachapi Drainage Benefit Assessment District No.2014-1 (Parcel Map 10997).

Part II

The Method of Apportionment: A discussion of benefits the improvements and services provide to properties within the District and the method of calculating each property's proportional special benefit and annual assessment. This section also identifies and outlines an Assessment Range Formula that provides for an annual adjustment to the maximum assessment rate that establishes limits on future assessments, but also provides for reasonable cost adjustments due to inflation without the added expense of additional property owner protest ballot proceedings.

Part III

The District Budget: An estimate of the annual costs to operate, maintain and service drainage improvements related to the properties within the District. This budget includes an estimate of anticipated direct maintenance costs and incidental expenses including, but not limited to administration expenses and the collection of appropriate fund balances to establish an initial maximum assessment to be approved by the property owners of record. The special benefit maximum assessment proposed for this District is based on an estimate of the annual maintenance and operational expenses at full build out of the improvements. The proposed assessments for the first fiscal year (2014/2015), and each subsequent year shall be based on the estimated net annual cost of operating, maintaining and servicing the District improvements for that fiscal

year. The proposed maximum assessment (Rate per Equivalent Benefit Unit) identified in the budget of this Report establishes the initial maximum assessment rate for the District in fiscal year 2015/2016 and shall be adjusted annually by the Assessment Range Formula described in the method of apportionment.

Part IV

District Diagram: A Diagram showing the exterior boundaries of the District is provided in this Report and includes all parcels that will receive special benefits from the improvements. Parcel identification, the lines and dimensions of each lot, parcel and subdivision of land within the District, are inclusive of all parcels as shown on the Kern County Assessor's Parcel Maps as they existed at the time this report was prepared and includes all subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Kern County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

Part V

Assessment Roll: A listing of the proposed assessment amount to be presented to the property owners of record in the protest ballot proceedings required pursuant to the provisions of the California Constitution. The proposed assessment amount for each parcel is based on the parcel's proportional special benefit as outlined in the method of apportionment and the proposed initial maximum assessment rate.

PART I — PLANS AND SPECIFICATIONS

PROPERTIES WITHIN THE DISTRICT

Drainage Benefit Assessment District No. 2014-1, (Parcel Map 10997), consists of 9 parcels designated for non-residential purposes and 1 parcel which incorporates most of the improvements to be maintained

The purpose of the District is to ensure the ongoing maintenance, operation, and servicing of drainage improvements installed in connection with development of properties within the District. This District will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements will be funded.

The District structure, improvements, method of apportionment and assessments described in this Report are based on current development and improvement plans including all estimated direct expenditures, incidental expenses, and reserves associated with the maintenance and servicing of the improvements.

The District is located within the boundaries of the City of Tehachapi, generally situated on Industrial Parkway and North Curry Street.

FUNDING AUTHORIZED BY THE 1982 ACT

As generally defined by the Benefit Assessment Act of 1982 and applicable to this District, the City may impose a benefit assessment to finance the maintenance and operation costs of the following services:

- 1) Drainage; and,
- 2) Flood Control

In addition to imposing a benefit assessment for the annual maintenance and operation of the District improvements, the City may also authorize an assessment or utilize existing assessment revenues to finance the installation, construction or replacement of drainage and flood control facilities. While such activities are permitted under the 1982 Act, the budget and assessments for this District only provide for normal maintenance and operation of the improvements. Since most major rehabilitation/construction projects result from unforeseen damages, the extent and cost of such projects are not easily predicted and to accumulate funds as part of the normal annual assessments is not practical. If such funding becomes necessary, the City may present a new or increased assessment to the property owners to support such projects.

IMPROVEMENTS AND SERVICES

The purpose of this District is to fund the activities necessary to maintain and service the corresponding drainage improvements required of properties within the District. The

maintenance and operation of these improvements may include but are not limited to all materials, equipment, labor, and incidental expenses deemed necessary to keep these improvements in satisfactory condition as well as the collection of assessment installments for the periodic service activities, repair or rehabilitation of various improvements and facilities (not capital improvements expenditures or replacement of the drainage infrastructure).

Detailed maps and descriptions of the location and extent of the improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. These plans and specifications may be amended or modified from time to time to reflect future property development within the District or necessary changes to the planned developments currently approved by the City. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received from those various improvements. The District improvements and services are generally described as:

Drainage Maintenance

For Parcel Map 10997, the drainage improvements are as follows:

- Basin Maintenance (Parcel Map 10997)
- All appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements.

PART II — METHOD OF APPORTIONMENT

The 1982 Act permits the establishment of assessment districts by agencies for the purpose of providing for the maintenance, operation and servicing of drainage and flood control improvements as well as streets, roads and appurtenant facilities. The 1982 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of the service”.

Furthermore:

“The annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing the service, except that the legislative body may, by resolution, determine that the estimated cost of work authorized ... is greater than can be conveniently raised from a single annual assessment and order that the estimated cost shall be raised by an assessment levied and collected in installments.... The revenue derived from the assessment shall not be used to pay the cost of any service other than the service for which the assessment was levied.

The method of apportionment described in this Report for allocation of special benefit assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

BENEFIT ANALYSIS

The ongoing maintenance and servicing of the District improvements is an integral part of the use and preservation of the properties within the District and as such confer a particular and distinct special benefit to those parcels. The proper maintenance of the improvements and appurtenant facilities allows individual parcels to be developed and used to their fullest extent by ensuring adequate drainage and proper control of excess water during periods of rain, which is essential to preservation and protection of private property. In reviewing the drainage analysis prepared in connection with the development of properties in Parcel Map 10997 (which contains all parcels within the District) it was determined that improvements to be maintained through this District are only necessary to provide drainage and control of excess water during periods of rain for properties within the District only. That analysis indicated that the drainage and flow of excess water during periods of rain from surrounding properties will not be addressed by the District improvements and these improvements are only necessary to mitigate water run-off from the properties in the District. Therefore it has been determined that these drainage improvements and the maintenance and servicing of such

improvements is entirely a special benefit to properties in the District and there is no quantifiable general benefit to properties or the public at large.

ASSESSMENT METHODOLOGY

All costs associated with the improvements and services shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the California Constitution Article XIID Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The method of apportionment established for this District and described herein, reflects the proportional special benefit each property receives from the improvements and services based on the actual or proposed land use of that parcel as compared to other properties within the District. The benefit formula used to determine the assessment obligation for each parcel is based upon both the type of improvements that benefit that particular parcel as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

Upon review of the improvements and the proposed development of properties within the District it has been determined that all properties receive similar special benefits from each of the improvements and services to be funded by annual assessments and a single zone of benefit is appropriate for the allocation of the assessments and proportional special benefit.

Equivalent Benefit Units:

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of all other properties within the District. The method of apportionment established for most districts formed under the 1982 Benefit Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit (EBU) methodology that uses a weighted EBU based on an assessment formula that equates the property's specific development characteristics such as land use and size to that of other properties in the District.

Because this district is comprised of only properties that will be developed for non-residential use (excluding the drainage basin which is part of the improvements being maintained) the Equivalent Benefit Unit (EBU) methodology for this District is based entirely on the acreage of the benefiting parcels which provides a reasonable reflection of the anticipated water run-off from each parcel and their proportional special benefit. Therefore each non-residential parcel is assigned 1.0 EBU per acre and parcels less than .25 acre are assigned a minimum of 0.25 EBU. Exempt from assessment is the acreage (parcels or future parcels) that encompass the drainage basin for the District.

