

**A G E N D A**  
**TEHACHAPI CITY COUNCIL REGULAR MEETING,**  
**TEHACHAPI REDEVELOPMENT AGENCY REGULAR MEETING,**  
**TEHACHAPI PUBLIC FINANCING AUTHORITY REGULAR MEETING, AND**  
**TEHACHAPI CITY FINANCING CORPORATION REGULAR MEETING**  
**KERN COUNTY VETERANS HALL**  
**125 EAST "F" STREET**  
**MONDAY, JANUARY 7, 2008 - 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.

CALL TO ORDER

ROLL CALL

PLEDGE TO FLAG

CITY CLERK REPORTS

Tehachapi City Council Unassigned Res. No. 71-07  
Tehachapi City Council Unassigned Ord. No. 07-14-699  
Tehachapi Redevelopment Agency Unassigned Res. No. 04-07  
Tehachapi Public Financing Authority Unassigned Res. No. 02-07

1. According to Tehachapi Municipal Code Section 2.08.040, "The presiding officer of the council shall be the Mayor, who shall be elected biannually at the first meeting of each even-numbered year, by the Council Members, from among their membership except that the outgoing Mayor may not succeed himself or herself; provided, however, that should the Mayor be subject to reelection during his or her term as the Mayor and either not seek reelection or otherwise fail to be reelected, then the Council shall elect a new Mayor following the election and, thereafter, the Mayor shall be elected biannually at the first meeting following an election of Council Members and shall be so elected by the Council Members from among their membership except that the outgoing Mayor may not succeed himself or herself." This now being the first Regular Meeting of an even-numbered year, the Council must appoint a new Mayor from among their membership - **ELECTION OF MAYOR FOR A TWO YEAR TERM CALLED BY CITY CLERK TONI DESTEFANI; CERTIFICATE OF APPOINTMENT PRESENTED TO THE NEW MAYOR; ELECTION OF MAYOR PRO-TEMPORE CALLED BY MAYOR; CERTIFICATE OF APPOINTMENT PRESENTED TO NEW MAYOR PRO-TEMPORE**

RECESS WITH REFRESHMENTS

RECONVENE MEETING

**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.**

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2. The City Council of the City of Tehachapi will consider appointing one member to the City of Tehachapi Airport Commission to fill vacancies created by the recent resignation of Ken Hetge from the Commission, with said term expiring on June 30, 2011. Applications were received from the following individuals: Douglas W. Botbyl and Michael W. Melvill – **APPOINT ONE MEMBER TO THE TEHACHAPI AIRPORT COMMISSION**
- \*3. **ALL ORDINANCES SCHEDULED FOR INTRODUCTION OR ADOPTION AT THIS MEETING SHALL BE READ BY TITLE ONLY**
- \*4. Minutes for the Tehachapi City Council, Tehachapi Redevelopment Agency, Tehachapi Public Financing Authority and the Tehachapi City Financing Corporation Regular Meeting of 12/17/07 and Special Meeting of 12/11/07 – **APPROVE AND FILE**

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. 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.*

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

FINANCE DIRECTOR REPORTS

- \*6. Disbursements, Bills, and Claims for 12/18/07 – 01/07/08 – **AUTHORIZE PAYMENTS**
- \*7. City of Tehachapi Treasurer's Report for November, 2007 – **APPROVE AND FILE**

COMMUNITY DEVELOPMENT DIRECTOR REPORTS

8. As the Council will recall from previous Council Meetings, questions relating to the collection of mitigation fees from businesses moving within the City and new businesses moving into new shopping center developments, have been discussed. After consultation with numerous stakeholders, Staff has concluded that collecting a Shopping Center Equivalent Dwelling Unit fee up front for any new retail centers and not allowing transfer of fees between developments, will solve this issue in the future. In regards to the issues already in question, the developer of the subject development has agreed to pay the balance of the mitigation fees up front and therefore resolve any current issues – **DIRECT STAFF TO COLLECT THE SHOPPING CENTER EDU FEES UP FRONT FOR ANY NEW CENTERS YET TO BREAK GROUND; DIRECT STAFF TO NOT ALLOW MITIGATION FEES OR PORTIONS THEREOF TO BE TRANSFERABLE; DIRECT STAFF TO ALLOW BUSINESSES TO MOVE WITHOUT ADDITIONAL FEES PAID AND/OR MONITORED, WITHIN OLD SHOPPING CENTERS AND COMMERCIAL SPACES CONSTRUCTED PRIOR TO THE ADOPTION OF RESOLUTION NO. 13-93; DIRECT STAFF TO ALLOW SOBEL DEVELOPMENT TO PAY THE BALANCE OF THE SHOPPING CENTER**

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**MITIGATION FEES UP FRONT AND ALLOW SOBEL DEVELOPMENT TO ENTER INTO  
A PAYMENT AGREEMENT NOT TO EXCEED TWO (2) YEARS**

AIRPORT MANAGER REPORTS

- \*9. Approval of a Non-Commercial Hangar Ground Lease Agreement between the City of Tehachapi and George Sandy for Hangar 25E – **APPROVE NON-COMMERCIAL HANGAR GROUND LEASE AGREEMENT BETWEEN THE CITY OF TEHACHAPI AND GEORGE SANDY FOR HANGAR 25E**