Assessment Calculations:

The following formula is used to calculate each parcel's EBU (proportional benefit).

$$\text{Parcel Acreage} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU's) is the sum of all individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU's of all parcels benefiting from the improvements. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

ASSESSMENT RANGE FORMULA

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIII C and XIII D), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the Annexation costs and assessments. Commencing with fiscal year 2015/2016, the amount of the assessment for the Annexation may be increased to adjust for increases in labor and material costs. This increase will be based upon the greater of the latest composite percentage change in California Public Utilities Commission ("CPUC") approved rates for each light fixture used in the City's streetlight Maintenance Districts or the Consumer Price Index, All Urban Consumers, for the Los Angeles-Orange-Riverside County Area, as determined by the United States Department of Labor, or its successor, without conducting another mailed ballot election. The Engineer shall compute the percentage difference between the CPI and/or CPUC rates for February of each year and the CPI and/or CPUC rates for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer

shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living.

The Assessment Range Formula shall be applied to all future assessments within the Annexation. Generally, if the proposed annual assessment (levy per EBU) for the current fiscal year is less than or equal to the calculated Maximum Assessment, then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment (approved by property owners within the Annexation) adjusted annually by the CPI.

The Maximum Assessment is adjusted annually and is calculated independent of the Annexation's annual budget and proposed annual assessment. Any proposed annual assessment (rate per EBU less than or equal to this Maximum Assessment) is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

Although the Maximum Assessment will increase each year, the actual assessment may remain unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessment for the fiscal year do not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment, then the assessment is considered an increased assessment and would be subject to balloting.

PART III — DISTRICT BUDGETS

The following budget outlines the estimated annual costs to be collected and deemed necessary for the operation, maintenance and servicing of the improvements for the District. The maximum assessment (Rate per Equivalent Benefit Unit) identified by this budget establishes the initial maximum assessment for the District in fiscal year 2015/2016. This assessment rate shall be adjusted annually by the Assessment Range Formula described in the method of apportionment and collectively this assessment rate and inflationary adjustment will be presented to the property owners of record for approval as part of the balloting process for new or increased assessments in accordance with the provisions of the California Constitution, Article XIII D.

BAD District No. 2014-1, (Parcel Map 10997)
Fund Number 20636

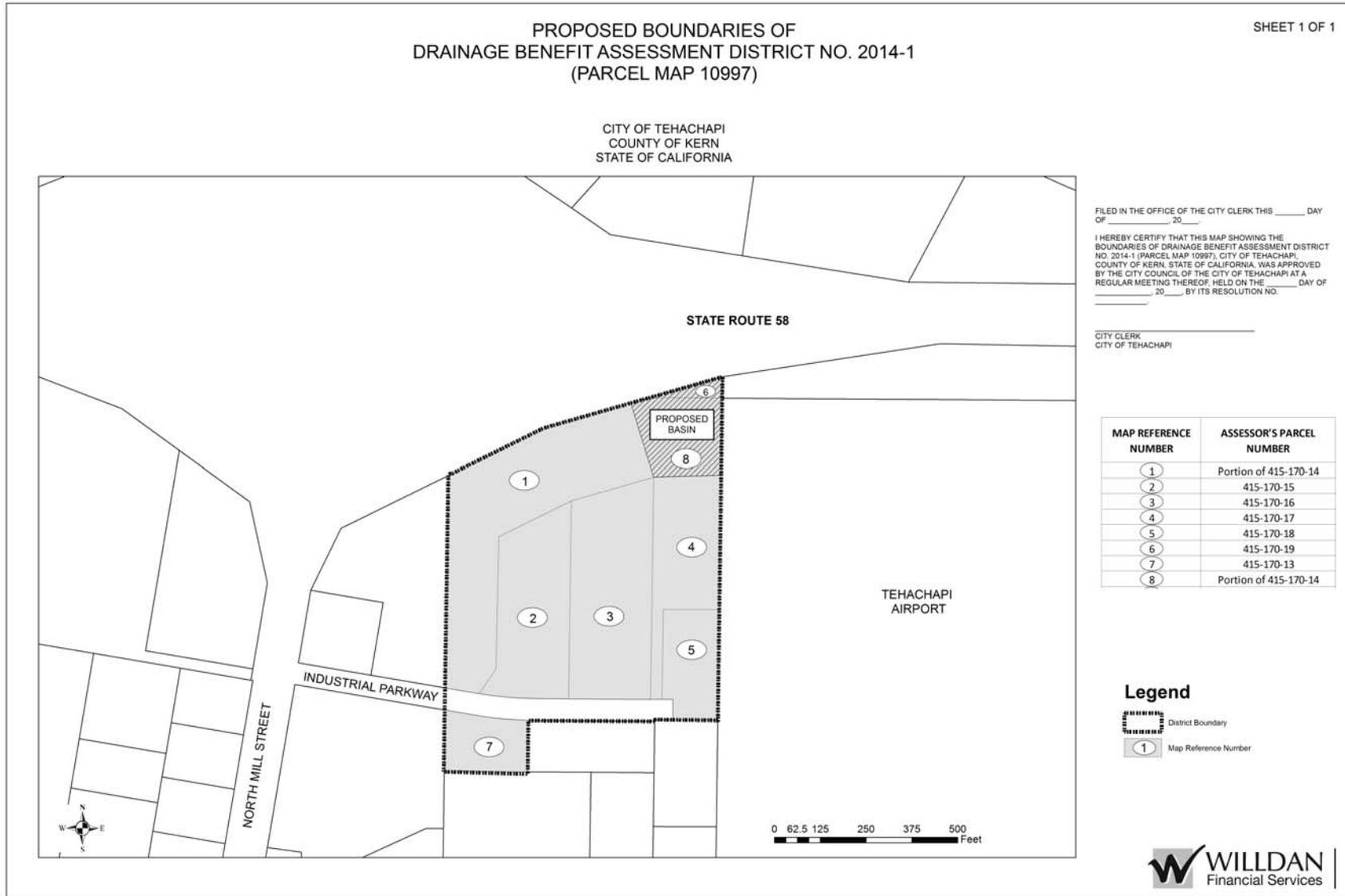
Levy Components	Budget
MAINTENANCE & OPERATION EXPENSES	
Drain Sump Maintenance	\$ 6,000.00
Drainage Basin Maintenance	\$ 3,670.00
Total Direct Costs	\$ 9,670.00
INCIDENTAL/ADMINISTRATION EXPENSES	
Levy Administration and Professional Services	\$ 1,140.27
County Collection Fee	1.50
City Overhead and Administration	967.00
Total Incidental Costs	\$ 2,108.77
Total Maintenance, Operation & Incidental Expenses	\$ 11,778.77
COLLECTIONS/(CREDITS) APPLIED TO LEVY	
General Benefit Contribution	\$ -
Reserve Collection/(Transfer)	110.54
Additional City Contribution	-
Total Contribution/Credit	\$ 110.54
Balance to Levy (Budgeted)	\$ 11,889.31
DISTRICT STATISTICS	
Total Parcels	8
Total Parcels Levied	6
Total Equivalent Benefit Units	12.65
Proposed Levy per Benefit Unit	166.35
Calculated Levy per Benefit Unit	\$ 939.87
Maximum Levy per Benefit Unit (FY 2014/2015)	\$ 938.94
Maximum Levy per Benefit Unit (FY 2015/2016)	\$ 939.87

PART IV — DISTRICT DIAGRAM

The following District Diagram identifies the area of land within the District to be designated as “Drainage Benefit Assessment District No. 2014-1 (Parcel Map 10997)”, based on the development and improvement plans for the District, Kern County Assessor’s Maps, and Kern County Assessor’s property information as the same existed at the time this Report was prepared. The District includes Kern County Assessor’s Parcel Map Book 415, Page 170, Parcels 13, 14, 15, 16, 17, 18, and 19. The combination of this map and the Assessment Roll contained in Part V of this Report constitute the Assessment Diagram for the District. The maximum assessment rate, assessment range formula and the proposed assessment amount for each of the lots and parcels of land within the District, as described herein, shall be presented to the property owners of record for approval or protest in accordance with the provisions of the California Constitution.

A copy of the District Diagram follows:

**ASSESSMENT DIAGRAM FOR
DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 2014-1
CITY OF TEHACHAPI, COUNTY OF KERN, STATE OF CALIFORNIA**



PART V — ASSESSMENT ROLL

Parcel identification for each lot or parcel within the District is outlined in the preceding Assessment Diagram and is based on available parcel maps and property data from the Kern County Assessor’s Office at the time this Engineer’s Report was prepared. A listing of the lots and parcels to be assessed within this District commencing in Fiscal Year 2015/2016, along with the assessment amount for each such lot or parcel is provided below.

If any parcel submitted for collection is identified by the County Auditor-Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor-Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rates described in this Report as approved by the City Council. Therefore, if a single parcel is subdivided to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.

The following is a list of the lots and parcels of land (parcels) within the District and the corresponding assessment amounts to be levied for Fiscal Year 2015/2016 as determined by the assessment rate and method of apportionment described herein:

Map Reference Number	APN	Acreage	Designated Land Use	Equivalent Benefit Unites	Balloted Amount Assessment (FY 2015/2016)
1	415-170-14 (Portion of)	3.96	Non-Residential Development	3.96	\$3,721.87
2	415-170-15	2.25	Non-Residential Development	2.25	\$2,114.70
3	415-170-16	2.93	Non-Residential Development	2.93	\$2,753.81
4	415-170-17	1.71	Non-Residential Development	1.71	\$1,607.17
5	415-170-18	1.02	Non-Residential Development	1.02	\$958.66
6	415-170-19	0.13	Exempt Parcel	-	\$0.00
7	415-170-13	0.78	Vacant Non-Residential	0.78	\$733.10
8	415-170-14 (Portion of)	1.05	Exempt Parcel	-	\$0.00
TOTAL		13.83		12.65	\$11,889.31



APPROVED	
DEPARTMENT HEAD:	
CITY MANAGER:	

COUNCIL REPORTS

MEETING DATE: JUNE 15, 2015 AGENDA SECTION: CITY MANAGER

TO: HONORABLE MAYOR WIGGINS AND COUNCIL MEMBERS

FROM: GREG GARRETT, CITY MANAGER

DATE: JUNE 11, 2015

SUBJECT: CITY OF TEHACHAPI LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1

BACKGROUND

This action by the City Council orders the levy of assessments within the Landscaping and Lighting District No. 1 for fiscal year 2015/2016.

At the May 18, 2015 City Council meeting, City Council adopted Resolution No. 29-15 Initiating proceedings, Resolution No. 30-15 approving the preliminary Engineer's Report, and Resolution No. 31-15 declaring its intent to levy assessments for the Landscaping and Lighting District No. 1 for fiscal year 2015/2016.

The total annual maintenance cost to the District is \$261,767.81. Annual maintenance costs are funded through the assessments placed on the property tax bills

OPTIONS

There are no alternate options for this item.

RECOMMENDATION

It is recommended that the City Council adopt two resolutions: (1) Amending and/or approving the Final Engineer's Report; (2) the City ordering the levy and collection of assessments within the Landscaping and Lighting Assessment District #1 for Fiscal Year 2015/2016.

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEHACHAPI, CALIFORNIA, AMENDING AND/OR
APPROVING THE FINAL ENGINEER'S REPORT REGARDING
THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
NO.1, AND THE LEVY AND COLLECTION OF ANNUAL
ASSESSMENTS RELATED THERETO FOR FISCAL YEAR
2015/2016**

WHEREAS, The City Council, pursuant to the provisions of *Part 2 of Division 15 of the California Streets and Highways Code*, did by previous Resolution order the Engineer, Willdan Financial Services, to prepare and file a report in accordance with *Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22565*, in connection with the proposed levy and collection of assessments for the Landscaping and Lighting District No.1, (hereafter referred to as the "District") for the fiscal year commencing July 1, 2015, and ending June 30, 2016; and

WHEREAS, The Engineer has prepared and filed with the City Clerk of the City of Tehachapi and the City Clerk has presented to the City Council such report entitled "Engineer's Annual Levy Report, Landscaping and Lighting District No.1, Fiscal Year 2015/2016" (hereafter referred to as the "Report"); and

WHEREAS, The City Council has carefully examined and reviewed the Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said

Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1: The above recitals are true and correct.

Section 2: The Report as presented, consists of the following:

- a) A Description of the District and Improvements.
- b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance)
- c) A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Benefit Unit (EBU) within said District for fiscal year 2015/2016. Said Assessment Rate for fiscal year 2015/2016 is not above maximum assessment rate per Equivalent Benefit Unit. The maximum assessment rate is subject to the application of an assessment range formula that includes the annual inflationary adjustment of (3%) for Tract 6062 and based on the CPI for Fiscal Year 2015/2016, (0.00%) for the other Tracts within the District except tract Parcel Map 11353 which is (0.10%). This inflation factor is applied to the maximum assessment rate each fiscal year.

Section 3: The Report as presented or as amended is hereby approved, and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4: The City Clerk shall certify to the passage and adoption of this

Resolution, and the minutes of this meeting shall so reflect the presentation and final approval of the Report.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Tehachapi at a regular meeting this 15th day of June, 2015.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Susan Wiggins, Mayor
City of Tehachapi, California

ATTEST:

Tori Marsh
City Clerk, City of Tehachapi, California

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Tehachapi at a regular meeting thereof held on June 15, 2015.

Tori Marsh

City Clerk, City of Tehachapi, California



TEHACHAPI
CALIFORNIA
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City of Tehachapi

Tehachapi Landscaping and Lighting District No. 1

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 18, 2015
Public Hearing: June 15, 2015

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ENGINEER'S REPORT AFFIDAVIT

TEHACHAPI LANDSCAPING & LIGHTING DISTRICT NO. 1

City of Tehachapi,
County of Kern, State of California

This Report describes the District and the relevant zones therein including the improvements, budgets, parcels and assessments to be levied for fiscal year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Kern County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 14th day of May, 2015.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Tehachapi

By: Josephine Perez-Moses

Josephine Perez-Moses, Senior Project Manager
District Administration Services

By: Richard Kopecky

Richard Kopecky
R.C.E. # 16742



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I. OVERVIEW

A. Introduction

The City of Tehachapi (“City”) annually levies and collects special assessments in order to provide annual maintenance for parks, landscaping and lighting improvements within the Landscaping and Lighting District No. 1 (“District”), pursuant to the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code* (“Act”) and in compliance with the substantive and procedural requirements of the *California State Constitution Article XIID* (“Constitution”). The District was formed in 2004, and provides funding for services required to maintain landscaping and lighting improvements and associated appurtenances located within the District boundaries.