CITY MANAGER REPORTS

10. Approval of an Amendment to the Improvement Agreement for Tentative Tract Map No. 6216 Phase I-5, between the City of Tehachapi and Tehachapi Ventures ET, LLC, to construct offsite improvements at the intersection of Curry Street and Highline Road – **APPROVE AMENDMENT TO THE IMPROVEMENT AGREEMENT FOR TENTATIVE TRACT MAP NO. 6216 PHASE I-5, BETWEEN THE CITY OF TEHACHAPI AND TEHACHAPI VENTURES ET, LLC, TO CONSTRUCT OFFSITE IMPROVEMENTS AT THE INTERSECTION OF CURRY STREET AND HIGHLINE ROAD**
11. The City of Tehachapi has identified the need to construct street improvements to the north side of Tehachapi Boulevard between South Robinson Street and South Hayes Street. These improvements are to include, but not necessarily be limited to, new curb, gutter, sidewalk, driveways, pedestrian improvements, landscaping, lighting, and park improvements. The above mentioned projects are part of a multi-phase street improvements plan for Tehachapi Boulevard and estimated construction costs are \$410,000. Expected funding sources include the Community Development Block Grant, Redevelopment Agency funds, and Transportation Development Act funds – **AUTHORIZE STAFF TO PROCEED WITH THE ADVERTISEMENT AND CONSTRUCTION OF THE PROJECT**
12. **PUBLIC HEARING** – The City of Tehachapi has recently utilized Community Development Block Grant (CDBG) funds to implement extremely successful projects, including Pioneer Park and North Curry Street/"J" Street Drainage Improvements. As a result of cost savings and project management on both of these projects, the City is able to re-program previously allocated money. With the previously unused funds and future funding opportunities, a total of \$238,373 is available for use. At this time, Staff is seeking Council authorization to submit this formal request for FY 08-09 funds and re-program the unused money to construct curb/gutter, period lighting on the north side of East Tehachapi Boulevard from South Robinson Street to Hayes Street – **OPEN HEARING; NOTICE OF PUBLIC HEARING AND CORRESPONDENCE; STAFF REPORT; RECEIVE PUBLIC COMMENT; CLOSE HEARING; STAFF RECOMMENDATION; DIRECT STAFF TO SUBMIT A FORMAL REQUEST FOR FY 08-09 CDBG FUNDS AND TO RE-PROGRAM UNUSED CDBG FUNDS FOR THE EAST TEHACHAPI BOULEVARD IMPROVEMENTS PROJECT**

COUNCIL MEMBER ANNOUNCEMENTS OR REPORTS

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13. At this time, an Investigative Audit is a prudent action on the part of the Tehachapi City Council. I feel that it is in the Council Member's best interest to address this issue and clear the slate with an Investigative Audit. This will put to rest any questions the public may have about the City's finances, and our new City Manager, who I hope will be a seasoned and mature professional, can begin with a clean slate. I, Council Member Stan Beckham, am recommending approval to proceed immediately with an Investigative Audit estimated to cost approximately \$8,000, and to be completed no later than February 29, 2008 or sooner – **DIRECT STAFF**
  
14. I, Council Member Stan Beckham, suggested the matter of upgrading security for the City Hall and Staff was directed by the City Council to explore options for upgrade in May 2007. On July 1, 2007, money was approved in the City budget for the upgrade. To date little progress has been made. The security of City personnel is of the utmost importance and their safety is priority number one, in my opinion. Mr. Garrett has started discussions with Mr. Kirk about electronic surveillance and access, but more protection, i.e., Plexiglas barriers needs to be implemented to PREVENT any problems. I, Council Member Stan Beckham, propose that Mr. Garrett should work with Chief Kermode to achieve this goal. The Chief did a wonderful job on the current police building and I am sure his knowledge would smooth the path for Mr. Garrett and Mr. Kirk. Further I propose that any security measures include barriers, as well as, electronic surveillance and access, and that this project has a completion deadline of 45 days from this meeting date – **DIRECT STAFF**

On their own initiative, a Council Member 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. Approval of Minutes of Closed Session on December 17, 2007
  
2. Conference with real property negotiator (City Manager) regarding price and terms of payment for the real property, described as Assessor's Parcel Numbers: 415-012-15, 415-012-16, 415-012-17, and 415-012-14, pursuant to Government Code Section 54956.8
  
3. Conference with legal counsel regarding claim filed by Tehachapi Funding LLC and Tehachapi Investors LLC per Government Code Section 54956.9(b)
  
4. Conference with real property negotiator (City Manager) regarding the price and terms of payment for lease of Airport property

**ADJOURNMENT**

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**COUNCIL & DEPARTMENT HEADS  
ASSIGNED TO ORGANIZATIONS AND GROUPS:**

1. **EMERGENCY PREPAREDNESS:**

Mayor Ed Grimes - **Public Information Officer**  
Interim City Manager Greg Garrett - **Director**  
Public Works Director Dennis Wahlstrom –  
**Public Works in Operations**  
Community Development Director David James –  
**Planning Chief**  
Finance Director Hannah Chung – **Finance Chief**  
Mayor Pro-Tempore Deborah Hand

Primary function is to establish & coordinate emergency preparedness in case of disaster in the city and the surrounding communities. Members of this group also serve as liaison with public safety departments including the Sheriff & Fire Departments.