This Engineer’s Annual Levy Report (“Report”) describes the District, any changes to the District and the proposed assessments for Fiscal Year 2015/2016. The proposed assessments are based on the estimated cost to maintain the improvements that provide a special benefit to properties within the District. The District budget identifies the estimated expenditures, deficits, surpluses, revenues and fund balances used to calculate the annual assessment for properties within the District. Each parcel within the District is assessed proportionately for those improvements provided by the District from which the parcel receives special benefit.

For the purposes of this Report, the word “parcel” refers to an individual property assigned its own Assessor’s Parcel Number (“APN”) by the Kern County Assessor’s Office. The Kern County Auditor/Controller uses APN’s and specific Fund Numbers to identify, on the tax roll, properties assessed for special district benefit assessments.

Following consideration of public comments and written protests at a public hearing, the City Council (“Council”) will review the Engineer’s Annual Levy Report and may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report, and confirmation of the assessments, the Council may order the levy and collection of assessments for Fiscal Year 2015/2016 pursuant to the Act and as outlined in the approved Report. In such case, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll for each parcel in Fiscal Year 2015/2016.

B. Historical Background

The District was originally formed in Fiscal Year 2003/2004 after the City initiated and conducted property owner protest ballot proceedings for the District in compliance with the substantive and procedural requirements of the Constitution.

At the conclusion of the Public Hearing on December 15, 2003, the property owner ballots returned were tabulated. The tabulation of the ballots indicated that the property owners approved the maximum assessment rate and the assessment range formula. The District originally consisted of the lots, parcels and tracts of land located in the subdivision area known as Heritage Oaks, which contains the single-family residential tract, Tract 6062 "Original District".

In subsequent years, the City initiated and conducted property owner protest ballot proceedings for the annexation of additional subdivisions to the District in compliance with the substantive and procedural requirements of the Constitution. In 2004, Tracts 6212, 6215, 6216 and 6248, respectively were annexed as Zones 1 through 4. In 2006, Tracts 5812 and 4927, respectively, were annexed to the District as Zones 5 and 6. Tract Numbers 6360, 6507, 6723-A and 6497 were annexed in 2007, as Zones 7, 8, 9, and 11, respectively. Parcel Map 11353 was annexed in 2008, as Zone 14C, and Parcel Map 10997 was annexed in 2014, as Zone 13C.

At the conclusion of each of the annexation public hearings, the property owner ballots returned were tabulated. The tabulation of the ballots indicated that the property owners of each of the twelve subdivisions approved the special benefit maximum assessment rate ("Maximum Assessment") for maintaining the improvements within the zones of the District. Although the actual assessment amount approved by each property owner varied with their proportionate benefits, the Maximum Assessments approved by the property owners established an initial maximum assessment rate for each zone and included the Assessment Range Formula, as further described in this Report, currently applied to each zone in the District. The Maximum Assessments are subject to the application of an assessment range formula that includes an annual inflationary adjustment of three percent (3%) for the Original District and an annual inflationary adjustment based upon the Consumer Price Index, for all Urban Consumers, for the Los Angeles-Orange-Riverside County Area as determined by the United States Bureau of Labor Statistics, or its successor ("CPI") for Zones 1 – 9, 11, 13C and 14C.

C. General Description of the District

The District consists of the lots, parcels and subdivisions of land located within the single-family residential subdivisions known as Tract 6062, 6212, 6215, 6216, 6248, 5812, 4927, 6360, 6507, 6723-A and 6497, and commercial property known as Parcel Map 11353 and Parcel Map 10997 (individually referred to as "Tract" and collectively as "Tracts"). Each Tract represents a zone of benefit within the District. The properties within the District include single-family residential parcels, non-residential parcels, a proposed church site, landscape easements and an open space area to be used as a proposed drainage sump.

The purpose of the District is to ensure the ongoing maintenance, operation and servicing of a proposed drainage sump, local perimeter landscaping and street lighting improvements installed in connection with development of properties within the District. Park improvements located adjacent to the District are also included within the list of proposed improvements. This District will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements will be funded.

The District structure, proposed improvements, method of apportionment and assessments described in this Report are based on current development and improvement plans including the estimated direct expenditures, incidental expenses and reserves associated with the maintenance and servicing of the improvements.

D. Improvements Authorized by the 1972 Act

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.

- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Borrow an amount necessary to finance the estimated cost of the proposed improvements. The amount borrowed, including amounts for bonds issued to finance the estimated cost of the proposed improvements.

E. District Boundaries

The District consists of non-contiguous areas located within the boundaries of the City of Tehachapi, including Tracts 6062, 6212, 6215, 6216, 6248, 5812, 4927, 6360, 6507, 6723-A and 6497 as well as Parcel Map 11353 and Parcel Map 10997 and their respective boundaries.

Original District – Tract 6062 is generally situated south of Pinon Street, north of Sutter Street and east of Ponderosa Drive.

Zone 1 – Tract 6212 is generally situated south and contiguous to the Valley Boulevard extension, north of Pinon Road, east of Curry Street and west of Dennison Road.

Zone 2 – Tract 6215 is generally situated north of Highline Road and south of Pinon Street and east of Ponderosa Drive.

Zone 3 – Tract 6216 is generally situated on the west side of Curry Street between Highline Road and Pinon Street.

Zone 4 – Tract 6248 is generally situated on the northeast corner of South Robinson Street and Holly Drive.

Zone 5 – Tract 5812 is generally situated on the southeast corner of Georgia Street and south of Dennison Road.

Zone 6 – Tract 4927 is generally situated on Mulberry Street, south of Valley Boulevard.

Zone 7 – Tract 6360 is generally situated north of “D” Street, and east of Mill Street.

Zone 8 – Tract 6507 is generally situated North of Pinion Street and West of Applewood Drive.

Zone 9 – Tract 6723-A is generally situated south of Cummings Valley Boulevard, north of Pinon Street.

Zone 11 – Tract 6497 is generally situated north of Highline Road, west of Dennison Road.

Zone 14C – Parcel Map 11353 is generally situated on Tehachapi Boulevard east of Dennison Road.

Zone 13C – Parcel Map 10997 is generally situated on Industrial Parkway and North Curry Street.

F. Description of District Improvements and Services

The District provides the ongoing maintenance, operation and servicing of proposed drainage sumps, local perimeter landscaping and street lighting improvements installed in connection with development of properties within the District boundaries. These improvements may include, but are not limited to, materials, equipment, utilities, labor and appurtenant facilities related to those improvements. These improvements include the necessary service, operation, administration, and maintenance required to keep the improvements in satisfactory condition. The improvements generally include the following:

Landscape and Public Street Lighting Improvements:

The landscaping improvements may include, but are not limited to, the landscaping material and facilities within the District. These improvements include ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, masonry walls or other fencing, entryway monuments and associated appurtenant facilities located within the individual zones. The street lighting improvements may include, but are not limited to, electrical energy, lighting fixtures, poles, meters, conduits, electrical cable and associated appurtenant facilities located within the individual zones.

Original District

- Landscape maintenance for entry medians located at Wyman Road and Brandon Lane.
- Perimeter landscape maintenance along Ponderosa Drive, Pinon Street and Sutter Street, immediately adjacent to the District, totaling approximately 61,740 square feet.
- The street lighting (twenty-seven 9,500 lumen lights) on the residential streets within the Original District.
- Public street lighting and other public lighting facilities (five, 16,000 lumen lights) on the streets surrounding or adjacent to the development and other public areas associated or necessary for development of properties within the Original District.

Zone 1

- Perimeter landscape maintenance totaling approximately 10,000 square feet along Valley Boulevard and landscaping located adjacent to the proposed drainage sump including periodic weed removal.
- Drainage sump totaling approximately 19,350 square feet.
- The street lighting (seventeen, 9,500 lumen lights) on residential streets within the Zone.
- Public street lighting and other public lighting facilities (five, 16,000 lumen lights) on Valley Boulevard surrounding or adjacent to the development and other public areas associated or necessary for development of properties within the Zone.

Zone 2

- Perimeter landscape maintenance totaling approximately 48,696 square feet along Highline Road, Sutter Street and Manzanita Lane.
- The street lighting (nineteen, 9,500 lumen lights) on residential streets within the Zone.

Zone 3

- Landscaping totaling approximately 11,572 adjacent to the rear of lots 1, 2 and 3. Also landscaping located adjacent to the proposed drainage sump on Pinon Street and drainage swale on the western side of the development including periodic weed removal.
- Perimeter landscaping totaling approximately 52,000 square feet along Highline Road, Curry Street, Pinon Street and adjacent to the rear of lots 1, 2, and 3.
- Entrance landscaping at Stetson Shadow Drive and East Orchard Parkway totaling approximately 23,000 square feet.
- Landscaping on Alder and South Alder Avenues totaling approximately 24,000 square feet.
- Landscaping of proposed drainage sump totaling approximately 3,000 square feet.

- The street lighting (sixty-seven, 9,500 lumen lights) on residential streets within the Zone.
- Public street lighting and other public lighting facilities (nine, 16,000 lumen lights) on Curry Street and Pinon street surrounding or adjacent to the development and other public areas associated or necessary for development of properties within the Zone.

Zone 4

- Perimeter landscape maintenance along “D” and South Robinson Streets and a drainage basin on the southeastern corner of “D” Street and South Robinson Street including periodic weed removal, totaling approximately 14,000 square feet.
- Drainage sump totaling approximately 7,400 square feet.
- The street lighting (three, 9,500 lumen lights) on residential streets within the Zone.
- Public street lighting and other public lighting facilities (three, 16,000 lumen lights) on South Robinson Street adjacent to the development and other public areas associated or necessary for development of properties within the Zone.

Zone 5

- Perimeter landscaping along Georgia Street, S. Dennison Road, and Pinon Street totaling approximately 64,000 square feet.
- Drainage retention basin totaling approximately 55,000 square feet.
- The street lighting (seventy-two, 9,500 lumen lights) on residential streets within the Zone.
- Public street lighting and other public lighting facilities (twenty-three, 16,000 lumen lights) on Georgia Street, S. Dennison Road, and Pinon Street surrounding or adjacent to the development and other public areas associated or necessary for development of properties within the Zone.

Zone 6

- The street lighting on residential streets within the Zone.
- Public street lighting and other public lighting facilities (six, 9,500 lumen lights) on Mulberry Street surrounding or adjacent to the development and other public areas associated or necessary for development of properties within the Zone.

Zone 7

- Streetscape located adjacent to the north side of “D” Street, as well as adjacent to the east side of Mill Street, totaling 1,705 square feet.
- Street lighting on residential streets located on the east side of Mill Street (two, 9,500 lumen lights on decorative poles) and on the north side of “D” Street (two, 9,500 lumen lights on decorative poles) within the Zone.

Zone 8

- Streetscape located and improvements located adjacent to the west side of Applewood Drive and to the north side of Pinon Street totaling approximately 16,665 square feet.
- The street lighting (seven, 16,000 lumens (150 watt) High Pressure Sodium Vapor Lamps on concrete poles) on residential streets within the Zone.

Zone 9

- Landscape Maintenance for park site generally beginning at the north property line of Lot No.1, southerly, adjacent to the west tract boundary, to the south property line of Lot No. 74, approximately 11,121 square feet.
- Landscape Maintenance for park site beginning at the north property line of Lot No.1, northerly, adjacent to the west tract boundary, to Cummings Valley Boulevard approximately 8,023 square feet.
- The street lighting (Nine, 9,500 lumen lights (100 watt) High Pressure Sodium Vapor Lamps on concrete poles); (Six, 16,000 lumen lights (150 watt) High Pressure Sodium Vapor Lamps on concrete poles) on residential streets within the Zone.

Zone 11

- Streetscape located adjacent to west side of Dennison Road, and adjacent to the north side of the Grand Teton Lane totaling approximately 12,457 square feet.
- Streetscape located adjacent to the southwest corner of Conagree Drive and Bryce Court (Lot No. 59 and 60), located adjacent to the north side of Bryce Court (Lot No. 50), located adjacent to the southwest corner of Conagree Drive and Yellowstone Lane, (Lot No. 48), located adjacent to the east side of Biscayne Drive (Lot No.27), located adjacent to the north side of Sutter Street (Lot No. 26), totaling approximately 5,048.5 square feet.
- Streetscape located between Conagree Drive and Dennison Road (Parcel A) approximately 3,080 square feet.
- Median Landscaping located at Grand Teton Lane 1,785 square feet.
- Landscaping multi-purpose path through center of project site connecting with Morris Park (between Lot Nos. 13 and 14; 43 and 44; 33 and 54; 32 and 55 totaling 8,522 square feet.
- The street lighting (Nine, 9,500 lumen lights (100 watt) High Pressure Sodium Vapor on concrete poles), adjacent to Biscayne Drive, Yellowstone Lane, & Katmai Court. As well as the street lighting (Four, 16,000 lumen lights (150 watt) High Pressure Sodium Vapor Lamps on concrete poles) adjacent to Dennison Road.

Zone 13C

- The street lighting (Six - 5,800 lumen High Pressure Sodium Vapor Lamps on concrete poles) located throughout the development.

Zone 14C

- Streetscape located adjacent to Tehachapi Boulevard totaling approximately 2,600 square feet.
- The street lighting (Seven - 5,800 lumen High Pressure Sodium Vapor Lamps on concrete poles) located throughout the development.

Park Improvements:

The park improvements may include, but are not limited to, the maintenance of the park landscaping including, but not limited to, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, masonry walls or other fencing and associated appurtenant facilities located with the:

Zones 1, 2 4, 7, 8, 9, and 11

- Neighborhood Park adjacent to the District boundaries totaling approximately 4.1 acres or 178,596 square feet.