2. **COMMON INTEREST GROUP:**

Mayor Ed Grimes  
Mayor Pro-Tempore Deborah Hand – **alternate 2**

This informal organization meets monthly & provides a forum for all local governments to meet and exchange ideas & report the status of each member.

3. **KERN COUNCIL OF GOVERNMENTS & KERN COUNTY CITY SELECTION ORGANIZATION:**

Council Member Philip Smith – **Kern COG**  
Council Member Linda Vernon – **alternate 1**  
Interim City Manager Greg Garrett - **TTAC**

All Kern County cities are represented by this State mandated organization & primarily evaluate & implement transportation issues. A secondary function is to appoint members to mandatory county organizations & committees.

4. **DEPARTMENT OF CORRECTIONS, ACCAP & CITIZENS ADVISORY ORGANIZATION:**

Mayor Ed Grimes - **CAC**  
Mayor Ed Grimes – **ACCAP**  
Council Member Linda Vernon  
Council Member Stan Beckham

This group meets with local prison officials & coordinates & improves relations between CCI, the City, & local community. The Association of California Cities Allied with Prisons (ACCAP) works with other California prison cities to publicize & promote common areas of interest to benefit member cities.

5. **KERN COUNTY AIR POLLUTION CONTROL DISTRICT:**

Alternates with California City

This mandated district works on air pollution issues & the City is required by State law to have a representative on this board. Through the Department of Motor Vehicles program grants to reduce air pollution, the City & surrounding communities have received significant funding over the past few years for worthwhile pollution reduction projects.

6. **KERN COUNTY ASSOCIATION OF CITIES:**

All City Council Members  
Council Member Stan Beckham – **Waste Management**

This voluntary organization is comprised of all the incorporated cities of Kern County. The members work collectively in solving common problems & achieving mutual goals.

7. **LEAGUE OF CALIFORNIA CITIES, SOUTH SAN JOAQUIN DIVISION:**

Mayor Ed Grimes

Most cities in California belong to this organization, which represents its membership on statewide legislative issues. A secondary function of the League is to train, educate & advise on various functions, laws & issues that pertain to member cities.

8. **TEHACHAPI SENIOR CITIZENS CENTER ORGANIZATION:**

Council Member Stan Beckham

Advises and works with the Senior Citizen Club & its membership on issues pertaining to this organization.

9. **PERSONNEL ADVISORS:**

Mayor Pro-Tempore Deborah Hand  
Council Member Linda Vernon  
Council Member Stan Beckham - Alternate

The functions of this organization are to review, revise, evaluate, advise & implement personnel issues that pertain to the City.

10. **GOLDEN HILLS COMMUNITY SERVICES DISTRICT LIAISON:**

Mayor Ed Grimes  
Council Member Linda Vernon

Members of this group serve as liaisons with Golden Hills Community Services District.

**COUNCIL & DEPARTMENT HEADS**  
**ASSIGNED TO ORGANIZATIONS AND GROUPS:**

11. **CAPITAL IMPROVEMENT PROJECTS GROUP:**

Council Member Philip Smith  
Mayor Ed Grimes  
Interim City Manager Greg Garrett  
Airport Manager Dave Zweigle  
Public Works Director Dennis Wahlstrom  
Community Development Director David James  
Finance Director Hannah Chung  
City Engineer Jay Schlosser

Members of this group rank and prioritize the City's capital improvement projects.

12. **GREATER TEHACHAPI VISION COMMUNITY FOUNDATION:**

Mayor Ed Grimes  
Mayor Pro-Tempore Deborah Hand

The public purpose of the foundation is to establish a vision, to provide funds, volunteer help, expertise, and possible direction for beautification and other projects within the greater Tehachapi area. The foundation coordinates and advertises the celebrations being planned as the citizens of Tehachapi look forward to the City's Centennial Celebration in 2009. Linking open space bike trails throughout the greater Tehachapi area is the City's Centennial Project.

13. **TEHACHAPI HOSPITAL FOUNDATION:**

Mayor Ed Grimes - Board of Director  
All City Council Members - member  
City Treasurer Pat Gassaway -member

The members of this foundation support and inform as well as educate the community of the need to build a new hospital.

14. **CALIFORNIA STATE UNIVERSITY,  
BAKERSFIELD, ANTELOPE VALLEY CAMPUS  
COMMUNITY DEVELOPMENT ADVISORY  
BOARD:**

Mayor Pro-Tempore Deborah Hand  
Mayor Ed Grimes - Alternate

The Center for Community Development mission is to promote community development through collaborative research, education, and service activities. The Center is guided by its commitments to cooperation among academic disciplines; strengthened relationships between educational, governmental, and private entities; collective wellbeing; and respect for cultural diversity.