Zone 3

- Paseo Park totaling approximately 2.7 acres or 121,000 square feet.
- Proposed linear and pocket parks totaling approximately 82,000 square feet.

The parcels within the District are assessed proportionately for the costs associated with the improvements and services provided through the District that provides a special benefit to each parcel assessed, utilizing the method of apportionment described in Section II of this Report.

II. METHOD OF APPORTIONMENT

A. Methodology

The Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, parks, open space areas and appurtenant facilities. The Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

Furthermore, Article XIID Section 4 of the Constitution states that:

“The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of the public improvement, the maintenance and operation expenses of the public improvement, or the cost of the property related service being provided.”

The formula used for calculating assessments reflects the composition of the parcels and the improvements and services provided within the District to fairly apportion the costs based on estimated special benefit to each parcel.

B. Benefit Analysis

Each of the improvements, the associated costs and assessments of the District have been reviewed, identified and allocated based on special benefit pursuant to the provisions of the Act and the Constitution. The improvements associated with this District have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the proposed development plans. As such, these improvements would be necessary and required of individual property owners for the development of such properties, and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of maintenance and operation of the improvements are of special benefit to the properties in the District.

The method of apportionment (method of assessment) is based on the premise that each assessed parcel within the District receives special benefit from the improvements within the Zone where the parcel is located as well as from adjacent landscaping, park and public street lighting improvements. The desirability and security of properties is enhanced by the presence of street lighting, well maintained landscaping and open space areas in close proximity to those properties.

The special benefits of landscaping, park improvements and open space improvements within the District are specifically:

1. Enhanced desirability of properties through association with the improvements;
2. Improved aesthetic appeal of properties providing a positive representation of the area;
3. Enhanced adaptation of the urban environment within the natural environment from adequate green space, open space areas and landscaping;
4. Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention;

5. Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties;
6. Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti; and,
7. Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

1. Enhanced deterrence of crime and the aid to police protection;
2. Increased nighttime safety on roads and streets;
3. Improved ability of pedestrians and motorists to see;
4. Improved ingress and egress to property;
5. Reduced vandalism and other criminal act and damage to improvements or property;
6. Improved traffic circulation and reduced nighttime accidents and personal property loss; and,
7. Increased promotion of business during nighttime hours in the case of commercial properties.

The preceding special benefits contribute to a special enhancement and desirability of each of the assessed parcels within the District. Although the improvements may include landscaping and lighting improvements and other amenities available or visible to the public at large, the construction and installation of these improvements are only necessary for the development of properties within the District and are not required nor necessarily desired by any properties or developments outside the District boundary. Therefore, any public access or use of the improvements by others is incidental and there is no measurable general benefit to properties outside the District or to the public at large.

Park Improvement Benefit

For the 4.1-acre neighborhood park improvements, the special benefit to the District is determined based on the potential use each Zone within the District will receive from park improvements. The neighborhood park is proposed to be a public park with special benefit to Zones 1, 2, 4, 7, 8, 9, and 11 based on the ratio of the parcels within those Zones to the proposed parcels located in the adjacent Zones as follows:

- Zone 1, 19%
- Zone 2, 8%
- Zone 4, 5%
- Zone 7, 1%
- Zone 8, 1%
- Zone 9, 1%
- Zone 11, 1%

Each Tract's percentages represent the portion of the park maintenance that is considered special benefit and will be assessed to the parcels within the respective tracts.

Due to the size and location of the 2.7-acre Paseo Park improvement located in Zone 3, it is estimated that there will be some use of the park by neighboring property owners not in the District. Therefore, the special benefit to the parcels in Zone 3 for the Paseo Park improvements is limited to 75% with the remaining 25% as general benefit.

For Zones 5 and 6, the special benefit from park improvements is determined based on the potential use the property owners within the Tracts will receive from the park improvements. Based on a Park and Recreation Study prepared in 2005, the City of Tehachapi and the local community have a standard of approximately 3 acres per 1,000 residents. Using this projection, the total number of acres and future population, 1% and 9% of the maintenance costs of new and future park improvements will be considered special benefit to Zones 5 and 6, respectively.

C. Assessment Methodology

The method of apportionment for each Zone within the District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The special benefit received by each lot or parcel is equated to the overall land use of the parcel based on the parcel's actual land use or proposed planned development, and is reliant upon the special benefit received from the improvements planned for each Zone within the District.

To identify and determine the special benefit to be received by each parcel, it is necessary to consider the entire scope of the District improvements as well as individual property development within each Zone of the District. The costs associated with the improvements shall be fairly distributed among the parcels based upon the special benefit received by each parcel within each Zone. Additionally, in compliance with the Constitution, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within each Zone of the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

Equivalent Benefit Units

To assess benefits equitably, it is necessary to relate the different type of parcel improvements to each other. The Equivalent Benefit Unit (EBU) method of assessment apportionment uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU). Every other land use is converted to EBUs based on an assessment formula that equates the property's specific development status, type of development (land use), and size of property, as compared to a single-family home site.

The EBU method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the Act, as the benefit to each parcel from the improvements are apportioned as a function of land use type, size and development.

EBU Application by Land Use:

Single-Family Residential – This land use is defined as fully subdivided residential home site with or without a structure or planned single-family residential lot as identified by a submitted or approved tentative tract map of final tract map. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that other land use types are compared and weighted against (i.e. Equivalent Benefit Unit or EBU).

Multi-Family Residential – This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property or planned residential lot as identified by a submitted or approved tentative tract map or final tract map. This land use is assessed 1.0 EBU per dwelling unit.

Developed Commercial – This land use is defined as property developed for either commercial or industrial use. This type of property receives greater benefit than Single Family or Multi-Family property due to typically larger lot size in relation to residential properties. With typical Single-Family Residential lot sizes at .25 acre,

Developed Commercial land use type is assessed at 4.0 EBU per gross acre. Parcels less than .25 acre are assigned a minimum of 1.0 EBU and there is no maximum acreage cap, as is the case with Vacant Non-Residential Property.

Non-Profit Parcels – This land use is defined as property developed for non-profit activities, such as Churches or Lodges. This type of property does receive benefit from the District improvements but at a rate that coincides with the sporadic intensity of people use for the parcel. Non-Profit land use type is assessed at 0.25 EBU per gross acre. Parcels less than 1.0 gross acre area assigned a minimum of 0.25 EBU.

Vacant Residential – This land use is defined as property currently zoned for residential development, but a tentative or final tract map has not been submitted and/or approved. This land use is assessed at 0.5 EBU per parcel.

Vacant Non-Residential – This land use is defined as property currently zoned for any non-residential use, but a tentative or final tract map has not been submitted and/or approved. This land use is assessed at 1.0 EBU per gross acre. Parcels less than 1.0 gross acre are assigned a minimum of 1.0 EBU. Parcels over 50 gross acres are assigned a maximum of 50 EBU.

Exempt Parcels – This land use identified properties that are not assessed and are assigned 0.0 EBU. This land use classification may include, but is not limited, to lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space area and right-of-ways; common areas, sliver parcels and bifurcated lots or any other property that cannot be developed; park properties and other publicly owned properties that are part of the District improvements and are therefore exempted from assessment.

The following table provides a listing of land use types, land use code designations, the Equivalent Benefit Unit factor applied to that land use type, and the multiplying factor used to calculate each parcel's individual EBU.

Land Use Codes and Equivalent Benefit Units

Property Type	Land Use Code	Equivalent Benefit Units	Multiplier
Single Family Residential	SFR	1.00	Lot/Parcel
Multi-Family Residential	MFR	1.00	Unit
Developed Commercial	COM	4.00	Gross Acre
Non-Profit Parcel	NP	0.25	Gross Acre
Vacant Residential	RV	0.50	Lot/Parcel
Vacant Non-Residential	NRV	1.00	Gross Acre
Exempt Parcel	XMT	0.00	Parcel

The benefit formula applied to parcels within each Zone of the District is based on the preceding Equivalent Benefit Unit (EBU) table. Each parcel’s EBU correlates the parcel’s special benefit received as compared to the other parcels benefiting from the improvements of the Zone.

The following formula is used to calculate each parcel’s EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acreage/Dwelling Units/Parcel/Lot} = \text{Parcel EBU}$$

For each Zone, the total number of Equivalent Benefit Units (“EBU”s) is the sum of the individual EBUs applied to the parcels that receive a special benefit from the improvements. An assessment amount per EBU (“Rate”) is established by taking the total cost of the improvements (including administration costs) and dividing that amount by the total number of EBUs of the parcels benefiting from the improvements. This Rate is then applied back to each parcel’s individual EBU to determine the parcel’s proportionate benefit and assessment obligation.

Total Balance to Levy / Total EBU = Rate per EBU

Rate per EBU x Parcel EBU = Parcel Levy Amount

D. ASSESSMENT RANGE FORMULA

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (*California Constitution Articles XIII C and XIII D*), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and annual inflationary adjustment to the Assessments without requiring costly noticing and mailing procedures, which could add to the District costs and Assessments. For the Original District, the approved annual adjustment to the Assessment per EBU is three percent (3%). For Zones 1 – 9 and 11, the approved annual adjustment to the Assessment per EBU is proposed to increase each year based upon the CPI. The Engineer shall compute the percentage difference between the CPI for January of each year and the CPI for the previous January. For Zone 13C, the Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February or CPUC rates for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. For Zone 14C, the Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February and shall then adjust the existing Assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living. The CPI for January did not increase based on January 2014 and January 2015 indices. The CPI increase for February is 0.10% which is based on February 2014 and February 2015 Indices. There was no increase for the CPUC from Fiscal Year 2014.

The Assessment Range Formula shall be applied to the future Assessments within the District. Generally, if the proposed annual assessment (levy per EBU) for the current fiscal year is less than or equal to the calculated Maximum Assessment, then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment Rate for each Zone is equal

to the initial Assessment (approved by property owners within each Zone of the District) adjusted annually by the approved inflation index.

Each fiscal year the Maximum Assessment will be recalculated and a new Maximum Assessment established for each Zone in the District.

The Maximum Assessment is adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual Rate per EBU that is less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

Although the Maximum Assessment will increase each year, the actual applied assessment rate per EBU may remain unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on annual assessment increases. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the Maximum Assessment. For each Zone, if the budget and applied assessment rate calculated for any fiscal year do not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment rate may be applied without additional property owner balloting. If the budget and assessment rate calculated require an increase greater than the current Maximum Assessment, then the assessment is considered an increased assessment and would be subject to property owner protest balloting in compliance with the Constitution.

III. DISTRICT BUDGET

City of Tehachapi							
L&L DISTRICT #1							
Levy Components		Total Budget	Original District	Zone 1	Zone 2	Zone 3	Zone 4
DIRECT COSTS			Tract 6062	Tract 6212	Tract 6215	Tract 6216	Tract 6248
Landscape Maintenance Contract	0.21	\$ 131,761.47	\$ 17,850.00	\$ 6,247.50	\$ 12,967.50	\$ 63,525.00	\$ -
Landscape Utilities	0.031	71,583.97	13,880.28	1,751.00	10,609.00	17,039.29	-
Sprinkler Repair & Replacement	0.03	10,887.00	1,050.00	367.50	997.50	5,775.00	-
Tree and Plant Replacement	0.06	17,419.20	1,680.00	588.00	1,596.00	9,240.00	-
Miscellaneous Parts, Equipment and Replacements	0.02	4,354.80	420.00	147.00	399.00	2,310.00	-
Park Maintenance (Neighborhood Park and Paseo Park)		53,317.50	-	-	3,990.00	34,650.00	-
Drainage Sump Maintenance	0.19	12,721.00	1,500.00	2,721.00	5,000.00	2,000.00	-
Street Lights		44,168.63	14,111.00	5,562.00	2,369.00	3,708.00	-
Total Direct Costs		\$ 346,213.57	\$ 50,491.28	\$ 17,384.00	\$ 37,928.00	\$ 138,247.29	\$ -
ADMINISTRATION COSTS							
Levy Administration and Professional Services	0.55	\$ 6,221.00	\$ 747.51	\$ 679.55	\$ 827.82	\$ 2,316.66	\$ -
County Collection Fee		222.19	26.62	24.85	29.48	82.50	-
City Overhead and Administration	2.43	22,941.81	3,297.16	1,135.20	2,476.76	9,027.76	-
Total Administration Costs		\$ 29,385.00	\$ 4,071.29	\$ 1,839.60	\$ 3,334.06	\$ 11,426.92	\$ -
COLLECTIONS/(CREDITS) APPLIED TO LEVY							
TOTAL DIRECT AND ADMIN COSTS		\$ 375,598.57	\$ 54,562.57	\$ 19,223.60	\$ 41,262.06	\$ 149,674.21	\$ -
Reserve Collection/(Transfer)		(106,221.26)	(28,360.44)	-	(12,856.74)	(50,722.21)	-
Capital Improvement Fund Collection/(Transfer)		-	-	-	-	-	-
General Fund Loans Repayment/(Advances)		-	-	-	-	-	-
Other Revenues/General Fund (Contributions)		(7,609.50)	-	-	-	(7,609.50)	-
Total Collections/(Credits)		\$ (113,830.76)	\$ (28,360.44)	\$ -	\$ (12,856.74)	\$ (58,331.71)	\$ -
Balance to Levy (Budgeted)		\$ 261,767.81	\$ 26,202.13	\$ 19,223.60	\$ 28,405.32	\$ 91,342.50	\$ -
Applied to Levy (Rounded)		\$ 261,767.82	\$ 26,202.14	\$ 19,223.60	\$ 28,405.32	\$ 91,342.50	\$ -
DISTRICT STATISTICS							
Total Parcels		1,040	124	110	136	388	1
Total Parcels Levied		1,007	121	110	134	375	-
Total Equivalent Benefit Units		1,393.19	121.25	110.00	134.00	375.00	29.00
Applied Levy per Benefit Unit			\$ 216.100	\$ 174.760	\$ 211.980	\$ 243.580	\$ -
Prior Year Levy per Benefit Unit			\$ 209.80	\$ 146.05	\$ 211.98	\$ 243.58	\$ -
Maximum Levy per Benefit Unit (Prior Fiscal Year)			\$ 209.81	\$ 275.94	\$ 212.00	\$ 243.58	\$ 453.90
Maximum Levy per Benefit Unit (Current Fiscal Year)			\$ 216.106	\$ 275.937	\$ 211.999	\$ 243.584	\$ 453.900
Inflationary Factor Applied to Maximum Rate			3.00%	0.00%	0.00%	0.00%	0.00%
			\$ (0.006)	\$ (101.177)	\$ (0.019)	\$ (0.004)	\$ (453.900)
FUND BALANCE INFORMATION							
Estimated Beginning Reserve Fund Balance		\$ (74,368.11)	\$ (56,828.38)	\$ 142,426.82	\$ (89,899.96)	\$ (53,922.99)	\$ 36,210.80
Reserve Fund Adjustments		(106,221.26)	(28,360.44)	-	(12,856.74)	(50,722.21)	-
Estimated Ending Reserve Balance		\$ (180,589.37)	\$ (85,188.82)	\$ 142,426.82	\$ (102,756.70)	\$ (104,645.20)	\$ 36,210.80

City of Tehachapi								
L&L DISTRICT #1								
Levy Components	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 11	Zone 14C	Zone 13C
	Tract 5812	Tract 4927	Tract 6360	Tract 6507	Tract 6723-A	Tract 6497	Parcel Map 11353	Parcel Map 10997
DIRECT COSTS								
Landscape Maintenance Contract	\$ 26,908.75	\$ -	\$ 2,139.46	\$ -	\$ -	\$ -	\$ 2,123.26	\$ -
Landscape Utilities	24,825.06	-	904.34	-	-	-	2,575.00	-
Sprinkler Repair & Replacement	2,446.25	-	125.85	-	-	-	124.90	-
Tree and Plant Replacement	3,914.00	-	201.36	-	-	-	199.84	-
Miscellaneous Parts, Equipment and Replacements	978.50	-	50.34	-	-	-	49.96	-
Park Maintenance (Neighborhood Park and Paseo Park)	14,677.50	-	-	-	-	-	-	-
Drainage Sump Maintenance	1,500.00	-	-	-	-	-	-	-
Street Lights	12,730.80	-	3,605.00	-	-	-	1,092.83	990.00
Total Direct Costs	\$ 87,980.86	\$ -	\$ 7,026.35	\$ -	\$ -	\$ -	\$ 6,165.79	\$ 990.00
ADMINISTRATION COSTS								
Levy Administration and Professional Services	\$ 1,278.80	\$ 172.98	\$ 67.96	\$ -	\$ -	\$ -	\$ 80.31	\$ 49.42
County Collection Fee	45.54	6.16	2.42	-	-	-	2.86	1.76
City Overhead and Administration	5,745.29	-	458.83	-	-	-	402.63	398.18
Total Administration Costs	\$ 7,069.63	\$ 179.14	\$ 529.21	\$ -	\$ -	\$ -	\$ 485.80	\$ 449.36
COLLECTIONS/(CREDITS) APPLIED TO LEVY								
TOTAL DIRECT AND ADMIN COSTS	\$ 95,050.49	\$ 179.14	\$ 7,555.56	\$ -	\$ -	\$ -	\$ 6,651.59	\$ 1,439.36
Reserve Collection/(Transfer)	(12,250.49)	3,445.74	(2,881.22)	-	-	-	(3,011.03)	415.12
Capital Improvement Fund Collection/(Transfer)	-	-	-	-	-	-	-	-
General Fund Loans Repayment/(Advances)	-	-	-	-	-	-	-	-
Other Revenues/General Fund (Contributions)	-	-	-	-	-	-	-	-
Total Collections/(Credits)	\$ (12,250.49)	\$ 3,445.74	\$ (2,881.22)	\$ -	\$ -	\$ -	\$ (3,011.03)	\$ 415.12
Balance to Levy (Budgeted)	\$ 82,800.00	\$ 3,624.88	\$ 4,674.34	\$ -	\$ -	\$ -	\$ 3,640.56	\$ 1,854.48
Applied to Levy (Rounded)	\$ 82,800.00	\$ 3,624.88	\$ 4,674.34	\$ -	\$ -	\$ -	\$ 3,640.56	\$ 1,854.48
DISTRICT STATISTICS								
Total Parcels	210	28	12	1	4	1	15	10
Total Parcels Levied	207	28	11	-	-	-	13	8
Total Equivalent Benefit Units	207.00	28.00	11.00	96.00	74.00	60.00	92.40	55.54
Applied Levy per Benefit Unit	\$ 400.000	\$ 129.460	\$ 424.940	\$ -	\$ -	\$ -	\$ 39.400	\$ 33.390
Prior Year Levy per Benefit Unit	\$ 399.98	\$ 129.46	\$ 424.94	\$ -	\$ -	\$ -	\$ 39.36	\$ 33.36
Maximum Levy per Benefit Unit (Prior Fiscal Year)	\$ 400.003	\$ 129.47	\$ 424.95	\$ 278.28	\$ 317.20	\$ 467.87	\$ 39.37	\$ 33.36
Maximum Levy per Benefit Unit (Current Fiscal Year)	\$ 400.003	\$ 129.469	\$ 424.947	\$ 278.284	\$ 317.201	\$ 467.872	\$ 39.413	\$ 33.393
Inflationary Factor Applied to Maximum Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.10%	0.10%
	\$ (0.003)	\$ (0.009)	\$ (0.007)	\$ (278.284)	\$ (317.201)	\$ (467.872)	\$ (0.013)	\$ (0.003)
FUND BALANCE INFORMATION								
Estimated Beginning Reserve Fund Balance	\$ (41,407.94)	\$ (1,428.64)	\$ (30,238.10)	\$ (11,273.81)	\$ 24,809.46	\$ 10,956.23	\$ (3,490.43)	\$ (281.17)
Reserve Fund Adjustments	(12,250.49)	3,445.74	(2,881.22)	-	-	-	(3,011.03)	415.12
Estimated Ending Reserve Balance	\$ (53,658.43)	\$ 2,017.10	\$ (33,119.32)	\$ (11,273.81)	\$ 24,809.46	\$ 10,956.23	\$ (6,501.46)	\$ 133.95

Appendix A — DISTRICT ASSESSMENT DIAGRAM

Boundary Diagrams are on file with the City and by reference are made part of this Report. The details of the lots or parcels within the District shall be defined by the Kern County Assessor's Maps established by the County for Fiscal Year 2015/2016. These maps, in connection with the Assessment Roll in Appendix B, constitute the District Assessment Diagram for Fiscal Year 2015/2016.

APPENDIX B -ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Kern County Assessor's map for the year in which this Report is prepared.

Non-assessable lots or parcels may include areas of public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and rights-of-ways including public greenbelts and parkways; utility rights-of-ways; common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment. Properties outside the District boundary receive no direct or special benefits from the improvements provided by the District and are not assessed.

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Kern County Assessor's map for the year in which this Report is prepared. The land use classification for each parcel is based on the Kern County Assessor's Roll. A listing of parcels assessed within this District, along with the proposed assessment amounts, shall be submitted to the City Clerk, under a separate cover, and by reference is made part of this Report.

Approval of this Report (as submitted or as modified) confirms the method of apportionment and the maximum assessment rate to be levied against each eligible parcel and thereby constitutes the approved levy and collection of assessments for the fiscal year. The parcels and the amount of assessment to be levied shall be submitted to the County Auditor/Controller and included on the property tax roll for the fiscal year.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.